

PARTICIPATING ADDENDUM
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
(hereinafter "Contractor")

And

Palm Beach County, Florida
(hereinafter "County")

Page 1 of 4

1. **Scope:** The State of Minnesota, Department of Administration, Materials Management Division publicly conducted a Request for Proposal on behalf of the State of Minnesota and the National Association of State Procurement Officials Cooperative Procurement Program (NASPO ValuePoint) resulting in Master Agreement number MNWNC-125. The Master Agreement led by the State of Minnesota along with a multi-state sourcing team, was created for use by state agencies and other entities that are authorized by that state's statutes to utilize cooperative agreements, upon written approval of the State's chief procurement official.

The Master Agreement for computer equipment (desktops, laptops, tablets, servers, and storage, and ruggedized devices, including related peripherals & services) identifies the product bans awarded to the Contractor.

This Participating Addendum (Addendum) executed by the Parties, will be effective as of the last date signed below and will be coterminous with the Master Agreement and any extensions of the Master Agreement, unless terminated pursuant to MASTER AGREEMENT TERMS AND CONDITIONS B. WSCA-NASPO TERMS AND CONDITIONS, Section 6 Cancellation.

2. **Participation:** Use of specific NASPO ValuePoint cooperative contracts by agencies, political subdivisions and other entities (including cooperatives) are subject to the prior approval of the respective State Chief Procurement Official. Unless otherwise specified, all departments under the authority of the County of Palm Beach, Florida, are eligible to procure under this Participating Addendum.

3. **Order of Precedence:**

1. This Participating Addendum
2. Minnesota NASPO ValuePoint Master Agreement No. MNWNC-125
3. The Solicitation including all Addendums; and
4. Contract Vendor's response to the Solicitation

These documents shall be read to be consistent and complementary. Any conflict among these documents shall be resolved by giving priority to these documents in the order listed above. Contract Vendor 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 the Master Agreement as an Exhibit or Attachment. No other terms and

PARTICIPATING ADDENDUM
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
(hereinafter "Contractor")

And

Palm Beach County, Florida
(hereinafter "County")

Page 2 of 4

conditions shall apply, including terms and conditions listed in the Contract Vendor's response to the Solicitation, or terms listed or referenced on the Contract Vendor's website, in the Contract Vendor quotation/sales order or in similar documents subsequently provided by the Contract Vendor. The solicitation language prevails unless a mutually agreed exception has been negotiated.

4. Participating State Modifications or Additions to Master Agreement:

A. Approval of this Participating Addendum by the State of Florida for Palm Beach County, Florida, will extend to any subsequent addendums/amendments of this executed Participating Addendum.

B. The Contractor shall maintain adequate records to justify all charges, expenses, and costs incurred in estimating and performing the work for at least three (3) years after completion or termination of this Contract. The County shall have access to such books, records, and documents as required in this section for the purpose of inspection or audit during normal business hours, at the Contractor's place of business.

The County has established the Office of the Inspector General in Palm Beach County Code, Section 2-421 - 2-440, as may be amended. The Inspector General's authority includes but is not limited to the power to review past, present and proposed County contracts, transactions, accounts and records, to require the production of records, and to audit, investigate, monitor, and inspect the activities of the Contractor, its officers, agents, employees, and lobbyists in order to ensure compliance with contract requirements and detect corruption and fraud.

Failure to cooperate with the Inspector General or interfering with or impeding any investigation shall be in violation of Palm Beach County Code, Section 2-421 - 2-440, and punished pursuant to Section 125.69, Florida Statutes, in the same manner as a second degree misdemeanor.

C. NONDISCRIMINATION: The Contractor warrants and represents that all of its employees are treated equally during employment without regard to race, color, religion, disability, sex, age, national origin, ancestry, marital status, familial status, sexual orientation, gender identity and expression, or genetic information.

Contractor has submitted to County a copy of its non-discrimination policy which is consistent with the above paragraph, as contained in Resolution R-2014-1421, as amended,

PARTICIPATING ADDENDUM
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
(hereinafter "Contractor")

And

Palm Beach County, Florida
(hereinafter "County")

Page 3 of 4

or in the alternative, if the Contractor does not have a written non-discrimination policy or one that conforms to the County's policy, it has acknowledged through a signed statement provided to that Contractor will conform to the County's non-discrimination policy as provided in R-2014-1421, as amended.

5. Primary Contacts: The primary contact individuals for this Participating Addendum are as follows (or their named successors):

Contractor

Name	Kim Bradbury
Address	650 Castro Street, Ste. 400, Mountain View, CA 94041
Telephone	301-717-9968
Fax	410-414-2117
E-mail	kim.bradbury@purestorage.com

Participating Entity: Florida – Palm Beach County

Name	Candace Miller, Coordinator, ISS Department
Address	301 N. Olive Ave., 8 th Fl., West Palm Beach, FL 33401
Telephone	561-355-6704
Fax	561-242-7501
E-mail	clmiller@pbcgov.org

6. Partner Utilization: Each state represented by NASPO ValuePoint participating in this Master Agreement independently have the option of utilizing partners. Only partners approved by this Participating State may be deployed. The participating State will define the process to add and remove partners and may define the partner's role in their participating addendum. The Contractors partners' participation will be in accordance with the terms and conditions set forth in the aforementioned Master Agreement. Approved partners are: SHI

7. Terms. The County is agreeing to the terms of the Master Agreement only to the extent the terms are not in conflict with applicable law.

PARTICIPATING ADDENDUM
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
(hereinafter "Contractor")

And

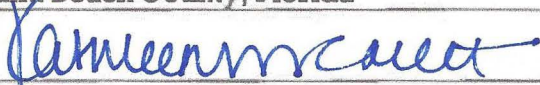
Palm Beach County, Florida
(hereinafter "County")


Page 4 of 4


8. Orders: Any Order placed by the County for a Product and/or Service available from this Master Agreement shall be deemed to be a sale under (and governed by the prices and other terms and conditions) of the Master Agreement unless the parties to the Order agree in writing that another contract or agreement applies to such Order.

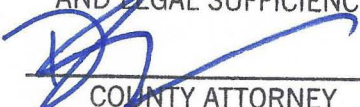
All purchase orders issued by ordering entities with the jurisdiction of this Participating Addendum must include the Participating Addendum number: 950560 and the Master Agreement number MNWNC-125.

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

Participating Entity: Palm Beach County, Florida	Contractor: Pure Storage, Inc.
By: 	By: Dan Heydenfeldt
Name: Kathleen M. Scarlett	Name: Dan Heydenfeldt
Title: Purchasing Director	Title: VP Public Sector
Date: 6/30/16	Date: June 14, 2016

Florida's Chief Procurement Officer:
By: 
Name: Roz Ingram
Title: Director of State Purchasing and Chief Procurement Officer
Date: 6/15/16

APPROVED AS TO TERMS AND CONDITIONS
BY 
ISS DIRECTOR 6/15/16

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

COUNTY ATTORNEY