



STATE OF UTAH COOPERATIVE CONTRACT AMENDMENT

AMENDMENT #: 4

CONTRACT #: AR2488

Starting Date: Unchanged

Expiration Date: Unchanged

TO BE ATTACHED AND MADE PART OF the specified contract by and between the State of Utah Division of Purchasing and SHI International Corp. (Referred to as CONTRACTOR).

BOTH PARTIES AGREE TO AMEND THE CONTRACT AS FOLLOWS:

Attachment A Section 1. Master Agreement Order of Precedence is amended to read:

1. Master Agreement Order of Precedence

a. Any Order placed under this Master Agreement shall consist of the following documents:

- (1) A Participating Entity's Participating Addendum1 ("PA");
- (2) NASPO ValuePoint Master Agreement Terms & Conditions and the cloud service provider service terms;
- (3) The Solicitation;
- (4) Contractor's response to the Solicitation, as revised (if permitted) and accepted by the Lead State; and
- (5) A Service Level Agreement issued against the Participating Addendum.

These documents within subsection a. shall be read to be consistent and complementary.

b. Any conflict among those documents in subsection a. for solutions by Amazon, CA Technologies, Citrix, Dell EMC, Google, Microsoft, or VMware shall be resolved by giving priority to those documents in the following order:

- (1) A Participating Entity's Participating Addendum1 ("PA");
- (2) The cloud service provider service terms in Attachment E of the NASPO ValuePoint Master Agreement;
- (3) NASPO ValuePoint Master Agreement Terms and Conditions;
- (4) The Solicitation;
- (5) Contractor's response to the Solicitation, as revised (if permitted) and accepted by the Lead State; and
- (6) A Service Level Agreement issued against the Participating Addendum.

c. Any conflict among those documents in subsection a. for solutions by cloud service providers not explicitly listed in subsection b. shall be resolved by giving priority to those documents in the following order:

- (1) A Participating Entity's Participating Addendum1 ("PA");
- (2) NASPO ValuePoint Master Agreement Terms and Conditions;
- (3) The cloud service provider service terms in Attachment E of the NASPO ValuePoint Master Agreement;
- (4) The Solicitation;
- (5) Contractor's response to the Solicitation, as revised (if permitted) and accepted by the Lead State; and

(6) A Service Level Agreement issued against the Participating Addendum.

d. Contractor terms and conditions that apply to this Master Agreement are only those that are expressly accepted by the Lead State and must be in writing and attached to this Master Agreement as an Exhibit or Attachment.

The purpose of this amendment is to more clearly outline the Order of Precedence for the AR2488 master agreement.

Effective Date of Amendment: As of the last signature date below.

All other terms and conditions of the contract, including those previously modified, shall remain in full force and effect.


IN WITNESS WHEREOF, the parties sign and cause this contract to be executed.

CONTRACTOR

STATE OF UTAH



09/17/2019



Sep 18, 2019

Contractor's Signature

Date

Director, State of Utah Division of Purchasing

Date

Cassie Skelton

Contractor's Name (Print)

Contracts Manager

Title (Print)

For Division of Purchasing Internal Use

Purchasing Agent

Phone #

E-mail Address

Contract #

Solomon Kingston

801-538-3228

skingston@utah.gov

AR2488