

## **AMENDMENT #1**

### **Contract #0000000000000000000017292**

This is an Amendment to the Contract (the "Contract") entered into by and between the State of Indiana acting by and through the Indiana Office of Technology ("IOT") (the "State") and Pure Storage Inc. (the "Contractor") approved by the last State signatory on September 23, 2016.

In consideration of the mutual undertakings and covenants hereinafter set forth, the parties agree as follows:

1. The Contract is hereby extended for an additional period of twelve (12) months, as specified in the attachment **AMENDMENT NO. 1 TO CONTRACT NO. MNWNC-125**, attached hereto and incorporated herein. It shall terminate on March 31, 2018.

**All matters set forth in the original Contract and not affected by this Amendment shall remain in full force and effect.**

**Non-Collusion and Acceptance**

The undersigned attests, subject to the penalties for perjury, that the undersigned is the Contractor, or that the undersigned is the properly authorized representative, agent, member or officer of the Contractor. Further, to the undersigned's knowledge, neither the undersigned nor any other member, employee, representative, agent or officer of the Contractor, directly or indirectly, has entered into or been offered any sum of money or other consideration for the execution of this Amendment other than that which appears upon the face hereof. Furthermore, if the undersigned has knowledge that a state officer, employee, or special state appointee, as those terms are defined in IC 4-2-6-1, has a financial interest in the Contract, the Contractor attests to compliance with the disclosure requirements in IC 4-2-6-10.5.

**Agreement to Use Electronic Signatures**

I agree, and it is my intent, to sign this Contract by accessing State of Indiana Supplier Portal using the secure password assigned to me and by electronically submitting this Contract to the State of Indiana. I understand that my signing and submitting this Contract in this fashion is the legal equivalent of having placed my handwritten signature on the submitted Contract and this affirmation. I understand and agree that by electronically signing and submitting this Contract in this fashion I am affirming to the truth of the information contained therein. I understand that this Contract will not become binding on the State until it has been approved by the Department of Administration, the State Budget Agency, and the Office of the Attorney General, which approvals will be posted on the Active Contracts Database:

[https://hr85.gmis.in.gov/psp/pa91prd/EMPLOYEE/EMPL/h/?tab=PAPP\\_GUEST](https://hr85.gmis.in.gov/psp/pa91prd/EMPLOYEE/EMPL/h/?tab=PAPP_GUEST)

**In Witness Whereof**, Contractor and the State have, through their duly authorized representatives, entered into this Amendment. The parties, having read and understood the foregoing terms of this Amendment, do by their respective signatures dated below agree to the terms thereof.

Pure Storage Inc.

Indiana Office of Technology

By: *Gary Newgaard*

By:

Title: Vice President Public Sector

Title: CIO

Date: 3/22/2017

Date: 3/22/17

<p>Electronically Approved by: Indiana Office of Technology</p> <p>By: _____ (for) Dewand Neely, Chief Information Officer <i>Refer to Electronic Approval History found after the final page of the Executed Contract for details.</i></p>	<p>Electronically Approved by: Department of Administration</p> <p>By: _____ (for) Jessica Robertson, Commissioner <i>Refer to Electronic Approval History found after the final page of the Executed Contract for details.</i></p>
<p>Electronically Approved by: State Budget Agency</p> <p>By: _____ (for) Jason D. Dudich, Director <i>Refer to Electronic Approval History found after the final page of the Executed Contract for details.</i></p>	<p>Electronically Approved as to Form and Legality: Office of the Attorney General</p> <p>By: _____ (for) Curtis T. Hill, Jr., Attorney General <i>Refer to Electronic Approval History found after the final page of the Executed Contract for details.</i></p>

**AMENDMENT NO. 1 TO CONTRACT 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 ("Contract Vendor").

**WHEREAS**, the State has a Contract with the Contract Vendor identified as Contract No. MNWNC-125, 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-125 is extended through March 31, 2018, at the same prices, terms, and conditions.

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><b>1. PURE STORAGE, INCORPORATED</b> 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: <sup>KPB</sup> <u><i>Gary Newgaard</i></u> Signature Gary Newgaard Printed Name</p> <p>Title: <u>Vice President, Public Sector</u></p> <p>Date: <u>February 24, 2017</u></p> <p>By: _____ Signature</p> <p>Printed Name _____</p> <p>Title: _____</p> <p>Date: _____</p>	<p><b>2. OFFICE OF STATE PROCUREMENT</b> in accordance with Minn. Stat. § 16C.03, subd. 3.</p> <p>By: <u><i>Andy Doren</i></u></p> <p>Title: <u>Acquisition Management Specialist</u></p> <p>Date: <u>3/3/17</u></p> <p><b>3. COMMISSIONER OF ADMINISTRATION</b> Or delegated representative.</p> <p>By: <u><i>Laura J. Jannett</i></u></p> <p>Date: <u>3/6/2017</u></p>
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**Electronic Approval History**

	<b>User ID</b>	<b>Approver Name</b>	<b>Datetime</b>	<b>Description</b>
1	T222139	Bradshaw, Teresa	03/22/2017 12:56:01PM	Agency Fiscal Approval
2	S003602	Jones, Sandy E	03/22/2017 12:58:10PM	IOT Approval
3	M225528	Hempel, Mark Alan	03/22/2017 3:09:35PM	IDOA Approval for IT
4	R282681	Miller, Ryan J	03/24/2017 10:17:33AM	SBA Approval
5	A233897	Davidson, Alice A	03/24/2017 11:10:49AM	Attorney General Approval
6	C245236	Monte, Christine	03/27/2017 3:17:43PM	Attorney General Approval