



Des Moines Public Schools

Request for Proposal RFP 6591

Time & Attendance System

Due Date: November 15th, 2012

@ 9:00 AM

Presented by



TimeClock PlusTM
a better sense of time

TABLE OF CONTENTS

TAB-1 COVER LETTER

TAB-2 EXPERIENCE

TAB-3 REFERENCES

TAB-4 PRODUCT/ SERVICES

TAB-5 EXCEPTIONS TO TERMS AND CONDITIONS

TAB-6 TIMECLOCK PLUS ADDITIONAL DOCUMENTATION

TAB-1 COVER LETTER



Des Moines Public Schools
Mark Mattiussi
1915 Prospect, Suite 103
Des Moines, IA 50310

Attention: Mark Mattiussi

Dear Mr. Mattiussi,

We appreciate the opportunity to respond to this Request for Proposal. We are excited to work with Des Moines Public Schools on this important project.

As the exclusive SunGard K-12 Education Preferred Solutions Provider for time and attendance, and based on our extensive experience serving the timekeeping needs of almost 400 Texas School Districts, we are recommending the TimeClock Plus Hybrid Edition software paired with our Ethernet RDT 200 Series clocking terminals to best serve the requirements outlined in this RFP. This package will assist the District in providing more accurate, detailed, and reliable timekeeping information.

The TimeClock Plus Hybrid Edition allows for detailed employee self-service functionality from both a web browser environment as well as a client-server platform, providing DMPS with the flexibility of deploying either user interface as desired. The TimeClock Plus Hybrid Edition can interface with over 300 payroll software packages including SunGard BusinessPLUS.

The successful deployment of a time & labor management solution relies greatly on the effectiveness of the implementation process. TimeClock Plus' Go Live Services are built on proven practices designed to ensure a smooth and effective transition to TimeClock Plus.

We are confident that you will find TimeClock Plus to be the best investment in labor controls for DMPS.

Sincerely,

Chad Hirt
Executive Sales Representative
Chad.hirt@timeclockplus.com
1 800-749-8463 ext. 7612
Data Management Inc. / TimeClock Plus
1 TimeClock Drive
San Angelo, TX 76904

TAB-2 EXPERIENCE

Data Management Inc./TimeClock Plus
Website: www.timeclockplus.com
1 TimeClock Drive
San Angelo, TX 76904

Data Management, Inc. (DMI) is a privately held corporation that develops, sells, and supports TimeClock Plus time and attendance solutions for employee labor tracking, providing solutions that range from Enterprise class organizations with tens of thousands of employees, to mid-sized organizations, all the way down to small businesses with only 10 employees. Our company was founded in 1988 with the mission of designing, developing, and marketing high-quality time and attendance applications to help employers manage, control and report employee labor in real-time rather than allowing the capture of flawed employee data to be delivered later. DMI, the winner of several awards since 2000, is a recognized leader in time and attendance and employee labor management technology. The company's success is a result of its long-range commitment to the development of high quality, world-class applications -- and our consistent mindset of providing what we call morally-sound business practices. President Jorge Ellis, DMI soon began the development of TimeClock Plus and marketed it primarily to small businesses. His consumer-oriented marketing approach of listening to, and then implementing client requests to meet their needs quickly made TimeClock Plus one of the most popular and most powerful low cost solutions available. Today, TimeClock Plus Small Business, Web, Hybrid, and Professional Editions continue to fill that niche for tens of thousands of growing companies, school districts, and municipalities. In addition, DMI's current line of time and attendance products includes TimeClock Plus Hybrid Edition, a SQL based, administration level labor management system offering the simplicity of use of our past versions with the ability to perform complex and diverse rule handling. This Edition has become a leading labor management solution suited to districts of any size, in any category.

Based in rural West Texas, DMI continues to expand on its dominant presence in the Time and Attendance industry in the United States and abroad. DMI's success has led to over 3600 percent growth over the past ten years and currently employees over 95 employees. In October of 2006, for the third consecutive year, DMI was named to the Technology Fast 500, a list of the 500 fastest growing technology companies in North America as determined by Deloitte and Touche®, a worldwide accounting firm. Just earlier in August 2006, DMI was named 45th on the Texas Fast 50, a list of the 50 fastest growing technology companies in Texas. Previously, DMI was selected as Business of the Year by the Texas Association of Business and Chambers of Commerce.

With a continued growth in the education sector of time and attendance, TimeClock Plus has shown a unique ability to meet the special needs of school district timekeeping. Districts all over the country are realizing the unnecessary costs associated with antiquated punch clocks and hand written time and attendance sheets. Today's administrators require "real-time" data in order to make critical labor decisions, a function that can only be provided by a software based time and attendance solution. While utilizing the scalability and power of Microsoft SQL Server, all TimeClock Plus systems operate in "real-time". The quoted remote data terminals reduced threat of lost data during power failures as with many stand-alone, polling devices. Employee restrictions such as schedule limits and overtime limits are enforced in "real-time", and prevent the time consuming exceptions typically realized at the end of the pay period with conventional polling, or "store and forward" clocks. Included within this proposal and in addition to our TimeClock Plus Hybrid Edition software are school district based modules that are designed specifically for growing educational institutions. TimeClock Plus allows for multiple user-defined pay cycles, Pay Rules, Overtime Rules, and Accrual Policies. An edit log showing date, time, location and username of authorized administrator offers detailed tracking of changes made to any employee time record. Rounding and grace period rules can be configured, enabling Des Moines Public Schools (DMPS) administrators to restrict when employees are able to perform clocking functions. Those employees who attempt to clock in or out too early or too late can be required to report to their supervisor prior to clocking. This will enable administrators to accurately track employee hours worked in each assigned job code while effectively managing overtime and employee performance issues.

TimeClock Plus Contacts:

Chad Hirt

Executive Sales Representative
800-749-8463 ext 7612
chad.hirt@timeclockplus.com
9 Years with TimeClock Plus
BS from Texas Tech University

Jordy Moorman

Vice President of Sales
800-749-8463 ext 7578
jordy.moorman@timeclockplus.com
9 years with TimeClock Plus
BBA from Texas A & M
MBA from Angelo State University

Interim Project Manager:

Brian Carlisle

Support / Professional Services Manager
800-749-8463 ext 7544
brian.carlisle@timeclockplus.com
6 Years with TimeClock Plus

Bank References:

Wells Fargo Bank
36 W. Beauregard Ave.
San Angelo, TX 76903
325-657-8640
Contact: Sheila Alley – Business Manager
Account: Data Management Inc.

Credit References:

Accu-Time Systems Inc.
420 Somers Rd.
Ellington, CT 06029
630-889-7122
Contact: Jim Cox – VP Strategic Alliances
Customer Number: 1214

Schlage-Recognition Systems
580 Saratoga Circle
Algonquin, IL 60102
847-458-1177
Contact: Kurt Werley – National Account Manager
Customer Number: 2742

Credit Bureau Report: Please refer to our Dunn and Bradstreet rating – D & B number 610177024

Size of Client Base: DMI is currently tracking over 50,000 installs of the TimeClock Plus software product.

Pending Litigation or Investigations: There are currently no pending litigations against DMI/TimeClock Plus.

Subcontractor Information: No third party subcontractors are needed for this project.

TAB-3 REFERENCES

School District Name Address City, State, Zip	Contact Name/Phone Number/Email	Number of Employees on Time Keeping Solution	Types of devices
Killeen ISD 200 N WS Young St Killeen TX 76543 (No Questionnaire sent)	Phil Haggerty 254-336-0011 phil.haggerty@killeenisd.org	6100	Biometric Fingerprint and Bar Code Badge Clocking Terminal
McAllen ISD 2000 N 23 rd St McAllen TX 78501	Oscar Trigo 956-618-6039 otrigo@mcallenisd.net	1250	Biometric Hand Scanner and Bar Code Badge Clocking Terminal
Cedar Rapids Community School District 2500 Edgewood Rd NW Cedar Rapids, IA 52405	Vanessa Raue 319-558-2102 vraue@cr.k12.ia.us	1500	Biometric Fingerprint Clocking Terminal
Mission CISD 1201 Bruce Dr Mission TX 78572	Hiram Burguette 956-323-5521 hburgu72@mcisd.org	2200	Bar Code Badge Clocking Terminal

Reference Questionnaires are being emailed directly to the DMPS per the RFP requirements.

TAB-4 PRODUCT/ SERVICES

TimeClock Plus and SunGard BusinessPLUS: As the exclusive SunGard K-12 Education Preferred Solutions Provider, TimeClock Plus takes the next logical step in automating the process of doing payroll by allowing management to transfer hours from TimeClock Plus to financial systems such as BusinessPLUS, saving valuable time in the once tedious job of processing payroll. With TimeClock Plus, there will no longer be the need to manually key payroll information into your BusinessPLUS Payroll package. The key components needed for this time and attendance project to be a successful implementation DMPS are not limited to the quality and functionality of the TimeClock Plus time and attendance system and its experience and knowledge of school districts, but just as important are the business relationships we have earned in our 24 year history. TimeClock Plus and SunGard have a working relationship which at its core consists of two successful companies working toward the benefit of the school districts they serve. TimeClock Plus additionally has incorporated into its functionality a timesheet export interface designed according to SunGard BusinessPLUS specifications. This enables our company to strengthen its bonds with districts and SunGard. This relationship between, TimeClock Plus and SunGard, will ensure the District's satisfaction and continued confidence in the TimeClock Plus solution.

TimeClock Plus School Centric Functionality: The "Contract Hours Variance" Module, also known as the "Gap-Time" or "Annualized Pay Variance" Module, supplements the TimeClock Plus Hybrid Edition to allow administrators to report classified employees' variances from their contracted hours. As classified employees clock in and out throughout the pay period, the Contract Hours Module checks and reports the variance between the amounts of time worked in a particular job code and the hours defined in the employee's contract. An employee may have multiple contracts defined in TimeClock Plus. For "dual" employees that may work multiple jobs with multiple rates of pay, the "Weighted Overtime Module" is designed to 'blend' overtime rates or hours for employees before the transfer to. TimeClock Plus allows for multiple user-defined pay cycles, Pay Rules, Overtime Rules, and Accrual Policies. An edit log showing date, time, location and username of authorized administrator offers detailed tracking of changes made to any employee time record. Rounding and grace period rules can be configured, enabling administrators to restrict when employees are able to perform clocking functions. Those employees who attempt to clock in or out too early or too late can be required to report to their supervisor prior to clocking. This will enable administrators to accurately track employee hours worked in each assigned job code while effectively managing overtime and employee performance issues.

Depending on configuration, TimeClock Manager allows administration to:

- Change/update clock restrictions on the fly
- Override clock restrictions by employee
- View "who's here" (clocked in), up-to-the-second
- View tardies /absences, up-to-the-second
- Issue personal or global messages to employees
- Approval of automated time-off requests and approvals
- Automation of emails and alerts
- View and print reports
- Edit employee records to correct errors
- Correct missed punches
- Add or edit employee information

Import & Export with TimeClock Plus: The **Automation Utility** will make the monitoring of employees' hours a snap by automatically emailing a report or alert on a scheduled basis. This will allow administrators to know the latest status of their employees' hours, including information like approaching overtime, missed punches, and unapproved hours. This utility can even save you critical time by automatically exporting the payroll file into a folder where it can be imported into financials in a timely manner. These automated reports/exports can be saved to a folder on your computer or network, sent via e-mail, or both. Reports can be saved in a variety of file formats including .pdf (for viewing with Acrobat Reader), .html (for viewing with a web browser), .tcprt (for viewing with the TimeClock Plus Report Printer application), or .xml (for viewing in an xml supported application such as Microsoft Excel). To ensure the

elimination of duplicate entry, the **Auto Import Utility** will monitor a folder for files to automatically import relevant information into TimeClock Plus. There is a variety of information that can be imported using Auto Import such as job codes, cost codes (projects, tasks), new employee information, changes in employee information, schedules, punches, hours, employee accruals, and employee contracts. Our team of payroll module experts has spent a considerable amount of time ensuring that hour processing to payroll is a complete success. With the flexibility in exporting from TimeClock Plus, and the ease of importing with most payroll software packages, TimeClock Plus provides accurate payroll processing for your payroll department. Our team will require the latest import specs available for DMPS payroll system. TimeClock Plus functionality utilizing features such as auto import, the automation utility, and exporting tools will create a data flow between TimeClock Plus and your financial software that will ensure data integrity, time savings, and a peace of mind your organization has never experienced.

Leave approval process: Another feature that TimeClock Plus will provide to DMPS is a full-featured Time-Off Management program. This is designed to eliminate the traditional paper trails associated with leave requests and reporting, minimizing processing time by automating the process of employees requesting time off and the approval of that time. Through the TimeClock Plus leave management system, employees will be able to request time off at one of our RDT Terminals, at a computer, or via the web. Requests automatically generate an email to the appropriate supervisor, alerting him of the request that has been made. The supervisor will have timely information at their fingertips to make this approval decision including a calendar of other approved or pending time off requests from other employees, the requesting employee's schedule, as well as his latest accrual balances. When a request is approved or denied, a message will automatically be sent to the employee to update him on the status of the request. This message can be sent through TimeClock Plus messaging to the time clock and/or via email. The approved request will also be automatically scheduled for future viewing in the calendar. At the appropriate time, an employee's time off request may also be automatically posted to the employees' timesheet and subsequently exported to your payroll system at the end of that pay period.

Project Tracking: To allow employee to track their time against projects, tasks, grants, funding codes, etc...TimeClock Plus has incorporated our Job Costing Module to correspond with your needs. Whether employees clock from an RDT Terminal, at a computer, via the web, a phone, or a combination, specified employees will be able to allocate their time to specific projects. As they move from one project to another throughout their day, they can simply change projects, location, jobs or tasks on the fly. Without the arduous process of clocking out of one and into another, TimeClock Plus will save your employees countless hours from manually tracking this information and give you the accuracy in these areas you have been searching for. If on fly isn't applicable the allocation of the employees time based on projects can also be allocated after the fact either from the employee or management. This allocation of time is easily accessible in multiple types of "Cost Code" reports within the system.

TimeClock Plus and FLSA: FLSA compliance has been a major concern for school districts for many years. With TimeClock Plus in place, you can rest assured that DMPS will have the tools available to ensure compliance in an audit. Included within this proposal and in addition to our TimeClock Plus software are education based modules that are designed specifically for growing educational institutions. TimeClock Plus allows for multiple user-defined pay cycles, Pay Rules, Overtime Rules, and Accrual Policies. An edit log showing date, time, location and username of authorized administrator offers detailed tracking of changes made to any employee time record. Rounding and grace period rules can be configured, enabling DMPS administrators to restrict when employees are able to perform clocking functions. Those employees who attempt to clock in or out too early or too late can be required to report to their supervisor prior to clocking. This will enable administrators to accurately track employee hours worked in each assigned job code while effectively managing overtime and employee performance issues.

Remote Clocking: TimeClock Plus Mobile Apps are remote clocking functions available to DMPS. For those remote employees that carry a smart phone such as iPhone, BlackBerry, or Android, the TimeClock Plus Mobile Apps would be an excellent alternative for them to use and capture their time through. Freely distributed through each platform's marketplace - the Android Market, Blackberry App World, and the App

Store for use with the iPhone, TimeClock Plus Mobile Apps eliminate manual timesheets, insuring accuracy and higher employee productivity. Employees can clock in or out, change job codes, projects, funding codes, check messages, and report missed punches directly live to the TimeClock Plus database using nothing more than their smart phone. This functionality is included in this RFP proposal.

TimeClock Plus RDT 200 Series Time Clock Functionality: The TimeClock Plus 200 Series terminal is a highly intelligent addition to our industry leading concept of real-time time labor tracking, and it removes all the pre-conceived barriers to the deployment of real-time labor tracking. Network downtime causing the disruption of employee time and attendance tracking is no longer a concern. The 200 Series Time Clock can support many different configurations including the utilization of DMPS's existing Indala proximity badges. It boasts the ability to function in both online and offline modes. This means that in the event that normal real-time communication between the RDT and its host is lost, the 200 Series will begin taking steps to correct that state. If unsuccessful, it will automatically begin accepting transactions in offline mode, and will continue to do so until it recognizes the connection has been reestablished. At that point, all punches collected will be immediately delivered to the TimeClock Plus database, and those records will be flagged as offline punches for tracking purposes. The 200 Series Terminal has storage capacity for more than 500,000 punches.

Employee Self Service Features allowed from the RDT 200 include:

- Clock in and out of each shift
- Go on break during a shift
- Choose/change departments and tasks during a shift
- View schedule this period & next
- Receive personal messages from management
- Request time off/schedule changes
- View hours for any pay period

The RDT 200 Series Clocking Terminals are scalable as well. Therefore, if DMPS decides on Indala proximity badge terminals, and at a later date that they would like Biometric capability added to these clocking terminals, there would be no need for purchasing new clocks. Biometric functionality could be added later as an upgrade.



TimeClock Plus Training and Support: Support services are provided from our Customer Support Center located at our corporate offices in San Angelo, TX. Support hours of operations are: M-F, 9-5 CST, excluding holidays. Requests for Services are made to DMI via phone, live chat, e-mail, or fax. The Customer shall provide reasonable amounts of information and assistance on support issues for verification and resolution of the support request. DMI support technicians will aid in the resolution of support requests in a timely and professional manner. DMI will assist with issues related only to the DMI Products.

Upon notification of an incident, an incident number will be issued, and the incident number will remain effective and open until satisfactory resolution of the cause of the incident, or X days without a Client communication, after which the incident number will be closed.

Incidents may be escalated to senior technicians and finally to the Special Projects group. The Special Projects group tier is the highest level of escalation for Support. Members of the Special Projects group have access to network and programming expert resources. Special Project tasks are monitored by DMI Executive Management and DMI Departmental Head management. DMI will use reasonable commercial efforts to provide the Services under this Agreement in a professional manner, but DMI cannot warrant that every question or problem raised by the customer will be resolved.

Premium Support Agreement: This agreement includes an unlimited number of support incidents for the contract period. An incident may be initiated by phone call, fax, email, or online chat for a term of one year.

Per-incident Agreements: These include only one incident. An incident is defined as a single support issue with a DMI Product and the reasonable effort needed to resolve it. A single support issue is a problem that cannot be broken down into subordinate parts. It is possible for one incident to span multiple telephone calls and multiple emails; it is also possible for one telephone call to include multiple incidents.

Virtual On Site Support: A secure web-based remote-support option that enables our support professionals to resolve technical issues online through the Go to Assist portal.

TimeClock Plus Quality Assurance / Quality Control: Quality Assurance and Quality Control is handled in-house by our own DMI staff. All hardware and software products are supported from DMI's corporate office in San Angelo, Texas. All hardware products are fully tested via strict quality control measures before each unit is shipped. Supervisors, department heads, and executive management all work together to maintain the highest levels of quality assurance and quality control for all DMI products. Quality initiatives include but are not limited to customer satisfaction surveys, department review of all returned surveys, excessive incident tracking, and continuous training; Calls are monitored for quality assurance. Customer support logs are reviewed daily by 3rd level supervisory personnel. Excessive incidents and contacts are monitored daily for both hardware and software issues.

TimeClock Plus Implementation Options: On average, DMI performs 3 to 4 implementations per month with some very large implementations spanning over 3 or 4 months, with up to two weeks of onsite implementation assistance. A large portion of an implementation consists of remote access setup and configuration on a customer's server. Because a large portion of our implementations are done through VOSS (Virtual On Site Support) remote setup, implementation costs are minimal.

Future Training Options and Prices: Prices for additional training include, Onsite at a cost of \$1400.00 US per day with a charge of \$300.00 US per day for weekday travel and \$500.00 US per day for weekend travel. These Implementation day charges are in addition to "travel expenses". The length of time required onsite will vary per implementation depending on the project timeline and customer's resource availability, including IT staff personnel. Virtual On Site Support is a remote option that costs \$225.00 per hour. Web Based Training is another remote option where administrators and employees can be trained remotely for \$315.00 per 2 hour class.

Products System Basics

Provide the basic functions associated with an Employee Time and Attendance System. Specifically, the system must be capable of capturing employee time, the automation of payroll processing, and the generation of reports and be able to easily support the following over existing District wireless and/or fiberoptic.

1. 500 (minimum) concurrent application users (i.e. Supervisors, Administrative Assistants, System Administrators, etc.)

Supported

2. 1000 (minimum) clocking employees

Supported

3. 1000 (minimum) employees using the system to check leave balances and leave history

Supported

4. < 1second card swipe response time per employee if card based time capturing devices are utilized/biometric-capturing devices are preferred.

Supported

5. The district currently has proximity badges that could be utilized instead of a physical swipe.

Supported

6. Support: Biweekly and Semi- monthly pay periods; work schedules (fixed, rotating, as-needed); hourly and salary compensation; and compliance with overtime requirements (Fair Labor Standards Act).

Supported

7. Unlimited different pay and attendance rules and policies to support each group using the same time system.

Many pay rules can be defined within TCP. More information will be needed to determine ALL pay rules.

8. Configurable, automated overtime rules for inclusion and exclusion of non-worked hours pay codes in timecard.

Supported

9. Supervisory ability to review and act upon on-line leave requests.

Supported

10. Global time entry to clock in/out some or all employees in their group at once by payroll, timekeeper or manager.

Supported

11. Global schedule changes by manager/timekeeper for employee/workgroup.

Supported

12. Flag time/policy errors on screens with valid solution, current schedule, acknowledgement and comment entry.

TimeClock Plus flags errors for invalid entry.

13. Configurable error codes, checking and severity policy set by group not system wide.

Prompt files can be edited on a per clock basis allowing for the differentiation of prompts amongst multiple departments.

14. Support unlimited different pay codes and usage accruals including codes for vacation, sick leave, leave without pay, bereavement leave, workers' compensation, military leave, FMLA leave, jury duty, etc.

Supported

15. Message system(s) for employee/manager exchange (e.g. messages displayed on the time capturing device(s)). (Preferred not required)

Supported

16. Unlimited shift schedule definition and assignment or no schedule assigned.

Supported

17. Supports different early and late clock in/out rounding or no rounding as may be required.

Supported

18. Must allow for the entry of forecasted time when the time must be submitted to Payroll, before the time is actually worked in limited instances.

Supported

19. Must have the ability to charge back/dock hours. System and Integration

Supported

Connectivity

1. The District requires that the proposed system support the District's converged voice and data network with both fiber optic cable and wireless connecting all District facilities. The Des Moines Public Schools has standardized on Microsoft Windows 2008/2003 Server, Microsoft SQL 2005/2008, Windows XP/7 and Office 2007/2010 Professional. The district deploys an Ethernet network with a 10 GB backbone, 1GB to every building and 100 MG/1GB to the desktop. The district uses an IP phone system (VOIP) and a legacy voice mail system.

Supported

2. Integrate with the District's Ethernet network with 10GB backbone and 100MB/1GB to the desktop and 1GB to every building. The district uses an IP phone system (VOIP) and a legacy voice mail system.

Supported

3. For a vendor to be considered the vendor's product must be able to integrate with the District's hardware and software as described above. The selected system must be able to be networked throughout the District's WAN and interface with the current

payroll system (SunGard). Preferably the system also interfaces with the District's employee identification badge/access proximity system (Indala).

Supported

4. The vendor will be required to work closely with the District's Information Technology Department in assuring that the hardware and software proposed will in no way compromise the security of the District's communication infrastructure.

Supported

5. Be capable of user authentication by way of the District's existing Active Directory. User authentication only by Active Directory is acceptable.

Supported

6. Automatically adjust to time and date changes due to the number of days in the month, daylight savings time, leap year, etc.

Supported—Date/time for the system is obtained from the server.

Data Integrity and Backups

1. The system must be operable 24 hours a day, 7 days a week, and 365 days a year.

Supported

2. The system must provide for data integrity in the event of power outages, power surges, or damage to all or part of the database platform.

Supported

3. The system must allow for punching, editing, calculating, reporting, and system backup without going offline or suffering noticeable degradation of performance.

Supported

Reporting

1. Full data model and detailed database table descriptions to aid in report generation in selected vendor and/or SunGard.

While the open SQL database is accessible by District IT staff, TimeClock Plus does not currently publish a definition of tables.

2. All reports available in user selected format: HTML, PDF and Excel spreadsheet.

Supported

3. The system must produce the following reports using accurate, up-to-the-minute data:

a. Individual employee time sheet

Supported

b. Daily hours by time by project/employee/division/department

Supported

c. Biweekly hours by project/employee/division/department

Supported

- d. Semi-Monthly hours by project/employee/division/department
Supported
- e. Monthly hours by project/employee/division/department
Supported
- f. Exception report by employee/division/department
Supported
- g. Absentee report by employee/division/department
Supported
- h. Punch detail
Supported
- i. Weekly time card by employee/division/department
Supported
- j. Vacation/Sick Leave/Comp time reports reflecting usage history
Supported
- k. Accruals and balances
Supported
- l. Leave history for all leave types
Supported
- m. Overtime tracking and monitoring including overtime asked/refused
Multiple reports support the monitoring and tracking overtime for employees hours. Overtime asked and refused can be supported through shift notes.
- n. Employee schedules
Supported
- o. History /archival reports
Supported
- p. Punch edit history
Supported

4. Reports must be available containing history (weekly, biweekly, monthly, annual, etc.) of various data including sick leave, late punches, absenteeism, etc.
Supported

5. Specify if any of these are not standard reports already created in the solution being offered.
Please refer to the description under each named report.

Capturing Time

1. Time capturing devices must be Ethernet or Wireless based and is capable of holding 72 hours of employee data.

Supported-- The RDT 200 series badge terminal offers an offline mode. If the District's network is disabled and the RDT 200 series clock loses connectivity, it has the ability to store up to 50,000 punches in its memory. Once the network connection is re-established, the clocking terminal will automatically transfer those stored punches to the TC+ database and then return to its real-time functionality. Wireless Ethernet connectivity is available as an option on any RDT 200 terminal.

2. Time capturing devices must not have to be polled.
TimeClock Plus pioneered Real-time technology over 24 years ago. Polling or pushing of employee information is never needed.

3. It is required that the time capturing devices be capable of using the District ID cards, which are proximity cards (sample card provided upon request)
The District's Indala Proximity Cards are supported on the RDT 200 clocking terminals.

4. Describe all the ways in which the proposed system can capture employee time.
The proposed solution will enable employees to use the "OnScreen TimeClock, WebClock, mobile apps, and the RDT 200 Indala Proximity clocking terminal.

5. Describe how an employee could clock in/out if they were in a remote location, not near a time clock or computer (i.e. wireless, cellular, etc.).
The proposed system includes TimeClock Mobile Apps. TelClock, where employees could clock in using a telephone, is also an option but not included in the proposal.

6. The system must support division/department cost center and job change with code entry at time capturing device.
As DMPS employees perform clocking functions they can transfer from cost centers, locations, divisions/departments or job descriptions easily and in real-time. These functions can be accomplished either at clocking terminals or PC software.

7. The system MUST have a PC based browser/web clock available for clock in/out
Supported

8. The time capturing device or the system must allow restriction to use the terminal to certain employees to certain times of the day, and to certain accounts. In addition, some employees must be granted universal punch-in ability within security clearances.
Supported

9. Supervisors (with and without PCs) must have an option to enter punches for employees in the event a card is misplaced.
Supervisors with PC access will be able to enter punches, edit hours, and approve hours with authorized access.

10. Be synchronized for all time capturing devices based on server time.
Supported

11. Card reading devices must have an audible sound that indicates a successful and unsuccessful punch and have a message display that verifies by name that the punch registered.
Audible and visual prompts can be programmed allowing employees real-time feedback on their clocking transactions. All RDT terminals have sealed keypads that incorporate tactile snap-domes for ease of operations.

Security

1. Have robust levels of security for Supervisors and employees. Some examples are:
 - a. An employee can only see certain data as defined by a Supervisor such as time and leave accrual (read only capability).

Supported

- b. Some Supervisors should have read only access to managerial tasks while other Supervisors can have read and write access.

Supported

- c. If an employee has more than one Supervisor, each Supervisor should only be able to see/edit/approve the time that the employee worked for them and not the other Supervisor.

Supported

2. Individual functions can be turned on and off for individual employees/managers.

Supported

3. Unavailable functions and tabs removed from screen and drop down menus (the employee won't see an option if they don't have access to it).

Supported

4. Screen timeout/lockout when inactive for a certain amount of time.

Supported

5. The system must maintain an audit trail that tracks data changed, hold original data and user name of the person modifying or viewing an item.

Supported

Services: Installation/Implementation

1. The vendor must provide an onsite representative for initial discovery/system documentation/mapping and implementation of the system.

An onsite representative will be available.

2. The vendor must allow for an overlap of two biweekly/semi-monthly pay periods where the new system will run in tandem with the existing system to assure proper functionality. This test of two pay periods is to begin AFTER the new system is fully operational.

Supported

Licensing and Maintenance

1. The District must be entitled to all maintenance and new product updates and upgrades as part of the annual maintenance agreement. Maintenance as stated here should include updates, upgrades, training on these upgrades and support for the base product and the support for the updates and upgrades.

This requirement is being quoted in the pricing proposal.

2. Licensing must be based on concurrent users not number of employee records in the database.

Supported

3. A maintenance program must be available for the time capturing devices. Discuss the warranty on time capturing devices and clarify situations where the warranty would not cover a damaged device. Discuss warranty replacement issues.

Supported, For additional information, please refer to the RDT hardware warranty included in the documentation section of this RFP response.

4. If a time capturing device has to be replaced/repaired, diagnostics must be performed within 24 hours of notification. Replacement time clocks must be maintained in District stock room at no charge to the District until clock is needed. Replacement clock will be billable to District when used as needed/applicable.

TimeClock Plus offers an optional Next Day Replacement Warranty for the time clocks, but currently we do not offer a plan for on-site spare units at no cost.

Training

1. The implementation must include training both for system administrators and end users. Indicate the length of time each training session would last and the recommended number of attendees per session.

Supported, please see implementation methodology for more details.

2. Cost for future training needed should be included.

Supported, the RFP response has prices for additional training and support if needed or desired by the District.

Support

1. The vendor must be able to provide 24/7/365 support for the system, including system administrator information

Support hours of operations are: M-F, 9-5 CST, excluding holidays. Support is available via telephone, fax, email, chat, and through virtual on-site support.

2. The vendor must allow some kind of support for regular end users.

The above listed support options are available for regular end users.

3. The vendor must provide a direct support representative(s) that the District can contact. We do not want to have to be on hold with a call center or go through a complex phone menu to reach a support representative.

Average hold times are typically less than 5 minutes. First call resolution rates are consistently above 90 percent and within a 10 minute window. Please review support escalation descriptions listed in this RFP response.

4. The dedicated support representative (s) must handle all problem resolution and escalation for the District.

Please review support escalation descriptions listed in this RFP response.

5. The vendor must have a response time of two (2) hours or less on reported problems.

During support hours, Average hold times are typically less than 5 minutes. First call resolution rates are consistently above 90 percent and within a 10 minute window.

Desired Features

Systems Basics

1. Timekeeper/manager controls initial screen layout and content to meet management by exception approach or other personal style.

Managers can choose a default screen such as Who's Here List, Missed Punches, Approval Hours, Edit Hours, etc... Each time they log in, the default screen will be launched first.

2. Flag errors with yellow warning and red as major error on screens.

Errors and conflicts for employee clocking times are flagged in the software. Some areas offer the ability to customize the color definition and others do not.

3. Support all fast entry formats throughout system, i.e. ?a for 7:00a.m.; 6p for 6:00pm; 1700 for 5pm.

Supported

System and Integration

1. System should be able to track employee's hours by work order/job key number. This may require employees to punch in the work order number immediately after swiping the badge. An employee could work on several jobs in a day requiring additional swiping/punching.

Supported

2. System should be able to upload hours by individual work order/job key number into SunGard, the District Payroll System. This would be a separate upload that would be in addition to the upload noted under "System and Integration".

Supported through the Job Costing functionality.

3. It is highly desirable that end user training be held on-site at the District. We have computer training capability to accommodate.

End User Training will be provided on-site at the district.

Capturing Time

1. The system should prevent the issue of "buddy punching."

Although using the employee's Indala Proximity badge helps deter buddy punching, the only way to truly prevent it is to use Biometrics. Biometric fingerprint readers or hand scanners are optional and can be added at anytime.

2. The system should accommodate the deaf and blind.

TimeClock Plus RDT 200 clocking terminals are ADA compliant.

Penalty Schedule / Miscellaneous

1. If through no fault of the District, full functionality of proposed solution is not achieved within the project deadline, vendor will reduce total cost of project by 5%, and an additional 5% for each 30 day delay thereafter which is not the fault of the District.

Please refer to the Exceptions Section of this RFP response.

2. Time lines to be reviewed at specified milestones.

Supported – Please review the Implementation Methodology document provided in this RFP response.

3. The District will not be responsible for any cost that should have been disclosed but was not in the response to this RFP.

TimeClock Plus agrees to provide any available functionality specifically detailed as part of this RFP unless otherwise noted in this response document.

4. List the items included in the maintenance agreement.

The annual technical support agreement includes TimeClock Plus software and RDT 200 clocking terminals.

5. Any additional costs or constraints on the proposed licenses should be clearly stated.

Understood

**TAB-5 EXCEPTIONS to TERMS AND CONDITIONS BETWEEN
DATA MANAGEMENT INC and DES MOINES PUBLIC SCHOOLS**

Successful bidder must provide evidence of insurance coverage for professional liability insurance to cover all of the areas for which they are submitting a proposal. This professional liability shall be written on claims made form with a retroactive date no later than the date of their proposed contract with the Des Moines Independent Community School District. The coverage shall be written with a limit not less than ~~\$5 million~~ **\$1 million** for any one claim, with an aggregate not less than ~~\$5 million~~ **\$2 million** for all claims in a policy period.

Penalty Schedule / Miscellaneous

1. If through no fault of the District, full functionality of proposed solution is not achieved within the project deadline, ~~vendor will reduce total cost of project by 5%, and an additional 5% for each 30 day delay thereafter which is not the fault of the District.~~, the District project manager may request a revised project/action plan to be provided by DMI that is acceptable to the District. DMI will make its best efforts to meet the revised project plan.

Signature of the Des Moines Public Schools
Authorized Representative

Dated

Name of Representative

Signature of Authorized Representative of Data Management Inc.

Dated

Ernie R. Nabors - VP Operations
Name of Representative

TAB-6 TIMECLOCK PLUS ADDITIONAL DOCUMENTATION

TIMECLOCK PLUS HYBRID SYSTEM REQUIREMENTS

Web Server and Database Server Requirements

Application/Web Server

Hardware

<u>Minimum</u>	<u>Recommended</u>
<u>Windows Server 2003</u>	<u>Windows Server 2008 (64-bit)</u>
<u>1.4 GHz Dual Core Pentium</u>	<u>2 GHz Quad Core Pentium or better</u>
<u>4 gigabytes (GB) of RAM</u>	<u>16 gigabytes (GB) of RAM</u>
<u>10 gigabytes (GB) of hard disk space</u>	<u>20 gigabytes (GB) of hard disk space</u>
<u>Bandwidth: 1.5 Mbps up</u>	<u>Bandwidth: 3.0 Mbps up or higher</u>

Software

- Internet Information Services (IIS) 5.1 or later
- Microsoft .NET Framework 3.5 SP1
- Resolution of at least 1024 x 768



If your web server is running IIS 7 then you must enable the Windows feature: IIS Metabase and IIS 6 configuration compatibility.

Database Server

Hardware

<u>Minimum</u>	<u>Recommended</u>
<u>Windows Server 2003</u>	<u>Windows Server 2008 (64-bit)</u>
<u>1.4 GHz Pentium</u>	<u>2 GHz Quad Core Pentium or better</u>
<u>4 gigabytes (GB) of RAM</u>	<u>8 gigabytes (GB) of RAM</u>
<u>20 gigabytes (GB) of hard disk space</u>	<u>1 terabyte (TB) of hard disk space</u>

Software

- SQL Server 2008 or 2012
- Microsoft .NET Framework 3.5 SP1

Client Requirements

Operating System

- Windows Vista Ultimate
- Windows Server 2003
- Windows Server 2008
- Windows 7

Hardware

Minimum	Recommended
1 GHz Dual Core Pentium	2 GHz Dual Core Pentium or better
2 gigabytes (GB) of RAM	3 gigabytes (GB) of RAM
10 gigabytes (GB) of hard disk space	-
Bandwidth: 1 Mbps down	Bandwidth: 1.5 Mbps down

Software

Minimum	Recommended
Internet Explorer 7/Firefox 3.5/Chrome 13	Internet Explorer 8 or 9/Firefox 6.0/-
Microsoft .NET Framework 3.5 SP1	-
Resolution: 1024x768	

IMPLEMENTATION GUIDELINE and METHODOLOGY

While TimeClock Plus is fully capable of the full implementation of the proposed system, we have found that many school districts have the personnel to assist in the implementation allowing for a more cost effective completion. In the following Generic Implementation Methodology, the timeline is scheduled for 5 days on-site implementation in a "Train the Trainer" format. Depending upon Des Moines Public School's preferences and training requirements, this timeline is a guide and may increase or decrease after a detailed needs assessment and evaluation has been performed by our implementation team. Training days do not include travel days to and from the customer site.

Assumptions: All electrical and network connections have already been established for hardware units. Local Network Administrator is available to allow and grant access software as it is installed. Travel arrangements and Implementation documents have been completed and signed.

Pre-Implementation Preparation

Upon bid award or purchase order, Equipment order placement and shipment: (Please allow for 2 weeks for delivery of equipment)

Day 1 Prior to Onsite Implementation:

- Pre-Deployment Needs Assessment Meeting via telephone.
- Define training plan and schedule employees.
- Complete Pre-Implementation Questionnaire

Onsite Implementation Schedule

Day 1 – Install and configure software on the server. Hang clocks and verify connectivity and functionality. Begin installing clients or pushing client installations (not required for web modules).

Day 2 – Basic training of remote data terminal functions following a train the trainer format.

Day 3 - Basic employee training on pc, terminal, and web-based operations.

Day 4 – Payroll administration training: Verify setup of pay codes / job codes and test (walk through) payroll procedures.

Day 5 - Intermediate training on the supervisor and management functions of the system. Basic upkeep, reporting, exports, and pay period export procedures. Schedule web-based follow up training for users. Sign off on Services Completed Document.

8 hours of Virtual On Site Support (VOSS) - Not to be performed Onsite. Web based VOSS installation and training is provided remotely from our home offices. This purpose of this training is to both assist in the initial set up of the software and to fill in knowledge gaps and to provide additional training to users once they have become acclimated to the new TimeClock Plus system. Customer Support is also available to field questions that users and employees will have once the system is live and operational.

***An implementation kickoff meeting will take place initially. During this meeting we will exchange contact information, assign project managers, and develop a project plan based on the required milestones and needs of the client. Weekly status meetings can take place with the project stakeholders to ensure an efficient and thorough implementation.**

TIMECLOCK PLUS GENERAL IMPLEMENTATION OUTLINE

Phase I: Pre-Install

- Database and Application Server Preparation
 - Allocate server for TimeClock Plus installation
 - Allocate SQL server for database
 - Allocate IIS server for Web Edition installation
 - Verify/Install system requirements for servers
- Client Installation Preparation
 - Identify workstations for TimeClock Plus Manager client installs
 - Identify workstations for TimeClock Plus OSTC client installs
 - Identify employees that will need WebManager link
 - Identify employees that will need WebClock link
 - Verify install system requirements
- Hardware Installation Preparation
 - Identify hardware locations
 - Verify network drop and power source availability
- Software Configuration Preparation
 - Obtain organizational business rules
 - Obtain Employee data file
 - Obtain Job Code data file
 - Configuration of Employee and Job Code data files for import

Phase II: Install

- Database and Applications
 - TimeClock Plus installed on application server
 - TimeClock Plus database created in SQL
 - Web Edition installed on IIS server
 - Modules downloaded and installed
- Clients
 - Install appropriate TimeClock Plus software on clients
 - Test connections between clients and database on server
- Hardware
 - Mount Remote Data Terminal devices and Train District personnel
 - Configure all IP addresses and connections
 - Configure WinRemote
 - Test connections between WinRemote and devices

Phase III: Configuration

- Job Code configuration
- Employee configuration
- Job Code assignments
- TimeClock Plus defaults
 - Break types/settings
 - Employee entry settings
 - Edit hour settings
 - OSTC/WebClock/RDT allowances

- ID search order
- Missed punch settings
- Business rules
 - Approval settings
 - Rounding settings
 - Scheduler settings
 - Miscellaneous settings
- User List
- Employee Defaults
- Templates
- Accrual Rules
- Custom fields
- TimeClock Scheduler
- Module configuration (Contract Hours, Shift Differential, etc.)

Phase IV: Training

Manager Workflow:

- OSTC/WebClock/RDT
 - Clock operations
 - Change job code/cost code
 - Go on break
 - View options
 - Time-off request
 - Missed punch process
 - Biometric confirmation
- Edit Hours
- Quick Add Hours
- Approval Manager
- Missed Punches
- Reports
- Who's Here?
- Who's Absent?
- Attendance Monitor
- Call List
- Request Manager

Payroll Workflow:

- Approval Manager
- Missed Punches
- Reports
- Close Week
- Payroll module configuration
- Payroll export

IT/Technical Workflow:

- Database backup/disaster recovery procedures
- Re-index Data Files
- WinRemote configuration
- RDT Setup
- Tracing tool
- Unresolved Punches
- Mail server settings
- Password policy settings
- Miscellaneous services (Automation Utility, Shift Monitor, etc.)

Phase V: Go Live

- Use TimeClock Plus Parallel with Previous System
 - Employees begin performing clock operations
 - Monitor and measure against previous system
 - Run test export/import processes for payroll
- Make adjustments if needed
- Identify and perform additional training if needed
- Run successful live export/import process for payroll

TIMECLOCK PLUS LIST OF BUILT-IN REPORTS

1. "COMPLETE PAYROLL REPORT" REPORT
2. "PAYROLL SUMMARY" REPORT
3. "JOB CODE ANALYSIS SUMMARY" REPORT
4. "JOB CODE ANALYSIS DETAIL" REPORT
5. "TRACKED INFORMATION SUMMARY" REPORT
6. "DAY BREAKDOWN REPORT" REPORT
7. "WEEKLY PUNCH REPORT" REPORT
8. "ESTIMATED WAGES REPORT" REPORT
9. "SUPPLEMENTAL PAY REPORT" REPORT
10. "INDIVIDUAL JOB REPORT" REPORT
11. "PAYROLL DETAIL" REPORT
12. "SELECTED JOB CODES REPORT" REPORT
13. "PERIOD REPORT (SUMMARY)" REPORT
14. "PERIOD REPORT (DETAIL)" REPORT
15. "PAYROLL SUMMARY (V3.0)" REPORT
16. "INDIVIDUAL COST CODE SUMMARY" REPORT
17. "INDIVIDUAL COSTING DETAIL" REPORT
18. "JOB CODE SPLIT REPORT" REPORT
19. "OVERTIME REPORT" REPORT
20. "JOB CODE GROUP SUMMARY" REPORT
21. "JOB CODE GROUP DETAIL" REPORT
22. "ABSENT REPORT" REPORT
23. "TARDY REPORT" REPORT
24. "SCHEDULE VARIANCE" REPORT
25. "SCHEDULE VS. ACTUAL" REPORT
26. "SCHEDULE VS. ACTUAL BREAKDOWN" REPORT
27. "COST CODE SUMMARY" REPORT
28. "COST CODE SUMMARY BY INDIVIDUAL" REPORT
29. "PERIOD ACCRUAL INFORMATION" REPORT
30. "ACCRUAL USAGE INFORMATION" REPORT
31. "FUTURE COST OF ACCRUALS" REPORT
32. "LONG SHIFT REPORT" REPORT
33. "BIRTHDAY REPORT" REPORT
34. "ANNIVERSARY REPORT" REPORT
35. "SCHEDULED REVIEWS" REPORT
36. "MISSED PUNCHES REPORT" REPORT
37. "COST CODE PUNCH DETAIL" REPORT
38. "JOB CODE OVERTIME REPORT" REPORT
39. "RECORDED ABSENT AND TARDY INFORMATION" REPORT
40. "COST CODE USAGE" REPORT
41. "PUNCH LOCATION REPORT" REPORT
42. "COST CODE BUDGET REPORT" REPORT
43. "PERIOD INDIVIDUAL COST REPORT (SUMMARY)" REPORT
44. "PERIOD INDIVIDUAL COST REPORT (DETAIL)" REPORT
45. "SUBSTITUTE REPORT" REPORT
46. "CONTRACT VARIANCE REPORT" REPORT
47. "SHIFT NOTE REPORT" REPORT
48. "APPROVAL REPORT" REPORT
49. "CONFLICTING SEGMENTS REPORT" REPORT
50. "BREAK TOTALS REPORT" REPORT
51. "TIME COVERAGE REPORT" REPORT
52. "CONTRACT DETAILS" REPORT

Report samples can be found: <http://www.timeclockplus.com/Pages/Software/HybridReports.aspx>

DATA MANAGEMENT INC. ("DMI") 12 MONTH LIMITED WARRANTY

Hardware Warranty. DMI hardware products are warranted to be free from defects in materials and workmanship for a period of one (1) year from the date of shipment to the original purchaser. If DMI receives notice of such defects during the hardware warranty period, DMI shall be obligated as follows:

- a. For any defective parts or units returned within the hardware warranty period commencing from the date of shipment to original purchaser, DMI will repair the items at no charge for labor and materials.
- b. All transportation charges to DMI for any such defective parts or units must be paid by the original purchaser. The Purchaser is responsible for shipping costs to and from DMI on all Warranty returns.
- c. The DMI Support Group will provide the customer with a Return Material Authorization (RMA) number to track the unit to and from the customer's site, after appropriate troubleshooting measures have been exhausted, as determined by DMI.
- d. With respect to any device, part, component or other item which is not specifically manufactured by DMI, the hardware warranty of the manufacturer thereof shall apply and be exclusive.
- e. DMI's hardware warranty obligation shall be subject to DMI being satisfied that service, repairs or modifications to the hardware, firmware or code have not been made by persons other than DMI-authorized service personnel, and that the product was installed properly and has been used only in accordance with the Product Specifications and instructions, and that the product has not been subjected to negligence, misuse, accident or abuse, or has had its serial number altered, defaced or removed.
- f. The foregoing hardware warranty extends solely to the original Purchaser and all hardware warranty claims must be made by Purchaser and not by customers or transferees of Purchaser. Repair or replacement of parts or product shall neither extend nor decrease the original warranty period.
- g. This hardware warranty may exclude any failure of the product(s) connected with the use of badges, cards or other like medium not manufactured by DMI.
- h. THIS HARDWARE WARRANTY EXPRESSLY PROVIDED HEREIN IS THE SOLE WARRANTY. ALL OTHER WARRANTIES EXPRESSED OR IMPLIED ARE HEREBY DISCLAIMED, INCLUDING BUT NOT LIMITED TO, ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR ANY PARTICULAR USE OR PURPOSE. IN NO EVENT SHALL DMI BE LIABLE FOR ANY LOSS OR INJURY TO EARNINGS, PROFITS OR GOODWILL OR FOR ANY SPECIAL, INDIRECT, INCIDENTAL OR CONSEQUENTIAL DAMAGES EVEN IF DMI IS ADVISED OF THE POSSIBILITY OF SUCH DAMAGES.

Warranty Disclaimer. EXCEPT AS EXPRESSLY STATED HEREIN, DMI EXPRESSLY DISCLAIMS ALL REPRESENTATIONS, WARRANTIES OR CONDITIONS OF ANY KIND, INCLUDING ANY IMPLIED WARRANTY OF MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, NON-INFRINGEMENT, ACCURACY OF ANY INFORMATIONAL CONTENT OR THOSE ARISING BY STATUTE, OF CONFORMITY TO ANY REPRESENTATIONS OR DESCRIPTIONS NOT CONTAINED HEREIN, OR OTHERWISE IN LAW OR FROM COURSE OF DEALING OR USAGE OF TRADE. WITHOUT LIMITING THE FOREGOING, DMI DOES NOT WARRANT THAT ANYTHING WILL MEET USER'S REQUIREMENTS, WILL BE UNINTERRUPTED OR ERROR-FREE. DMI HAS NO OBLIGATIONS CONCERNING PRODUCTS USED OUTSIDE THE U.S.A. UNLESS THEY ARE STATED IN WRITING BY DMI TO BE EXPORT PROGRAM PRODUCTS AND ARE ISSUED AN EXPORT PROGRAM WARRANTY. DMI'S OBLIGATIONS, IF ANY, ARE CONDITIONAL ON PURCHASER PROMPTLY COMPLYING WITH ALL OF THE DMI END USER LICENSE AGREEMENT TERMS AND CONDITIONS. USER ACCEPTS THE WARRANTY ITEM(S) "AS IS" AND WITH ALL FAULTS. THE LIMITED WARRANTIES AND REMEDIES IN THIS AGREEMENT ARE THE SOLE AND EXCLUSIVE WARRANTIES AND REMEDIES CONCERNING ANY GOODS, SERVICES, OR INTANGIBLES, NOW OR IN THE FUTURE.

Liability Limitation. IN NO EVENT SHALL DMI BE LIABLE FOR ANY INDIRECT, INCIDENTAL, EXEMPLARY, PUNITIVE, SPECIAL OR CONSEQUENTIAL DAMAGES OR REMEDIES RELATING TO

THIS WARRANTY, THE SOFTWARE OR ANY WARRANTY ITEMS, GOODS, SERVICES OR INTANGIBLES (EXCLUDED DAMAGES INCLUDE, WITHOUT LIMITATION, FOR LOST PROFITS, BUSINESS INTERRUPTION, COSTS OF DELAY, FAILURE OF DELIVERY, REVENUE, GOODWILL, LOST OR DAMAGED DATA, DOCUMENTATION OR EQUIPMENT, LOSS OF BUSINESS INFORMATION, COST OF REMOVAL OR INSTALLATION OF ANYTHING, INTERCEPTIONS, DEFECTS, VIRUSES, DELAYS, OR FAILURE OF PERFORMANCE, OTHER LOSS ARISING OUT OF USE, OR INABILITY TO USE THE PRODUCT, LIABILITIES TO THIRD PARTIES, INABILITY TO USE THE SOFTWARE OR HARDWARE, ERRORS IN THE SOFTWARE OR HARDWARE, MALFUNCTIONS OR ERRONEOUS DATA, PAYMENTS TO THIRD PARTIES WHICH ARE TOO SMALL, TOO LARGE, TOO LATE OR ARE OTHERWISE IMPROPER), EVEN IF DMI HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES AND REGARDLESS OF THE FORM OF ACTION (INCLUDING, WITHOUT LIMITATION, CONTRACT, NEGLIGENCE, TORT, WARRANTY, ETC.), ANY ASSERTED DMI BREACH OF PROMISE OR WARRANTY; ANY ACT OR FAILURE TO ACT; NEGLIGENCE INCLUDING GROSS NEGLIGENCE; OR ANY CLAIM MADE AGAINST USER BY ANY OTHER PARTY. WITHOUT LIMITING THE FOREGOING, IN NO EVENT SHALL DMI'S LIABILITY (FOR ALL CAUSES OF ACTION), EXCEED THE AMOUNT PAID BY User TO DMI FOR THE SPECIFIC ITEM OR PRODUCT WHICH CAUSED THE PROBLEM. THESE LIMITATIONS ARE INDEPENDENT AND APPLY REGARDLESS OF THE BASIS OF THE CLAIM, INCLUDING, BUT NOT LIMITED TO, A FINDING THAT A WARRANTY, CONDITION, OR REMEDY HAS FAILED ITS ESSENTIAL PURPOSE, BREACH OF CONTRACT (INCLUDING, BUT NOT LIMITED TO, FUNDAMENTAL BREACH), TORT, (INCLUDING, BUT NOT LIMITED TO, NEGLIGENCE OR MISREPRESENTATION), BREACH OF STATUTORY DUTY, OR OTHER LEGAL OR EQUITABLE THEORY. ANY CAUSE OF ACTION User MAY HAVE AGAINST DMI, ITS AFFILIATES, OFFICERS AND AGENTS MUST BE COMMENCED WITHIN ONE YEAR AFTER THE CLAIM OR CAUSE OF ACTION ARISES OR SHALL BE FOREVER BARRED. DMI'S MAXIMUM AGGREGATE LIABILITY SHALL NEVER EXCEED THE AMOUNT PAID BY USER FOR THE ITEMS COVERED BY THIS WARRANTY. THIS LIMITATION OF LIABILITY SHALL APPLY REGARDLESS OF THE BASIS OF THE CLAIM.

Governmental Entities. CERTAIN GOVERNMENTAL BODIES DO NOT ALLOW DISCLAIMERS OF CERTAIN WARRANTIES OR LIMITATIONS ON HOW LONG AN IMPLIED WARRANTY LASTS, SO ONE OR ALL OF THE LIMITATIONS HEREIN MAY NOT APPLY TO USER. CERTAIN GOVERNMENTAL BODIES DO NOT ALLOW THE LIMITATION OF CERTAIN DAMAGES, SO SOME OR ALL OF ANY LIMITATIONS ON LIABILITY MAY NOT APPLY TO USER AND USER MAY HAVE ADDITIONAL RIGHTS.

Release and Indemnity. Without in any way expanding upon the warranty stated above: DMI is not responsible for problems caused by changes in the operating characteristics of User's computer hardware or operating Products which are made prior to or after the delivery of the Software or Hardware; nor is DMI responsible for any problems that may arise as a result of anyone improperly downloading, installing or using the Software or Hardware. If any unauthorized modifications are made to the Software or Hardware; if the media is subjected to an accident, abuse or improper use; or if User violates the DMI End User License Agreement, then all warranties will immediately terminate and User loses User's right to return the Product. DMI's entire liability and User's exclusive remedy for any cause whatsoever, including, but not limited to, nonperformance or misrepresentation, is limited as set forth herein. In no event will DMI or any person or entity involved in making, delivering, or using any of DMI's hardware or software products, be liable for damages caused in any part by User's negligence. Any unauthorized changes made to the Software or Hardware release DMI from DMI's obligations and terminate the DMI End User License Agreement and this Warranty. USER WILL INDEMNIFY, HOLD HARMLESS, AND DEFEND DMI AGAINST ANY CLAIM, DEMAND, LOSS, OR ACTION RESULTING FROM USER'S ACTS, FAILURES TO ACT, OR USER'S POSSESSION OR USE OF THE HARDWARE OR SOFTWARE PRODUCT(S).

Limited Warranty. THE WARRANTIES GIVE USER SPECIFIC LEGAL RIGHTS. USER MAY HAVE OTHER LEGAL RIGHTS THAT VARY BY STATE. THESE ARE THE ONLY WARRANTIES MADE BY DMI. NO DEALER, AGENT, OR EMPLOYEE IS AUTHORIZED TO MAKE ANY MODIFICATIONS, EXTENSIONS, OR ADDITIONS TO DMI'S WARRANTIES. SOME STATES MAY NOT ALLOW THE EXCLUSION OR LIMITATION OF INCIDENTAL OR CONSEQUENTIAL DAMAGES, SO APPLICATION OF THE LIMITATIONS OR EXCLUSIONS HEREIN MAY BE LIMITED BY STATE LAW.

The DMI Support Group is open between the hours of 9:00 A.M. and 5:00 P.M. (Central Time), Monday through Friday, excluding company holidays. TEL (325)223-9300 / FAX (325)223-9104