

Legislative File

File ID No 11-2742
Introduction Date 10-17-11
Enactment No 11-2315
Enactment Date 10-26-11
By AS

Oakland Unified School District
Office of the Board of Education

October 26, 2011

TO: Board of Education

FROM: Anthony Smith, Ph.D., Superintendent
Vernon Hal, Deputy Superintendent, Business Services and Operations
Gee Kin Chou, Information Technology Officer

VEH

SUBJECT: **Contract No. 07/11-1599, SunGard Public Sector Addendum to the Software License Agreement between the Oakland Unified School District and SunGard Public Sector Inc., Bethlehem, PA for the latter to provide Business Plus Professional Services, Additional Consulting for 13.51 days regarding IFAS Software and related projects to District identified staff, in an amount not-to-exceed \$20,000.00, for the period commencing October 3, 2011 and concluding June 30, 2012.**

ACTION REQUESTED

Contract No. 07/11-1599, SunGard Public Sector Addendum to the Software License Agreement between the Oakland Unified School District and SunGard Public Sector Inc., Bethlehem, PA for the latter to provide Business Plus Professional Services, Additional Consulting for 13.51 days regarding IFAS Software and related projects to District identified staff, in an amount not-to-exceed \$20,000.00, for the period commencing October 3, 2011 and concluding June 30, 2012.

BACKGROUND

SunGard is currently working on several projects for the Oakland Unified School District that include: Position Budgeting, AP/PY Positive Pay Interface File, Laser Checks/Accounts Payable and Payroll, Electronic Purchase Orders, Contract Addendum Module, and HR Data Conversion from legacy system to Business Plus.

The Oakland Unified School District has requested additional Professional Services from SunGard for the continued development and implementation of these projects. SunGard will provide 13.51 days of these requested services.

FISCAL IMPACT

The State Loan: IFAS Upgrade Account will fund the \$20,000.00

RECOMMENDATION

Staff is recommending approval by the Board of Education of Contract No. 07/11-1599, SunGard Public Sector Addendum to the Software License Agreement between the Oakland Unified School District and SunGard Public Sector Inc., Bethlehem, PA for the latter to provide Business Plus Professional Services, Additional Consulting for 13.51 days regarding IFAS Software and related projects to District identified staff, in an amount not-to-exceed \$20,000.00, for the period commencing October 3, 2011 and concluding June 30, 2012.

ATTACHMENT

Contract No. 07/11-1599, SunGard Public Sector Addendum to the Software License Agreement between the Oakland Unified School District and SunGard Public Sector Inc.

Agreement with SunGard Bi-Tech for IFAS Software License

<i>Contract only:</i> _____ Fiscal Service Budget code: _____

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By: [Signature]

CONTRACT NO. 1599

SunGard Public Sector Inc.
d/b/a "SUNGARD K-12 EDUCATION"

ADDENDUM

Client:

Oakland Unified School District
1011 Union Street
Oakland, CA 94647
Telephone: (510) 879-8223
Fax: (510) 879-8800
Attn: Gee Kin Chou

Licensor:

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

SunGard K-12 Education and Client agree to amend their existing agreement dated August 28, 2001, to add the following as attached hereto and part of this Agreement.

EXHIBITS

EXHIBIT A: PAYMENT SUMMARY AND SCHEDULE

EXHIBIT B: SOFTWARE AND SERVICES

1. Professional Services
 - i. BusinessPLUS
2. Pricing Notes

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

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

Oakland Unified School District

BY: _____

PRINT NAME: _____

PRINT TITLE: _____

DATE SIGNED: _____

SunGard Public Sector Inc.

BY: _____

PRINT NAME: Bronne J. Bruzgo

PRINT TITLE: Vice President, Sales

DATE SIGNED: September 23, 2011

[Signature] 10/27/11
Jody London
President, Board of Education

OAKLAND UNIFIED SCHOOL DISTRICT
Office of General Counsel
APPROVED FOR FORM & SUBSTANCE
By: [Signature]
Attorney at Law

[Signature] 10/27/11
Edgar Rakestraw, Jr., Secretary
Board of Education

EXHIBIT A: PAYMENT SCHEDULE

SOFTWARE AND SERVICES

1	Professional Services		\$20,000
	(refer to Exhibit B for detail)		
	Other Professional Services	\$20,000	
	Due monthly as incurred		

TOTAL SOFTWARE AND SERVICES ⁽¹⁾:	\$20,000
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¹ Travel and living expenses are not included in this Professional Services cost.

EXHIBIT B: SOFTWARE AND SERVICES

1. PROFESSIONAL SERVICES

BusinessPLUS		Professional Services	
Value Added Services	Days	Price	2nd Year Maintenance
Additional Consulting	13.51	20,000	N/A
Subtotal Proposed Services:	13.51	\$20,000	-
TOTAL BusinessPLUS Proposed Services: ⁽¹⁾			\$20,000

- (1) Additional Consulting days will be billed monthly on an as delivered basis. The current hourly training rate is \$160, the current hourly consulting rate is \$185.

2. PRICING NOTES

- 1 SunGard K-12 Education's pricing for services are bill as incurred unless otherwise indicated within the Payment Summary and Schedule.
- 2 Travel and living expenses are not included in the Professional Services costs.
- 3 Should additional daily time be needed for implementation assistance beyond the standard eight hour day, this can be scheduled with your Project Manager. Any services required beyond those days indicated will be performed at on our then current rates.
- 4 Training day counts are based on a maximum class size of 16 individuals.
- 5 Any training and implementation scheduled more than 12 months after the Contract Execution date of this agreement will be at our then current rates.
- 6 The schedule for the above training and implementation services will occur as mutually agreed by SunGard K-12 Education and Client and as documented in a training agenda that will be sent to the Client. SunGard K-12 Education's cancellation policy requires a 21-day advance notice to cancel scheduled training. Cancellations within 6-21 days of the scheduled service will be invoiced at 50% of the total quoted service cost. Cancellation within 5 days, or on the scheduled date, the service will be invoiced at 100% of the quoted cost. For any cancellation of on-site services, any non-refundable travel expenses will be invoiced to your organization at cost.



OUSD Consultant Billing Rate Guideline Waiver Request

Directions

All District professional services contracts must be paid at an hourly rate within the OUSD Billing Rate Guidelines. Principals and managers can submit a waiver request to pay consultants at a higher hourly rate or in special circumstances, a flat fee contract. Billing rate guideline waivers require Cabinet level approval (Deputy Superintendent). To request this waiver complete this form and submit it with the contract packet. If your request is denied you will be required to renegotiate the compensation and resubmit the contract for approval.

Contractor Name	SunGard Public Sector
Contract Originator Name	Gee Kin Chou
Site or Department	986/Technology Services
Requisition Number	R0201702

Reason for requested waiver:

- Specialized skills set justifies higher hourly rate, see resume or statement of qualifications attached
- Short-term contract requires a higher hourly rate. Contract is less than one month in duration.
- Other, please explain:

Additional professional services from SunGard needed to continue development and implementation of current projects with SunGard.

Approval Cabinet Level approval required (Deputy Superintendent)

Regional or Executive Officer

Date

9/27/11

Cabinet Level

Date

Basic Directions

Additional directions and related documents are in the School Operations Library (<http://intranet.ousd.k12.ca.us>)

Services cannot be provided until the contract is fully approved and a Purchase Order has been issued.

- Contractor and OUSD contract originator (principal or manager) reach agreement about scope of work and compensation.
- Ensure contractor has OUSD Vendor Number and meets the consultant requirements (including insurance and background check)
- Contractor and OUSD contract originator complete the contract packet together and attach required attachments.
- OUSD contract originator creates the requisition.
- Within 2 weeks of creating the requisition the OUSD contract originator submits complete contract packet for approval.

Attachment Checklist

- For individual consultants: HRSS Pre-Consultant Screening Letter for current fiscal year
- For individual consultants: Proof of negative tuberculosis status within past 4 years
- For All Consultants: Statement of qualifications (organization); or resume (individual consultant)
- For All Consultants: Proof of Commercial General Liability insurance naming OUSD as an Additional Insured
- For All Consultants with employees: Proof of workers compensation insurance

OUSD Staff Contact Emails about this contract should be sent to: janice.chinn@ousd

Contractor Information

Contractor Name	SUNGARD PUBLIC SECTOR INC	Agency's Contact	BRONNE J. BRUZGO			
OUSD Vendor ID #	1024393	Title	VICE-PRESIDENT, SALES			
Street Address	3 WEST BROAD STREET	City	BETHLEHEM	State	PA	Zip 18018
Telephone	(610) 691-3616	Email				
Contractor History	Previously been an OUSD contractor? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		Worked as an OUSD employee? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			

Compensation and Terms – Must be within the OUSD Billing Guidelines

Anticipated start date	10/03/2011	Date work will end	06/30/2012	Other Expenses	
Pay Rate Per Hour (required)	\$ 185.00	Number of Hours	108.00	Total Contract Amount	\$ 20,000.00

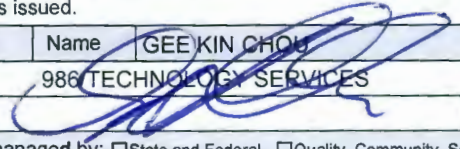
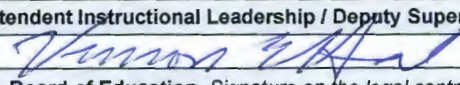
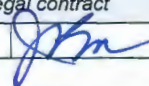
Budget Information

If you are planning to multi-fund a contract using LEP funds, please contact the State and Federal Office before completing requisition.

Resource #	Resource Name	Org Key	Object Code	Amount
0000	STATE LOAN	9869413702	5830	\$ 20,000.00
			5825	\$
			5825	\$
Requisition No.	R0201702		Total Contract Amount	\$ 20,000.00

Approval and Routing (in order of approval steps)

Services cannot be provided before the contract is fully approved and a Purchase Order is issued. Signing this document affirms that to your knowledge services were not provided before a PO was issued.

1.	Administrator / Manager (Originator)	Name	GEE KIN CHOI	Phone	(510) 879-8872
	Site / Department	986 TECHNOLOGY SERVICES		Fax	(510) 451-1695
	Signature			Date Approved	9/27/11
2.	Resource Manager, if using funds managed by: <input type="checkbox"/> State and Federal <input type="checkbox"/> Quality, Community, School Development <input type="checkbox"/> Complementary Learning / After School Programs				
	<input type="checkbox"/> Scope of work indicates compliant use of restricted resource and is in alignment with school site plan (SPSA)				
	Signature			Date Approved	
3.	Regional Executive Officer				
	<input type="checkbox"/> Services described in the scope of work align with needs of department or school site				
	<input type="checkbox"/> Consultant is qualified to provide services described in the scope of work				
4.	Deputy Superintendent Instructional Leadership / Deputy Superintendent Business Operations				<input type="checkbox"/> Consultant Aggregate Under \$50,000
	Signature			Date Approved	10/9/11
	Superintendent, Board of Education Signature on the legal contract				
Legal Required if not using standard contract		Approved		Denied - Reason	Date 9/29/11
Procurement	Date Received			PO Number	

