

**RATIFY AN AGREEMENT WITH IBM CORPORATION
FOR IBM HARDWARE MAINTENANCE**

CUTIVE OFFICER REPORTS THE FOLLOWING DECISION:

THE CHIEF EXEC

hardware and software maintenance for the 3900 Printers, AS400 Server and 9672 Server to the Office of Technology Services ("OTS") including performance, system audits, and troubleshooting at a cost not to exceed \$268,457.40 for a three (3) year period. These services were obtained without prior Board approval. Vendor was selected on a non-competitive basis. Because of IBM's lower cost maintenance services for AS400 and 9672 servers, a written agreement for Vendor's maintenance is currently being negotiated. A written agreement for Vendor's maintenance is not executed within ninety (90) days of the date of this Board Report. Information pertinent to this agreement is stated below.

AFFIRMATIVE ACTION: The M/WBE goals for this contract include:

However, the Waiver Review Committee recommends that a full waiver of the participation goals for this contract as required by the Revised Remedial Plan for Minority and Women Business Enterprise Contract Participation (M/WBE Plan) be waived because contract scope not further divisible.

FINANCIAL: Charge to the Office of Technology Services: \$268,457.40

GENERAL CONDITIONS:

conduct certain investigations and that the Inspector General shall have access to all information and

The contract shall not be orally binding on the Board if entered into in violation of the provisions of 105 ILC S. 5/34-21-3 which restricts the employment of, or the letting of contracts to, former 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.

[Signature]
Anita Rocha
Acting Chief Purchasing Officer

Approved for Consideration:
[Signature]
Arne Duncan
Chief Executive Officer

Within Appropriation:

[Signature]
Kenneth C. Gotsch
Chief Fiscal Officer

Approved as to Legal Form:
[Signature]
General Counsel