

STATE OF NEBRASKA CONTRACT AWARD

State Purchasing Bureau
1526 K Street, Suite 130
Lincoln, Nebraska 68508

Telephone: (402) 471-6500
Fax: (402) 471-2089

CONTRACT NUMBER
14265 OC

PAGE 1 of 2	ORDER DATE 03/22/17
BUSINESS UNIT 9000	BUYER NANCY STORANT (AS)
VENDOR NUMBER: 2014421	
VENDOR ADDRESS: NETAPP INC 495 E JAVA DR SUNNYVALE CA 94089-1125	

AN AWARD HAS BEEN MADE TO THE CONTRACTOR NAMED ABOVE FOR THE FURNISHING OF MATERIALS AND/OR SERVICES AS LISTED BELOW FOR THE PERIOD:

APRIL 01, 2017 THROUGH MARCH 31, 2020

NO ACTION ON THE PART OF THE CONTRACTOR NEEDS TO BE TAKEN AT THIS TIME. ORDERS FOR THE MATERIALS AND/OR SERVICES WILL BE MADE AS NEEDED BY THE VARIOUS AGENCIES OF THE STATE.

THIS CONTRACT IS NOT AN EXCLUSIVE CONTRACT TO FURNISH THE MATERIALS AND/OR SERVICES SHOWN BELOW, AND DOES NOT PRECLUDE THE PURCHASE OF SIMILAR MATERIALS AND/OR SERVICES FROM OTHER SOURCES.

THE STATE RESERVES THE RIGHT TO EXTEND THE PERIOD OF THIS CONTRACT BEYOND THE TERMINATION DATE WHEN MUTUALLY AGREEABLE TO THE CONTRACTOR AND THE STATE OF NEBRASKA.

Originally awarded from NASPO Value Point Contract MNWNC-121

Supply and deliver Computer Equipment (Storage), Peripherals and Related Services, FOB Destination, to the State of Nebraska per the following Contract Information and attached Participating Addendum.

NetApp Inc. NASPO ValuePoint website: <<https://www.netapp.com/us/how-to-buy/wsca/nebraska-MNWNC121.aspx>>

NetApp Inc. NASPO ValuePoint website will assist you with contact information, product and service information, product configuration, pricing, how to order, warranty support, etc.

The State Purchasing Bureau encourages agencies to contact the designated Inside Sales Representative/Account Representative to learn more about special promotions, and to obtain volume discount quotes.

The following configuration limits apply to this contract:

Storage: \$500,000

The dollar limits identified above are based on a SINGLE computer configuration. This is NOT a restriction on the purchase of multiple configurations (e.g. an entity could purchase 10 Storage devices for a total purchase price of \$750,000).

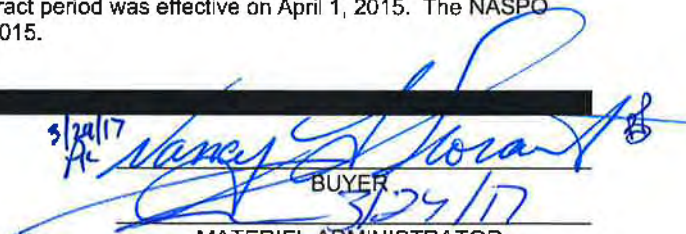
The Purchase Order must include the State of Nebraska NASPO ValuePoint Contract #14265 OC and the NetApp, Inc. NASPO ValuePoint Master Agreement Number MNWNC-121.

Leasing is outside the scope of the NASPO ValuePoint Agreement and this contract.

Political Subdivisions are responsible for processing Purchase Orders directly with the contracted vendor.

(For the File: This RFP and Contract are bid and awarded by the State of Minnesota. All backup bids, etc., are retained by the State of Minnesota, Department of Administration, Materials Management Division.)

(For the File: The NASPO ValuePoint /NetApp, Inc. Master Price Agreement contract period was effective on April 1, 2015. The NASPO ValuePoint/NetApp Inc. Participating Addendum became effective on October 7, 2015.)

3/24/17
AC

BUYER
3/29/17
MATERIEL ADMINISTRATOR

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BUSINESS UNIT 9000		BUYER NANCY STORANT (AS)	
VENDOR NUMBER: 2014421			

Vendor Contact: Harry Franks
Phone: 703-918-7317
Email: harry.franks@netapp.com

THIS IS THE FIRST RENEWAL OF THE CONTRACT AS AMENDED (ss 3/22/17)

Line	Description	Estimated Quantity	Unit of Measure	Unit Price
1	NETAPP COMPUTER EQUIPMENT STORAGE	4,000,000.0000	\$	1.0000



BUYER INITIALS

PARTICIPATING ADDENDUM
Amendment Two
NASPO ValuePoint COOPERATIVE PURCHASING PROGRAM
Computer Equipment
Administered by the State of Minnesota (hereinafter "Lead State")

MASTER AGREEMENT
Master Agreement No: MNWNC-121
NetApp, Inc.
(hereinafter "Contractor")
And
State of Nebraska
(hereinafter "Participating State/Entity")

Participating State Contract Number 14265 OC

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THIS AMENDMENT is by and between the State of Nebraska ("Participating State/Entity"), and NetApp, Inc (Contractor).

WHEREAS, the Lead State has a Contract with the Contractor identified as No. MNWNC-121 to provide Computer Equipment, the State of Nebraska has entered into a Participating Addendum (PA) with the Contractor identified as 14265 OC.

WHEREAS, the terms of the Contract specifically state that the contract may be amended per agreement by both parties. The State of Nebraska wishes to continue to take advantage of existing contract.

NOW, THEREFORE, it is agreed by the parties to amend the Contract as follows:

Effective April 1, 2017

1. **CHANGES**: The purpose of this Amendment One is as follows:

- a. Contract Period: Extended from April 1, 2017 through March 31, 2020
- b. Delete Section ss in its entirety and Replace with the following:

ADMINISTRATIVE FEE/REBATE REMITTANCE LOCATION

All Administrative Fees/Rebates will be sent to the following address:

State Purchasing Bureau
c/o Central Finance, Administrative Services
1526 K Street, Suite 240
Lincoln, NE 68508

PARTICIPATING ADDENDUM
Amendment Two
NASPO ValuePoint COOPERATIVE PURCHASING PROGRAM
Computer Equipment
Administered by the State of Minnesota (hereinafter "Lead State")

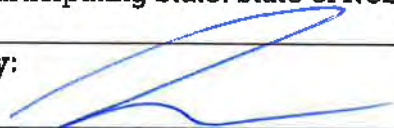
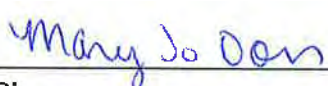
MASTER AGREEMENT
Master Agreement No: MNWNC-121
NetApp, Inc.
(hereinafter "Contractor")
And
State of Nebraska
(hereinafter "Participating State/Entity")

Participating State Contract Number 14265 OC

Page 2 of 2

Terms and conditions inconsistent with, contrary or in addition to the terms and conditions of this Addendum and the Price Agreement, together with its exhibits, shall not be added to or incorporated into this Addendum or the Price Agreement and its exhibits, by any subsequent purchase order or otherwise, and any such attempts to add or incorporate such terms and conditions are hereby rejected. The terms and conditions of this Addendum and the Price Agreement and its exhibits shall prevail and govern in the case of any such inconsistent or additional terms. This Addendum applies only in the jurisdiction of the Participating State or Participating Entity which has executed this Addendum.

IN WITNESS WHEREOF, the parties have executed this Addendum as of the date of execution by both parties below.

Participating State: State of Nebraska	Contractor: NetApp, Inc.
By: 	By: 
Name: Bo Botelho	Name: Mary Jo Dorv
Title: Materiel Administrator	Title: USPS Controller
Date: 3/29/17	Date: 3/13/17