

**APPROVE ENTERING INTO AN AGREEMENT WITH NETWORK EXECUTIVE SOFTWARE, INC. FOR THE PURCHASE OF SOFTWARE LICENSES AND MAINTENANCE SERVICES**

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

Approve entering into an agreement with Network Executive Software, Inc. (NESi) to provide software licensing and maintenance services to the Office of Technology Services at a cost not to exceed \$27,468.00. Vendor was selected on a non-competitive basis because this software is proprietary to NESi. No payment shall be made to software Licensor prior to the execution of the written license agreement. The authority granted herein shall automatically rescind in the event a written agreement is not executed within ninety (90) days of the date of this Board Report. Information pertinent to this agreement is stated below.

**SPECIFICATION No.:** 04-250059

**SOFTWARE LICENSOR:** Network Executive Software, Inc.  
6420 Sycamore Lane, Suite 300  
Maple Grove, MN 55369  
Contact: Patti Gandsey  
Telephone No.: (763) 694-4300  
Vendor No.: 30976

**USER:** Office of Technology Services  
125 South Clark Street, 3<sup>rd</sup> Floor  
Chicago, Illinois 60603  
Contact: Robert Runcie, Chief Information Officer  
De Lois Mix, Data Center Manager  
Telephone No.: (773) 553-1300

**TERM:** The term of this agreement shall commence July 1, 2004 and shall end June 30, 2005.

**USE OF SOFTWARE:** The various NESi software products are used to transfer data between the IBM Mainframe, UNISYS and NSC Data Exchange (hyper-channel).

**OUTCOMES:** This software will allow different computers or workstations using different operating systems to communicate with each other.

**LICENSE FEE:** Nesi shall be paid as follows: one lump sum upon full execution of the agreement not to exceed the amount of \$27,468.00.

**MAINTENANCE FEE:** The maintenance fee for the term of this agreement is included in the licensing

**FINANCIAL:** Charge to Office Technology Services for License and Maintenance fee: \$27,468.00.  
Budget Classification: 0960-210-000-1116-5311 FY 05

**GENERAL CONDITIONS:**

Inspector General – Each party to the agreement shall acknowledge that, in accordance with 105 ILCS

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 July 26, 1995 (95-0726-EX3), as amended from time to time, shall be incorporated into and made a part of the agreement.

Filing – This Board's Filing Code entered September 27, 1995 (95-0927-FI12), as amended from time to