

**APPROVE EXERCISING THE FIRST OPTION TO RENEW THE AGREEMENT
WITH FILENET CORPORATION**

THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:

Approve exercising the first option to renew the agreement with FileNet Corporation for the maintenance of FileNet software products provided to the Department of Human Resources at a cost for the option period not to exceed \$ 75,022.20. A written document exercising this option is currently being negotiated. No payment shall be made to Software Licensor prior to the execution of the written option agreement. 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.

SOFTWARE

LICENSOR: FileNet Corporation
3075 Highland Parkway, Suite 150
Downers Grove, IL 60515
Contact Person: Eric Westburg
Phone: (630) 271-8818
Vendor No.: 13517

USER: Department of Human Resources
125 S. Clark Street - 14th Floor
Chicago, IL 60603
Contact Person: Angela Alonzo, Director of Payroll
Phone No.: (773) 553-2666

ORIGINAL AGREEMENT: The original Agreement (authorized by Board Report #05-1026-PR10) in the amount of \$66,382.20 is for a term commencing November 1, 2005 and ending October 31, 2006, with the Board having 2 options to renew for 1 year terms. The agreement was amended (authorized by Board Report 05-1221-PR13) to add the purchase of eForms software licenses for \$108,000 and to increase the maintenance fee to \$79,342.20. Software Licensor was selected on a non-competitive basis because the software is proprietary to the FileNet Corporation.

OPTION PERIOD: The term of this agreement is being extended for 1 year commencing November 1, 2006 and ending October 31, 2007.

OPTION PERIODS REMAINING: There is one (1) option period for one (1) year remaining.

SCOPE OF SERVICES: FileNet Corporation will continue to provide maintenance support for the FileNet software for the Corrected Attendance Report System, and other FileNet applications.

DELIVERABLES: FileNet Corporation will continue to provide upgrades and bug fixes during the maintenance period.

OUTCOMES: These products and services will result in fully maintained and operating software for the Corrected Attendance Report (CARS), After School Attendance Reporting (ASAR) and Summer Employment Roster (SER) applications.

COMPENSATION: FileNet Corporation shall be paid during this option period as follows: a maintenance fee not to exceed \$ 75,022.20.

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 Human Resources Officer to execute all ancillary documents required to administer or effectuate this license agreement.

AFFIRMATIVE ACTION: The M/WBE goals for this contract include: 35% total MBE and 5% WBE goals. However, the Waiver Review Committee recommends that a FULL waiver of the M/WBE participation goals for this contract as required by the Revised Remedial Plan be granted because the contract scope is not further divisible.

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

FINANCIAL: Charge to Department of Human Resources: \$ 75,022.20 Fiscal Year: 2007
Budget Classification: 0710-210-000-1129-5311 Source of Funds: General Funds

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 member 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:


Heather A. Obora
Chief Purchasing Officer

Approved:


Arne Duncan
Chief Executive Officer

Within Appropriation:


John Maiorca
Chief Financial Officer

Approved as to legal form: 


Patrick J. Rocks
General Counsel