

1 [Authorizing the Department of Telecommunications and Information Services to amend an  
2 agreement with CA, Inc. to extend the term of the agreement from ten years ~~to thirteen years~~  
3 ~~with an option for another three years~~ to twelve years and five months with an additional  
4 option period for two additional one-year periods]

5 **Resolution authorizing the Department of Telecommunications and Information**  
6 **Services ("DTIS") to retroactively enter into the Second Amendment of an agreement**  
7 **between the City and County of San Francisco ("City") and CA, Inc. ("CA") to extend**  
8 **term of the agreement to ~~thirteen years with an option for another three years~~ twelve**  
9 **years and five months with an additional option period for two additional one-year**  
10 **periods.**

11 WHEREAS, The City entered into an agreement with CA on September 30, 1997 for  
12 both term licenses to certain CA software and perpetual licenses to certain other CA software  
13 and maintenance for such software (the "Agreement"); and

14 WHEREAS, The initial term of the Agreement was for a period of nine years; and,

15 WHEREAS, Such term was extended to September 29, 2007; and,

16 WHEREAS, DTIS has determined that it is in the best interests of the City to extend  
17 the Agreement for both the perpetual and term software and maintenance for an additional  
18 three years; and,

19 WHEREAS, Charter section 9.118, "Contract and Lease Limitations," subsection (c),  
20 requires Board of Supervisors approval of any contract that has a term of ten or more years;  
21 and,

22 WHEREAS, Administrative Code section 21.30, "Software Licenses, Support, Escrow,  
23 Finance, and Equipment Maintenance Agreements," subsection (a), provides Board of  
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1 Supervisors approval of "perpetual" but not term license agreements and software  
2 maintenance; now, therefore, be it

3 RESOLVED, That the Board of Supervisors authorizes the Office of Contract  
4 Administration to retroactively enter into the Second Amendment to the Agreement with CA, a  
5 copy of the amendment is on file with the Clerk of the Board of Supervisors in File No.  
6 071385; and, be it

7 FURTHER RESOLVED, That said Second Amendment shall extend the term of the  
8 Agreement from ten years to ~~thirteen years with an option for another three years~~ to twelve  
9 years and five months with an additional option period for two additional one-year periods.

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