

International Business Machines Corporation

Please direct inquiries and correspondence to
IBM CORPORATION
TWO LINCOLN CENTRE
OAK BROOK TER IL 60181

Customer Number
7195878

Invoice Number
SNY1214

Invoice date
12/26/2014

Page
1

Or call IBM at: (877) 426-6006
e-mail: ASKAR@US.IBM.COM



Installed at

STATE OF NEW YORK
2 BROADWAY
NEW YORK NY 100042207

STATE OF NEW YORK
OGS DIV OF FINC ADMIN
PO BOX 2117
ALBANY NY 122200117

Customer reference

PO# OGS01-000003144

Please remit payments to

P.O. BOX 643600
PITTSBURGH, PA 15264-3600

Terms

PAYMENT DUE UPON RECEIPT OF
INVOICE. LATE PAYMENT FEES
MAY APPLY

DESCRIPTION:

SOFTWARE RENEWAL	US\$ 15,966,393.58	TAX 0.00
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THIS IS ISSUED PURSUANT TO THE IBM CUSTOMER AGREEMENT OR THE EQUIVALENT AGREEMENT BETWEEN US.

Original Invoice

PLEASE PAY THIS AMOUNT

\$15,966,393.58

INVOICE

Please Remit To:

NYS Office of General Services
PO Box 2117
Corning Tower
Empire State Plaza
Albany NY 12220-0117

Page: 1
Invoice No: SSOGS-IBM1701
Invoice Date: 02/17/2015
Customer Number: OFT01
Vendor Name:
Payment Terms: Immediate
Due Date: 02/17/2015
AMOUNT DUE: 15,966,393.58 USD

Bill To:

OFFICE FOR TECHNOLOGY
State Capitol
Empire State Plaza
P.O. Box 2062
Albany NY 12220
postal barcode



For billing questions, please call 518-486-1908

Line	Date	Identifier	Description	Quantity	UOM	Unit Amt	Net Amount
1			IBM PO #003144 Ann Soft Maint	1.00	EA	15,966,393.5800	15,966,393.58
SUBTOTAL:							15,966,393.58
TOTAL AMOUNT DUE :							15,966,393.58

LETTER OF INTENT

New York State Procurement

The New York State Office of General Service, Corning Tower, 38th Floor, Albany, NY 12224

Dear New York State Agency,

On behalf of the State, the New York State Office of General Services (OGS) is administering an aggregation for the acquisition of IBM software maintenance. OGS has agreed to aggregate all identified associated purchase orders into a single New York State purchase order in order to obtain additional discounts and savings for the State. By signing this letter, the Agency agrees:

- The maintenance schedule(s) provided to the Agency signing this Letter of Intent have been reviewed and the accuracy of the Agency's scope of acquisition is confirmed.
- All items contained in the maintenance schedule(s) are on OGS contract and are at, or below, OGS contract pricing.
- As an Agency, you agree to reimburse OGS, for the software maintenance acquired for your agency in accordance with the aggregation, no later than 30 days from OGS invoicing your Agency.
- This Letter of Intent (LOI) is signed by an individual at your Agency with the legal authority to commit your Agency.

Thank you in advance for your participation in this cost savings effort. Please send the signed document to the individual noted below no later than COB on Tuesday, December 16, 2014.

If you have any questions, please contact Dewan Bristo at: Dewan.Bristo@ogs.ny.gov or 474-8855.

Contact Information for the Agency Participating in the Aggregation:

Signature: Theresa Papa

Name (print): Theresa Papa

Title: Chief Administrative Officer

Agency: Office of Information Technology Svcs

Phone #: 518-408-2484 Email: theresa.papa@its.ny.gov

Information for Agency Invoice

Procurement Type: Software and Software Maintenance Renewals

Contractor: International Business Machines Corp.

Vendor ID: 1000001053

Federal ID: 13-0871985

IBM Corp. Software & Related Services		
Group: 76000, Award: NEG-21740, Contract: PT64366		
Invoice #	Agency	Description
1	ITS	Maintenance
		Invoice Amount
		\$15,966,393.58

Karius, Terri (OGS)

IBM 17

From: Bristo, Dewan H (OGS)
Sent: Tuesday, February 17, 2015 11:43 AM
To: Karius, Terri (OGS)
Subject: IBM Software Aggregation Sub-bill
Attachments: Info for Agency Bill (12-31-14 SW Maint. Agg.).xlsx; LOI - IBM SW Aggregation (12-23-14).pdf; IBM Invoice - SNY1214.pdf

Terri,

Please create a sub-bill for ITS in accordance with the attachments. The LOI and the invoice that OGS paid on ITS' behalf are attached.

Please let me know if you need anything else.

Thanks,

Dewan Bristo, CPPB
Contract Management Specialist 2

Office of General Services | Procurement Services
38th Floor, Corning Tower, ESP, Albany, NY 12242
p. (518) 474-8855 | dewan.bristo@ogs.ny.gov
www.ogs.ny.gov

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Purchase Order

Office of General Services

PO Box 2117
Corning Tower
Empire State Plaza
Albany NY 12220-0117
United States

Dispatch via Print

Purchase Order	Date	Revision	Page
OGS01-0000003144	12/23/2014		1
Payment Terms	Freight Terms	Ship Via	
Net 30	FOB Destination	Common	
Buyer	Phone	Currency	
BREDA, JOHN D		USD	

Vendor: 1000001053
INTERNATIONAL BUSINESS MACHINE
C/O CHQ TAX DEPT
PO BOX 643600
PITTSBURGH PA 15264-3600

Ship To: See Detail Below

Bill To: PO Box 2117
Corning Tower
Empire State Plaza
Albany NY 12220-0117
United States

Master Cntrct Id: OGS01-PT64366-1140268

Tax Exempt? Y Tax Exempt ID: 14740026K Replenishment Option: Standard

Line-Sch	Item/Description	Mfg ID	Quantity	UOM	PO Price	Extended Amt	Due Date
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1-1	IBM Annual Software Maintenance Term: 01/01/2015 - 12/31/2015 Ship To: Customer Service & Admin Corning Tower, 38th Floor Empire State Plaza Albany NY 12242 United States		1.00	EA	15,966,393.58000	15,966,393.58000	12/23/2014
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Schedule Total 15,966,393.58000

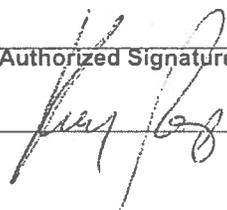
Parts and Pricing Per Attached Quote

ATTN: Terri Karius

Item Total 15,966,393.58000

Total PO Amount 15,966,393.58000

Authorized Signature



Purchase Order

Office of General Services

PO Box 2117
 Corning Tower
 Empire State Plaza
 Albany NY 12220-0117
 United States

Dispatch via Print

Purchase Order	Date	Revision	Page
OGS01-0000003144	12/23/2014		2
Payment Terms	Freight Terms		Ship Via
Net 30	FOB Destination		Common
Buyer	Phone		Currency
BREDA, JOHN D			USD

Vendor: 1000001053
 INTERNATIONAL BUSINESS MACHINE
 C/O CHQ TAX DEPT
 PO BOX 643600
 PITTSBURGH PA 15264-3600

Ship To: See Detail Below

Bill To: PO Box 2117
 Corning Tower
 Empire State Plaza
 Albany NY 12220-0117
 United States

Master Cntrct Id: OGS01-PT64366-1140268

Tax Exempt? Y	Tax Exempt ID: 14740026K	Replenishment Option: Standard				
Line-Sch	Item/Description	Mfg ID	Quantity	UOM	PO Price	Extended Amt Due Date

NOTICE TO VENDORS:

All purchase orders from New York State agencies are exempt from certain federal taxes and New York State and local sales taxes pursuant to Articles 28 and 29 of the New York State Tax Law. All such purchase orders must be accepted in lieu of tax exempt certificates. Taxes from which the State exempt shall not be included when submitting invoices.

All invoices or State of New York "Claim for Payment" forms submitted for payment must include the vendor's NYS Vendor Identification Number and a reference to the purchase order number that the invoice or claim is charged against. Failure to include these numbers may delay payment.

The contract established by this purchase order is governed by Appendix A, Standard Clauses for All New York State Contracts, which is incorporated herein and made a part hereof, a copy of which is available upon request or at <http://www.ogs.state.ny.us/procurecounc/pdfdoc/appendixa.pdf>. Vendor signifies its acceptance of the terms and conditions of Appendix A by delivery of the goods or services and/or by the acceptance of payment. In the event of a conflict between the purchase order document and any referenced documents contained within the purchase order, the order of precedence shall be as follows:

1. Appendix A,
2. Purchase Order document,
3. Any agency specific standard clauses,
4. Agency solicitation document or specifications,
5. Vendor's offer / proposal.

If a Purchase Order is issued pursuant to a contract previously entered into between the vendor and state agency, the terms and conditions of the contract agreement take precedence and supersede any terms and conditions specified on the Purchase Order.

By accepting this Purchase Order the vendor certifies and affirms its understanding of the New York State Procurement Lobbying Law (State Finance Law Sections 139-j and 139-k).

New York State is an Equal Employment Opportunity/Affirmative Action Employer.

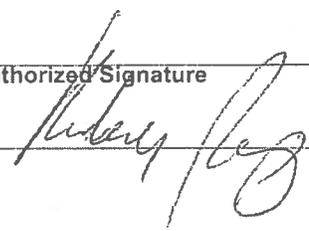
SHIPPING INSTRUCTIONS:

1. Delivered goods must be identical to samples furnished with proposals.
2. Duplicate invoices with shipping receipts attached must be sent to the "Bill To" address shown on the front of this copy
3. New York State is not liable for overshipments, which will be returned at vendor's expense.
4. Unless otherwise specified, all shipments are FOB Destination

SUMMARY OF PROMPT PAYMENT PROVISIONS

Article 11A of the State Finance Law requires New York State to pay vendors in a manner consistent with accepted business practices. Specifically, the law requires that when vendors are not paid within 30 calendar days (excluding legal holidays) after delivering goods/services and a proper invoice, interest will begin to accrue. Interest will be calculated using the "overpayment rate" set by the Commissioner of Taxation and Finance in Section 1096(e) of the New York State Tax Law. Interest will only be paid when it exceeds \$10 per invoice and when payment is made directly by the State rather than through an intermediary organization, such as Trustee for Certificates of Participation, issued pursuant to Article 5-A of the State Finance Law.

Authorized Signature



		Data
Site #	Site Name	BAU - Full Renewal
3163243	NY Dept of Transportation	\$ 34,901
3209247	MOHAWK VALLEY PSYCHIATRIC CENTER	\$ 2,798
3216539	SOUTH BEACH PSYCHIATRIC CENTER	\$ 5,081
3232961	STATE OF NEW YORK NYS PARKS & RECREATION	\$ 2,949
3242707	BUFFALO PSYCHIATRIC CENTER	\$ 959
3253676	NEW YORK OFFICE OF ALCOHOLISM & SUBSTANCE ABUSE	\$ 27,757
3265928	NYS DEPARTMENT OF CORRECTIONS & COMMUNITY SUPERVISION	\$ 18,599
3281958	NYS OFFICE OF MENTAL HEALTH	\$ 5,835
3299754	NYS DEPT OF ECONOMIC DEVELOPMENT	\$ 560
3392048	NYS DEPARTMENT OF CIVIL SERVICE	\$ 73,216
3520118	State of New York Dept of Mental Hygiene - Admin	\$ 3,414
3557015	NEW YORK STATE OFFICE OF MENTAL HEALTH	\$ 2,388
3559468	OFFICE OF MENTAL HEALTH MID-HUDSON FORENSIC PSYCH	\$ 1,990
3566331	STATE OF NEW YORK OFC CHILDREN FAMILY SVCS	\$ 38,132
7006909	Workers Compensation Board	\$ 640,789
7006910	NYS Department of Tax & Finance	\$ 3,776,188
7006914	NYS Department of Labor	\$ 3,231,867
7006925	NY Dept of Health	\$ 2,962,534
7006931	NY- DEPARTMENT OF ENVIRONMENTAL	\$ 69,494
7022940	NY-Dept. of Motor Vehicles	\$ 248,094
7022942	NY Mental Health	\$ 764,690
7024899	NY-DEPARTMENT OF STATE	\$ 1,317
7087305	NY-Higher Education Services Corp.	\$ 111,188
7098759	NY Division of Criminal Justice	\$ 1,234,738
7100684	NY-DEPARTMENT OF PUBLIC SERVICE	\$ 49,883
7101983	NY-STATE PAROLE	\$ 76,378
7139477	NY-OFFICE OF TEMPORARY DISABILITY ASSISTANCE	\$ 15,634
7146032	NY-OFFICE OF CHILDREN & FAMILY SERVICES (OCFS)	\$ 7,515
7156204	NY Dept of Transportation	\$ 205,126
7158285	NEW YORK STATE LOTTERY	\$ 136,675
7188367	NYS Dept of Health	\$ 120,864
7189582	NEW YORK STATE OFFICE FOR PEOPLE WITH DEVELOPMENTAL DISABILITIES	\$ 51,612
7245968	NYS Office of Technology	\$ 1,681,419
7316844	NY Office of Temporary & Disability Assistance	\$ 2,189,431
7582168	CORCRAFT	\$ 27,307
7625085	NYS Office of Children and Family Services	\$ 128,521
7626506	NEW YORK STATE LIQUOR AUTHORITY	\$ 14,269
7726743	State of New York OFC of Cyber Security & CIC	\$ 31,893
Grand Total		\$ 17,996,006

Aggregate - Reduced			
BAU - Partial Renewal	Qty	Aggregate - Actual Qty	
\$ 34,901	\$ 33,156	\$ 33,156	
\$ 2,798	\$ 2,658	\$ 2,658	
\$ 5,081	\$ 4,827	\$ 4,827	
\$ 2,949	\$ 2,802	\$ 2,802	
\$ 959	\$ 911	\$ 911	
\$ 27,757	\$ 26,369	\$ 26,369	
\$ 18,599	\$ 17,669	\$ 17,669	
\$ 5,835	\$ 5,543	\$ 5,543	
\$ 560	\$ 532	\$ 532	
\$ 73,216	\$ 69,450	\$ 69,450	
\$ 3,414	\$ 3,242	\$ 3,242	
\$ 2,388	\$ 2,269	\$ 2,269	
\$ 1,990	\$ 1,891	\$ 1,891	
\$ 32,283	\$ 36,226	\$ 30,669	
\$ 509,073	\$ 608,523	\$ 483,407	
\$ 3,487,717	\$ 3,581,796	\$ 3,307,756	
\$ 2,860,060	\$ 3,070,182	\$ 2,716,989	
\$ 2,922,074	\$ 2,814,413	\$ 2,775,976	
\$ 69,494	\$ 66,019	\$ 66,019	
\$ 248,094	\$ 235,688	\$ 235,688	
\$ 559,469	\$ 726,447	\$ 531,544	
\$ 1,317	\$ 1,251	\$ 1,251	
\$ 105,820	\$ 105,634	\$ 100,534	
\$ 1,234,738	\$ 1,173,029	\$ 1,173,029	
\$ 49,883	\$ 47,328	\$ 47,328	
\$ 76,378	\$ 72,563	\$ 72,563	
\$ 15,634	\$ 14,852	\$ 14,852	
\$ 7,515	\$ 7,140	\$ 7,140	
\$ 205,126	\$ 194,859	\$ 194,859	
\$ 136,675	\$ 129,837	\$ 129,837	
\$ 120,864	\$ 114,816	\$ 114,816	
\$ 51,612	\$ 48,875	\$ 48,875	
\$ 1,681,419	\$ 1,596,320	\$ 1,596,320	
\$ 2,089,218	\$ 2,079,895	\$ 1,984,693	
\$ 27,307	\$ 25,942	\$ 25,942	
\$ 96,338	\$ 121,704	\$ 91,129	
\$ 14,269	\$ 13,556	\$ 13,556	
\$ 31,893	\$ 30,304	\$ 30,304	
\$ 16,814,717	\$ 17,088,518	\$ 15,966,393.58	

Savings Reduction at BAU \$ 5% 1,181,289

Savings Aggregate vs. BAU at customer QTY \$ 848,324