

12R-262

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LANCASTER COUNTY
CLERK

**Amendment to Agreement for
Computer Equipment, Peripherals, and Related Services
WSCA/NASPO Master Price Agreement Number B27160
Renewal**

This Amendment is hereby entered into on this 27 day of September, 2012, by and between Dell Marketing, L.P., One Dell Way, Mailstop RR08-07, Round Rock, TX 78682 (hereinafter "Contractor") and the City of Lincoln and Lancaster County and Lincoln-Lancaster County Public Building Commission (hereinafter "Owners"), for the purpose of Amending the Agreement C-11-0169, dated April 5, 2011, and Resolution A-86306, dated April 21, 2011, (the "Agreement"), for Computer Equipment, Peripherals, and Related Services, WSCA/NASPO Master Price Agreement Number B27160, which is made a part of this amendment by this reference.

WHEREAS, the original term of the Agreement is April 26, 2011 through August 31, 2012, with the option to renew for two (2) additional one (1) year terms or one (1) additional two (2) year term;

WHEREAS, the parties wish to renew the agreement for one (1) additional two Year term being **September 1, 2012 through August 31, 2014.**

NOW, THEREFORE, IN CONSIDERATION of the mutual covenants contained in the Agreement, under County Contract C-11-0169 and City Resolution 86306, and stated herein the parties agree as follows:

- 1) The parties agree the term of the Agreement shall be from September 1, 2012 through August 31, 2014.
- 2) All other terms of the Agreement, not in conflict with this Amendment, shall remain in full force and effect.

The Parties do hereby agree to all the terms and conditions of this Amendment. This Amendment shall be binding upon the parties, their heirs, administrators, executors, legal and personal representatives, successors, and assigns.

IN WITNESS WHEREOF, the Parties do hereby execute this Amendment.

Lancaster County Board of Commissioners Signatures

Executed this 16 day of October, 2012

Jane Ward
Denise Nevo
Deb Schindler
Scott Smayda
Nancy Kuhlman

Dylan Johnson
for Lancaster County Attorney

City of Lincoln

Executed this ___ day of _____, 2012

Mayor

Approved by Resolution No. _____

Lincoln-Lancaster County Public Building Commission

Executed this ___ day of _____, 2012

Chairperson

Supplier, please sign and date. Mail back to our office; a faxed copy is not acceptable.

Company Name: (PLEASE PRINT)	Dell Marketing, L.P.
By: (PLEASE PRINT)	Diane Wigington
By: (PLEASE SIGN)	<u>D. Wigington</u>
Title:	Public Contracts Manager
Company Address: (PLEASE PRINT)	One Dell Way, RR 8-07 Round Rock TX 78682
Company Phone & Fax: (PLEASE PRINT)	512-728-4805 / 512-283-9092
E-Mail Address: (PLEASE PRINT)	Diane_Wigington@Dell.com



WSCA/NASPO Contract Administration
112 Administration Building
50 Sherburne Avenue
St. Paul, MN 55155
Fax: 651.297.3996
TTY: MN Relay Service 1.800.627.3529
<http://www.mmd.admin.state.mn.us>

**WSCA/NASPO PC Contracts 2009-2014
COMPUTER EQUIPMENT, PERIPHERALS, AND RELATED SERVICES
MASTER PRICE AGREEMENT NUMBER B27160
AMENDMENT NUMBER 2**

THIS AMENDMENT is by and between the State of Minnesota, acting through its commissioner of Administration, for the WSCA/NASPO ("Lead State") and Dell Marketing, L.P. (Contractor).

WHEREAS, the Lead State has a Contract with the Contractor identified as No. B27160, effective September 1, 2009, through August 31, 2012, to provide direct-from-manufacturer personal computer equipment and related devices, software 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 specifically state that the contract may be amended per agreement by both parties.

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

1. Contract is extended through August 31, 2014.
2. The configuration limit of servers and storage may be increased up to \$500,000 if this limit is approved by the State in their Participating Addendum.
3. The Premium Saving Package "Intent to Participate" document may be eliminated IF participation in the Premium Savings Package is approved by the State in their Participating Addendum.

This Amendment is effective beginning on September 1, 2012, or upon the date that the final required signatures are obtained, whichever occurs later, and shall remain in effect until August 31, 2014 or until the Contract is canceled, whichever occurs first.

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



WSCA/NASPO Contract Administration
112 Administration Building
50 Sherburne Avenue
St. Paul, MN 55155
Fax: 651.297.3996
TTY: MN Relay Service 1.800.627.3529
<http://www.mmd.admin.state.mn.us>

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

1. CONTRACTOR

The Contractor certifies that the appropriate person(s) have executed this document on behalf of the Contractor as required by applicable articles, bylaws, resolutions, or ordinances.

By: Stephanie Miller
Title: Contract Manager
Date: June 26, 2012

By: _____
Title: _____
Date: _____

2. LEAD STATE

MATERIALS MANAGEMENT DIVISION
In accordance with Minn. Stat. § 16C.03, Subd. 3.

By: Jane Kahle
Title: Acquisition Management Specialist
Date: 7/9/12

3. LEAD STATE

COMMISSIONER OF ADMINISTRATION
Or delegated representative.

By: Laura J. Jameth
Date: 7/9/2012