

AMENDMENT TO MASTER AGREEMENT

1. This Agreement to Amend the Master Agreement For Products and Services Between the Dallas Independent School District and the Consortium ("the Agreement") is entered into effective the 22d day of February 2007.
2. The Consortium and the District agree to amend the Agreement as follows. Lazo Technologies shall replace Micro Systems Enterprises, Inc. as the party authorized to execute documents and take certain other actions on behalf of The Consortium. All other provisions of the Agreement, including but not limited to the individual Customized Supplemental Service Agreements as executed by the parties, shall remain in full force and effect.

FOR THE CONSORTIUM

FOR THE DISTRICT

Lazo Technologies

By: Tom Lazo Sr.

By: _____

Title: PRESIDENT/CEO

President, Board of Trustees

Dated: 2/16/07

Dated: _____

Agreed:

Attest:

Micro System Enterprises, Inc.

By: _____

By: [Signature]

Board Secretary

Title: President

Dated: 2/16/07

Approved As To Form:

By: _____
School Attorney

02-6



Dallas Independent School District

Board Meeting Agenda

February 22, 2007

Auditorium, 3700 Ross Avenue, Dallas TX 75204, 5:30 PM

"The district's mission is to prepare all students to graduate with the knowledge and skills to become productive and responsible citizens."

1. **MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE**
Jack Lowe, President, District 2
2. **ACKNOWLEDGEMENTS**
 - A. Recognition of Elected/Public Officials
 - B. Presentation of Board Resolutions - Jerome Garza, First Vice-President, District 7
3. **CLOSED SESSION - The Board will retire to Closed Session pursuant to Texas Government Code Chapter 551 concerning the following section:**
 - A. 551.071 for consultation with its attorney regarding pending or contemplated litigation or settlement offer, including: United States Department of Education Audit of Bilingual Education Systemwide Improvement Grant.
4. **MINUTES SUBMITTED FOR APPROVAL**
 - A. Ad Hoc Committee Meeting - January 24, 2007
 - B. Board Meeting - January 25, 2007
5. **PUBLIC FORUM (SPEAKERS TO AGENDA ITEMS)**
Persons desiring to address the board may register prior to the Board meeting by calling the Board Services Office at (972) 925-3720 during regular business hours. The deadline for registering to address the Board is 5 p.m. the day preceding the Board meeting. The board is pleased to conduct its business meetings in public and brief comments on its business are always welcome. The purpose of the period is for the public to convey information to the board and not to engage the board in a dialog. Speakers are limited to three minutes and may only speak to specific agenda items and cannot utilize time of other speakers (you will hear a tone at two-minutes and at the end of three-minutes). Speakers can only speak one time in a thirty day period. Persons should identify themselves, and state their address and any group represented at the beginning of the presentation. All remarks are tape-recorded for the record. The PUBLIC FORUM segment of the Board Briefing will be limited to one hour.
6. **OTHER ITEMS WHICH MAY APPROPRIATELY COME TO THE ATTENTION OF THE BOARD**

7. **ITEMS PULLED FOR SEPARATE VOTE**

- A. Approval of Proposed Amendments to Board Policy BBG (Local) Board Members: Compensation and Expenses. The Board will consider various amendments to BBG including: increasing the total amount budgeted separately and not allocated against the Board's annual travel allocation; and making exceptions to the travel budget limitation for certain trustees with further review of the policy at a later date. 8A.51
- B. Approval of the Amendment to the Trustees Annual Budget. 8A.52

8. **CONSENT AGENDA ITEMS**

- A. Consent Agenda Items
 - 1. Ratification of Internal Service Agreement with Maintenance and Environmental Services Grounds/Athletics Division for Installation of Landscaping at Rufus C. Burlison Elementary School Located at 6300 Elam Road in Conjunction with the 2002 Bond Program (\$6,786; General Operating)
 - 2. Ratification of Internal Service Agreement with Maintenance and Environmental Services Emergency Response Team to Perform Repair Work at L.O. Donald Elementary School Located at 1218 Phinney Avenue in Conjunction with the 2002 Bond Program (\$8,500; General Operating)
 - 3. Ratification of Internal Service Agreement with Maintenance and Environmental Services Grounds/Athletics Division for Installation of Landscaping at Preston Hollow Elementary School Located at 6423 Walnut Hill Lane in Conjunction with the 2002 Bond Program (\$5,888; General Operating)
 - 4. Approval of Project to Renovate a Section of John B. Hood Middle School Located at 7625 Hume Drive (\$19,000; General Operating)
 - 5. Approval of Project to Renovate a Section of L.G. Pinkston High School Located at 2200 Dennison Street (\$92,715.20; General Operating)
 - 6. Approval of Demolition of Portable Buildings Located at Barbara Jordan and Stevens Park Elementary Schools (\$7,500; General Operating)
 - 7. Resolution Authorizing the City of Dallas to Represent the Dallas Independent School District in the Private Sale of a Tax Foreclosed Property to a Non-Profit Organization
 - 8. Approval of a Three Year Interlocal Agreement with the City of Hutchins for the Use of a District-Owned Facility as a Temporary Emergency Storm Shelter (No Cost to the District)
 - 9. Approval of Application for a Texas Historical Subject Marker at the Site of the Original Stephen J. Hay Elementary School
 - 10. Approval of a Ten-Year Lease Agreement with T-Mobile Texas, LP to Construct, Operate, and Maintain a Commercial Communications Service Facility at Franklin Stadium Located at 10000 Hillcrest Avenue (\$283,800 Revenue)
 - 11. Authorization to Negotiate and Enter into a Contract with Joe Funk General Contractors to Renovate Fannie C. Harris Elementary School, and Pearl C. Anderson and E.B. Comstock Middle Schools in Conjunction with the 2002 Bond Program (Not to Exceed \$4,354,267; Bond Funds)
 - 12. Ratification of Contract with Phillips/May Corporation for Above-Ceiling Materials Remediation at Walnut Hill Elementary School in Conjunction with the 2002 Bond Program (\$67,000; Bond Funds)
 - 13. Ratification of Contract with Williams Scotsman, Inc. for Additional Lease of Portable Classrooms in Conjunction with the 2002 Bond Program (\$121,034.28; Bond Funds)

14. Approval of Change Order #2 with Mart, Inc. for Hector Garcia Middle School per City of Dallas Requirements in Conjunction with the 2002 Bond Program (\$21,777.80; Bond Funds)
15. Approval of Change Order #2 with MDI, Inc. for Felix G. Botello Elementary School in Conjunction with the 2002 Bond Program (\$200,000; Bond Funds)
16. Approval of Change Order #4 with Ratcliff Constructors, LP for Larry G. Smith Elementary School in Conjunction with the 2002 Bond Program (\$84,525; Bond Funds)
17. Final Acceptance of the Completion of Work for the Contract with Site Enterprises to Renovate William H. Atwell Law Academy and T.W. Browne Middle School; Approval of Change Order #1 (\$115,850 Credit); and Authorization of Final Payment in Conjunction with the 2002 Bond Program (\$148,108.80; Bond Funds)
18. Final Acceptance of the Completion of Work for the Contract with Turner Construction Corporation to Construct Henry B. Gonzalez Elementary School, Approval of Change Order #2 (\$2,520 Credit); and Authorization of Final Payment in Conjunction with the 2002 Bond Program (\$47,480; Bond Funds)
19. Authorization of Payment of Brokers' Commission, Not to Exceed Three Percent of Final Value, for Property for School Site in Conjunction with the 2002 Bond Program (Not to Exceed \$13,500 Total Amount; Bond Funds)
20. Approval of Addendum #6 to the Agreement with Austin Commercial, LP for Resolution of Program Management Services in Conjunction with the 2002 Bond Program (\$62,133 Credit)
21. Approval of Settlement and Change Order #5 with Mitchell Enterprises, Inc. to Increase the General Contractor's Contract Amount and Extend the Substantial Completion Date for Woodrow Wilson High School in Conjunction with the 2002 Bond Program (\$240,000; Bond Funds)
22. Renewal of Contract with Upshaw Insurance Agency for Boiler and Machinery Insurance for Districtwide Use (Up to \$80,033; General Operating)
23. Approval of an Amendment to the Board Action Dated June 24, 2004, (Board File #45177) for the Purchase of Police Liability Insurance and Ratification of Transactions Districtwide (Not to Exceed \$286,461; Various Funds)
24. Price Agreement for the Purchase of Large and Small Cafeteria/Warehouse Original Equipment Manufacturer Repair Parts, Supplies, and Services for Food and Child Nutrition (Up to \$750,000 Annually for Three Years; Food Services)
25. Amend the 2006-2007 Budget
26. Ratification of List of Bills, Claims and Accounts for Demember 1, 2006 to December 31, 2006 (\$74,044,519.08)
27. Acceptance of Grant Funds: 2006-2007 School Year (J)
28. Ratification of Human Resource Actions
29. Acceptance of Donation from Advanced Placement Strategies, Inc. for Incentives and Stipends for the Advanced Placement Incentive Program (Not to Exceed \$600,000; Gifts and Donations)
30. Purchase of an iNSIGHT 150 Image Scanner for the Benchmark Assessment Department (\$102,440; Title I)
31. Approval of Contract with the Black Academy of Arts and Letters (TBAAL) for a Summer Enrichment Program for the Extended Year Program (Not to Exceed \$100,000; Title I)
32. Approval of Expenditure of Funds with Texas Education Agency Selected Vendors for Supplemental Educational Services (\$975,000 Annually; School Improvement Program)

33. Approval of Expenditure of Funds with Academic Consulting Services to Ensure Twenty Seniors Acceptance and Financial Aid to a Tier One or Tier Two College or University (\$180,510 for the 2006-2007 Fiscal Year; Title I/Title V) (PULLED)
34. Ratification of Acceptance of a Donation from the Dallas After-School All-Stars to Support a Comprehensive After-School Program at James Bowie Elementary School (\$40,000 Value; Gifts and Donations)
35. Resolution Ordering a Uniform General Election to be Held May 12, 2007 for the Purpose of Electing Three Members of the Board of Trustees of the Dallas Independent School District to Districts 4, 5, and 7
36. Adoption of Decision on the Grievance Appeal of Robert Gay
37. Adoption of Decision on the Grievance Appeal of Catherine Harding
38. Adoption of Decision on the Grievance Appeal of Rhonda Rutherford
39. Adoption of Decision on the Stop, Look and Listen Appeal of Mary Ross
40. Adoption of Decision on the Grievance Appeal of Carmen Jauregui
41. Adoption of Decision on the Grievance Appeal of Paulette Johnson
42. Adoption of Decision on the Grievance Appeal of Elbert Taft
43. Adoption of Decision on the Grievance Appeal of Rosalia Fira
44. Adoption of Decision on the Stop, Look and Listen Appeal of Ernest Moore
45. Adoption of Decision on the Stop, Look and Listen Appeal of Leopoldo Chavez
46. Adoption of Decision on the Stop, Look and Listen Appeal of Albert Edmondson
47. Approval of Recommended Law Firms (PULLED)
48. Price Agreement for the Purchase of Interactive Whiteboards for Districtwide Use (Up to \$1,278,500 Over Two Years; Various Funds)
49. Ratification and Approval of an Amendment to the Contract with The Consortium Team of Vendors for Services in Connection with the E-Rate Program for Years 6, 7, and 8
50. Approval of Proposed Amendment to Board Policy BA (Local) Board Legal Status
51. Approval of Proposed Amendments to Board Policy BBG (Local) Board Members: Compensation and Expenses. The Board will consider various amendments to BBG including: increasing the total amount budgeted separately and not allocated against the Board's annual travel allocation; and making exceptions to the travel budget limitation for certain trustees with further review of the policy at a later date.
52. Approval of the Amendment to the Trustees Annual Budget
53. Approval of Waiver to Board Policy GKD (Exhibit) to allow the City of Dallas Park and Recreation Department to Rent District Swimming Pools at a Reduced Hourly Rate
54. Approval of the Waivers of Competition Requirements and Daily Rate Restrictions for External Audit Services to Allow Letters of Interest to be Submitted to the Board
55. Approval of Proposed Settlement of United States Department of Education Audit of Bilingual Education Systemwide Improvement Grant.

9. **BOARD BRIEFING REPORTS**

- A. Business Briefing - Jerome Garza
- B. Policy Briefing - Edwin Flores
- C. Education Briefing - Nancy Bingham
- D. Individual Appointment / Responsibilities

10. **INDIVIDUAL BOARD MEMBER REPORTS**

A. May include reports on awards, special recognition or events in the community

11. **GENERAL SUPERINTENDENT'S REPORT**

12. **SPEAKERS TO NON-AGENDA ITEMS**

13. **ADJOURNMENT**

If, during the course of the meeting covered by this Notice, the Board of Trustees should determine that a closed meeting or session of the Board of Trustees is required, then such closed executive meeting or session as authorized by the Texas Open Meetings Act, Texas Government Code Section 551.001 et seq., will be held by the School Board at the date, hour, and place given in this Notice or as soon after the commencement of the meeting covered by this Notice as the School Board may conveniently meet in such closed or executive meeting or session concerning any and all purposes permitted by the Act, including, but not limited to the following sections and purposes:

Texas Government Code Section:

- 551.071 Private consultation with Board's attorney.
- 551.072 Discussing purchase, exchange, lease, or value of real property.
- 551.073 Discussing negotiated contracts for prospective gifts or donations.
- 551.074 Discussing personnel or to hear complaints against personnel.
- 551.076 Considering the deployment, specific occasions for, or implementation of, security personnel or devices.
- 551.082 Considering discipline of a public school child, or complaint or charge against personnel.
- 551.083 Considering the standards, guidelines, terms, or conditions the Board will follow, or will instruct its representatives to follow, in consultation with representatives of employee groups.
- 551.084 Excluding witnesses from a hearing.

Should any final action, final decision, or final vote be required in the opinion of the School Board with regard to any matter considered in such closed or executive meeting or session, then the final action, final decision, or final vote shall be either:

- (a) in the open meeting covered by the Notice upon the reconvening of the public meeting; or
- (b) at a subsequent public meeting of the School Board upon notice thereof, as the School Board shall determine.

SIGN LANGUAGE INTERPRETERS In keeping with the Americans with Disabilities Act, Sign language interpreters are available for this meeting upon twenty-four hour notice to the Board Services Office, (972) 925-3720. The Board of Trustees of the Dallas Independent School District reserves the right to waive any of its policies and/or a part of this agenda, pursuant to policy BF (Local). Meetings are televised live on cable channels 7B, 9B and 12B.

Como lo requiere el Acta de Derechos Para los Americanos con Minusvalias, el distrito escolar asignará interpretes del lenguaje por señas a personas que asistan a las reuniones de la junta del Consejo Directivo del Distrito Escolar Independiente de Dallas, si llaman a la oficina del secretario de la mesa directiva al (972) 749-2300 con 24 horas de anticipación. El Consejo Directivo del Distrito Escolar Independiente de Dallas se reserva el derecho de renunciar cualquiera de sus normas como parte de su orden del dia, de conformidad con la norma BF (Local). Las juntas serán televisadas en vivo en el sistema de cable por los canales 7B, 9B and 12B.

FOR USE BY BOARD SERVICES OFFICE	
APPROVED _____	FILED _____
AMENDED _____	(SEE MINUTES)
BOARD FILE NO. _____	

COMPLETED



3700 ROSS AVENUE DALLAS, TEXAS 75204
DALLAS INDEPENDENT SCHOOL DISTRICT
BOARD OF TRUSTEES
AGENDA ITEM

(AGENDA ITEM NUMBER)

REVISED

February 22, 2007

(DATE OF BOARD MEETING)

RATIFICATION AND APPROVAL OF AN AMENDMENT TO THE CONTRACT WITH THE CONSORTIUM TEAM OF VENDORS FOR SERVICES IN CONNECTION WITH THE E-RATE PROGRAM FOR YEARS 6, 7, AND 8

TITLE OF DOCUMENT: _____

POLICY REFERENCE: CH (LOCAL)

Recommended Action:	That the Board of Trustees ratify and approve an amendment to the contract with The Consortium Team of vendors for years 6, 7, and 8 to authorize Lazo Technologies LTD to execute documents and take other necessary actions on behalf of the Consortium.		
Justification:	The district entered into a master agreement with The Consortium Team of vendors to provide services in connection with the E-Rate Program for years 6, 7, and 8. Pursuant to that contract Micro Systems Enterprises, Inc. (MSE), a member of The Consortium, was designated and authorized to sign documents on behalf of The Consortium. Invoices for work done by The Consortium have been submitted by MSE, and payments made to MSE. MSE has recently resigned from The Consortium and has asked that its duties be reassigned. The SPIN number for The Consortium has been changed to Lazo Technologies LTD, and it is necessary to amend the district's contract with The Consortium to reassign duties to Lazo Technologies LTD, including the authority to invoice the district for work performed by The Consortium pursuant to the contract, and receive payments on behalf of The Consortium.		
Bid/RFP Statistics:	Bid/RFPs requested:	Open	MWBEs: Open
	Bid/RFPs received:	27	MWBEs: 5
	Compliant Bid/RFPs received:	27	MWBEs: 5
MWBE Information:	<ul style="list-style-type: none"> In accordance with the District's MWBE Program requirements, this contract's MWBE goal is set at 30% of the contract amount. Lazo Technologies LTD is an MWBE vendor. The Consortium Team of vendors have committed to achieving greater than 50% MWBE participation. 		
Recommended Vendor(s)/Contract Term:	<ul style="list-style-type: none"> Recommended Vendor(s): LAZO TECHNOLOGIES LTD (Dallas TX) <input checked="" type="checkbox"/> MWBE Contract Type: <input checked="" type="checkbox"/> Request for Proposal (RFP) Lowest Responsive Bidder(s): <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A Sole Source Vendor: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A Contract Term: Various 		
Funding Information:	<ul style="list-style-type: none"> Funding Source(s): Bond Funds Line Code(s): Various 		
Detailed Information Sheet(s) attached: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
Briefing:	Request No(s):	Various	Action Amount: NA
<u>Board Briefing</u>	Project Order No(s):	NA	Bid/RFP Opening Date: January 20, 2003
For Information Contact: Arnold Viramontes – Associate Supt. Information and Technology Services 972-925-5660	Purchase Order No(s):	NA	Bid/RFP No(s): Various

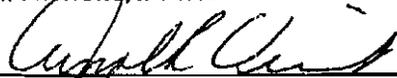
BE IT RESOLVED BY THE DALLAS INDEPENDENT SCHOOL DISTRICT BOARD OF TRUSTEES:

That the Board of Trustees ratifies and approves an amendment to the contract with The Consortium Team of vendors for years 6, 7, and 8 to authorize ~~Udo Technologies LTD~~ to execute documents and take other necessary actions on behalf of the Consortium.

During the term of this contract, should the Consortium Team fail or refuse to fulfill the contractual obligations, the Purchasing Department may with the approval of the general superintendent be authorized to select other vendors.

This Board action shall take effect immediately upon its passage.

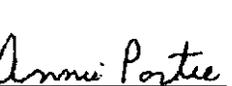
SIGNATURE REQUIRED FOR APPROVAL AS TO CONTENT AND CERTIFICATION, TO THE BEST OF MY KNOWLEDGE, THAT CONTRACT IS WITHIN SCOPE OF POSITION AND NO CONFLICTS OF INTEREST EXIST AS DEFINED BY BOARD POLICY DBD (LOCAL). RECOMMENDED ACTION IS THE BEST VALUE AVAILABLE AND MEETS THE REQUIRED SPECIFICATIONS, IF ANY.


(1) Department Head (Cabinet Member) 28.2007 Date Signed Reviewed all related back-up materials

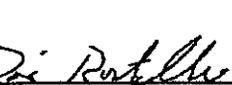
SIGNATURE REQUIRED FOR APPROVAL AS TO ALL APPLICABLE POLICIES, PURCHASING LAWS AND REGULATIONS.


(2) Executive Director - Purchasing Department 2/9/2007 Date Signed Reviewed all related back-up materials

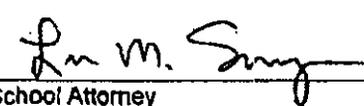
SIGNATURE REQUIRED FOR APPROVAL AS TO MWBE.


(3) Executive Director - Minority/Women Business Enterprise 2-9-07 Date Signed Reviewed all related back-up materials

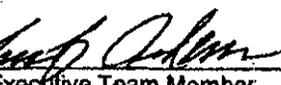
SIGNATURE REQUIRED FOR APPROVAL AS TO FUNDING AVAILABILITY.


(4) Associate Superintendent - Financial Services 2/12/07 Date Signed Reviewed all related financial back-up materials

SIGNATURE REQUIRED FOR APPROVAL AS TO FORM.


(5) School Attorney 2/13/07 Date Signed Reviewed all related back-up materials

SIGNATURE CERTIFIES THAT THE APPROPRIATE CABINET MEMBER HAS REVIEWED AND SIGNED THE BOARD DOCUMENT.


(6) Executive Team Member 2-12-07 Date Signed

SIGNATURE CERTIFIES THAT THE APPROPRIATE STAFF HAVE REVIEWED AND SIGNED THE BOARD DOCUMENT.


(7) General Superintendent or designee 2/13/07 Date Signed

DO NOT FILE COPY ORIGINAL

02-6

FILED/ACCEPTED

AUG - 3 2009

Federal Communications Commission
Office of the Secretary

From: Tom Lazo [mailto:tlazo@lazotech.com]

Sent: Thursday, March 01, 2007 2:56 PM

To: Karen Onyeije; Jeremy Marcus; Amy Bender; 'Billy Ratcliff'; 'Eddie Hill'

Subject: FW: Dallas ISD Subcontractors -- Accounts Receivable DUE from USAC

Amy, Karen and Jeremy,

The attached is the Excel Workbook contains the current amounts owed to the members of the DISD Consortium Erate Year 6. The Workbook contains four (4) tabs. The first tab is a summary of all the Accounts Receivables that is owed by USAC to the Consortium, also in this tab we broke out what each member is due as well as how much the Consortium owes to different sub contractors of the consortium as a whole. Please understand that each consortium members still has individual accounts payable from their operation on the project that they need to pay. The other tabs are the accounts receivable that are due to the three entities on project DISD (Bear Payment) The Consortium minus MSE and MSE by it's self. These amounts are as of 2/28/07.

If you have any questions please feel free to call me.

Tom Lazo Sr.
214.652.9898

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List ABCDE

9/24/2008

DISD Erate Year 6
Accounts Receivable Summary
Due From USAC

I. A/R Due DISD from SLD:

DISD Bear Tab

DISD Bear Payment 3,659,819.95
DISD Bear Payment Pending 58,081.82

Total A/R DISD 3,717,901.77

II. A/R Due Consortium from SLD:

Consortium AR Tab

4,268,520.79

III. A/R Due MSE from SLD:

MSE's AR Tab

1,621,485.31

Total A/R due from SLD 9,607,907.87

III. Consortium A/P Breakdown:

	Consortium's A/R	Consortium's A/P to paid	Total Consortium's Amount Due
ACS	\$ 1,827,277.87	\$ -	\$ 1,827,277.87
ATS	\$ 685,055.65	\$ -	\$ 685,055.65
HPS	\$ 642,739.53	\$ -	\$ 642,739.53
LAZO	\$ 850,578.43	\$ 262,869.31	\$ 1,113,447.74
			\$ -
			4,268,520.79

IV. Consortium A/P details:

APS	\$ 98,781.61
Braziel	\$ 44,860.00
INE	\$ 65,543.94
E&O Insurance premium	\$ 23,023.96
Nextel telephone services	\$ 26,589.15
TCS	\$ 4,070.65
Total Remaining Bills	\$ 262,869.31

02-6

From: Billy Ratcliff [mailto:bratclif@swbell.net]
Sent: Friday, February 23, 2007 8:43 AM
To: Billy Ratcliff; Amy Bender; Eddie Hill; tlazo@lazotech.com
Cc: jwb@bickelbrewer.com; judgefinn@davidfinn.com; karen.onyeije@fcc.gov; Jeremy.marcus@fcc.gov
Subject: Re: Dallas ISD Subcontractors -- Meeting with FCC

FILED/ACCEPTED
AUG - 3 2009
Federal Communications Commission
Office of the Secretary

On last night the Dallas ISD School Board voted to approve the SPIN number change from MSE to Lazo. This request is being sent to the USAC for final actions.

Billy Ratcliff <bratclif@swbell.net> wrote:
Amy, Karen , Jeremy, Thanks to each of you for the time you spent with us on Wednesday. As we stated, our needs are sincere and any help you can provide will be appreciated.

Also, we will get the updated spreadsheet to you as well as the results of the DISD School Board approval of the SPIN Number change after it occurs at tonights meeting.

Again, many thanks.

Billy Ratcliff

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List ABCDE

20

Consortium Members Present 02.21.2007 for meeting with:

Federal Communication Commissioner
445 12th Street, SW
Washington, DC 20554

Tom Lazo
Lazo Technologies, Ltd ,
611 W. Mockingbird Ln.
Dallas , Texas 75247
214.652.9898

Eddie Hill
Hill Professional Services
8705 Havenwood Trail, Plano, TX 75024
469.733.8246

Billy Ratcliff
W&R Technology
4822 Lamesa Street
Dallas, Texas 75215
214.428.0222

FILED/ACCEPTED

AUG - 3 2009 FILED/ACCEPTED

Federal Communications Commission
Office of the Secretary

AUG - 3 2009

Federal Communications Commission
Office of the Secretary

From: Tom Lazo [mailto:tlazo@lazotech.com]
Sent: Friday, November 14, 2008 11:21 AM
To: Michele Ellison; Jim Bird
Cc: 'Eddie Hill'; 'Billy Ratcliff'; 'Sue bettcher'
Subject: Dallas Erate 6 Labor/Material Breakdown

Michele & Jim,

The attached spreadsheet details Labor and material Break down for ATS-South, HPS and Lazo. These amounts are base on the Material and Labor sheet that accompanied each invoice. As I stated in our telephone conference call these invoice amounts are currently in the USAC system. Please let know if you need anything else.

Tom Lazo
214.652.9898

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List ABCDE

ERATE year 6 FRN # 1017129

Amount due Dallas Consortium Members from current 90% cabling Invoices :

1) ATS South-WAI:

Material	\$ 252,393.40
Labor	\$ 549,528.45

\$ 801,921.85

Note: One invoice amount was estimated for Labor and Material for Hood Middle School (USAC Inv
In the ATS South-WAI totals. Estimated were base on same size school (Rusk Middle s

2) HPS:

Material	\$ 275,971.61
Labor	\$ 592,165.93

\$ 868,137.54

3) LAZO:

Material	\$ 269,173.04
Labor	\$ 602,835.84

\$ 872,008.88

at USAC:

676432 PO 239665 amt: \$50,077.46)
school)

DISD E-Rate Year 6 Consortium Fund Distribution

Revenues

Network Switches
Servers
Cabling
E-mail



Cost of Goods sold

Novell (E-mail)
Avizion (E-mail)
INE (Network switch's)
MSE (Network switch's & H-P Servers)
ACS (H-P Servers)
CSC (Cabling material)

Equal

Consortium Margin



Consortium Exps
Project Mangt
Bank Interest
Insurance's
W/H & Office
Misc Exp's
Bonding

Acclaim
1.2 Margin
Pro Serv
Admin
O-H
Labor

MSE/TCS
1.2 Margin
Cable Rev
Admin
O-H
Labor

ACS/WNS
1.2 Margin
Cable Rev
Admin
O-H
Labor

HPS
1.2 Margin
Cable Rev
Admin
O-H
Labor

ATS
1.2 Margin
Cable Rev
Admin
O-H
Labor

LAZO
1.2 Margin
Cable Rev
Admin
O-H
Labor

DISD ERATE 8
FRN#1017129 - 90% Cabling

Contr	SCH ID.	USAC	POW	School Name	Lease Date	Lease Inv#	Open Balance
ATS	128	USAC - SLD 827878	POW230133	-ML KING ES	03/13/2007	182372LZ	13,870.72
ATS	287	USAC - SLD 827878	POW230138	-JAMES ES	03/13/2007	182372LZ	11,278.28
ATS	288	USAC - SLD 860385	POW233484	-DOUGLASS ES	03/13/2007	187710LZ	28,153.88
ATS	287	USAC - SLD 860388	POW244044	-JAMES ES	03/13/2007	187710LZ	1,774.31
ATS	288	USAC - SLD 864837	POW260234	-DOUGLASS ES	03/14/2007	308281LZ	14,088.04
ATS	109	USAC - SLD 863293	POW243888	-BLAIR ES	03/14/2007	300368LZ	7,883.78
ATS	288	USAC - SLD 887813	POW280080	-DOUGLASS ES	03/14/2007	303401LZ	30,078.05
ATS	127	USAC - SLD 884814	POW280273	-CITY PARK ES	03/14/2007	307782LZ	28,285.07
ATS	82	USAC - SLD 876432	POW238888	-Wood MS			68,077.46
ATS/WAI	288	USAC - SLD 894841	POW248888	-HERNANDEZ ES	03/14/2007	308253LZ	1,817.70
ATS TOTAL							181,893.32
HPS	88	USAC - SLD 827813	POW241878	-QUINTANILLA MS	03/13/2007	293612LZ	54,228.22
HPS	180	USAC - SLD 827813	POW242008	-MAGON ES	03/13/2007	293612LZ	9,558.88
HPS	143	USAC - SLD 827813	POW242007	-FANNIN ES	03/13/2007	293612LZ	19,208.75
HPS	38	USAC - SLD 827813	POW242010	-TOWNVIEW EDUC HS	03/13/2007	293612LZ	60,811.33
HPS	187	USAC - SLD 838808	POW240841	-KLEBERG ES	03/13/2007	296809LZ	22,392.07
HPS	311	USAC - SLD 838808	POW242889	-STEVENS PARK ES	03/13/2007	296809LZ	8,787.55
HPS	88	USAC - SLD 840312	POW242901	-RUSK MS	03/14/2007	298834LZ	51,020.41
HPS	184	USAC - SLD 840312	POW243118	-JONES ES	03/14/2007	298834LZ	54,427.37
HPS	181	USAC - SLD 840312	POW243118	-MAPLE LAWN ES	03/14/2007	298834LZ	35,852.70
HPS	88	USAC - SLD 840312	POW244888	-RUSK MS	03/14/2007	298834LZ	80,834.38
HPS	182	USAC - SLD 850388	POW243114	-MARCUS ES	03/13/2007	187710LZ	3,323.78
HPS	181	USAC - SLD 850388	POW243323	-IRELAND ES	03/13/2007	187710LZ	33,500.88
HPS	197	USAC - SLD 860388	POW243878	-REAGAN ES	03/13/2007	187710LZ	27,964.98
HPS	131	USAC - SLD 887813	POW280073	-ZARAGOZA ES	03/14/2007	303401LZ	28,248.88
HPS	131	USAC - SLD 887813	POW280228	-ZARAGOZA ES	03/14/2007	303401LZ	31,838.33
HPS	181	USAC - SLD 887813	POW280228	-MAPLE LAWN ES	03/14/2007	303401LZ	84,837.83
HPS	143	USAC - SLD 883184	POW248383	-FANNIN ES	03/14/2007	300314LZ	30,530.10
HPS	2	USAC - SLD 884814	POW223848	-ADAMSON HS	03/14/2007	307782LZ	32,582.82
HPS	211	USAC - SLD 884814	POW280080	-STEVENS PARK ES	03/14/2007	307782LZ	33,840.22
HPS	211	USAC - SLD 884814	POW280228	-STEVENS PARK ES	03/14/2007	307782LZ	14,928.80
HPS	128	USAC - SLD 873321	POW248288	-CASA VIEW ES	03/14/2007	30048LZ	3,861.87
HPS	88	USAC - SLD 873321	POW280070	-STOCKARD MS	03/13/2007	30048LZ	68,287.11
HPS	108	USAC - SLD 711828	POW280074	-ARLINGTON PARK ES	03/13/2007	30048LZ	2,187.46
HPS	88	USAC - SLD 714328	POW248488	-SPENCE MS	03/14/2007	310285LZ	38,848.83
HPS	88	USAC - SLD 714328	POW280084	-SPENCE MS	03/14/2007	310285LZ	70,878.85
HPS/WNS	130	USAC - SLD 827878	POW231780	-COWART ES	03/13/2007	182372LZ	27,083.31
HPS/WNS	130	USAC - SLD 853288	POW243883	-COWART ES	03/14/2007	300358LZ	1,884.80
HSP/WNS	103	USAC - SLD 827878	POW238713	-ALLEN ES	03/13/2007	182372LZ	5,788.87
HPS TOTAL							888,137.64

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LAZO	111	USAC - BLD 860374	PO#233942 - BONHAM EB	03/13/2007	28558LZ	8,551.85
LAZO	48	USAC - BLD 860374	PO#238214 - COMSTOCK MS	03/13/2007	28558LZ	187,503.16
LAZO	73	USAC - BLD 860374	PO#243899 - LONGFELLOW MS	03/13/2007	28558LZ	48,986.70
LAZO	111	USAC - BLD 860374	PO#243133 - BONHAM EB	03/13/2007	28558LZ	6,422.60
LAZO	174	USAC - BLD 860388	PO#230177 - LEE R, EB	03/13/2007	197710LZ	19,163.84
LAZO	138	USAC - BLD 860388	PO#243068 - DONALD EB	03/13/2007	197710LZ	48,833.42
LAZO	147	USAC - BLD 860388	PO#243121 - GILL ES	03/13/2007	197710LZ	19,576.38
LAZO	116	USAC - BLD 863203	PO#243981 - BUDG EB	03/14/2007	300386LZ	32,463.16
LAZO	188	USAC - BLD 863208	PO#243988 - KNIGHT ES	03/14/2007	300358LZ	23,158.18
LAZO	158	USAC - BLD 863208	PO#228885 - HODE EB	03/14/2007	300354LZ	44,407.47
LAZO	48	USAC - BLD 863208	PO#238048 - GABTON MS	03/14/2007	300354LZ	78,189.13
LAZO	180	USAC - BLD 863184	PO#243073 - PEABODY EB	03/14/2007	300314LZ	36,280.14
LAZO	48	USAC - BLD 863184	PO#248381 - GABTON MS	03/14/2007	300314LZ	3,258.74
LAZO	129	USAC - BLD 863184	PO#248388 - CONNER EB	03/14/2007	300314LZ	24,803.99
LAZO	69	USAC - BLD 894814	PO#243182 - BOUTE MS	03/14/2007	307782LZ	72,495.82
LAZO	178	USAC - BLD 864814	PO#250228 - LANIER EB	03/14/2007	307782LZ	42,281.84
LAZO	129	USAC - BLD 714317	PO#228458 - CONNER ES	03/14/2007	308725LZ	120,810.98
LAZO	148	USAC - BLD 714317	PO#249888 - HALL ES	03/14/2007	308725LZ	38,447.84
LAZO	177	USAC - BLD 714328	PO#250088 - LIPSCOMB EB	03/14/2007	310285LZ	58,792.83
LAZO TOTAL						872,008.88

TCS	208	USAC - BLD 827813	PO#234783 - SIBERSTEIN ES	03/13/2007	283812LZ	11,883.81
TCS	83	USAC - BLD 827813	PO#241888 - HULCY MS	03/13/2007	283812LZ	73,555.80
TCS	284	USAC - BLD 860388	PO#243988 - MCNAIR EB	03/13/2007	197710LZ	32,784.84
TCS	213	USAC - BLD 860388	PO#243088 - TERRY ES	03/13/2007	197710LZ	2,888.87
TCS	216	USAC - BLD 860388	PO#243113 - TRUETT EB	03/13/2007	197710LZ	13,568.12
TCS	284	USAC - BLD 860388	PO#243948 - MCNAIR EB	03/13/2007	197710LZ	2,584.21
TCS	289	USAC - BLD 860388	PO#243978 - SILBERSTEIN EB	03/13/2007	197710LZ	2,312.38
TCS	121	USAC - BLD 860374	PO#241888 - CARPENTER ES	03/13/2007	28558LZ	18,586.18
TCS	228	USAC - BLD 863184	PO#243127 - WEISS ES	03/14/2007	300314LZ	81,822.25
TCS	48	USAC - BLD 863203	PO#243088 - GREINER MS	03/14/2007	300386LZ	78,413.87
TCS	110	USAC - BLD 863208	PO#242881 - BLANTON EB	03/14/2007	300386LZ	11,621.82
TCS	133	USAC - BLD 894814	PO#248488 - JORDAN EB	03/14/2007	307782LZ	4,538.88
TCS	83	USAC - BLD 894814	PO#280238 - HULCY MS	03/14/2007	307782LZ	88,118.21
TCS	207	USAC - BLD 873321	PO#240088 - SAN JACINTO EB	03/13/2007	30048LZ	2,281.35
TCS	214	USAC - BLD 714317	PO#244803 - THOMPSON EB	03/14/2007	308725LZ	44,883.35
TCS	249	USAC - BLD 828882	PO#243128 - Bequin EB			87,828.81
TCS TOTAL						488,417.65

WAI	248	USAC - BLD 827813	PO#242004 - BUCKNER EB	03/13/2007	283812LZ	117,888.28
WAI	180	USAC - BLD 860388	PO#242891 - SAM HOUSTON	03/13/2007	197710LZ	18,859.38
WAI	122	USAC - BLD 860388	PO#243128 - CARR ES	03/13/2007	197710LZ	20,480.84
WAI	104	USAC - BLD 894814	PO#244142 - ANDERSON MS	03/14/2007	307782LZ	103,887.37
WAI	142	USAC - BLD 887813	PO#243983 - ERVIN ES	03/14/2007	303401LZ	34,819.31
WAI	280	USAC - BLD 863184	PO#244038 - DeZAVALA EB	03/14/2007	300314LZ	26,408.82
WAI	188	USAC - BLD 894814	PO#243118 - HAWTHORNE EB	03/14/2007	307782LZ	24,835.28
WAI	181	USAC - BLD 864814	PO#244713 - PEASE ES	03/14/2007	307782LZ	33,813.70
WAI	101	USAC - BLD 894822	PO#248397 - ADAMS EB	03/14/2007	300402LZ	38,586.82
WAI	218	USAC - BLD 873321	PO#244033 - TITCHER EB	03/13/2007	30048LZ	38,382.28
WAI/WNS	170	USAC - BLD 827877	PO#242883 - LAGOW EB	03/13/2007	242883LZ	170,008.18
WAI TOTAL						820,328.83

WNS	250	USAC - BLD 627813	PO#230137 - YOUNG EB	03/13/2007	293612LZ	11,363.88
WNB	199	USAC - BLD 627813	PO#23217 - HOLLOW EB	03/13/2007	293612LZ	10,905.38
WNS	30	USAC - BLD 627813	PO#242917 - HEALTH SPECIAL HB	03/13/2007	293612LZ	8,892.67
WNB	124	USAC - BLD 650386	PO#243088 - CARVER ES	03/13/2007	197710LZ	43,828.22
WNS	72	USAC - BLD 650386	PO#243857 - ZUMWALT MS	03/13/2007	197710LZ	58,775.07
WNB	30	USAC - BLD 650386	PO#244858 - HEALTH SPECIAL HS	03/13/2007	197710LZ	14,828.70
WNS	162	USAC - BLD 653203	PO#243968 - HENDERSON EB	03/14/2007	300368LZ	31,052.72
WNS	278	USAC - BLD 653206	PO#234772 - CUELLAR EB	03/14/2007	300358LZ	32,025.07
WNS	74	USAC - BLD 657813	PO#243118 - EDISON CENTER MS	03/14/2007	303401LZ	100,594.80
WNS	71	USAC - BLD 667813	PO#260072 - DALLAS ENV MB	03/14/2007	303401LZ	22,472.88
WNS	188	USAC - BLD 657813	PO#256077 - RAY EB	03/14/2007	303401LZ	54,298.75
WNS	183	USAC - BLD 683184	PO#248388 - JOHNSTON EB	03/14/2007	300314LZ	41,031.19
WNB	242	USAC - BLD 684914	PO#260076 - SEQUOYAH EB	03/14/2007	307782LZ	32,716.48
WNS	234	USAC - BLD 684938	PO#260071 - WALNUT HILL EB	03/14/2007	308252LZ	29,838.54
WNS/WAI	286	USAC - BLD 680388	PO#246042 - MARTINEZ ES	03/13/2007	197710LZ	34,536.98
WNS/WAI	281	USAC - BLD 684814	PO#260078 - CHAVEZ ES	03/14/2007	307783LZ	65,242.89
WNS	230	SUB TO BLD	PO#221833 - Whithers EB			18357.78
WNS/TCS	266	USAC - BLD 650386	PO#244402 - ALCADIA PARK EB	03/13/2007	197710LZ	1,622.83

WNS TOTAL

618,183.49

DALLAS COMPANIES

2,642,068.27

HOUSTON COMPANIES

1,116,601.10

3,658,669.37

DISD Erate Year 6
Accounts Receivable Summary
Due From USAC

I. A/R Due DISD from SLD:

DISD Bear Tab

DISD Bear Payment		3,659,819.95
DISD Bear Payment	Pending	58,081.82

Total A/R DISD 3,717,901.77

II. A/R Due Consortium from SLD:

Consortium A/R Tab

4,268,520.79

III. A/R Due MSE from SLD:

MSE's AR Tab

1,621,485.31

Total A/R due from SLD 9,607,907.87

III. Consortium A/P Breakdown:

	Consortium's A/R	Consortium's A/P to paid	Total Consortium's Amount Due
ACS	\$ 1,827,277.87	\$ -	\$ 1,827,277.87
ATS	\$ 685,055.65	\$ -	\$ 685,055.65
HPS	\$ 642,739.53	\$ -	\$ 642,739.53
LAZO	\$ 850,578.43	\$ 262,869.31	\$ 1,113,447.74
			\$ -
			4,268,520.79

IV. Consortium A/P details:

APS	\$ 98,781.61
Braziel	\$ 44,860.00
INE	\$ 65,543.94
E&O Insurance premium	\$ 23,023.96
Nextel telephone services	\$ 26,589.15
TCS	\$ 4,070.65
	262,869.31
Total Remaining Bills	\$ 262,869.31

02-6

From: Jim Bird [mailto:Jim.Bird@fcc.gov]
Sent: Friday, November 21, 2008 7:40 PM
To: Tom Lazo
Cc: Michele Ellison; Debra Weiner; Karen Onyeije; Lisa Gelb
Subject: USF payments for DISD

FILED/ACCEPTED

AUG -3 2009

Federal Communications Commission
 Office of the Secretary

Dear Mr. Lazo:

This follows-up on our recent conversations and e-mails. We appreciate the information that you and your staff have provided thus far regarding the consortium request for additional universal service funds. As we understand it, you are requesting that the Universal Service Fund (USF) pay Lazo Technologies an additional \$872,000 beyond what it has already received. We also understand that you are requesting that the USF pay an additional \$801,000 and \$868,000 to ATS South (ATS) (Mr. Ratcliffe's company) and Hill Professional Services (HPS) (Mr. Hill's company), respectively. Please let us know if you are seeking payment for any other consortium members. We would also like to know whether you have tried to recover any additional payments from other consortium members (e.g., MSE or Acclaim or their principals).

As we have discussed, the additional payments you are requesting would be quite novel under the circumstances and under current E-Rate Program rules. Based on information uncovered in the criminal proceeding involving Frankie Wong, the consortium's former lead agent, the competitive bidding process that led to the DISD contract (under which Lazo Technologies, ATS and HPS provided services) was tainted by fraud, was not issued pursuant to a fair and open process, and therefore did not comply with the Commission's competitive bidding requirements. See e.g., 47 C.F.R. § 54.504(a) (requiring competitive bidding process in addition to compliance with state and local requirements); *Request for Review of Decisions by the Universal Service Administrator by Mastermind Internet Services, Inc.*, 16 FCC Rcd 4028 (2000) (requiring the bidding process to be open and fair). Commission rules require applicants for E-Rate funding to acknowledge that failure to comply with all program rules may result in denial of funding and/or recovery of funding. 47 C.F.R. § 54.504(c)(viii). Mr. Wong was criminally prosecuted recently convicted for his part in the fraud, and sentenced to 10 years in prison.

In light of these apparent violations of our rules and to help us better assess what kind of relief, if any, is appropriate, we have sought additional information from you regarding the total payments that the USF has already made to the consortium, the payments that Lazo, ATS and HPS have already received, and your out-of-pocket costs. Specifically, as we indicated in our November 12 conversation, we are trying to compile, for each of the three companies, (1) a detailed description of all payments to the company from the consortium

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 List ABCDE

(including reimbursement for costs and "margin"), (2) a statement of the labor costs paid directly by the company (not the consortium) for the project, (3) a statement of equipment/material costs paid directly by the company (not the consortium) for the project, (4) a statement of overhead costs paid by the company (not the consortium) for the project, (5) an explanation of how overhead was allocated to the Dallas Independent School District E-Rate project and other projects, and (6) a statement and description of other costs, if any, paid by the company in connection with its work on the project.

In connection with this effort, we need to address some potentially conflicting information we have received. During our November 12 conversation, I believe you stated that the consortium had paid in full all of Lazo Technologies' costs incurred as of October 2005, and approximately \$300,000 in "margin." You also stated that, as of October 2005, \$600,000 to \$700,000 in additional "margin" had been earned, but remained unpaid (and we understood that this was part of the \$872,000 that Lazo Technologies is requesting). Thus, it appears that of the \$872,000 you are requesting, \$172,000 to \$272,000 was incurred between October 2005 (after the consortium stopped paying bills) and the last quarter of 2006 (when you completed the E-Rate related work). Your e-mail of November 14 and the attachments indicate that all of the amounts requested for the three companies reflect material or labor costs (i.e., no overhead or profit). We are quite confused by this statement, as it seems inconsistent with information you have previously provided to us. Would you please clarify this apparent inconsistency and provide more detailed evidence of the actual costs incurred after October 2005?

We understand the time sensitivity of your request, and will act promptly once we receive the clarifying information requested. Please let us know if you have any questions. I will be available Monday or Tuesday of next week. Thanks again for the information you have provided thus far.

Jim Bird

FILED/ACCEPTED

AUG - 3 2009

02-6

Federal Communications Commission
Office of the Secretary

From: Tom Lazo [mailto:t.lazo@lazotech.com]

Sent: Saturday, November 22, 2008 4:45 PM

To: Jim Bird

Cc: Michele Ellison; Debra Weiner; Karen Onyeije; Lisa Gelb; 'Eddie Hill'; 'Billy Ratcliff'; 'Sue bettcher'

Subject: RE: USF payments for DISD

Jim,

Thank for your responding in writing. Now I am hopeful we can address written questions versus verbal questions. As I stated in our meeting I will answer any questions, if I know the correct answers. Please remember I took over unpaid invoices in February of 2007 and not the Consortium accounting system. I have copied this email to Mr. Eddie Hill (HPS) and Mr. Billy Ratcliff (ATS South) as they will have to answer questions 1 thru 6 in paragraph four of your email for their own company's.

I can answer questions in Paragraph one. We are not seeking payment for any other consortium members. As far as we know MSE/TCS, ACS/WNS and Acclaim are out business. We have not tried to recover any additional payments from any other consortium members for the reason stated above.

Questions in paragraph five: I will try to develop a written timeline report on when the margins were earned. In response to your confusion on my November 14th email on the Material & Labor report I believe I was addressing Michele Ellison's question when she asked "what do these amounts include?" This report was faxed to her during our telephone conference.

As for questions 1 thru 6 in paragraph four, we at Lazo will have to get with our Accountant to try an develop a detail report of what you are requesting. This is not going to be an easy task since we have to go back three to four years of accounting reports.

Again, thank you for a written response. I believe this will eliminate any further confusion. I will follow up with you on Monday by telephone.

Regards,
Tom Lazo

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02-06

FILED/ACCEPTED

AUG - 3 2009

Federal Communications Commission
Office of the Secretary

From: Tom Lazo [mailto:t.lazo@lazotech.com]

Sent: Saturday, November 22, 2008 4:45 PM

To: Jim Bird

Cc: Michele Ellison; Debra Weiner; Karen Onyeije; Lisa Gelb; 'Eddie Hill'; 'Billy Ratcliff'; 'Sue bettcher'

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Tom Lazo