

AMEND BOARD REPORT 01-0328-PR12
**APPROVE ENTERING INTO AN AMENDMENT OF THE EXISTING AGREEMENT WITH
EMC CORPORATION FOR THE PURCHASE OF ADDITIONAL HARDWARE AND
MAINTENANCE RELATED TO THE NEW STUDENT SCHEDULING SOFTWARE**

THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:

Approve entering into an amendment of the existing agreement with EMC Corporation for additional disk storage, cache controllers and associated maintenance to support the new student scheduling software for use by the Office of Technology Services at an aggregate cost not to exceed \$204,247.00. The hardware is an additional component that will be added to the existing equipment. A written amendment to the existing agreement is currently being negotiated. No additional equipment may be received and no payment for such additional equipment shall be made to EMC Corporation prior to the execution of the written amendment. The authority granted herein shall automatically rescind in the event a written amendment is not executed within ninety (90) days of the date of this board report. Information pertinent to this amendment is stated below.

This amendment is necessary to change the fiscal year.

CONTRACT NO: 98-250456

VENDOR: EMC Corporation
8770 West Bryn Mawr Avenue
12th Floor
Chicago, Illinois 60631
Contact: David Reding
Telephone No.: (773) 756-3290
Vendor No.: 28240

USER: Office of Technology Services
125 South Clark Street
3rd Floor
Chicago, Illinois 60603
Elaine L. Williams, Chief Technology Officer
Telephone No. (773) 553-1300

EXISTING AGREEMENT: The existing agreement (authorized by Board Report 98-0325-PR12 as amended by Board Report 99-0728-PR17) is for a term commencing May 26, 1998 and ending August 31, 2004.

TERMS OF THE AMENDMENT: The existing agreement shall be amended as follows: EMC shall provide eight (8) additional 92.46 gigabyte disk drives, two (2) additional 1024 megabyte cache controllers and associated maintenance. This additional capacity will be added to the existing equipment and is necessary to accommodate the additional space requirements of the student scheduling software.

COMPENSATION: The cost of the disk drives and cache controller is \$116,047.00, which will be paid upon installation and acceptance. The cost of the maintenance is \$2,100.00 per month (42 months), which will be paid annually upon invoicing. The total aggregate cost shall not exceed \$204,247.00.

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

AFFIRMATIVE ACTION: As a condition of this award, this firm agrees to comply with the provisions of the Revised Remedial Plan for M/WBE Economic Participation and agrees to make every effort to achieve full compliance with the goals for this program. The M/WBE goals for this program/project are: 35% MBE, 22% Black, 10% Hispanic, 2% Asian, 5% WBE.

LSC REVIEW: Local School Council approval is not applicable to this report.

FINANCIAL: Charge to Office of Technology Services: \$204,247.00
 Budget Classification: 0960-210-000-7536-5470 ~~\$126,547.00~~ \$151,747.00 FY01
~~Budget Classification: 0960-210-000-7536-5470 \$ 25,200.00 FY02~~
 Budget Classification: 0960-210-000-7536-5470 \$ 25,200.00 FY03
 Budget Classification: 0960-210-000-7536-5470 \$ 25,200.00 FY04
 Budget Classification: 0960-210-000-7536-5470 \$ 2,100.00 FY05

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.

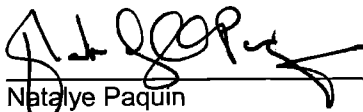
Conflicts – The agreement shall not be legally binding on the Board if entered into in violation of the provisions of 105 ILCS 5/34-21.3 which restricts the employment of, or the letting of contracts to, former Board members during the one-year period following expiration or other termination of their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

Indebtedness – The Board's Indebtedness Policy adopted July 26, 1995 (95-0726-EX3), as amended from time to time, shall be incorporated into and made a part of the agreement.

Ethics – The Board's Ethics Code adopted September 27, 1995 (95-0927-RU3), as amended from time to time, shall be incorporated into and made a part of the agreement.

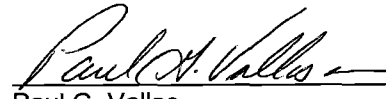
Contingent Liability – The agreement shall contain the clause that any expenditure beyond the current fiscal year is deemed a contingent liability, subject to appropriation in the subsequent fiscal year budget(s).

Approved for Consideration:



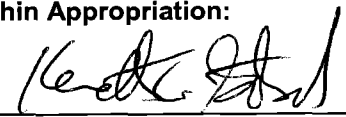
 Natalie Paquin
 Chief Purchasing Officer

Approved:



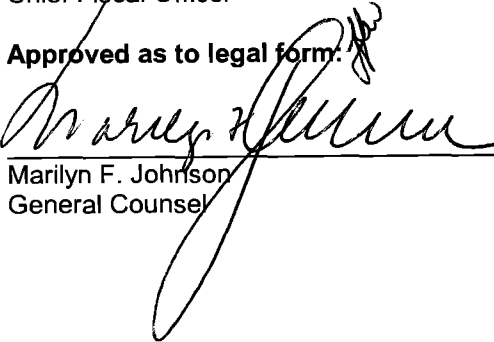
 Paul G. Vallas
 Chief Executive Officer

Within Appropriation:



 Kenneth C. Gotsch
 Chief Fiscal Officer

Approved as to legal form:



 Marilyn F. Johnson
 General Counsel