

AMEND BOARD 10-0623-PR14**APPROVE EXERCISING THE THIRD OPTION TO RENEW THE AGREEMENT WITH NCS PEARSON INC. FOR THE PURCHASE OF STUDENT INFORMATION SYSTEMS SOFTWARE LICENSES****THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:**

Approve exercising third option to renew the agreement with NCS Pearson, Inc. for the purchase of database, enterprise, and e-business software licenses at a cost for the option period not to exceed ~~\$912,011.36~~ \$962,011.36. A written document exercising this option is currently being negotiated. No payment shall be made to Software Licensor during this option period prior to the execution of the written renewal agreement. The authority granted herein shall automatically rescind in the event a written renewal agreement is not executed within ninety (90) days of the date of this Board Report. Information pertinent to this option is stated below.

This April 2011 amendment is necessary to increase the compensation amount by \$50,000.00 and to add America Recovery and Reinvestment Act (ARRA) funding that supports various District learning activities; the funding became available after the original Board Report was approved. A written amendment to the agreement is required. The authority granted herein shall automatically rescind in the event a written amendment to the renewal agreement is not executed within 90 days of the date of this amended Board Report.

Specification Number : 03-250274
Contract Administrator : Ethan Sinnema / 773-553-3295

VENDOR:

- 1) Vendor # 34595
NCS PEARSON, INC
3075 W RAY RD.
CHANDLER, AZ 85226
Mike Carlson
847-865-1915

USER:

Information & Technology Services
125 South Clark Street - 3rd Floor
Chicago, IL 60603

Contact : Arshele Stevens
Phone: 773-553-1300
Project Manager: Phillip Dibartolo
Phone: 773-553-1300

ORIGINAL AGREEMENT:

The original agreement (authorized by Board Report 04-0324-PR12 as amended by 04-0428-PR13) in an amount not to exceed \$17,500,000.00 is for a term commencing April 1, 2004, and ending June 30, 2008 with the Board having five (5) options to renew for periods of one (1) year each. The agreement was extended (authorized by Board Report 08-0602-PR26) for a term commencing on July 1, 2008 and ending June 30, 2009. The vendor was selected on a competitive basis pursuant to a Request for Proposal (Specification No. 03-250274).

OPTION PERIOD:

The term of this Agreement is being extended for one year commencing July 1, 2010 and ending June 30, 2011.

OPTION PERIODS REMAINING:

There are two options to renew remaining; each for a period of one (1) year.

USE OF SOFTWARE: Vendor will continue to provide licenses to the Board to use the Student Information System (SIS) software modules. Vendor will also provide maintenance on this licensed software, which consists of program corrections and enhancements that Vendor may develop during the term of this agreement as long as the Board's annual maintenance fee is current.

MAINTENANCE/LICENSE FEE: Vendor will be paid an annual maintenance and license fee, which will not exceed ~~\$912,011.36~~ \$962,011.36.

DELIVERABLES:

Vendor will license the software to the Board, and will also provide program corrections and enhancements that the Vendor may develop during the term of the agreement, on magnetic tape, CD, email attachment, via downloadable FTP, or the then current method of software delivery.

OUTCOMES:

The SIS software programs will further automate the Board's student information system applications programs, thus making the Board more efficient and effective in managing student information systems. The SIS software will enhance the Board's ability to effectively educate students.

COMPENSATION:

NCS Pearson, Inc. shall be paid during the option period in accordance with a pricing schedule contained in the written agreement; total compensation not to exceed ~~\$912,011.36~~ \$962,011.36.

AUTHORIZATION:

Authorize the General Counsel to include other relevant terms and conditions in the written renewal agreement and amendment. Authorize the President and Secretary to execute the renewal agreement and amendment. Authorize Chief Information Officer to execute all ancillary documents required to administer or effectuate this renewal agreement.

AFFIRMATIVE ACTION:

Pursuant to Section 5.2.4 of the Remedial Program for minority and Women Business Enterprise Contract Participation (M/WBE Program), this contract is exempt for review because the nature of the service is a unique transaction.

LSC REVIEW:

Local School Council approval is not applicable to this report.

FINANCIAL:

Charge to Information & Technology Services for License Fee ~~\$912,011.36~~ \$962,011.36
Fund Classification - Various funds, including 331-Federal Title I - 2009 Stimulus (ARRA)
\$50,000.00

12540-230-53306-009573-000000 PO# 1731446 \$310,427.20

12540-230-53306-009573-000000-2011 \$601,584.16

CFDA#: Not Applicable

GENERAL CONDITIONS:

Inspector General - Each party to the agreement shall acknowledge that, in accordance with 105 ILCS 5/34-13.1, the Inspector General of the Chicago Board of Education has the authority to conduct certain investigations and that the Inspector General shall have access to all information and personnel necessary to conduct those investigations.

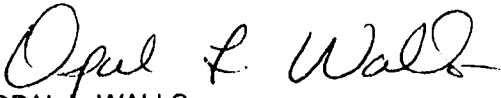
Conflicts - The agreement shall not be legally binding on the Board if entered into in violation of the provisions of 105 ILCS 5/34-21.3 which restricts the employment of, or the letting of contracts to, former Board members during the one year period following expiration or other termination of their terms of office.

Indebtedness - The Board's Indebtedness Policy adopted June 26, 1996 (96-0626-PO3), as amended from time to time, shall be incorporated into and made a part of the agreement.

Ethics - The Board's Ethics Code adopted June 23, 2004 (04-0623-PO4), as amended from time to time, shall be incorporated into and made a part of the agreement.

Contingent Liability - The agreement shall contain the clause that any expenditure beyond the current fiscal year is deemed a contingent liability, subject to appropriation in the subsequent fiscal year budget(s).

Approved for Consideration:


OPAL L. WALLS
Chief Purchasing Officer

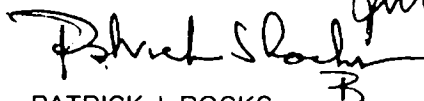
Approved:


TERRY MAZANY
Chief Executive Officer

Within Appropriation:


DIANA S. FERGUSON
Chief Financial Officer

Approved as to Legal Form:


PATRICK J. ROCKS
General Counsel