

## 15. e. Amend Contract/Award – Technology Equipment and Peripherals

### Rationale

On December 17, 2019, the Board of Education (Board) awarded Bid No. 19/20-01 IT Technology Equipment and Peripherals to CDW Government, LLC (CDWG). Bid No. 19/20-01 IT Technology Equipment and Peripherals was a unit-cost bid that included equipment and services the Irvine Unified School District (District) anticipated were necessary to meet the District's technology needs.

The initial term of the contract was January 1, 2020 through December 31, 2021 with the option to extend for three (3) additional one (1) year terms, for a maximum term of five (5) years, in accordance with provisions contained in Education Code section 17596.

Section 19.C of Bid No. 19/20-01 IT Technology Equipment and Peripherals allows the successful Bidder to “delete Equipment removed from the market by the manufacturer or and/or add Equipment introduced to the market by the manufacturer under the following conditions: a. Deleted Equipment has been discontinued and are no longer available from the manufacturer; b. Added Equipment is a direct replacement for original Equipment listed in the bid, Contractor's bid, the resulting Agreement and/or any Purchase Agreements.” On January 19, 2021, the Board approved an amendment to the contract to incorporate additional and substituted products.

Certain products specified in the bid have subsequently been updated, altered or discontinued; therefore, the parties wish to amend the underlying Bid Form Pricing Sheet to allow the District to purchase 1) new, upgraded products that replace those originally specified, and 2) substitute products which are direct replacements for original products that have been discontinued.

Manufacturers have discontinued certain products specified in the bid. In some cases, the replacement products include significant technical upgrades that have affected the product price. Additionally, some manufacturer cost increases require an adjustment on licensing and product costs. The Technical Specifications and Requirements form in Bid No. 19/20-01 IT Technology Equipment and Peripherals allows “price increases reflecting original manufacturer's cost increases to the successful Bidder.”

The Updated Bid Form Pricing Sheet is attached.

IUSD/Fogarty/Ford/Bennett  
Board Agenda  
February 16, 2021

Attachment

### Financial Impact

Project will remain within approved budgets.

### **Recommended Motion**

Authorize the Assistant Superintendent of Business Services to amend the contract for Technology Equipment and Peripherals, resulting from Bid No. 19/20-01 IT, to incorporate the additional and substituted products set forth in the Updated Bid Form Pricing Sheet.

### **Quick Summary / Abstract**

Authorize the Assistant Superintendent of Business Services to amend the contract for Technology Equipment and Peripherals, resulting from Bid No. 19/20-01 IT, to incorporate the additional and substituted products set forth in the Updated Bid Form Pricing Sheet.

### **Supporting Documents**

 [Bid No. 1920-01 IT Updated Bid Pricing Sheet](#)

## Updated Bid Form Pricing Sheet

Original Bid Parts				Updated Parts				Written Verification?
Line item	Description	Part Number	Price	Description	Part number	Price	Effective Date	
14	Epson Powerlite 685W	V11H744520	\$1,016.50	Epson Powerlite 725w	V11H999520	\$1,125.00	3/1/2021	New Part No.

## AMENDMENT 2 TO AGREEMENT

This AMENDMENT 2 TO AGREEMENT (“Amendment 2”) by and between CDW Government LLC (“CDWG”, “Consultant”, or “Provider”) and IRVINE UNIFIED SCHOOL DISTRICT on behalf of itself and its affiliated schools (“Customer” or “IUSD”), is entered into on March 1, 2021 (the “Effective Date”), with reference to the facts set forth below. Provider and IUSD agree to amend the terms and conditions of the Agreement awarded pursuant to Bid No. 19/20-01 IT Technology Equipment and Peripherals and subsequent Amendment to the Agreement (“Agreements”), upon and subject to the terms and conditions of this Amendment 2, notwithstanding anything to the contrary in the Agreements. Initial capitalized terms not otherwise defined herein shall have the meaning set forth in the Agreements and Bid documents.

### RECITALS

- a. Provider and IUSD entered into the Agreement on January 1, 2020 with a term date ending December 31, 2021; and
- b. Provider and IUSD entered into an Amendment to the Agreement on January 1, 2021 with no change to the term end date; and
- c. Provider and IUSD have mutually agreed to amend the Agreement as set forth in this Amendment 2.

### AGREEMENT

NOW THEREFORE, in consideration of the mutual covenants, promises, representations, warranties, and conditions set forth herein, Provider and IUSD hereby agree as follows:

1. Whereas, section 19.C. of Bid No. 19/20-01 IT Technology Equipment and Peripherals allows the successful Bidder to “delete Equipment removed from the market by the manufacturer or and/or add Equipment introduced to the market by the manufacturer under the following conditions: a. Deleted Equipment has been discontinued and are no longer available from the manufacturer; b. Added equipment is a direct replacement for original Equipment listed in the bid, Contractor’s bid, the resulting Agreement and/or any Purchase Agreements.” Such changes have been made by manufacturers and the Bid Form Pricing Sheet is hereby amended to reflect changes in Exhibit A.
2. Except as otherwise expressly modified herein, all terms and conditions of the Agreements and bid documents shall remain in full force and effect. To the extent there is a conflict between this Amendment 2 and the Agreements, this Amendment 2 shall control.
3. This Amendment 2 may be executed in multiple counterparts, each of which shall be deemed an original and, together shall constitute one document.

<<Signature Page Follows>>

IN WITNESS WHEREOF, Provider and IUSD have executed this Amendment 2 to Agreement as of the Effective Date.

**CDW Government LLC**

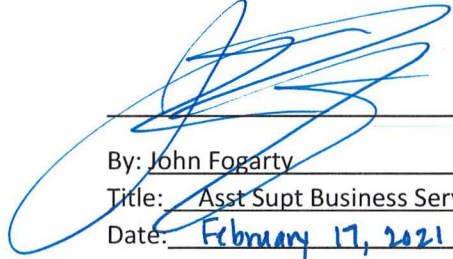
  
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By: Dario J. Bertocchi

Title: Director, Program Sales

Date: February 05, 2021

**Irvine Unified School District**

  
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By: John Fogarty

Title: Asst Supt Business Services

Date: February 17, 2021

IUSD Board Approved: 2/16/2021

***\*Digital Signature Not Accepted***

**Exhibit A**  
**Updates to Bid Form Pricing Sheet**

## Updated Bid Form Pricing Sheet

Original Bid Parts				Updated Parts				Written Verification?
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