

**FILE COPY** 8-9-07

**JUSTIFICATION FOR NON-COMPETITIVE PROCUREMENT**

**COMPLETE THIS SECTION IF NEW CONTRACT**

For contract(s) in this request, answer applicable questions in each of the 4 major subject areas below in accordance with the Instructions for Preparation of Non-Competitive Procurement Form on the reverse side.

Request that negotiations be conducted only with Serena Software, Inc. for the product and/or services described herein.  
 (Name of Person or Firm)

This is a request for X (One-Time Contractor Requisition # 34491 copy attached) or \_\_\_\_\_ Term Agreement or \_\_\_\_\_ Delegate Agency (Check one). If Delegate Agency, this request is for "blanket approval" of all contracts within the

(Program Name) (Attached List) Pre-Assigned Specification No. \_\_\_\_\_  
 Pre-Assigned Contract No. \_\_\_\_\_

**COMPLETE THIS SECTION IF AMENDMENT OR MODIFICATION TO CONTRACT**

Describe in detail the change in terms of dollars, time period, scope of services, etc., its relationship to the original contract and the specific reasons for the change. Indicate both the original and the adjusted contract amount and/or expiration date with this change, if applicable. Attach copy of all supporting documents. Request approval for a contract amendment or modification to the following:

Contract #: \_\_\_\_\_ Company or Agency Name: \_\_\_\_\_  
 Specification #: \_\_\_\_\_ Contract or Program Description: \_\_\_\_\_  
 Modification #: \_\_\_\_\_ (Attach List, if multiple)

Olivia Boyd 747-4296 Olivia Boyd Chicago Public Library 7/26/07  
 Originator Name Telephone Signature Department Date

Indicate **SEE ATTACHED** in each box below if additional space is needed:

**S. S. R. B.**

<p>(X) <b>PROCUREMENT HISTORY</b></p> <p>This is a first time procurement request for Serena Software Maintenance Services with the Department of Procurement Services. The initial software was procured last year through a subcontractor of The Library Corporation.</p>	<p>DATE <u>3/17/07</u>                  APPROVED <u>Dwy</u>                  CONDITIONALLY _____                  APPROVED _____                  RETURN TO DEPT. _____                  DISAPPROVED _____</p>
<p>(X) <b>ESTIMATED COST</b></p> <p>The total cost of the software maintenance for one (1) year is \$7,200.</p>	<p>APPROVED _____                  RETURN TO DEPT. _____                  DISAPPROVED _____</p>
<p>(X) <b>SCHEDULE REQUIREMENTS</b></p> <p>This is for a one (1) year maintenance service agreement from September 27, 2007 to September 26, 2008.</p>	<p>DISAPPROVED _____</p>
<p>(X) <b>EXCLUSIVE OR UNIQUE CAPACITY</b></p> <p>Serena Software, Inc. is the only provider of Serena Support and Maintenance Service Renewals. Although Serena Software, Inc has software resellers, the resellers are not authorized by the company to sell support services and maintenance. Support services are only offered through Serena Software, Inc directly. CPL uses the software to create, manage and deploy our public website. To meet the needs of our patrons and to provide fast web services, CPL uses up to 10 servers that act in tandem. Serena Collage allows the distribution of all our web content (web pages and programs) to the various servers. The alternative would involve updating each server one by one and that process would take half a day per server. Also, Content Management software allows for management of "work flow" in the creation of content by various groups. The web page content may include text, database data, programs and images which are created and managed by various individuals across several departments. Collage manages the individual objects and allows each person to do their part while protecting the individual objects. Finally, Collage manages the archiving and version management of all the content.</p>	

APPROVED BY: \_\_\_\_\_ DATE: 7/26/07 BOARD/CHAIRMAN: \_\_\_\_\_ DATE: 3/17/07  
 DEPARTMENT HEAD

Brandie Knazze  
Chicago Public Library  
400 South State Street, 10N  
Chicago, IL 60605

July 20, 2007

Phone: 312-747-7269



Re: Sole Source Provider

Dear Ms. Knazze:

Serena Software, Inc. ("Serena") is the sole source provider of Serena Support Service Renewals for all Serena software products. Our software support is unique and exclusive, and although we have resellers for our software products, the support services are only offered through Serena directly.

Customer Support Services fall into three core areas:

1. Answerline: 24X7 access to telephone support provided by Serena technical and product experts.
2. Software Product Updates: Access to new product releases when they become generally available, plus patches, fixes and service packs made exclusively for Serena products.
3. Customer Support Online: Online self-support service via the web, which includes case reporting and tracking, access to Serena's comprehensive knowledgebase, online samples, downloadable tools and more.

If you have any questions, please contact Amber Goularte at (503) 617-2627 or by e-mail at [agoularte@serena.com](mailto:agoularte@serena.com).

Sincerely,

A handwritten signature in black ink, appearing to read 'Eric B. Johnson'.

Eric B. Johnson  
VP, Worldwide Business Operations  
Serena Software, Inc.

Brandie Knazze  
Chicago Public Library  
400 South State Street, 10N  
Chicago, IL 60605

July 20, 2007

Phone: 312-747-7269



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A handwritten signature in black ink, appearing to read 'Eric B. Johnson'.

Eric B. Johnson  
VP, Worldwide Business Operations  
Serena Software, Inc.



Reference No.	400810-20122667
Amount Due	\$ 7,200.00
Payment Due Date	08/26/2007
Total Amount	
Enclosed	

Check here if address or phone number has changed.  
 Please note changes on reverse side.

Send payment to:  
**SERENA SOFTWARE, INC.**  
 Make All Checks Payable To: **SERENA SOFTWARE, INC.**  
 P.O. Box 201448  
 Dallas, TX 75320-1448

## RENEWAL STATEMENT

Method of Payment  
 VISA  Mastercard  AMEX      EXP. DATE \_\_\_\_\_

Card# 

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Name of Account Holder \_\_\_\_\_  
 Street Address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_ Phone \_\_\_\_\_  
 Signature \_\_\_\_\_  
 Check  P.O. Enclosed/P.O.# \_\_\_\_\_

Chicago Public Library  
 400 S State St  
 Chicago IL 60605  
 USA

Attn: Karim Adib  
 Phone: 312-747-4735

(Sorry, no P.O. less than \$500 USD will be accepted)  
 Detach and return this portion with your payment

## SERENA SUPPORT SERVICES RENEWAL QUOTATION

Statement Date: 07/20/2007  
 Page: 1

Reference Number	Payment Due Date	Amount Due
400810-20122667	08/26/2007	\$ 7,200.00

Questions? Call us at 1-800-443-1601 option 6.

Product	Operating System	Period Covered	Price	Total
Support Services: Collage Serial # : 110000460918 Version # : 5.1.1 Total Concurrent Users : 10 Number of Production Servers : 1	Microsoft Windows	09/27/2007 -09/26/2008	\$	7,200.00
Subtotal			\$	7,200.00
TOTAL (Currency:USD)			\$	7,200.00

\*\*\* Would you be interested in saving up to 15% on your Support Services contract ? Call your Support Services Representative for information on discounts for multi-year renewals!\*\*\*

Note: Late payments are subject to a 20% reinstatement fee.

*[Signature]*  
 ERIC B. SCHWEN, VP, WUBUS OPS      7/26/07  
 \_\_\_\_\_  
 DATE

## DETAILED SPECIFICATIONS

### SCOPE

The contractor must provide Serena Collage Software Maintenance and Support Service, FOB, City of Chicago, Chicago Public Library, in accordance with all terms and conditions of this specification.

### BACKGROUND

The Chicago Public Library uses the software to create, manage and deploy our public website.

To meet the needs of our patrons and to provide fast web services, the Chicago Public Library uses up to 10 servers that act in tandem. Serena Collage allows the distribution of all our web content (web pages and programs) to the various servers. The alternative would involve updating each server one by one and that process would take half a day per server. Also, Serena Collage software allows for management of "work flow" in the creation of content by various groups. The web page content may include text, database data, programs and images which are created and managed by various individuals across several departments. Serena Collage manages the individual objects and allows each person to do their part while protecting the individual objects. Finally, Serena Collage manages the archiving and version management of all the content.

### SCOPE OF SERVICES

Through the Serena Collage Software Maintenance and Support Services, the Chicago Public Library will receive the following:

1. Answerline – 24/7 access to telephone support provided by Serena technical and product experts.
2. Software Product Updates: Access to new product releases when they become available, plus patches, fixes and service packs made exclusively for Serena products.
3. Customer Support Online: Online self-support service via the web, which includes case reporting and tracking, access to Serena's comprehensive knowledgebase, online samples and downloadable tools.
4. Designated Account Representative
5. Access to Customer Forum to exchange business ideas with other Serna Customers

## SERENA

Maximize your investment with Serena's award-winning support

Managing change can be a formidable challenge. Serena supports you from start to finish with robust products and solutions, backed by comprehensive customer support. You get award-winning expertise around the clock so you can maintain business continuity while maximizing productivity.

Our comprehensive support program includes access to experts online or via telephone, along with Serena's global support web site which provides 24x7 access to a community of experts, product updates, and resources focused on helping you leverage the full power of your investment. On this site you have anytime-access to complete case management, a comprehensive technical Knowledge Base, product news, product updates and documentation, and licensing information. You can also communicate with product experts, participate in customer forums, and vote for product enhancements online.

### Accessing and Using the Serena Support Web Site

Your named primary and alternate contacts have unlimited access to all information on the Serena support site. Additional read-only contacts can access the Knowledge Base and view submitted cases. Register at <http://support.serena.com> (Serena product serial number required). Need help? Email us at [support@serena.com](mailto:support@serena.com).

### Support Site Highlights

#### CASE MANAGEMENT & ONLINE ACCESS

Not only can you submit, update and view cases, you can now diagnose issues online LIVE via Instant Chat with a Serena technical support representative, allowing you to resolve issues more quickly.

#### KNOWLEDGE BASE/SOLUTIONS

Our Knowledge Base contains thousands of technical tips and product usage information that can be searched using keywords, phrases or other criteria. The Knowledge Base also allows you to view solutions for known issues with links to the product fix where applicable.

#### Vote for Features/Enhancements

Your voice counts! Vote online for new features and enhancement requests, and let our product teams know your priorities. Each vote is carefully considered and provides important input to our product release cycle.

#### Join the Online

Collaborate, exchange ideas, or receive notification of discussions with other Serena customers. Customer forums, threaded discussion groups, and live online sessions are a great way to expand your business solutions and find new, creative ways to extend your product usage.

#### AWARD-WINNING SUPPORT

- Easy access—online or via telephone
- Global, multi-lingual support
- Deep technical product expertise
- Specialized, secure support web site

#### 24X7 GLOBAL ONLINE SUPPORT

- Case Management – submit, review and update
- LIVE online support
- Current product and product update downloads
- Customer forums
- Knowledge Base access
- Product documentation
- Product news and enhancement requests
- Training schedules
- Global, local language contact information

#### PRODUCT UPDATES AND FIXES

The latest Serena product updates, patches and fixes are covered under your support agreement. Documentation and current releases can be ordered online and are also available for download.

#### TECHMAIL NEWS

Don't miss important information! There are two ways to receive product news. Review the Product News on the web site for current updates and important information or register online for Techmail, a subscription that provides automatic notification of product updates and releases.

All primary and alternate contacts are automatically registered for Techmail. We encourage anyone who needs this information within your organization to subscribe to Techmail on the support web site.

#### SERVICE LEVEL OBJECTIVES

We strive to resolve all of your issues promptly either via electronic submission or, for more urgent or time sensitive concerns, via telephone support. View our detailed Service Level Objectives on the Serena support web site.

#### MAINTENANCE SUPPORT SALES

With a Serena Support agreement, your designated Account Representative will contact you throughout the year to assist with any concerns you may have and to assist you in fully maximizing your investment. Their primary interest is your success.

#### CONTACT & TELEPHONE SUPPORT

Languages spoken include English, French, German, Spanish, Italian, Japanese, Korean, and Chinese. For a comprehensive list of our worldwide offices and local language support, visit [www.serena.com/WWsupport](http://www.serena.com/WWsupport). Please have your serial number available when calling. Customers in the United States and Canada call 1-800-443-1601 or 1-503-617-2520.

Worldwide Email:  
[support@serena.com](mailto:support@serena.com)

#### ABOUT SERENA

Serena Software, the Change Governance™ leader, helps more than 15,000 organizations around the world—including 96 of the Fortune 100 and 90 of the Global 100—turn change into a business advantage. Serena is headquartered in San Mateo, California, and has offices throughout the U.S., Europe, and Asia Pacific.





CITY OF CHICAGO  
ECONOMIC DISCLOSURE STATEMENT  
AND AFFIDAVIT

SECTION I -- GENERAL INFORMATION

A. Legal name of Disclosing Party submitting this EDS. Include d/b/a/ if applicable:

SERENA SOFTWARE, LLC.

Check ONE of the following three boxes:

Indicate whether Disclosing Party submitting this EDS is:

1.  the Applicant  
OR

2.  a legal entity holding a direct or indirect interest in the Applicant. State the legal name of the Applicant in which Disclosing Party holds an interest: \_\_\_\_\_  
OR

3.  a specified legal entity with a right of control (see Section II.B.1.b.) State the legal name of the entity in which Disclosing Party holds a right of control: \_\_\_\_\_

B. Business address of Disclosing Party:

2755 CANVAS DR, 3RD FLOOR  
SAN MATEO, CA 94403

C. Telephone: 503 617-2627 Fax: 503-690-2327 Email: ayouarte@serena.com

D. Name of contact person: Amber Coullate

E. Federal Employer Identification No. (if you have one): 94-2667809

F. Brief description of contract, transaction or other undertaking (referred to below as the "Matter") to which this EDS pertains. (Include project number and location of property, if applicable):

SOFTWARE and SOFTWARE SUPPORT SERVICES (MAINTENANCE & UPGRADES)

G. Which City agency or department is requesting this EDS? CHICAGO PUBLIC LIBRARY

If the Matter is a contract being handled by the City's Department of Procurement Services, please complete the following:

Specification # \_\_\_\_\_ and Contract # \_\_\_\_\_

**SECTION II -- DISCLOSURE OF OWNERSHIP INTERESTS**

**A. NATURE OF DISCLOSING PARTY**

1. Indicate the nature of the Disclosing Party:

- Person
  - Publicly registered business corporation
  - Privately held business corporation
  - Sole proprietorship
  - General partnership\*
  - Limited partnership\*
  - Trust
  - Limited liability company\*
  - Limited liability partnership\*
  - Joint venture\*
  - Not-for-profit corporation
- (Is the not-for-profit corporation also a 501(c)(3)?)
- Yes                       No
- Other (please specify) \_\_\_\_\_

\* Note B.1.b below.

2. For legal entities, the state (or foreign country) of incorporation or organization, if applicable:

DELAWARE

3. For legal entities not organized in the State of Illinois: Has the organization registered to do business in the State of Illinois as a foreign entity?

- Yes                       No                       N/A

**B. IF THE DISCLOSING PARTY IS A LEGAL ENTITY:**

1.a. List below the full names and titles of all executive officers and all directors of the entity. For not-for-profit corporations, also list below all members, if any, which are legal entities. If there are no such members, write "no members." For trusts, estates or other similar entities, list below the legal titleholder(s).

Name	Title
<u>JEREMY BURTON</u>	<u>President, CEO</u>
<u>ROBERT I PENDER, JR.</u>	<u>SR VP, CFO</u>
<u>CARL THEOBALD</u>	<u>SR VP, R &amp; D</u>

1.b. If you checked "General partnership," "Limited partnership," "Limited liability company," "Limited liability partnership" or "Joint venture" in response to Item A.1. above (Nature of Disclosing Party), list below the name and title of each general partner, managing member, manager or

any other person or entity that controls the day-to-day management of the Disclosing Party. **NOTE:** Each legal entity listed below must submit an EDS on its own behalf.

Name	Title

2. Please provide the following information concerning each person or entity having a direct or indirect beneficial interest (including ownership) in excess of 7.5% of the Disclosing Party. Examples of such an interest include shares in a corporation, partnership interest in a partnership or joint venture, interest of a member or manager in a limited liability company, or interest of a beneficiary of a trust, estate or other similar entity. If none, state "None." **NOTE:** Pursuant to Section 2-154-030 of the Municipal Code of Chicago ("Municipal Code"), the City may require any such additional information from any applicant which is reasonably intended to achieve full disclosure.

Name	Business Address	Percentage Interest in the Disclosing Party
DOUGLAS D. TROXEL Living Trust	1/0 SERENA Co. Invest. L.P. 2755 Camino del Rio N. San Diego, CA 92108	DOUGLAS TROXEL collectively
CHANCE HARRIS FOUNDATION	2ND FLOOR 5000 WATSON RD SAN DIEGO, CA 92121	TRUSTEE of BOTH S. owns 31.1% of SERENA
SILVER LAKE PARTNERS II, LP	1/0 SILVER LAKE PARTNERS	ALL 3 ENTITIES COLLECTIVELY
SILVER LAKE TECHNOLOGY INVESTORS II, LP	2725 SAND HILL RD, STE 150 MENLO PARK, CA 94025	
SERENA CO. INVEST PARTNERS, LP		owns 66.7% of SERENA

**SECTION III -- BUSINESS RELATIONSHIPS WITH CITY ELECTED OFFICIALS**

Has the Disclosing Party had a "business relationship," as defined in Chapter 2-156 of the Municipal Code, with any City elected official in the 12 months before the date this EDS is signed?

Yes                       No

If yes, please identify below the name(s) of such City elected official(s) and describe such relationship(s):

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**SECTION IV -- DISCLOSURE OF SUBCONTRACTORS AND OTHER RETAINED PARTIES**

The Disclosing Party must disclose the name and business address of each subcontractor, attorney, lobbyist, accountant, consultant and any other person or entity whom the Disclosing Party has retained or expects to retain in connection with the Matter, as well as the nature of the relationship, and the total

amount of the fees paid or estimated to be paid. The Disclosing Party is not required to disclose employees who are paid solely through the Disclosing Party's regular payroll.

“Lobbyist” means any person or entity who undertakes to influence any legislative or administrative action on behalf of any person or entity other than: (1) a not-for-profit entity, on an unpaid basis, or (2) himself. “Lobbyist” also means any person or entity any part of whose duties as an employee of another includes undertaking to influence any legislative or administrative action.

If the Disclosing Party is uncertain whether a disclosure is required under this Section, the Disclosing Party must either ask the City whether disclosure is required or make the disclosure.

Name (indicate whether retained or anticipated to be retained)	Business Address	Relationship to Disclosing Party (subcontractor, attorney, lobbyist, etc.)	Fees (indicate whether paid or estimated)

(Add sheets if necessary)

Check here if the Disclosing party has not retained, nor expects to retain, any such persons or entities.

## SECTION V -- CERTIFICATIONS

### A. COURT-ORDERED CHILD SUPPORT COMPLIANCE

Under Municipal Code Section 2-92-415, substantial owners of business entities that contract with the City must remain in compliance with their child support obligations throughout the term of the contract.

Has any person who directly or indirectly owns 10% or more of the Disclosing Party been declared in arrearage on any child support obligations by any Illinois court of competent jurisdiction?

Yes       No       No person owns 10% or more of the Disclosing Party.

If “Yes,” has the person entered into a court-approved agreement for payment of all support owed and is the person in compliance with that agreement?

Yes       No

## B. FURTHER CERTIFICATIONS

1. The Disclosing Party and, if the Disclosing Party is a legal entity, all of those persons or entities identified in Section II.B.1. of this EDS:
  - a. are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from any transactions by any federal, state or local unit of government;
  - b. have not, within a five-year period preceding the date of this EDS, been convicted of a criminal offense, adjudged guilty, or had a civil judgment rendered against them in connection with: obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; a violation of federal or state antitrust statutes; fraud; embezzlement; theft; forgery; bribery; falsification or destruction of records; making false statements; or receiving stolen property;
  - c. are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state or local) with commission of any of the offenses enumerated in clause B.1.b. of this Section V;
  - d. have not, within a five-year period preceding the date of this EDS, had one or more public transactions (federal, state or local) terminated for cause or default; and
  - e. have not, within a five-year period preceding the date of this EDS, been convicted, adjudged guilty, or found liable in a civil proceeding, or in any criminal or civil action, including actions concerning environmental violations, instituted by the City or by the federal government, any state, or any other unit of local government.
2. The certifications in subparts 2, 3 and 4 concern:
  - the Disclosing Party;
  - any "Applicable Party" (meaning any party participating in the performance of the Matter, including but not limited to any persons or legal entities disclosed under Section IV, "Disclosure of Subcontractors and Other Retained Parties");
  - any "Affiliated Entity" (meaning a person or entity that, directly or indirectly: controls the Disclosing Party, is controlled by the Disclosing Party, or is, with the Disclosing Party, under common control of another person or entity. Indicia of control include, without limitation: interlocking management or ownership; identity of interests among family members, shared facilities and equipment; common use of employees; or organization of a business entity following the ineligibility of a business entity to do business with federal or state or local government, including the City, using substantially the same management, ownership, or principals as the ineligible entity);with respect to Applicable Parties, the term Affiliated Entity means a person or entity that directly or indirectly controls the Applicable Party, is controlled by it, or, with the Applicable Party, is under common control of another person or entity;

- any responsible official of the Disclosing Party, any Applicable Party or any Affiliated Entity or any other official, agent or employee of the Disclosing Party, any Applicable Party or any Affiliated Entity, acting pursuant to the direction or authorization of a responsible official of the Disclosing Party, any Applicable Party or any Affiliated Entity (collectively "Agents").

Neither the Disclosing Party, nor any Applicable Party, nor any Affiliated Entity of either the Disclosing Party or any Applicable Party nor any Agents have, during the five years before the date this EDS is signed, or, with respect to an Applicable Party, an Affiliated Entity, or an Affiliated Entity of an Applicable Party during the five years before the date of such Applicable Party's or Affiliated Entity's contract or engagement in connection with the Matter:

- a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee of the City, the State of Illinois, or any agency of the federal government or of any state or local government in the United States of America, in that officer's or employee's official capacity;
- b. agreed or colluded with other bidders or prospective bidders, or been a party to any such agreement, or been convicted or adjudged guilty of agreement or collusion among bidders or prospective bidders, in restraint of freedom of competition by agreement to bid a fixed price or otherwise; or
- c. made an admission of such conduct described in a. or b. above that is a matter of record, but have not been prosecuted for such conduct; or
- d. violated the provisions of Municipal Code Section 2-92-610 (Living Wage Ordinance).

3. Neither the Disclosing Party, Affiliated Entity or Applicable Party, or any of their employees, officials, agents or partners, is barred from contracting with any unit of state or local government as a result of engaging in or being convicted of (1) bid-rigging in violation of 720 ILCS 5/33E-3; (2) bid-rotating in violation of 720 ILCS 5/33E-4; or (3) any similar offense of any state or of the United States of America that contains the same elements as the offense of bid-rigging or bid-rotating.

4. Neither the Disclosing Party nor any Affiliated Entity is listed on any of the following lists maintained by the Office of Foreign Assets Control of the U.S. Department of the Treasury or the Bureau of Industry and Security of the U.S. Department of Commerce or their successors: the Specially Designated Nationals List, the Denied Persons List, the Unverified List, the Entity List and the Debarred List.

5. The Disclosing Party understands and shall comply with (1) the applicable requirements of the Governmental Ethics Ordinance of the City, Title 2, Chapter 2-156 of the Municipal Code; and (2) all the applicable provisions of Chapter 2-56 of the Municipal Code (Office of the Inspector General).

6. If the Disclosing Party is unable to certify to any of the above statements in this Part B (Further Certifications), the Disclosing Party must explain below:

NONE

If the letters "NA," the word "None," or no response appears on the lines above, it will be conclusively presumed that the Disclosing Party certified to the above statements.

C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION

For purposes of this Part C, under Municipal Code Section 2-32-455(b), the term "financial institution" means a bank, savings and loan association, thrift, credit union, mortgage banker, mortgage broker, trust company, savings bank, investment bank, securities broker, municipal securities broker, securities dealer, municipal securities dealer, securities underwriter, municipal securities underwriter, investment trust, venture capital company, bank holding company, financial services holding company, or any licensee under the Consumer Installment Loan Act, the Sales Finance Agency Act, or the Residential Mortgage Licensing Act. However, "financial institution" specifically shall not include any entity whose predominant business is the providing of tax deferred, defined contribution, pension plans to public employees in accordance with Sections 403(b) and 457 of the Internal Revenue Code. (Additional definitions may be found in Municipal Code Section 2-32-455(b).)

1. CERTIFICATION

The Disclosing Party certifies that the Disclosing Party (check one)

is  is not

a "financial institution" as defined in Section 2-32-455(b) of the Municipal Code.

2. If the Disclosing Party IS a financial institution, then the Disclosing Party pledges:

"We are not and will not become a predatory lender as defined in Chapter 2-32 of the Municipal Code. We further pledge that none of our affiliates is, and none of them will become, a predatory lender as defined in Chapter 2-32 of the Municipal Code. We understand that becoming a predatory lender or becoming an affiliate of a predatory lender may result in the loss of the privilege of doing business with the City."

If the Disclosing Party is unable to make this pledge because it or any of its affiliates (as defined in Section 2-32-455(b) of the Municipal Code) is a predatory lender within the meaning of Chapter

2-32 of the Municipal Code, explain here (attach additional pages if necessary):

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If the letters "NA," the word "None," or no response appears on the lines above, it will be conclusively presumed that the Disclosing Party certified to the above statements.

**D. CERTIFICATION REGARDING INTEREST IN CITY BUSINESS**

Any words or terms that are defined in Chapter 2-156 of the Municipal Code have the same meanings when used in this Part D.

1. In accordance with Section 2-156-110 of the Municipal Code: Does any official or employee of the City have a financial interest in his or her own name or in the name of any other person or entity in the Matter?

Yes                       No

NOTE: If you checked "Yes" to Item D.1., proceed to Items D.2. and D.3. If you checked "No" to Item D.1., proceed to Part E.

2. Unless sold pursuant to a process of competitive bidding, or otherwise permitted, no City elected official or employee shall have a financial interest in his or her own name or in the name of any other person or entity in the purchase of any property that (i) belongs to the City, or (ii) is sold for taxes or assessments, or (iii) is sold by virtue of legal process at the suit of the City (collectively, "City Property Sale"). Compensation for property taken pursuant to the City's eminent domain power does not constitute a financial interest within the meaning of this Part D.

Does the Matter involve a City Property Sale?

Yes                       No

3. If you checked "Yes" to Item D.1., provide the names and business addresses of the City officials or employees having such interest and identify the nature of such interest:

Name	Business Address	Nature of Interest
-----		
-----		
-----		

4. The Disclosing Party further certifies that no prohibited financial interest in the Matter will be acquired by any City official or employee.



**E. CERTIFICATION REGARDING SLAVERY ERA BUSINESS**

The Disclosing Party has searched any and all records of the Disclosing Party and any and all predecessor entities for records of investments or profits from slavery, the slave industry, or slaveholder insurance policies from the slavery era (including insurance policies issued to slaveholders that provided coverage for damage to or injury or death of their slaves) and has disclosed in this EDS any and all such records to the City. In addition, the Disclosing Party must disclose the names of any and all slaves or slaveholders described in those records. Failure to comply with these disclosure requirements may make the Matter to which this EDS pertains voidable by the City.

Please check either 1. or 2. below. If the Disclosing Party checks 2., the Disclosing Party must disclose below or in an attachment to this EDS all requisite information as set forth in that paragraph 2.

1. The Disclosing Party verifies that (a) the Disclosing Party has searched any and all records of the Disclosing Party and any and all predecessor entities for records of investments or profits from slavery, the slave industry, or slaveholder insurance policies, and (b) the Disclosing Party has found no records of investments or profits from slavery, the slave industry, or slaveholder insurance policies and no records of names of any slaves or slaveholders.

2. The Disclosing Party verifies that, as a result of conducting the search in step 1(a) above, the Disclosing Party has found records relating to investments or profits from slavery, the slave industry, or slaveholder insurance policies and/or the names of any slaves or slaveholders. The Disclosing Party verifies that the following constitutes full disclosure of all such records:

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**SECTION VI -- CERTIFICATIONS FOR FEDERALLY-FUNDED MATTERS**

**NOTE:** If the Matter is federally funded, complete this Section VI. If the Matter is not federally funded, proceed to Section VII.

**A. CERTIFICATION REGARDING LOBBYING**

1. List below the names of all persons or entities registered under the federal Lobbying Disclosure Act of 1995 who have made lobbying contacts on behalf of the Disclosing Party with respect to the Matter: (Begin list here, add sheets as necessary):

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(If no explanation appears or begins on the lines above, or if the letters "NA" or if the word "None" appear, it will be conclusively presumed that the Disclosing Party means that NO persons or entities registered under the Lobbying Disclosure Act of 1995 have made lobbying contacts on behalf of the Disclosing Party with respect to the Matter.)

2. The Disclosing Party has not spent and will not expend any federally appropriated funds to pay any person or entity listed in Paragraph A.1. above for his or her lobbying activities or to pay any person or entity to influence or attempt to influence an officer or employee of any agency, as defined by applicable federal law, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress, in connection with the award of any federally funded contract, making any federally funded grant or loan, entering into any cooperative agreement, or to extend, continue, renew, amend, or modify any federally funded contract, grant, loan, or cooperative agreement.

3. The Disclosing Party will submit an updated certification at the end of each calendar quarter in which there occurs any event that materially affects the accuracy of the statements and information set forth in paragraphs A.1. and A.2. above.

If the Matter is federally funded and any funds other than federally appropriated funds have been or will be paid to any person or entity for influencing or attempting to influence an officer or employee of any agency (as defined by applicable federal law), a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the Matter, the Disclosing Party must complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions. The form may be obtained online from the federal Office of Management and Budget (OMB) web site at <http://www.whitehouse.gov/omb/grants/sflllin.pdf>, linked on the page [http://www.whitehouse.gov/omb/grants/grants\\_forms.html](http://www.whitehouse.gov/omb/grants/grants_forms.html).

4. The Disclosing Party certifies that either: (i) it is not an organization described in section 501(c)(4) of the Internal Revenue Code of 1986; or (ii) it is an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 but has not engaged and will not engage in "Lobbying Activities".

5. If the Disclosing Party is the Applicant, the Disclosing Party must obtain certifications equal in form and substance to paragraphs A.1. through A.4. above from all subcontractors before it awards any subcontract and the Disclosing Party must maintain all such subcontractors' certifications for the duration of the Matter and must make such certifications promptly available to the City upon request.

## B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY

If the Matter is federally funded, federal regulations require the Applicant and all proposed subcontractors to submit the following information with their bids or in writing at the outset of negotiations.

Is the Disclosing Party the Applicant?

Yes                       No

If "Yes," answer the three questions below:

1. Have you developed and do you have on file affirmative action programs pursuant to applicable federal regulations? (See 41 CFR Part 60-2.)

Yes                       No

2. Have you filed with the Joint Reporting Committee, the Director of the Office of Federal Contract Compliance Programs, or the Equal Employment Opportunity Commission all reports due under the applicable filing requirements?

Yes                       No

3. Have you participated in any previous contracts or subcontracts subject to the equal opportunity clause?

Yes                       No

If you checked "No" to question 1. or 2. above, please provide an explanation:

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**SECTION VII -- ACKNOWLEDGMENTS, CONTRACT INCORPORATION, COMPLIANCE, PENALTIES, DISCLOSURE**

The Disclosing Party understands and agrees that:

A. By completing and filing this EDS, the Disclosing Party acknowledges and agrees, on behalf of itself and the persons or entities named in this EDS, that the City may investigate the creditworthiness of some or all of the persons or entities named in this EDS.

B. The certifications, disclosures, and acknowledgments contained in this EDS will become part of any contract or other agreement between the Applicant and the City in connection with the Matter, whether procurement, City assistance, or other City action, and are material inducements to the City's execution of any contract or taking other action with respect to the Matter. The Disclosing Party understands that it must comply with all statutes, ordinances, and regulations on which this EDS is based.

C. The City's Governmental Ethics and Campaign Financing Ordinances, Chapters 2-156 and 2-164 of the Municipal Code, impose certain duties and obligations on persons or entities seeking City contracts, work, business, or transactions. The full text of these ordinances and a training program is available on line at [www.cityofchicago.org/Ethics](http://www.cityofchicago.org/Ethics), and may also be obtained from the City's Board of Ethics, 740 N. Sedgwick St., Suite 500, Chicago, IL 60610, (312) 744-9660. The Disclosing Party must comply fully with the applicable ordinances.

D. If the City determines that any information provided in this EDS is false, incomplete or inaccurate, any contract or other agreement in connection with which it is submitted may be rescinded or be void or voidable, and the City may pursue any remedies under the contract or agreement (if not rescinded, void or voidable), at law, or in equity, including terminating the Disclosing Party's participation in the Matter and/or declining to allow the Disclosing Party to participate in other transactions with the City. Remedies at law for a false statement of material fact may include incarceration and an award to the City of treble damages.

E. It is the City's policy to make this document available to the public on its Internet site and/or upon request. Some or all of the information provided on this EDS and any attachments to this EDS may be made available to the public on the Internet, in response to a Freedom of Information Act request, or otherwise. By completing and signing this EDS, the Disclosing Party waives and releases any possible rights or claims which it may have against the City in connection with the public release of information contained in this EDS and also authorizes the City to verify the accuracy of any information submitted in this EDS.

F. The information provided in this EDS must be kept current. In the event of changes, the Disclosing Party must supplement this EDS up to the time the City takes action on the Matter. If the Matter is a contract being handled by the City's Department of Procurement Services, the Disclosing Party must update this EDS as the contract requires.

The Disclosing Party represents and warrants that:

G. The Disclosing Party has not withheld or reserved any disclosures as to economic interests in the Disclosing Party, or as to the Matter, or any information, data or plan as to the intended use or purpose for which the Applicant seeks City Council or other City agency action.

For purposes of the certifications in H.1. and H.2. below, the term "affiliate" means any person or entity that, directly or indirectly: controls the Disclosing Party, is controlled by the Disclosing Party, or is, with the Disclosing Party, under common control of another person or entity. Indicia of control include, without limitation: interlocking management or ownership; identity of interests among family members; shared facilities and equipment; common use of employees; or organization of a business entity following the ineligibility of a business entity to do business with the federal government or a state or local government, including the City, using substantially the same management, ownership, or principals as the ineligible entity.

H.1. The Disclosing Party is not delinquent in the payment of any tax administered by the Illinois Department of Revenue, nor are the Disclosing Party or its affiliates delinquent in paying any fine, fee, tax or other charge owed to the City. This includes, but is not limited to, all water charges, sewer charges, license fees, parking tickets, property taxes or sales taxes.

H.2. If the Disclosing Party is the Applicant, the Disclosing Party and its affiliates will not use, nor permit their subcontractors to use, any facility on the U.S. EPA's List of Violating Facilities in connection with the Matter for the duration of time that such facility remains on the list.

H.3 If the Disclosing Party is the Applicant, the Disclosing Party will obtain from any contractors/subcontractors hired or to be hired in connection with the Matter certifications equal in form and substance to those in H.1. and H.2. above and will not, without the prior written consent of the City, use any such contractor/subcontractor that does not provide such certifications or that the Disclosing Party has reason to believe has not provided or cannot provide truthful certifications.

NOTE: If the Disclosing Party cannot certify as to any of the items in H.1., H.2. or H.3. above, an explanatory statement must be attached to this EDS.

**CERTIFICATION**

Under penalty of perjury, the person signing below: (1) warrants that he/she is authorized to execute this EDS on behalf of the Disclosing Party, and (2) warrants that all certifications and statements contained in this EDS are true, accurate and complete as of the date furnished to the City.

SERENA SOFTWARE, INC  
(Print or type name of Disclosing Party)

Date: 7/20/07

By:

[Signature]  
(sign here)



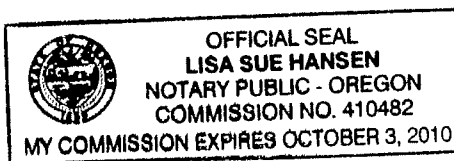
ERIC B JOHNSON  
(Print or type name of person signing)

VP WORLDWIDE BUSINESS OPS  
(Print or type title of person signing)

Signed and sworn to before me on (date) 7/20/07, by ERIC B. JOHNSON  
at WASHINGTON County, OR (state).

[Signature] Notary Public.

Commission expires: 10/3/2010



**CITY OF CHICAGO  
 PURCHASE REQUISITION**

Copy (Department)

<b>DELIVER TO:</b>  L31 COMPUTER SERVICES 400 S. STATE STREET Chicago, IL	<b>REQUISITION:</b> 34491  <b>PAGE:</b> 1 <b>DEPARTMENT:</b> 91 - CHICAGO PUBLIC LIBRARY <b>PREPARER:</b> Olivia E Boyd <b>NEEDED:</b> <b>APPROVED:</b> 7/25/2007
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**REQUISITION DESCRIPTION**

SOLE SOURCE REQUEST FOR MAINTENANCE OF SOFTWARE -SERENA COLLAGE  
 SPECIFICATION NUMBER: 59227

**COMMODITY INFORMATION**

**LINE ITEM**

LINE	ITEM	QUANTITY	UOM	UNIT COST	TOTAL COST
1	9204505500	1.00	Year	7,200.00	7,200.00

**SUGGESTED VENDOR:**

DIST	BFY	FUND	COST CTR	APPR	ACCNT	ACTV	PROJECT	RPT CAT	GENRL	FUTR	Dist. Amt.
1	000	0473	0912005	8152	220410	0000	47591291	000000	00000	0000	7,200.00
<b>LINE TOTAL:</b>											<b>7,200.00</b>

**REQUISITION TOTAL: 7,200.00**

Where a commodity is for a particular or unique use other than standard quality, grades, color, size or other characteristics, give details of how it will be and for what purpose.  
 Requisitions prepared incorrectly will be returned to the using department.