

**APPROVE EXERCISING THE UNLIMITED OPTION TO RENEW THE AGREEMENT WITH  
ORACLE USA, INC.**

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

Approve exercising the unlimited option to renew the agreement with Oracle USA, Inc., f/k/a Oracle Corporation, Inc. ("Oracle" or "Vendor") to provide technical support at a cost for the option period not to exceed \$308,000.00. This renewal of technical support is necessary for the Board to continue to receive maintenance support for software licenses purchased during the term of the original master agreement described below. An ordering document for technical support is currently being negotiated. No payment shall be made to Oracle during the option period prior to the execution of the ordering document. The authority granted herein shall automatically rescind in the event the ordering document is not executed within 90 days of the date of this Board Report. Information pertinent to this option is stated below.

**VENDOR:** Oracle USA, Inc. (f/k/a Oracle Corporation, Inc.)  
500 Oracle Parkway  
Redwood Shores, California 94065  
Contact Person: Winnie Appell  
Telephone No.: (303) 522-7764  
Vendor No.: 91760

**USER:** 1.) Information & Technology Services  
125 South Clark Street, 3rd Floor  
Chicago, Illinois 60603  
Contact: Arshele Stevens, Chief Information Officer  
Telephone No.: (773) 553-1300

2.) Department of Finance  
125 South Clark, 14<sup>th</sup> Floor  
Chicago, Illinois 60603  
Contact: Christina Herzog,  
Chief Financial Officer  
Telephone No.: (773) 553-2700

3.) Department of Human Resources  
125 South Clark, 2<sup>nd</sup> Floor  
Chicago, Illinois 60603  
Contact: Jerome Goudelock,  
Director of HR Operations  
Telephone No.: (773) 553-1070

4.) Department of Procurement & Contracts  
125 South Clark, 10<sup>th</sup> Floor  
Chicago, Illinois 60603  
Contact: Opal L. Walls,  
Chief Purchasing Officer  
Telephone No.: (773) 553-2280

**ORIGINAL AGREEMENT:** The original master agreement (executed under Board Report 03-1022-PR17) is for a term commencing November 26, 2003 and ending November 25, 2005 ("Initial Term") with the Board having three options to renew for a one year term. Thereafter, in lieu of new agreements, the Board executed ordering documents to purchase products and services, including but not limited to, additional software program products, maintenance, and consulting services, pursuant to Board Reports 03-1119-PR11, 04-0225-PR14, 04-0225-PR15, and 05-0525-PR7. These ordering documents referenced the original master agreement. Pursuant to Board Report 06-0628-PR23, the term of the original master agreement was renewed for a period commencing November 26, 2005 and ending November 26, 2006 (the "Extension Period") with unlimited options to renew technical support for licenses under the Master Agreement and associated ordering documents, annually for one year periods. The annual technical support ordered during the Extension Period expired December 31, 2007. The technical support was thereafter extended to December 30, 2008 pursuant to Board Report 08-0326-PR7 and extended to December 30, 2009 pursuant to Board Report 08-1119-PR11.

**OPTION PERIOD:** The term of this agreement is being extended for one year, commencing December 31, 2009 and ending December 30, 2010.

**OPTION PERIODS REMAINING:** There are unlimited options to renew technical support on an annual basis.

**TECHNICAL SUPPORT FEE:** Oracle shall be paid a fee of \$308,000.00, which covers software upgrades, technical support, and usage of the software licenses including, but not limited to, Oracle E-Business Suite and Oracle Peoplesoft Enterprise.

**COMPENSATION:** Consultant shall be paid during the renewal period in accordance with the pricing set forth in the ordering document; total compensation during the renewal term for all maintenance, support, and licenses shall not exceed \$308,000.00.

**OUTCOMES:** The maintenance support for the software program products will further secure the Board's critical data.

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

**AFFIRMATIVE ACTION:** The M/WBE goals for this contract include 35% total MBE, and 5% WBE. 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 be granted for one year because the contract scope is not further divisible.

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

**FINANCIAL:** Charge to Information & Technology Services: \$308,000.00  
Budget Classification: 12540-230-53306-266407-000000 \$308,000.00 FY10

**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.

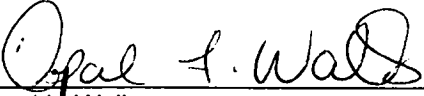
**Conflicts** – The agreement shall not be legally binding on the Board if entered into in violation of the provisions of 105 ILCS 5/34-21.3 which restricts the employment of, or the letting of contracts to, former Board members during the one year period following expiration or other termination of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

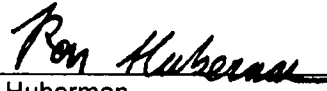
**Ethics** – The Board's Ethics Code adopted June 23, 2004 (04-0623-P04), as amended from time to time, shall be incorporated into and made a part of the agreement.

**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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Opal L. Walls  
Chief Purchasing Officer

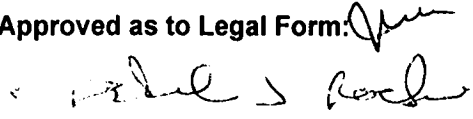
**Approved:**

  
\_\_\_\_\_  
Ron Huberman  
Chief Executive Officer

**Within Appropriation:**

  
\_\_\_\_\_  
Christina Herzog  
Acting Chief Financial Officer

**Approved as to Legal Form:**

  
\_\_\_\_\_  
Patrick J. Rocks  
General Counsel