From: Cliff Godwin [cliff.godwin@oracle.com]
Sent: Tuesday, May 20, 2003 9:43 PM
To: Ron Wohl
Cc: Joel Summers; Roger Turnham; Passmore,Beverly; Renner,Matthew; Turnham,Roger; RICHARD.BEDFORD; CREDIT_US; NASINFO_US
Subject: Re: Greyhound Apprvl
Ron,
OK with me.
Cliff

Joel Summers wrote:
Ron,

This language still looks fine to me.

Regards,

Joel

Ron Wohl wrote:

Joel, Cliff, this looks ok to me, but please review before I give development approval.

Roger Turnham wrote:

Matt: This is RM approved. We've got 5 scenarios on the table that all lead to the deal discounts below. We are under extreme pricing pressure from Ppsft as they were losing this deal and put a screaming deal on the table -- with nothing to lose. The terms requested were approved a year ago and then 6 months ago as we've tried to close this deal. I'm copying Ron Wohl on the approval and asking him to review request 2. We are requesting a Mills meeting with the CIO to ask the hard questions and try to close this deal out for the qtr.

Please approve. Credit. Please approve for $1MM.

CUSTOMER NAME: **Greyhound, Inc.**

SECTION I - Approval Requests:
HQAPP Requests:

1. Request 80% discount for license and support for HR / Payroll deal. Currently showing customer 78%. (~$800,000 net license)
2. Request special language be added to agreement as shown below:

"Notwithstanding anything to the contrary in Oracle's Technical Support Policies, Oracle agrees that it will continue to provide technical support for 11i HRMS for a period of five years from the Effective Date of this agreement or four years from implementation completion -- whichever comes first ; provided, however that Customer agrees to apply all maintenance releases for 11i HRMS which are issued by Oracle during that period, including all statutory maintenance releases and all maintenance releases that are pre-requisites for those statutory maintenance releases. In addition customer may be required to upgrade to new versions of underlying Oracle Technology products, e.g. Oracle 9i, and 9iAS, during this period."
3. OLSA Warranties: Change to: Programs will "substantially" operate as described to "materially".

GOVERNMENT EXHIBIT
P1012

4. OLSA Indemnification: Add the word "fully" before the word indemnify and add, "hold harmless, pay all fines, penalties, etc..."
5. Support cap for total of 3 years with yrs 4-5 at 4% increase.

TIER 1 Requests:

6. Customer Definition: 3 changes: 1.) Applies to parent corporation, Laidlaw, (Tier 2 in Canada) and its 2.) Majority owned without exhibit. Subs agree to be bound... (Tier 3); and 3.) minority owned subs with exhibit (not available yet, but will submit for approval) (Tier 1)
7. Price hold for products purchased and financials for 3 years at 70%.

TIER 3 Requests:

8. Specify that tech support will not materially decline during any year
9. Attach tech support policies to the agreement (Sales Rep approval)

Previously approved requests (include date of approval):
1.
2.

SECTION II – Deal Summary:

Deal Summary
Programs HR, options and Payroll
License Discount 80% (ebiz + 55 %)
Support Discount same
Comp & Admin Discount N/a
Phased Implementation for Comp & Admin? N/a
Support Options/Holds 3 year flatline plus 2 yrs at 4%
Price Holds 3 yrs at 70%
List License $ 3,945,000

List Support $ 867,900
List Comp & Admin
Net License $789,000
Net Support 173,580
Net Comp & Admin
Net Total Price $62,580
Price List Used Current

Customer History - Existing Price Holds
Existing contractual discount (price hold) none
Date of Price List for price hold
When does price hold expire?
Price hold program categories (database, server, erp, crm, hr/payroll, app suite)
Name of Agreement if applicable

SECTION III - Justification:

1. We competed with Ppsft and Lawson a year ago and won the eval but project was put on hold. Now back and Ppsft has dropped from most expensive to least expensive. With their deal, we have to offer 78% discount, plus provide financing option and assist with education. We are still $120K higher than Ppsft but believe our integration message covers the gap. Customer sells low end product (bus transportation) and they are very cheap.
2. This language was approved by Ron Wohl and legal in last year for inclusion into the deal and we will need it again. PeopleSoft has already agreed to this language (or something similar).
3. - 9: All agreed to and approved for last deal. They must be included to get the deal completed for Oracle.