

APPROVE ENTERING INTO AN AGREEMENT WITH EARNING TOOLS INTERNATIONAL FOR THE

PURCHASE OF APPLICATION SOFTWARE LICENSES

THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:

software licenses at a cost not to exceed \$3,723,143.00. Software licensor was selected on a competitive basis pursuant to a duly advertised Request for Proposal (Specification No. 04-250008). A written license agreement for such software is currently being negotiated. Future software upgrades and fixes will be provided for by an annual maintenance fee that is not included in the license price. No payment shall be made to Software Licensor prior to the execution of the written license agreement. The

OUTCOMES: The database and enterprise software program will further automate the Board's IEP process thus making the Board more efficient and effective in managing the program.

COMPENSATION: Software Licensor shall be paid as follows: upon invoicing, a one time fee of \$1,780,000.00 for the Licenses and the Fiscal Year 2006 maintenance fee of \$366,000.00 due upon delivery of the licenses. Compensation for subsequent years as follows: \$376,980.00 for the second year: \$399,289.00 for the third year: \$399,939.00 for the fourth year: \$411,926.00 for the fifth year. Total

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

Approved:

Arne Duncan

Heather A. Obora *B. H.*
Chief Purchasing Officer

Arne Duncan
Chief Executive Officer