

STATE OF NEBRASKA CONTRACT AMENDMENT

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

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

CONTRACT NUMBER
14268 OC

PAGE 1 of 2	ORDER DATE 06/14/21
BUSINESS UNIT 9000	BUYER JOY FISCHER (AS)
VENDOR NUMBER: 2236216	
VENDOR ADDRESS: PURE STORAGE INC 650 CASTRO ST STE 400 MOUNTAIN VIEW CA 94041-2081	

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

AUGUST 01, 2021 THROUGH JULY 31, 2022

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-125

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.
Pure Storage NASPO ValuePoint website: <http://www.purestorage.com/company/how-to-buy/wsca.html>

The Pure Storage 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 4 Storage devices for a total purchase price of \$500,000).

The Purchase Order must include the State of Nebraska NASPO ValuePoint Contract #14268 OC and the Pure Storage NASPO ValuePoint Master Agreement Numbers MNWNC-125.


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/Pure Storage Master Price Agreement contract period was effective on April 1, 2015. The NASPO/ValuePoint/Pure Storage Participating Addendum became effective on August 10, 2016.

Vendor Contact: Kim Bradbury
Phone: 301-717-9968

 16/2021 PK 6/16/2021
 Signed by: BUYER
 Amara Block 7/22/2021
 MATERIALS ADMINISTRATOR

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Email: kim.bradbury@purestorage.com

Participating Addendum Amendment Five as attached. (6/14/21 sc)

Line	Description	Estimated Quantity	Unit of Measure	Unit Price
1	PURE STORAGE COMPUTER EQUIPMENT (STORAGE)	1,000,000.0000	\$	1.0000



DS
JF

BUYER INITIALS

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

MASTER AGREEMENT
Master Agreement No: MNWNC-125
Pure Storage, Incorporated
(hereinafter "Contractor")
And
State of Nebraska
(hereinafter "Participating State/Entity")

Participating State Contract Number 14268 OC

THIS AMENDMENT is by and between the State of Nebraska ("Participating State/Entity"), and Pure Storage, Incorporated (Contractor).

WHEREAS, the Lead State has a Contract with the Contractor identified as No. MNWNC-125 to provide Computer Equipment, the State of Nebraska has entered into a Participating Addendum (PA) with the Contractor identified as 14268 OC.

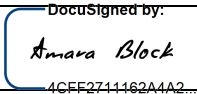
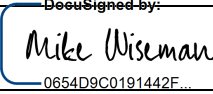
WHEREAS, the terms of the Contract specifically state that the contract may be amended per agreement by both parties. The State of Nebraska wishes to continue to take advantage of existing contract.

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

- 1. **CHANGES:** The purpose of this Amendment Five is as follows:
 - a. Contract Period: Extended from August 1, 2021 through July 31, 2022.

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: Pure Storage, Incorporated
By:  DocuSigned by: Amara Block 4CFE2711162A4A2...	By:  DocuSigned by: Mike Wiseman 0654D9C0191442F...
Name: Amara Block	Name: Mike wiseman
Title: Acting Materiel Administrator	Title: vice President, Public Sector
Date: 6/22/2021	Date: 6/10/2021

AMENDMENT NO. 4 TO NASPO MASTER AGREEMENT NO. MNWNC-125

THIS AMENDMENT is by and between the State of Minnesota, acting through its Commissioner of Administration (“State”), and Pure Storage, Incorporated, 650 Castro St, Ste 260, Mountain View, CA 94041 (“Contractor” or “Contract Vendor”).

WHEREAS, the State has a Contract with the Contractor identified as NASPO Master Agreement No. MNWNC-125, April 15, 2015, through July 31, 2021 (“Contract”), to provide Computer Equipment, Peripherals & Related Services; and

WHEREAS, Minn. Stat. § 16C.03, subd. 5, affords the Commissioner of Administration, or delegate pursuant to Minn. Stat. § 16C.03, subd. 16, the authority to amend contracts; and

WHEREAS, the terms of the Contract allow the State to amend the Contract as specified herein, upon the mutual agreement of the Office of State Procurement and the Contractor in a fully executed amendment to the Contract.

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

- 1. That NASPO Master Agreement No. MNWNC-125 is extended through July 31, 2022, at the same prices, terms, and conditions.

This Amendment is effective beginning August 1, 2021, or upon the date that the final required signatures are obtained, whichever occurs later, and shall remain in effect through contract expiration, or until the Contract is canceled, whichever occurs first.

Except as herein amended, the provisions of the Contract between the parties hereto are expressly reaffirmed and remain in full force and effect.

IN WITNESS WHEREOF, the parties have caused this Amendment to be duly executed intending to be bound thereby.

<p>1. Pure Storage, Incorporated The Contractor certifies that the appropriate person(s) have executed this Amendment on behalf of the Contractor as required by applicable articles, bylaws, resolutions, or ordinances.</p> <p>DocuSigned by: By: <u>Michael Wiseman</u> <small>Signature 4D9C0191442F...</small></p> <p><u>Michael wiseman</u> <small>Printed Name</small></p> <p>Title: <u>Vice President, Public Sector</u></p> <p>Date: <u>5/6/2021</u></p> <p>By: _____ <small>Signature</small></p> <p>_____ <small>Printed Name</small></p> <p>Title: _____</p> <p>Date: _____</p>	<p>2. Office of State Procurement In accordance with Minn. Stat. § 16C.03, subd. 3.</p> <p>DocuSigned by: By: <u>Elizabeth Randa</u> <small>742DE739C8ED492...</small></p> <p>Title: <u>Acquisition Management Specialist</u></p> <p>Date: <u>5/10/2021</u></p> <p>3. Commissioner of Administration Or delegated representative.</p> <p>DocuSigned by: By: <u>Andy Doran</u> <small>68D02A26D7604BA...</small></p> <p>Date: <u>5/10/2021</u></p>
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