

AMENDMENT NO. 1 TO CONTRACT NO. MNWNC-109

THIS AMENDMENT is by and between the State of Minnesota, acting through its commissioner of Administration ("State"), and EMC Corporation, 176 South Street, Hopkinton, MA 01748 ("Contract Vendor").

WHEREAS, the State has a Contract with the Contract Vendor identified as Contract No. MNWNC-109, April 1, 2015, through March 31, 2017 ("Contract"), to provide Computer Equipment: (Desktops, Servers, and Storage including Related Peripherals and 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 Materials Management Division and the Contract Vendor in a fully executed amendment to the Contract.

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

1. That Contract No. MNWNC-109 is extended through March 31, 2020, at the same terms and conditions.
2. The Contract Vendor shall provide Computer Equipment: (Desktops, Servers, and Storage including Related Peripherals and Services) at the prices set forth on the attached Exhibit B, Pricing Schedule.

This Amendment is effective beginning April 1, 2017, 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.

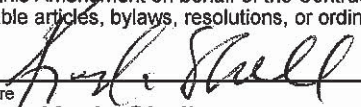
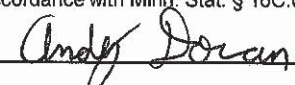
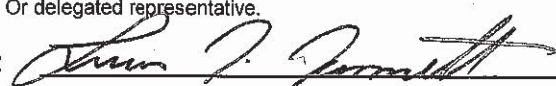
<p>1. EMC CORPORATION The Contractor certifies that the appropriate person(s) have executed this Amendment on behalf of the Contractor as required by applicable articles, bylaws, resolutions, or ordinances.</p> <p>By: <u></u> Signature Kayla Shell Printed Name</p> <p>Title: <u>Vice President</u></p> <p>Date: <u>03/09/17</u></p> <p>By: _____ Signature</p> <p>Printed Name _____</p> <p>Title: _____</p> <p>Date: _____</p>	<p>2. OFFICE OF STATE PROCUREMENT In accordance with Minn. Stat. § 16C.03, subd. 3.</p> <p>By: <u></u> Title: <u>Acquisition Management Specialist</u></p> <p>Date: <u>3/14/17</u></p> <p>3. COMMISSIONER OF ADMINISTRATION Or delegated representative.</p> <p>By: <u></u> Date: <u>3/15/2017</u></p>
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EXHIBIT B: Pricing Schedule



COMPUTER EQUIPMENT 2014-2020 Updated 04/01/2017



MINNESOTA WSCA-NASPO MASTER AGREEMENT AWARD

1. BASELINE PRICE LIST: EMC MSRP		PUBLISHED ON WEBSITE	
2. BAND DISCOUNT		CATEGORY	MINIMUM DISCOUNT
BAND 5 STORAGE		D1,D2,D3, EN-H, EN-HM, EN-S, EN-SM, H, H3	36%
CATEGORY EXCEPTIONS:			
VPLEX HW, SW AND MAINTENANCE, EMC OEM Switches		VPLEX, E	34%
High End and Midrange Systems and Software (BRS, Data Domain, Avamar, Disk Library, Networker, Atmos), VNX Hardware, Software, Unified Mid-Tier Hardware and Software		DH, DM, PH, PM, UM, UMH, UMS	27%
RSA Software		R-SW	26%
Isilon HW, SW, Maintenance		IS	25%
Server Flash, AX/NX, Insignia, XtremIO		J XT	23% 22%
Unified Entry level offerings		UE	21%
Entry Systems and Software (BRS, Data Domain)		DE/PE	17%
Vipr		V	16%
RSA Hardware, Security/Analytics, NetWitness		RSA, R-3P	14%
VMAX CE		CL-E	13%
IMPORTANT: The minimum discount is provided, refer to Contract Vendor's Website for any additional discounts and request a quote for bulk/volume discounts. All prices shall be FOB Destination, prepaid and allowed (with freight included in the price). If there is a special case where inside delivery fee must be charged, the Contract Vendor will notify the customer in advance			
3. THIRD PARTY PRODUCTS		K	31%
4. SERVICES – CONTACT VENDOR FOR DETAILS		2-34%	
Services are an option of Participating States. Participating Addendums by each State may address service agreement terms and related travel. States may negotiate additional services. Standard warranty for hardware is 1-year or more. Standard warranty for software is 90 days for the media. The EMC and RSA warranty tables and other warranty and maintenance information is available at: http://www.emc.com/customer-services/productwarrantyand-service-descriptions.htm			
RSA Maintenance; EMC select services, Custom Residency Services, Training		R-MT, R-PS, F1, F2, I	2%
Hardware Maintenance		G	12%
Isilon HW/SW/Maintenance		IS	25%
VNX maintenance		UM	27%
VPLEX MAINTENANCE		VPLEX	34%
5. LEASING			
Participating Addendum may identify if and how leasing agreement terms will be conducted.			
6. ADDITIONAL DISCOUNTS – Request a quote for discounts on bulk/volume purchases.			
a. Per Transaction Multiple Unit:			
\$500,001 - \$1,000,000		Additional 1%	
\$1,000,001 and above		Additional 1%	
b. Cumulative – Provided at the Master Agreement Level once level has been met:			
Up to \$99 Million		Additional 1%	
\$100 Million and above		Additional 1%	
c. ADDITIONAL DISCOUNTS OFF LIST:			
Enterprise Hardware (sym, celerra) & Mid Tier (clarion, centera, NAS)		A, B	51%
Hardware – Connectrix		C	46%

STATE OF MINNESOTA – WORKFORCE CERTIFICATE INFORMATION

Required by state law for ALL bids or proposals that could exceed \$100,000

Complete this form and return it with your bid or proposal. The State of Minnesota is under no obligation to delay proceeding with a contract until a company becomes compliant with the Workforce Certification requirements in Minn. Stat. §363A.36.

BOX A – MINNESOTA COMPANIES that have employed more than 40 full-time employees within this state on any single working day during the previous 12 months, check one option below:

- ☒ Attached is our current Workforce Certificate issued by the Minnesota Department of Human Rights (MDHR).
- ☐ Attached is confirmation that MDHR received our application for a Minnesota Workforce Certificate on _____ (date).

BOX B – NON-MINNESOTA COMPANIES that have employed more than 40 full-time employees on a single working day during the previous 12 months in the state where it has its primary place of business, check one option below:

- ☐ Attached is our current Workforce Certificate issued by MDHR.
- ☐ We certify we are in compliance with federal affirmative action requirements. Upon notification of contract award, you must send your federal or municipal certificate to MDHR at compliance.MDHR@state.mn.us. If you are unable to send either certificate, MDHR may contact you to request evidence of federal compliance. The inability to provide sufficient documentation may prohibit contract execution.

BOX C – EXEMPT COMPANIES that have not employed more than 40 full-time employees on a single working day in any state during the previous 12 months, check option below if applicable:

- ☐ We attest we are exempt. If our company is awarded a contract, we will submit to MDHR within 5 business days after the contract is fully signed, the names of our employees during the previous 12 months, the date of separation, if applicable, and the state in which the persons were employed. Send to compliance.MDHR@state.mn.us.

By signing this statement, you certify that the information provided is accurate and that you are authorized to sign on behalf of your company.

Name of Company: Emc Corporation Dell Date: 3/8/17
Authorized Signature: Ann Marie Lavoie Telephone number: 508-249-5881
Printed Name: Annmarie Lavoie Title: Compliance Program Manager

For assistance with this form, contact:

Minnesota Department of Human Rights, Compliance Services

Web: <http://mn.gov/mdhr/>

TC Metro: 651-539-1095

Toll Free: 800-657-3704

Email: compliance.mdhr@state.mn.us

TTY: 651-296-1283



Minnesota Department of
HUMAN RIGHTS

CERTIFICATE OF COMPLIANCE

EMC CORPORATION is hereby certified as a contractor by the Minnesota Department of Human Rights. This certificate is valid from 2/27/2014 to 2/27/2018.

This certification is subject to revocation or suspension prior to its expiration if the department issues a finding of noncompliance or if your organization fails to make a good faith effort to implement its affirmative action plan.

Minnesota Department of Human Rights

FOR THE DEPARTMENT BY:

Kevin M. Lindsey, Commissioner

AN EQUAL OPPORTUNITY EMPLOYER

March 10, 2017

Eleigh Vazquez
State of Minnesota
Office of State Procurement
112 Administration Building
50 Sherburne Avenue
St. Paul, Minnesota 55155
(651) 296-2600

RE: Amendment 1 to Contract No. MNWNC-109

Dear Ms. Vazquez:

Enclosed are three (3) original copies of Amendment No.1 to the Minnesota WSCA-NASPO Master Agreement with EMC Corporation, contract no. MNWNC-109, which have been executed on behalf of our company.

At the State's request, we have also enclosed:

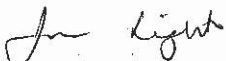
- original signed copies of the Workforce Certificate Information form, including the State issued Certificate
- our Certificate of Insurance (a copy of which has also been submitted to mmd.insurance@state.mn.us)

At your first convenience, please return a countersigned copy of the Amendment to the attention of:

Renee Brand
Sr. Strategic Contracts & Program Office
Dell EMC
2999 Douglas Blvd. Suite 275
Roseville, CA 95661
(651) 338-3637

Please free to contact me directly at janessa.light@dell.com or (703) 970-5306 if there are any questions about the documents we have enclosed. Any other business related questions can be directed to Renee Brand at the contact information indicated above.

Sincerely,



Janessa Light

Sr. Contracts Manager

Enclosures

Cc: Andy Doran, State of Minnesota, IT Acquisitions Supervisor
Renee Brand, Dell EMC, Sr. Strategic Contracts & Program Office

OSP REC'D MAR 13 '17 am 9:21