

**APPROVE THE RENEWAL OF THE EXISTING AGREEMENT WITH CANDLE CORPORATION FOR  
SOFTWARE LICENSE AND MAINTENANCE SERVICES**

**THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:**

Approve the renewal of the existing software license and maintenance agreement with Candle Corporation (Candle) for software products required for the IBM Mainframe to be used by the Office of Technology Services at a cost not to exceed \$49,000.00. A written renewal agreement for this matter is currently being negotiated. Software upgrades and fixes will be provided for an annual maintenance fee included in the contract price. No payment shall be made to software Licensor prior to the execution of the written license 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 renewal agreement is stated below.

**SPECIFICATION NO.:** 00-250817

**SOFTWARE LICENSOR:** Candle Corporation  
2001 Spring Road  
Oakbrook, Illinois 60521  
Contact: John Price  
Telephone No.: (630) 472-8433  
Vendor No.: 14409

**USER:** Office of Technology Services  
125 South Clark Street, 3rd Floor  
Chicago, Illinois 60603  
Contact: Robert W. Runcie, Chief Information Officer  
DeLois Mix, Data Center Manager  
Telephone No.: (773) 553-1300

**ORIGINAL AGREEMENT:** The original Consulting Agreement in the amount of \$182,016.00 (authorized by Board Report 01-0523-PR18, as amended by Board Report 01-0725-PR11) is for a term commencing September 1, 2000 and ending April 30, 2004. The original agreement was awarded on a non-competitive basis because of its proprietary software products.

**RENEWAL PERIOD:** By mutual agreement of the parties, the agreement shall be extended for a period commencing May 1, 2004 and ending April 30, 2005.

**USE OF SOFTWARE:** Candle will continue to provide a license for the Board to use the software products listed below on the IBM mainframe computers. Candle will also continue to provide maintenance on these licensed software products. Maintenance consists of program corrections and upgrades that Candle may develop during the term of the agreement.

**DELIVERABLES:** Candle will deliver the software, program corrections, and enhancements developed during the term of the agreement on magnetic tape, CD or via downloadable file transfer protocol (FTP).

**Omegamon II for MVS:** This product provides real-time performance monitoring for the operating system of IBM OS/390 mainframe environment.

**Omegamon II for CICS:** This product monitors the CICS regions and provides performance analysis (e.g. impact, bottleneck and response time) of the system.

**Omegamon II for DB2:** This product monitors the performance of the DB2 applications and subsystems in real-time. The product also collects performance information such as trace facility, buffer pool, and lock conflicts.

**Omegamon II for the Enterprise:** This product identifies and resolves problems faster for fewer outages or slowdowns.

**OUTCOME:** These products and services will provide the Board the ability to continue with their current environment and manage their resources more efficiently. System problems are identified and resolved faster resulting in fewer outages or slowdowns and increases availability by alerting users to problems.

**COMPENSATION:** Vendor shall be paid one lump sum upon invoicing a total not to exceed \$49,000.00.

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

**AFFIRMATIVE ACTION:** Pursuant to Section 3.7 of the Revised Remedial Plan for Minority and Women Business Enterprise Contract Participation (M/WBE Plan) this contract is exempt from review because the nature of the service is a unique transaction.

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

<b>FINANCIAL:</b>	Charge to the Office of Technology Services:	\$49,000.00	
	Budget Classification:	0960-210-000-1116-5470	\$ 8,167.00      FY 04
		0960-210-000-1116-5470	\$40,833.00      FY 05

**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.

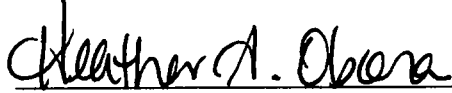
**Conflicts –** The agreement shall not be legally binding on the Board if entered into in violation of the provisions of 105 ILCS 5/34-21.3 which restricts the employment of, or the letting of contracts to, former Board members during the one year period following expiration or other termination of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

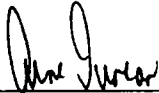
**Ethics –** The Board's Ethics Code adopted September 27, 1995 (95-0927-RU3), as amended from time to time, shall be incorporated into and made a part of the agreement.

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:**

  
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Heather A. Obora  
Chief Purchasing Officer

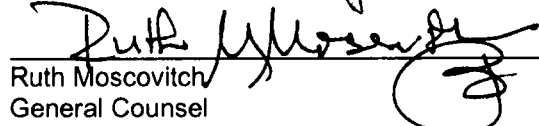
**Approved:**

  
\_\_\_\_\_  
Arne Duncan  
Chief Executive Officer

**Within Appropriation:**

  
\_\_\_\_\_  
John Maiorca  
Chief Financial Officer

**Approved as to legal form:**

  
\_\_\_\_\_  
Ruth Moscovitch  
General Counsel