

SOFTWARE LICENSE AND MAINTENANCE AGREEMENT

THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION

Ratify a software license agreement with Candle Corporation (Candle) for software products required for the IBM Mainframe to be used by the Office of Technology Services at a cost not to exceed \$182,016.00.

A written license agreement for such software products is available for signature. Software upgrades and fixes will be provided for an annual maintenance fee included in the contract price. 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 amended Board Report. Information pertinent to this agreement is stated below:

... necessary to delete the early termination right to revise the compensation and ...

This amendment is necessary to change the fiscal year.

NO: 00250877

LICENSOR: Candle Corporation
2001 Spring Road
Oakbrook, Illinois 60521
Contact: William Biork

STOCK SECTION
SOFTWARE LIC

Vendor No: 12209

Office of Technology Services
125 South Clark Street, 3rd Floor
Chicago, Illinois 60606
Contact: Elaine L. Williams
Chicago, Illinois 60606
Telephone No: (773) 553-1300

Williams, Chief Technology Officer
Deputy Chief Technology Officer - Operations

... between Candle and the Board will have a term of 42 months beginning on April 30, 2004.

TERM: The software license and maintenance agreement is for a 42-month term beginning on September 01, 2000 and ending on August 31, 2004.

... this agreement with thirty (30) days written notice.

EARLY TERMINATION RIGHT: The Board may terminate this agreement with thirty (30) days written notice.

... the Board to use the software products listed below and provide maintenance on these licensed products and upgrades that Candle may develop during the term of the agreement.

USE OF SOFTWARE: Candle will provide a license for the software products listed below on the IBM mainframe computers. Candle will also provide maintenance on these software products. Maintenance consists of program corrections and enhancements.

DELIVERABLES: Candle will deliver the software program corrections and enhancements developed for the following products:
1. Omegamon II for MVS: This product provides real-time performance monitoring for the operating system of IBM OS/390 mainframe environment.
2. Omegamon II for DB2: This product monitors the performance of the DB2 applications and subsystems and also collects performance information such as trace facility, buffer pool, and lock contention.

... d response time) of the system.

... impact, bottleneck and

2: This product monitors the performance of the DB2 applications and subsystems and also collects performance information such as trace facility, buffer pool, and lock contention.

Omegamon II for DB2: This product monitors the performance of the DB2 applications and subsystems and also collects performance information such as trace facility, buffer pool, and lock contention.

conflicts.

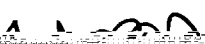
~~Omegacon II for VTAM (TCP/IP): This product provides better management of critical resources and resources more efficiently.~~ uses:

~~Helps the Enterprise Fibre Channel storage systems, problems, faster data access, and Omegacon II on slowdowns.~~
~~Key features include:~~
~~• Improved performance of storage (DASD, RAID, Tape) and the files (datasets) that reside on them.~~

~~OUTCOME: This product will provide the user the ability to continue with their current~~

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any agreement, shall contain the clause: "any expense beyond the amount of the budget(s) shall be subject to subsequent review and approval by the Board of Directors." Contingent liability shall be defined as any liability that is not included in the budget(s).

Approved by:  Construction

Approved for Consideration:

