

AMEND BOARD REPORT 12-0425-PR14
APPROVE EXERCISING THE FIRST OPTION TO RENEW THE AGREEMENT WITH OPENTEXT CORPORATION FOR STUDENT AND TEACHER E-MAIL AND DOCUMENT COLLABORATION SERVICES

THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:

Approve exercising the first option to renew the agreement with OpenText Corporation ("OpenText") to provide student and teacher e-mail and document collaboration services to the Chicago Public Schools' Information and Technology Services at cost not to exceed ~~\$480,000.00~~ ~~630,000.00~~ for a one-year term, of which approximately \$285,520.00 is the discounted portion of eligible E-Rate Services or products to be funded by the School and Libraries Division of the Universal Service Administration Company ("SLD/USAC"). The Board shall only be responsible for the non-discounted portion of E-Rate eligible services or products and the cost of ineligible services or products, which shall not exceed ~~\$194,480.00~~ ~~344,480.00~~. No Board funds will be disbursed if E-Rate funding is denied except for Priority 1 Services as defined by SLD/USAC. Priority 1 Internet Access Services are those that are used as basic conduit access to the Internet, including e-mail. OpenText was selected on a competitive basis pursuant to Board Rule 5-4.1. A written document exercising this option is currently being negotiated. No payment shall be made to OpenText during the option period prior to execution of the written document. The authority granted herein shall automatically rescind in the event a written document is not executed within 90 days of the date of this Board Report. Information pertinent to this option is stated below.

This October 2012 amendment is necessary to increase compensation by \$150,000.00 to provide FirstClass email archiving services for the Board's school-based staff. A written amendment to the renewal agreement is required. The authority granted herein shall automatically rescind in the event a written amendment is not executed within 90 days of the date of this amended Board Report.

Specification Number : 09-250029

Contract Administrator : Hernandez, Miss Patricia / 773-553-2280

VENDOR:

- 1) Vendor # 15243
 OPEN TEXT, INC.
 100 TRI-STATE INTERN'T'L PKWY.
 LINCOLNSHIRE, IL 60069
 James Reider
 773-929-0458

USER INFORMATION :

Contact: 12510 - Information & Technology Services
 125 South Clark Street - 3rd Floor
 Chicago, IL 60603
 Tidmarsh, Mr. Lachlan W.
 773-553-1300

Project Manager: 12510 - Information & Technology Services
 125 South Clark Street - 3rd Floor
 Chicago, IL 60603
 Jones, Mr. Rodney W.
 773-553-1300

ORIGINAL AGREEMENT:

The original Agreement (authorized by Board Report #09-1216-PR15 in the amount of \$3,573,200.00 was for a term commencing July 1, 2010 and ending June 30, 2012, with the Board having four options to renew for one year term. The original agreement was awarded on a competitive basis pursuant to Board Rule 5-4.1.

OPTION PERIOD:

The term of this agreement is being extended for one year commencing July 1, 2012 and ending June 30, 2013.

OPTION PERIODS REMAINING:

There are three options to renew for periods of one-year each.

SCOPE OF SERVICES:

OpenText will continue to provide the following services:

- Internal and external Web mail access for student and employee users of the e-mail service
- System capable of supporting up to 450,000 users and operating 24 hours a day, seven days a week, and 365 days a year
- Comprehensive, integrated e-mail, and document collaboration solution
- External and internal hosting solutions
- Encrypted connections to e-mail servers
- Implementation plan
- Project timelines
- Training and marketing
- Virus protection
- Secure authentication via Microsoft Active Directory
- End user and support personnel training (e.g., Help Desk agents, Messaging Administrators, etc.)
- Compatibility and integration
- Archiving

DELIVERABLES:

OpenText will continue to provide and host an e-mail and collaboration system for the district. OpenText shall also provide all project deliverables associated with the implementation and maintenance of the solution

OUTCOMES:

OpenText's services will result in a highly scalable, robust, easy-to-maintain solution that encompasses the most effective, market viable technologies designed to roster improved communication and collaboration capabilities across the district's four major user groups (students, teachers, administrators, and parents).

COMPENSATION:

OpenText shall be paid as specified in the agreement, in a total amount not to exceed the sum \$ ~~480,000.00~~ 630,000.00 over a one-year contract term, of which \$285,520.00 is estimated to be eligible for discounts in accordance with the guidelines and requirements of E-Rate and at a maximum cost to the Board that is not to exceed ~~\$194,480.00~~ 344,480.00. No Board funds will be disbursed if E-Rate funding is denied except for Priority 1 Services as defined by SLD/USAC.

AUTHORIZATION:

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

AFFIRMATIVE ACTION:

The M/WBE goals for this contract include 35% total MBE and 5% total WBE participation. However, the Waiver Review Committee recommends that a full waiver of the M/WBE participation goals for this contract as required by the Remedial Program for Minority and Women Owned Business Enterprise Participation in Goods and Services Contracts be granted because the contract scope is not further divisible.

OpenText Corporation has elected to demonstrate a good faith effort to participate in CPS' Diversity Program by complying with the Goods and Services Remedial Program Section 9.5 whereby OpenText has elected to hire ten (10) interns from the Department of Career and Technical Education to provide on-site FirstClass end-user assistance.

LSC REVIEW:

Local School Council approval is not applicable to this report.

FINANCIAL:

Fund: 230

Office of Information and Technology Services, Parent Unit 12500

\$630,000.00 of which \$285,520.00 is E-Rate eligible

Anticipated Spend \$344,480.00 Fiscal Year 13

~~Please see attachment~~

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 May 25, 2011 (11-0525-PO2), as amended from time to time, shall be incorporated into and made a part of the agreement.

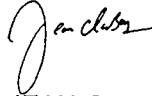
Contingent Liability - The agreement shall contain the clause that any expenditure beyond the current fiscal year is deemed a contingent liability, subject to appropriation in the subsequent fiscal year budget(s).

Approved for Consideration:



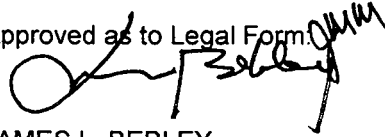
SÉBASTIEN de LONGEAUX
Chief Procurement Officer

Approved:



JEAN-CLAUDE BRIZARD
Chief Executive Officer

Approved as to Legal Form:



JAMES L. BEBLEY
General Counsel