

<b>Board Office Use: Legislative File Info.</b>	
File ID Number	17-0420
Introduction Date	3/22/17
Enactment Number	170351
Enactment Date	3/22/17 <i>ed</i>



**OAKLAND UNIFIED SCHOOL DISTRICT**  
*Community Schools Thriving Student*

# Memo

**To** Board of Education  
**From** Devin Dillon, Interim Superintendent  
 By: Vernon Hal, Senior Business Officer  
 Susan Beltz, Deputy Chief, Information Technology

**Board Meeting Date** \_\_\_\_\_

**Subject** Renewal of SunGard K-12 Education Software Maintenance

**Action Requested** Approval of the Software Maintenance Renewal Agreement between Oakland Unified School District and SunGard Public Sector. Services to be primarily provided to Technology Services for the period of December 1, 2016 through November 30, 2017.

**Background** The Software License Agreement between SunGard Public Sector Inc. and the Oakland Unified School District dated January 13, 2011. Based on Schedule to the Agreement, the Software License continuing from year to year is contingent upon payment of the Annual Support fees.

**Discussion** Approval by the Board of Education of Contract No. 2672, Addendum, Software Maintenance Renewal between the District and SunGard Public Sector Inc., dba "SunGard K-12 Education", Bethlehem, PA, for the latter to provide maintenance and enhancements for new releases of Baseline Software identified in Exhibit A, except as Noted, (IFAS Components and/or Systems) , pursuant to the terms and conditions stated in said Agreement, for the period commencing December 1, 2016 and concluding November 30, 2017, in an amount not-to-exceed \$158,726.73.

Note that Exhibit A has been introduced to suspend maintenance for five modules. These are new modules which we had planned to launch after the IFAS upgrade. Since there is no immediate plan to launch the new modules, we are suspending maintenance on these items.

**Recommendation** Approval by the Board of Education of Contract No. 2672, Addendum, Software Maintenance Renewal between the District and SunGard Public Sector Inc., dba "SunGard K-12 Education", Bethlehem, PA, for the latter to provide maintenance and enhancements for new releases of Baseline Software identified in Exhibit A, except as Noted, (IFAS Components and/or Systems) , pursuant to the terms and conditions stated in said Agreement, for the period commencing December 1, 2016 and concluding November 30, 2017, in an amount not-to-exceed \$158,726.73

**Fiscal Impact**

**Attachments** \$158,983.94 Funding Resource: Licensing-9999994701  
 SunGard Addendum 2526

**CONTRACT NO. 2672**

SunGard Public Sector LLC an FIS Company  
d/b/a "SUNGARD K-12" formerly known as SunGard Public Sector Inc. d/b/a  
SunGard K-12 Education

**ADDENDUM**

**Client:**

Oakland Unified School District  
1000 Broadway, Suite 680  
Oakland, CA 94607  
Telephone: (510) 879-8872  
Attn: John Krull

**Licensor:**

SunGard K-12  
3 West Broad Street  
Bethlehem, PA 18018  
Telephone: (610) 691-3616  
Fax: (610) 954-8378

SunGard K-12 and Client agree to amend their existing Software Maintenance Agreement, dated January 13, 2011 ("Agreement"), to add the following as attached hereto and part of this Amendment and Addendum.

**EXHIBITS TO ORDER FORM**

**EXHIBIT A: ANNUAL SUPPORT FEES**

All terms and conditions of the existing Agreement shall remain in effect (with the exception of any conditions, prices and payment terms indicated herein). For payment terms, refer to the payment schedule in Exhibit A.

Delivery Date is the date on which SunGard K-12 first ships the Component System to the Delivery Address F.O.B. SunGard K-12's place of shipment.

IN WITNESS WHEREOF AND INTENDING TO BE LEGALLY BOUND, the parties have caused this Addendum to be signed by its duly authorized officer.

**Oakland Unified School District**

**SunGard Public Sector LLC**

BY: *Vernon Hal*

BY:  60E73C048368446

PRINT NAME: Vernon Hal

PRINT NAME: Adam R. Eberle

PRINT TITLE: Sr. Business Officer

PRINT TITLE: Chief Commercial Officer

DATE SIGNED: \_\_\_\_\_

DATE SIGNED: 2/1/2017

**CONTRACT NO. 2672**

SunGard Public Sector LLC an FIS Company  
d/b/a "SUNGARD K-12" formerly known as SunGard Public Sector Inc. d/b/a  
SunGard K-12 Education

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**EXHIBIT A: ANNUAL SUPPORT FEES**

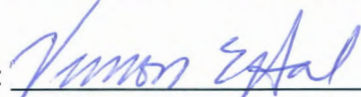
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**Oakland Unified School District**

**SunGard Public Sector LLC**

BY: 

BY: 

PRINT NAME: Vernon Hal

PRINT NAME: Adam R. Eberle


PRINT TITLE: Sr. Business Officer

PRINT TITLE: Chief Commercial Officer

DATE SIGNED: 

DATE SIGNED: 2/1/2017

  
James Harris  
President, Board of Education

  
Devin Dillon, Ph.D.  
Interim Secretary, Board of Education

## EXHIBIT A: ANNUAL SUPPORT FEES

Listed on the attached Invoice are the modules for which Annual Support will be provided during the term of December 1, 2016 through November 30, 2017 with the exception of those modules noted below.

SunGard K-12 and the District agree that Sungard K-12 shall suspend maintenance, and the District shall not be responsible for any of the below-indicated payments, for five (5) months from January 1, 2017 – May 31, 2017 for the following modules.

1.	Job/Project Ledger:	\$1,365.03
2.	PunchOut:	\$1,365.03
3.	Grants Management:	\$1,365.03
4.	Stores Inventory:	\$1,365.03
5.	Webform Productivity Pack:	\$1,742.82
	Total:	\$7,202.94

On or before June 1, 2017, the District must provide written notice to SunGard K-12 as it relates to the District's intentions in proceeding with the above reference modules. In the event the modules listed above are not implemented and/or the District has not reinstated maintenance by June 1, 2017, the modules will be cancelled; the suspension period will not be extended; and the District shall not be responsible for any further payments as to the foregoing listed modules. In the event the modules are cancelled but the District subsequently decides to reinstate these modules, the maintenance cost from the original date of cancellation to the then current date will be applied to fees due for the maintenance reinstatement, or the product can be repurchased at SunGard K-12's then current license pricing, whichever is less.

Per SunGard K-12's Invoice dated September 30, 2016, Sales Order No. 73469 is attached hereto and incorporated herein by reference.

\$163,271.12	Software Maintenance
\$ -7,202.94	Suspended Software Maintenance as indicated above
\$ <u>+2,915.76</u>	BusinessPLUS Professional Services
\$158,983.94	Total

Improvement fees for any Contract Year subsequent to the initial Contract Year are subject to change and will be specified by SunGard K-12 in an annual invoice.

**SUNGARD K-12 EDUCATION**

**THIS IS NOT AN INVOICE  
PROFORMA**

Company	Order No.	Date	Page No
PE	73469	30/Sep/2016	1

To: OAKLAND USD - CA  
 Attn: ROBIN SASADA - BUSINESS MANAGER  
 510-879-8324  
 OAKLAND USD - CA  
 TECHNOLOGY SERVICES  
 ATTN: ROBIN SASADA  
 1000 BROADWAY, STE 300  
 OAKLAND, CA 94607

Ship To: OAKLAND USD - CA  
 Attn: ROBIN SASADA - BUSINESS MANAGER  
 510-879-8324  
 OAKLAND USD - CA  
 TECHNOLOGY SERVICES  
 ATTN: ROBIN SASADA  
 1000 BROADWAY, STE 300  
 OAKLAND, CA 94607

Customer Grp/No.	Customer PO#	Payment Terms	Currency Code	Ship Via	Salesperson Cd
1 2733		Net 30	USD		

No. Item/ Description/ Comments	Drop Ship	# Users	Quantity	U/M	Unit Price	Disc %	Total Cost
1 Renewal: IFGENERAL LEDGER BusinessPLUS General Ledger/Nucleus/GUI (formerly IFAS) Maintenance: Start: 12/01/2016, End: 11/30/2017; Term: 12 months	No	1	1	EA	41,467.28	.00	41,467.28
2 Renewal: IFAPENCUMBRANCES BusinessPLUS Accounts Payable/Encumbrances (formerly IFAS) Maintenance: Start: 12/01/2016, End: 11/30/2017; Term: 12 months	No	1	1	EA	6,063.34	.00	6,063.34
3 Renewal: IFAR CASH RECEIPTS BusinessPLUS Accounts Receivable/Cash Receipts (formerly IFAS) Maintenance: Start: 12/01/2016, End: 11/30/2017; Term: 12 months	No	1	1	EA	6,063.34	.00	6,063.34
4 Renewal: IFBANK RECON BusinessPLUS Bank Reconciliation (formerly IFAS) Maintenance: Start: 12/01/2016, End: 11/30/2017; Term: 12 months	No	1	1	EA	3,367.23	.00	3,367.23
5 Renewal: IFPEID BusinessPLUS Person/Entity Database (formerly IFAS) Maintenance: Start: 12/01/2016, End: 11/30/2017; Term: 12 months	No	1	1	EA	3,367.23	.00	3,367.23
6 Renewal: IFPURCHASING BusinessPLUS Purchasing (formerly IFAS) Maintenance: Start: 12/01/2016, End: 11/30/2017; Term: 12 months	No	1	1	EA	8,722.98	.00	8,722.98
7 Renewal: IFFIXED ASSETS BusinessPLUS Fixed Assets Inventory (formerly IFAS) Maintenance: Start: 12/01/2016, End: 11/30/2017; Term: 12 months	No	1	1	EA	5,489.92	.00	5,489.92
8 Renewal: IFEASY LASER FORMS BusinessPLUS Easy Laser Forms (formerly IFAS) Maintenance: Start: 12/01/2016, End: 11/30/2017; Term: 12 months	No	1	1	EA	2,525.44	.00	2,525.44
9 Renewal: IFPAYROLL BusinessPLUS Payroll (formerly IFAS) Maintenance: Start: 12/01/2016, End: 11/30/2017; Term: 12 months	No	1	1	EA	14,650.18	.00	14,650.18
10 Renewal: IFHUMAN RESOURCES BusinessPLUS Human Resources and Position Control (formerly IFAS) Maintenance: Start: 12/01/2016, End: 11/30/2017; Term: 12 months	No	1	1	EA	14,650.18	.00	14,650.18
11 Renewal: IFPOSITION BUDGETING BusinessPLUS Position Budgeting (formerly IFAS) Maintenance: Start: 12/01/2016, End: 11/30/2017; Term: 12 months	No	1	1	EA	4,145.95	.00	4,145.95

SUNGARD K-12 EDUCATION PROFORMA		Company	Order No.	Date	Page No		
		PE	73469	30/Sep/2016	2		
Customer Grp/No.	Customer PO#	Payment Terms	Currency Code	Ship Via	Salesperson C#		
1	2733	Net 30	USD				
No. Item/ Description/ Comments	Drop Ship	# Users	Quantity	U/M	Unit Price	Disc %	Total Cost
12 Renewal: IFSUBTRACKER BusinessPLUS SubTracker (formerly IFAS) Maintenance: Start: 12/01/2016, End: 11/30/2017; Term: 12 months	No	1	1	EA	2,761.28	.00	2,761.28
13 Renewal: IFEMPLOYEE ONLINE BusinessPLUS Employee Online (formerly IFAS) Maintenance: Start: 12/01/2016, End: 11/30/2017; Term: 12 months	No	1	1	EA	7,073.90	.00	7,073.90
14 Renewal: IFWORK ORDER BusinessPLUS Work Order (formerly IFAS) Maintenance: Start: 12/01/2016, End: 11/30/2017; Term: 12 months	No	1	1	EA	7,578.23	.00	7,578.23
15 Renewal: IFCDD BusinessPLUS Click, Drag, & Drill Includes CDD.net (Report Writer) (formerly IFAS) Maintenance: Start: 12/01/2016, End: 11/30/2017; Term: 12 months	No	1	1	EA	13,909.96	.00	13,909.96
16 Renewal: IFDOCUMENTS ONLINE BusinessPLUS Documents Online (formerly Image Enabler) Maintenance: Start: 12/01/2016, End: 11/30/2017; Term: 12 months	No	1	1	EA	4,147.67	.00	4,147.67
17 Renewal: IFJOB/PROJECT LEDGER BusinessPLUS Job/Project Ledger (formerly IFAS) Maintenance: Start: 12/01/2016, End: 11/30/2017; Term: 12 months	No	1	1	EA	3,276.06	.00	3,276.06
18 Renewal: IFPUNCHOUT BusinessPLUS PunchOut (formerly IFAS) Maintenance: Start: 12/01/2016, End: 11/30/2017; Term: 12 months	No	1	1	EA	3,276.06	.00	3,276.06
19 Renewal: IFSTORES INVENTORY BusinessPLUS Stores Inventory (Warehouse) (formerly IFAS) Maintenance: Start: 12/01/2016, End: 11/30/2017; Term: 12 months	No	1	1	EA	3,276.06	.00	3,276.06
20 Renewal: IFGRANTS MANAGEMENT BusinessPLUS Grants Management (formerly IFAS) Maintenance: Start: 12/01/2016, End: 11/30/2017; Term: 12 months	No	1	1	EA	3,276.06	.00	3,276.06
21 Renewal: IFWEBFORM BusinessPLUS Webform Productivity Pack Maintenance: Start: 12/01/2016, End: 11/30/2017; Term: 12 months	No	1	1	EA	4,182.77	.00	4,182.77
<b>Total Amount For BUSINESSPLUS PRODUCTS</b>							<b>\$163,271.12</b>
22 Renewal: BC BCOUS1002 - Changes to Positive Pay File Maintenance: Start: 12/01/2016, End: 11/30/2017; Term: 12 months	No	1	1	EA	1,973.97	.00	1,973.97
23 Renewal: BC BCOUS1006WO - PY Check - EFT Writer Modification For Deferred Pay Maintenance: Start: 12/01/2016, End: 11/30/2017; Term: 12 months	No	1	1	EA	941.79	.00	941.79
<b>Total Amount For BUSINESSPLUS PROFESSIONAL SERVICES</b>							<b>\$2,915.76</b>

Customer Grp/No.	Customer PO#	Payment Terms	Currency Code	Ship Via	Salesperson C#
1	2733	Net 30	USD		

No. Item/ Description/ Comments	Drop Ship	# Users	Quantity	U/M	Unit Price	Disc %	Total Cost

Does not include any applicable taxes	<b>Order Total:</b> 100,188.88
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We would like to continue on the current maintenance plan

Our Purchase Order is enclosed

Our Purchase Order is \_\_\_\_\_

Purchase Order is not required to be invoiced

**AN INVOICE WILL BE SENT AFTER CONFIRMATION OF ORDER**



## CONTRACT JUSTIFICATION FORM

### This Form Shall Be Submitted to the Board Office With *Every* Consent Agenda Contract.

**Legislative File ID No.** \_\_\_\_\_

**Department:** Technology Services

**Vendor Name:** SunGard Public Sector, Inc.

**Contract Term:** Start Date: 12/01/2016 End Date: 11/30/2017

**Annual Cost:** \$ 158,983.94

**Approved by:** Susan Beltz

**Is Vendor a local Oakland business?** Yes  No

**Why was this Vendor selected?**

SunGard Public Sector has been the financial system for Oakland Unified School District since 2001. The Oakland Unified School District, on August 28, 2001, entered into the Software License Agreement between SunGard Public Sector Inc. Based on Schedule C-3 of the Agreement, The Software License continuing from year to year is contingent upon payment of Annual Support fees .

**Summarize the services this Vendor will be providing.**

SunGard Public Sector will provide Maintenance and Enhancements for new releases of the Baseline Software identified. Annual Support will be provided for the Business Plus modules listed in Exhibit A (IFAS Components and /or Systems. Primarily provided to Technology Services for the period of December 1, 2016 through November 30, 2017

**Was this contract competitively bid?** Yes  No

If No, answer the following:

- 1) How did you determine the price is competitive?



2) Please check the competitive bid exception relied upon:

- Educational Materials**
- Special Services** contracts for financial, economic, accounting, legal or administrative services
- CUPCCAA exception** (Uniform Public Construction Cost Accounting Act)
- Professional Service Agreements** of less than \$86,000 (increases a small amount on January 1 of each year)
- Construction related Professional Services** such as Architects, DSA Inspectors, Environmental Consultants and Construction Managers (require a "fair, competitive selection process)
- Energy** conservation and alternative energy supply (e.g., solar, energy conservation, co-generation and alternate energy supply sources)
- Emergency** contracts
- Technology** contracts
  - electronic data-processing systems, supporting software and/or services (including copiers/printers) over the \$86,000 bid limit, must be competitively advertised, but any one of the three lowest responsible bidders may be selected
  - contracts for computers, software, telecommunications equipment, microwave equipment, and other related electronic equipment and apparatus, including E-Rate solicitations, may be procured through an RFP process instead of a competitive, lowest price bid process
  - Western States Contracting Alliance Contracts (WSCA)
  - California Multiple Award Schedule Contracts (CMAS) [contracts are often used for the purchase of information technology and software]
- "Piggyback" Contracts** with other governmental entities
- Perishable Food**
- Sole Source**
- Change Order for Material and Supplies** if the cost agreed upon in writing does not exceed ten percent of the original contract price
- Other, please provide specific exception**