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
OGS01-0000003375	05/04/2015		1
Payment Terms	**Freight Terms**		**Ship Via**
Net 30	FOB Destination		Common
Buyer	**Phone**		**Currency**
BREDA, JOHN D			USD

Vendor: 1000009764
MICROSOFT CORP
PO BOX 849008
DALLAS TX 75284

Master Cntrct Id: OGS01-PS65963-1140268

Ship To: See Detail Below

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

MS02E

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

Line-Sch	Item/Description	Mfg ID	Quantity	UOM	PO Price	Extended Amt	Due Date
1-1	Managed Support Services Premier Support for Office 365 Large Tier (6 Months) Term: 05/01/2015 - 10/31/2015 Ship To: Office of General Services Procurement Services Corning Tower, 38th Fl Albany NY 12242 United States		1.00	EA	34,695.00000	34,695.00000	05/04/2015
			Schedule Total			34,695.00000	
			Item Total			34,695.00000	
2-1	Designated Support Engineer *Dynamics CRM *BizTalk *Messaging *Platforms *FIM 1666hrs @ $251.00/hr Term: 03/15/2015 - 10/31/2015 Ship To: Office of General Services Procurement Services Corning Tower, 38th Fl Albany NY 12242 United States		1.00	EA	418,166.00000	418,166.00000	05/04/2015
			Schedule Total			418,166.00000	
			Item Total			418,166.00000	
3-1	Application Development Manager 600hrs @ $246.00/hr Term: 03/15/2015 - 10/31/2015 Ship To: Office of General Services Procurement Services Corning Tower, 38th Fl Albany NY 12242 United States		1.00	EA	147,600.00000	147,600.00000	05/04/2015
			Schedule Total			147,600.00000	

Premier Support Services Description #001399925

ATTN: Terri Karlus

Item Total 147,600.00000

Total PO Amount 600,461.00000

Authorized Signature

Purchase Order

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PO Box 2117
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United States

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Purchase Order	Date	Revision	Page
OGS01-0000003375	05/04/2015		2

Payment Terms	Freight Terms	Ship Via
Net 30	FOB Destination	Common

Buyer	Phone	Currency
BREDA, JOHN D		USD

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MICROSOFT CORP
PO BOX 849008
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Master Cntrct Id: OGS01-PS65963-1140268

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

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 icluded 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

Microsoft®

INVOICE

Remit To Information

Mail To:
Microsoft Services
PO Box 844510 Bank of America, Dall
Tax ID# 91-1144442
DALLAS TX 75284-4510

Express Mail To:

Wire Transfer to:
ABA# 11100001-2 Acct# 3750825354
GST#135625069RT0001 QST#10157646583Tax ID# 91-1144442

Invoice Information

Invoice No:	**9620818616**	**Contract No.:**	001427655
Customer PO No.:	**OGS01-0000003375**	**Agreement Start Date:**	09/09/2014
Invoice Date:	05/14/2015	**Agreement End Date:**	10/31/2015
Payment Due Date:	06/13/2015	**Support Period Start Date:**	03/15/2015
		Support Period End Date:	10/31/2015

Due net, 30 days from invoice
Customer Region Code: PSSLGEST30

Customer Billing Information

NYS ITS
Kim Beattie
PO Box 2117
Corning Tower
Emplire Plaza
ALBANY NY 12220
US
Billing Contact Phone: 518-473-3053
Billing Contact Email: Kimberlyn.Beattie@its.ny.gov

Customer Delivery Site

Kim Beattie
NY-STATE DEPARTMENTS AND AGENCIES
State Capitol, RM 237
ALBANY NY 12224
US
CSM Phone: 518-473-3053
CSM Email: Kimberlyn.Beattie@its.ny.gov

Invoice Contact

Questions regarding payment of this invoice? Contact:
NA Services Collector # 2
Phone:
Fax:
E-mail:

Item Number	Service Number	Service Description	Quantity	Unit Price	Extended Price
		Microsoft Services and Support	1		565,766.00

Received
MAY 18 2015
Business Services Center

COMMENTS:

Total Sale	565,766.00
Sales Tax	0.00
Total Amount	**565,766.00**
Payable in	**USD**

We hereby certify that the information on this document is true and correct.
For faster and more accurate processing, please reference your invoice number when remitting payment.

Microsoft Corporation

Microsoft®

INVOICE

Remit To Information

Mail To:
Microsoft Services
PO Box 844510 Bank of America, Dall
Tax ID# 91-1144442
DALLAS TX 75284-4510

Express Mail To:

Wire Transfer to:
ABA# 11100001-2 Acct# 3750825354
GST#135625069RT0001 QST#10157646583 Tax ID# 91-1144442

Invoice Information

Invoice No:	**9620813365**	**Contract No.:**	001421636
Customer PO No.:	GS01-0000003375	**Agreement Start Date:**	05/01/2014
Invoice Date:	05/11/2015	**Agreement End Date:**	10/31/2015
Payment Due Date:	06/10/2015	**Support Period Start Date:**	05/01/2014
		Support Period End Date:	10/31/2015

Due net, 30 days from invoice
Customer Region Code: PSSLGEST30

Customer Billing Information

NY-STATE DEPARTMENTS AND AGENCIES
Kim Beattie [ITS AD] [Plat 3rd Tie
PO Box 2117
Corning Tower
Empire State Plaza
ALBANY NY 12220-0117
US
Billing Contact Phone: 518-473-3051
Billing Contact Email: Kimberlyn.Beattie@its.ny.gov

Customer Delivery Site

Kim Beattie [ITS AD] [Plat 3rd Tie
NY-STATE DEPARTMENTS AND AGENCIES
State Capitol, RM 237
ALBANY NY 12224
US
CSM Phone: 518-473-3051
CSM Email: Kimberlyn.Beattie@its.ny.gov

Invoice Contact

Questions regarding payment of this invoice? Contact:
NA Services Collector # 2
Phone:
Fax:
E-mail:

Item Number	Service Number	Service Description	Quantity	Unit Price	Extended Price
		Microsoft Services and Support	1		34,695.00

Received

MAY 2 1 2015

Business Services Center

COMMENTS:

Total Sale	34,695.00
Sales Tax	0.00
Total Amount	**34,695.00**
Payable in	**USD**

We hereby certify that the information on this document is true and correct.
For faster and more accurate processing, please reference your invoice number when remitting payment.

Microsoft Corporation

INVOICE

Please Remit To:

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

Bill To:

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

Page:	1
Invoice No:	SSOGS-MS02E01
Invoice Date:	06/03/2015
Customer Number:	OFT01
Vendor Name:	
Payment Terms:	Immediate
Due Date:	06/03/2015
AMOUNT DUE:	600,461.00 USD

For billing questions, please call 518-486-1908

Line	Date	Identifier	Description	Quantity	UOM	Unit Amt	Net Amount
1			MS Premier Support	1.00	EA	600,461.0000	600,461.00
			SUBTOTAL:				600,461.00
			TOTAL AMOUNT DUE :				600,461.00

NYBIINVP01

Original

Karius, Terri (OGS)

From: Karius, Terri (OGS)
Sent: Monday, May 04, 2015 10:56 AM
To: Breda, John D (OGS)
Cc: Pinzer, Lynn M (OGS)
Subject: RE: Requisition #0000003952

The total should be 600,461. What do I need to do to correct the amount?

From: Breda, John D (OGS)
Sent: Thursday, April 30, 2015 3:38 PM
To: Karius, Terri (OGS)
Cc: Pinzer, Lynn M (OGS)
Subject: Requisition #0000003952

Reference: OGSPR3952
Hello and good afternoon to you Terri,

I saw that the budget error I notified you of yesterday has been corrected. That said, there seems to be what appears to be a typo on the requisition itself. Could you please clarify what the total should be for this? I added together the costs of the quotations you provided and came up with a grand total of $600,461.00. Your requisition has an indicated total of $600,641.00. Please advise.

Thank you
John

John D. Breda
Purchasing Buyer

Office of General Services | Business Services Center | Purchasing Buyer
50 Wolf Road, 3rd Floor, Albany, NY 12205
p. (518) 457-4272 | f. (518) 485-7047 | john.breda@ogs.ny.gov
www.ogs.ny.gov | http://bsc.ogs.ny.gov

Group: 76304 **Award:** 22499 **Contract:** PS65963

MS02E

Microsoft Corporation

FEIN: 91-1144442
NYS Vendor ID: 1000009764

54 State Street, 7th Floor
Albany, NY 12207

Coding:

Depart	1140318
Program	26252
Fund	55020
Acct	51093
Budget	15/16
Oper	108050
Chart	15976

Purpose of this PO: OITS' annual Microsoft Premier Support. OITS will be sub-billed for the full amount

All sku numbers were verified to be on contract. All pricing is equal to or better than contract pricing

Attachments:

Purchase Order Checklist
PTP Waiver
B-1184 Approval
Signed Letter of Intent from OITS
Signed Premier Support Agreement
Price Pages from Contract

PURCHASE ORDER CHECKLIST

GLBU: _____ PR No.: _____

Section I — Preferred Source

Are the commodities/services available from a preferred source? ○ Yes ◉ No

Check all that apply

Req? ✓	Requirement/Threshold	Documentation	Comments
☐	Labor	Prevailing Wage Rates (provide PRC#) Article 8 - all. Article 9 > $1,500	PRC No.:
☐	Services > $50,000 for all agencies except OGS. Services > $85,000 for OGS	OSC & OGS NYSPro Approval	
☒	Service and Commodities > $50,000	B1184 Approval	B-1184 No.: 1140000-145-2014
☒	Technology Services and Commodities > $50,000	PTP Approval	PTP waiver attached
☐	Agency decision not to use a preferred source	Attach form, function and utility declination, or waiver (required)	

Section II — NYS Centralized Contract

Are the commodities/services available from a NYS centralized contract? ◉ Yes ○ No

NYS Contract No: PS65963 Expiration Date: 12/31/15

Check all that apply

Req? ✓	Requirement/Threshold	Documentation	Comments
☒	Any Amount	Obtain itemized written quote or provide list of NYS contract item numbers in requisition. If Pricing has been verified against contract. Attach pricing page(s) from contract	
☒	Any Amount	Review any contract specific requirements	
☒	Amount > $50,000	Provide B-1184 Approval # (required for specific types of procurement)	B-1184 No.: 1140000-248-2014
☒	Technology Services and Commodities > $50,000	PTP Approval	PTP waiver attached
☐	Agency decision not to use a NYS Contract	Attach/provide statement as to why contract item does not meet the form, function and utility required (required)	

Section III — Open Market

Are the commodities/services to be purchased on the open market? ○ Yes ○ No

Vendor name: _____ Contact person: _____ Contact's email: _____

Check all that apply

Req? ✓	Requirement/Threshold	Documentation	Comments
☐	Labor	Prevailing Wage Rates (provide PRC#) Article 8 - all. Article 9 > $1,500	
☐	Labor	Insurance coverage *(services only - coverage must be within dates services provided - attach certificate)*	
☐	Any Amount	Appendix A - If any of the vendor's terms and conditions conflict w/Appendix A	
☐	Any Amount	Reasonableness of price - explain agency's method of determination (for example, prior PO, prior invoice, published price list, internet search.) Attach documentation	
☐	Sole Source	Sole source letter from vendor	
☐	Amount < $2,500	One informal quote	
☐	Amount > $2,500	One valid written quote	
☐	Amount > $10,000	Three valid comparable written quotes	
☐	Amount > $15,000	Procurement lobbying form	
☐	Amount > $500 / $20,000	Provide B-1184 approval # Attach B-1184 approval document, if procurement requires OSC approval	B-1184 No.:
☐	Amount > $50,000	Vendor is M/WBE or SBE and purchase <= $200,000	
☐		Announce procurement opportunity in Contract Reporter	
☐		Vendor responsibility questionnaire and profile, agency certification > $100,000	
☐		ST 220 Tax TD - Contractor Certification > $100,000	
☐		Procurement record checklist	
☐		If not M/WBE or SBE purchase > $50,000 (OGS > $85,000), competitive solicitation required - *(IFB, RFQ, RFP, etc.) contact BSC for guidance*	

Belenchia, Kelly A (OGS)

From: Matteo, Kim (ITS)
Sent: Thursday, November 20, 2014 1:32 PM
To: Belenchia, Kelly A (OGS)
Subject: FW: PTP Waiver

Importance: High

ITS approves the request for PTP waivers for the following ITS consolidations:

- A consolidated PO for Citrix software and services
- A consolidated PO for RedHat maintenance
- A consolidated PO for BusTap switches for the data center
- A consolidated PO for Microsoft Premier
- 2 consolidated POs for Microsoft site based licenses and MS O365 subscription

Kim Matteo
Governance, Portfolio, and Strategy Office
NYS Office of Information Technology Services
Swan St bldg., Core 4
(518) 474-6465

From: Bagul, Kishor (ITS)
Sent: Thursday, November 20, 2014 11:53 AM
To: Matteo, Kim (ITS)
Cc: Graber, Joanne (ITS)
Subject: Re: PTP Waiver

Approved. Have them move fast on this please.

Regards,
Kishor

- Sent from my handheld.

On Nov 20, 2014, at 10:55 AM, Matteo, Kim (ITS) <Kim.Matteo@its.ny.gov> wrote:

From: Graber, Joanne (ITS)
Sent: Thursday, November 20, 2014 11:27 AM
To: Matteo, Kim (ITS); Bagul, Kishor (ITS)
Subject: RE: PTP Waiver

Approved, these are all ITS consolidations.

Joanne Graber
NYS ITS Finance Office
(518) 549-1155
Mobile (518) 281-0386

Agency Spending Controls B-1184 Exemption

Agency Code: 1140000 **Agency:** General Services, Office of
Request #: 1140000-248-2014
Request Type: NPS
NPS Type: Purchases
Agency Contact: Donna Venditti - 518-474-1021

Request Title: Microsoft Licenses/IBM Maintenance Payments-Procurement Srvcs

Description: Procurement Services, in conjunction with ITS, conducted a true-up of existing Microsoft licenses (O365) and IBM related hardware/software maintenance (purchased through the consolidated buy) and found that the State owes $4M to Microsoft and $2M to IBM for an additional $6M over the initially-approved annual consolidated buy amount of $50M.

Justification: In order to comply with the terms of the IBM agreement, OGS must make this payment before the end of the fiscal year in order to take advantage of the 5% discount offered (in addition to the discount for the aggregate buy) for prompt payment. Total savings for the consolidated buy is estimated to be over $300K. The existing contract with Microsoft yielded a 12% discount off of contract that will equate to over $3M in savings.

Date Approved: 03/04/2015
Agency Head/Designee: Franklin Hecht

Estimated Value
This Request: $ 6,000,000.00

I hereby certify that the following items of expenditure are for in state travel or are critical to protect public health and/or public safety or that such expenditures involve Federal reimbursement of at least 75 percent.

Signature: _____ **Date:** _____

Microsoft Premier Support Services Description Exhibit:
Premier Support for Developers (PSFD)

(For Microsoft Internal Purposes Only) **Premier Support Services Description Number**	**001399925**
(For Microsoft Internal Purposes Only) **Exhibit Number**	

This Exhibit is made pursuant to the Microsoft Premier Support Services Description identified above (the "**Services Description**"). The terms of the Centralized Contract and Services Description are incorporated herein by this reference. Any terms not otherwise defined herein will assume the meanings set forth in the Centralized Contract and Services Description.

By signing below the entities acknowledge and agree to be bound to the terms as set forth above.

Customer	*Microsoft Affiliate*
Name of Customer (please print) **New York State OITS**	Name Microsoft Corporation
Signature Theresa Papa	Signature
Name of person signing (please print) Theresa Papa	Name of person signing (please print)
Date 3-24-15	Date

Term
This Exhibit will commence on 3/15/2015 (the "Commencement Date") and will expire contemporaneously with the Fee and Named Contacts Schedule (the "Expiration Date").

1. **OVERVIEW:** The following Services are available in addition to those set forth in the Services Description:

   PREMIER SUPPORT FOR DEVELOPERS (PSFD): PSFD Services are focused at developers who are building, deploying and supporting applications on Microsoft's platform. PSFD Services consist of Support Account Management, as described in Section 2.1, provided by an assigned Application Development Manager (ADM) and Support Assistance, as described in Section 2.4 of Your Services Description, provided by Your Application Development Manager (ADM) (with assistance from other Microsoft engineering resources as necessary). Your Application Development Manager (ADM) is focused on delivering strategic advice on development and testing methodologies and on development issues encountered while using Microsoft products. PSFD Services are available during normal business hours. Normal business hours are defined as 8AM to 5PM in the local time where the Application Development Manager (ADM) resources are located, Monday through Friday excluding holidays.

2. **PREREQUISITES AND ASSUMPTIONS.** In addition to those prerequisites and assumptions outlined in Section 3 of Your Services Description, Our delivery of the Services outlined in this Exhibit are based upon the following Prerequisites and Assumptions:

   a. The only source code to which You may provide Us access is Microsoft code or code You own. Regarding such code, Our Services will be limited to review of the code for the purposes of problem isolation, interoperability analysis and the development of advice and guidance We provide to You under the Services Description and this Exhibit. Our modification of such source code for any reason is outside the scope for these Services.

b. Except as provided in 2.a. above, You agree **not** to provide Us with access to non-Microsoft source code or source code information. For any such non-Microsoft code, Our Services will be limited to analysis of binary data such as a process dump or network monitor trace for problem isolation purposes only.

c. PSFD Services consist of advice and guidance only. No code based Services Deliverables will be provided under this Exhibit except for Sample Code, which is addressed in Your Services Description.

d. Except as expressly set out in the Services Description and this Exhibit, we are not obligated to assist You in resolving any issue that is caused by non-Microsoft products(s).

3. **FEES.** Fees associated with this Exhibit will be reflected in Your Fee and Named Contact Schedule(s).

Premier Support Fee and Contacts Schedule

Microsoft Premier Support Services Description Schedule: Fee and Named Contacts:

(Microsoft Affiliate to complete) **Premier Support Services Description Number**	001399925
(Microsoft Affiliate to complete) *Schedule Number*	Renew_ 001421636

Customer Name: *New York State OITS*

http://www.ogs.ny.gov/purchase/snt/awardnotes/7630422499can.htm
Centralized Contract with OGS, PS65963

This Schedule is made pursuant to the Microsoft Premier Support Services Description identified above (the **"Services Description"**). The terms of the Services Description and applicable Exhibits are incorporated herein by this reference and by accepting Our performance of Services under this Schedule You agree to be bound by these terms. Any terms not otherwise defined herein will assume the meanings set forth in the Centralized Contract, MSA and the Services Description.

By signing below the parties acknowledge and agree to be bound to the terms of the Services Description.

[illegible]	[illegible]
Name of Customer (please print) New York State OITS	Name **Microsoft Corporation**
Signature Theresa Papa	Signature
Name of person signing (please print) Theresa Papa	Name of person signing (please print)
Date 3-24-15	Date

This Schedule will commence on **5/1/2015** (the "Commencement Date") and will expire on **10/31/2015** (the "Expiration Date").

1. PREMIER SUPPORT SERVICES AND FEES. The quantities listed in the table below represent the amount of Services that You have pre-purchased for use during the term of this Schedule and applicable fees.

a. Fee Summary

Services Summary	***Year 1 Price (US$)***	***Year 2 Price (US$)***	***Year 3 Price (US$)***	***TOTAL Price (US$)***
• Country: United States				
• Managed Support Services	$34,695	NA	NA	
•				
• **Total**	$34,695	NA	NA	

This Fee Schedule has a base year followed by two optional years. Price increases are governed by the Centralized Contract, but the 5% year over year pricing increase in Year 2 and Year 3 is stated for budgeting purposes only. You will be billed the then current NYS Price List rate(s) effective on the Commencement Date of Year 2 and Year 3.

b. Software Assurance Benefits

You may elect to convert Your Software Assurance 24x7 Problem Resolution Support Incidents (SA PRS Incidents) to Premier Problem Resolution Support (PPRS) hours or incidents for use consistent with Your Premier service plan at the time of transfer. This conversion is based on a local rate calculation that will be provided by your Services Resource. The calculation used for this conversion is the same as described in Section 2.3(c) of the Services Description. You may be required to purchase additional Support Account Management hours before converting SA PRS incidents/hours. All SA PRS Incidents You transfer are subject to this Services Description.

When purchasing Problem Resolution Support, we will require a corresponding quantity of Support Account Management to facilitate delivery of your Problem Resolution Support. If you purchase additional Problem Resolution Support, Support Assistance, or if you convert Software Assurance hours to Problem Resolution Support hours or incidents, you may be required to purchase additional Support Account Management

c. Services by Support Location

Country : United States
Cloud Vantage Services • Managed Support Services (Premier Support for Office 365) • Service Delivery – (Large Tier) $34,695 • Support Assistance*: • 20 Support Assistance hours-Included • 15 hours Problem Resolution Support - Included *Any Support Assistance, Workshops and Reviews listed above can be exchanged for any other Premier Support for Office 365 Support Assistance, Workshops and Reviews of equal or lesser value throughout the term of Your Premier Support for Office 365 agreement.

* All registration requirements for On-Site Workshops and Events must be completed by You no later than 60 days prior to the expiration date of this Fee and Named Contacts Schedule(s).

2. MICROSOFT CONTACT

Microsoft Contact: Contact for questions and notices about this Schedule and the Services Description:

Microsoft Contact Name: James Cole
Phone: 518-573-3841
Email: james.cole@microsoft.com
Facsimile: 801-659-8256

3. CUSTOMER NAMED CONTACTS

a. Premier Customer Named Contacts: Any subsequent changes to the Named Contacts should be submitted to the Services Resource CSM.

Contacts will be carried forward from the previous Term, if applicable.

Premier Support Exhibits

The following additional services are available via Microsoft Premier Support, and can be included via adding exhibits to your Services Description or Fee and Named Contacts Schedule. These exhibits are available in separate standalone documents.

- ☐ Microsoft Premier Support Services Description Schedule: Fee and Named Contacts Schedule
- ☐ Microsoft Premier Support Services Description Exhibit: Extended Hotfix Support Program
- ☐ Microsoft Premier Support Services Description Exhibit: Third Tier Support
- ☐ Microsoft Premier Support Services Description Exhibit: Custom Support
- ☐ Microsoft Premier Support Services Description Exhibit: Premier Support for Developers
- ☐ Microsoft Premier Support Services Description Exhibit: Dedicated Support Engineering
- ☐ Microsoft Premier Support Services Description Exhibit: Persistent Adversary & Detection (PAD) Workshop
- ☐ Microsoft Premier Support Services Description Exhibit: Cyber security Architecture and Planning (CAP) Workshop
- ☐ Microsoft Premier Support Services Description Exhibit: Cybersecurity Threat Modeling Analysis (CTMA)

Premier Support Fee and Contacts Schedule

Microsoft Premier Support Services Description Schedule: Fee and Named Contacts:

(Microsoft Affiliate to complete) **Premier Support Services Description Number**	001399925
(Microsoft Affiliate to complete) *Schedule Number*	001419009

Customer Name: *New York State OITS*

http://www.ogs.ny.gov/purchase/snt/awardnotes/7630422499can.htm
Centralized Contract with OGS, PS65963

This Schedule is made pursuant to the Microsoft Premier Support Services Description identified above (the "**Services Description**"). The terms of the Services Description and applicable Exhibits are incorporated herein by this reference and by accepting Our performance of Services under this Schedule You agree to be bound by these terms. Any terms not otherwise defined herein will assume the meanings set forth in the Centralized Contract, MSA and the Services Description.

By signing below the parties acknowledge and agree to be bound to the terms of the Services Description.

Customer	Microsoft Affiliate
Name of Customer (please print) Theresa Papa. New York State OITS	Name **Microsoft Corporation**
Signature Theresa Papa	Signature
Name of person signing (please print) Theresa Papa	Name of person signing (please print)
Date 3-24-15	Date

This Schedule will commence on **3/15/2015** (the "Commencement Date") and will expire on **10/31/2015** (the "Expiration Date").

1. PREMIER SUPPORT SERVICES AND FEES. The quantities listed in the table below represent the amount of Services that You have pre-purchased for use during the term of this Schedule and applicable fees.

a. Fee Summary

Services Summary	***Rate***	***Year 1 Price (US$)***	***Year 2 Price (US$)***	***Year 3 Price (US$)***	***TOTAL Price (US$)***
• Country: United States					
• Dedicated Support Engineer	$251	$418,166	NA	NA	NA
• Application Development Management	$246	$147,600	NA	NA	NA
•					
• **Total**		$565,766	NA	NA	NA

2
3

This Fee Schedule has a base year followed by two optional years. Price increases are governed by the Centralized Contract, but the 5% year over year pricing increase in Year 2 and Year 3 is stated for budgeting purposes only. You will be billed the then current NYS Price List rate(s) effective on the Commencement Date of Year 2 and Year 3.

b. Software Assurance Benefits -

You may elect to convert Your Software Assurance 24x7 Problem Resolution Support Incidents (SA PRS Incidents) to Premier Problem Resolution Support (PPRS) hours or incidents for use consistent with Your Premier service plan at the time of transfer. This conversion is based on a local rate calculation that will be provided by your Services Resource. The calculation used for this conversion is the same as described in Section 2.3(c) of the Services Description. You may be required to purchase additional Support Account Management hours before converting SA PRS incidents/hours. All SA PRS Incidents You transfer are subject to this Services Description.

When purchasing Problem Resolution Support, we will require a corresponding quantity of Support Account Management to facilitate delivery of your Problem Resolution Support. If you purchase additional Problem Resolution Support, Support Assistance, or if you convert Software Assurance hours to Problem Resolution Support hours or incidents, you may be required to purchase additional Support Account Management

c. Services by Support Location

Country : United States
NYS-ITS | ADM/DSE • Up to 600 for Application Development Manager • Up to 133 hours for Designated Support Engineer (Dynamics CRM) • Up to 133 hours for Designated Support Engineer (BizTalk) • Up to 800 hours for Designated Support Engineer (Messaging) • Up to 200 hours for Designated Support Engineer (Platforms) • Up to 400 hours for Designated Support Engineer (FIM)

* All registration requirements for On-Site Workshops and Events must be completed by You no later than 60 days prior to the expiration date of this Fee and Named Contacts Schedule(s).

2. MICROSOFT CONTACT

Microsoft Contact: Contact for questions and notices about this Schedule and the Services Description:

Microsoft Contact Name: James Cole
Phone: 518-573-3841
Email: james.cole@microsoft.com
Facsimile: 801-659-8256

3. CUSTOMER NAMED CONTACTS

a. **Premier Customer Named Contacts:** Any subsequent changes to the Named Contacts should be submitted to the Services Resource CSM.

Contacts will be carried forward from the previous Term, if applicable.

Premier Support Exhibits

The following additional services are available via Microsoft Premier Support, and can be included via adding exhibits to your Services Description or Fee and Named Contacts Schedule. These exhibits are available in separate standalone documents.

- ☐ Microsoft Premier Support Services Description Schedule: Fee and Named Contacts Schedule
- ☐ Microsoft Premier Support Services Description Exhibit: Extended Hotfix Support Program
- ☐ Microsoft Premier Support Services Description Exhibit: Third Tier Support
- ☐ Microsoft Premier Support Services Description Exhibit: Custom Support
- ☐ Microsoft Premier Support Services Description Exhibit: Premier Support for Developers
- ☐ Microsoft Premier Support Services Description Exhibit: Dedicated Support Engineering
- ☐ Microsoft Premier Support Services Description Exhibit: Persistent Adversary & Detection (PAD) Workshop
- ☐ Microsoft Premier Support Services Description Exhibit: Cyber security Architecture and Planning (CAP) Workshop
- ☐ Microsoft Premier Support Services Description Exhibit: Cybersecurity Threat Modeling Analysis (CTMA)

LETTER OF INTENT

Procurement Services

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

To the Office of Information Technology Services (ITS),

On behalf of the State, the New York State Office of General Services (OGS) is issuing the Purchase Order and payment of the centralized Enterprise Agreement for Microsoft Premier Support.

By signing this Letter of Intent (LOI), ITS has agreed to reimburse OGS for the total amount as indicated below no later than 30 days from date of invoice by OGS:

☒ Block of hours provided is correct as is

- Please maintain a copy of the Microsoft Agreement to verify invoice upon receipt and,
- Forward this LOI signed by an individual at your agency with the legal authority to commit your agency, and
- Enter the amount your agency will reimburse OGS in the space provided below (derived from the mailbox count workbook)

☐ Block of hours provided is not correct or Other

- Please note errors or all other issues and return the Microsoft Agreement to this office by cob Monday, April 6, 2015
- This office will work with your agency and MS to correct any discrepancies
- The agency agrees to work with OGS to establish the amount to be reimbursed

Thank you in advance for your participation. Please send the signed document to the individual noted below **no later than close of business April 6, 2015**.

If you have any questions, please contact Kelly Belenchia at:

Kelly.Belenchia@ogs.ny.gov or 486-1908.

Contact Information for the Agency Participating in the Enterprise Agreement:

Signature: Theresa Papa

Name (print): Theresa Papa

Title: Director of Administration

Agency: New York State Office of Information Technology Services

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

Amount Agency will reimburse OGS: **$600,461.00**

Appendix E – Contractor Price List

The Premier Support for Office 365 Offering provides the highest level of Microsoft product support available for the Office 365 Authorized User. This offering empowers the Authorized User to proactively optimize its Office 365 support experience to agreed service level outcomes, and extends CVS and Premier methodologies, tools, best practices, resources, experience and principles to Office 365 support. Authorized Users should review the Managed Support Services (Premier Support for Office 365) sizing definition chart below to determine the appropriate tier size for their environment.

Managed Support Services (Premier Support for Office 365) 12-month contract term	
Tier	**Price**
Small	$40,410
Medium	$56,020
Large	$69,390

(1) less than contract

Managed Support Services (Premier Support for Office 365) Sizing Definition Chart

	Number of Identified Online Service(s) (as identified in Section 1.1. of the Cloud Vantage Services Exhibit)		
Number of licensed users of the corresponding Microsoft Office 365 components	**1**	**2**	**3**
10,000+	Large	Large	Large
5,000-9,999	**Medium**	**Medium**	**Large**
2,400-4,999	Small	Medium	Medium
0-2,399	**Small**	**Small**	**Medium**

Third Tier Support

0-119 PRS Hours	$12,293	$6,146	$3,073	$3,073	$3,073
120–199 PRS Hours	$16,404	$8,202	$4,101	$4,101	$4,101
200-299 PRS Hours	$17,513	$8,757	$4,378	$4,378	$4,378
300-399 PRS Hours	$22,504	$11,252	$5,626	$5,626	$5,626
400-499 PRS Hours	$27,062	$13,531	$6,766	$6,766	$6,766
500-599 PRS Hours	$31,186	$15,593	$7,797	$7,797	$7,797
600-699 PRS Hours	$34,876	$17,438	$8,720	$8,720	$8,720
700-799 PRS Hours	$38,132	$19,066	$9,534	$9,534	$9,534
800-899 PRS Hours	$40,954	$20,477	$10,239	$10,239	$10,239
900+* Price per hour	$43	$22	$11	$11	$11
Prepaid U.S. Onsite Visit T&E	$2,376				

Note: Third tier support for more than one technology is additive. For example, a customer that has contracted for 120 Problem Resolution Support (PRS) hours and wants to add Third Tier support on three technologies, the cost would be calculated by adding 16404+8202+4101 for a total of $28,707.

Add-on Hours

Support Account Management (SAM)	$220
Support Assistance hours (SA)	$225
Problem Resolution Support (PRS) hours	$214
Designated Support Engineer (DSE) hours	$251
Application Development Consultant (ADM) hours	$246
Rapid On Site Support (ROSS) Engineer	$271
US National Support* – PRS hour	$238
US National Support* – SA hour	$238

* US National Support - To maintain a strong focus on national security and when Microsoft has an explicit contractual obligation to US National (only) support, interaction with non-escalation technical support engineers will be limited to US Nationals for issues involving only: (1) Windows, (2) SQL, (3) SharePoint, (4) Exchange, (5) IIS, (6) MOM/SCOM, (7) SMS/SCCM, and (8) SharePoint Server. Other Microsoft products that can be supported with US National (only) may be available in the future. Products not available for US National (only) will be supported by our traditional PRS channels.

Karius, Terri (OGS)

From: Belenchia, Kelly A (OGS)
Sent: Tuesday, April 14, 2015 1:19 PM
To: Karius, Terri (OGS)
Subject: FW: Consolidated Buy

FY14/15 is still good

From: Venditti, Donna R (OGS)
Sent: Tuesday, April 14, 2015 11:26 AM
To: Belenchia, Kelly A (OGS)
Cc: Saxe, Daniel F (OGS)
Subject: RE: Consolidated Buy

Kelly, I believe I'm set with the 15-16 B-1184. This will go up for the Commissioner's approval on Wednesday and then submitted in the system.

As long as you do not exceed the total on the original B-1184, you can process the Premier and IBM PO's.

Thanks.

Donna Venditti
Chief Budgeting Analyst

Office of General Services | Financial Administration
32nd Floor, Corning Tower, Empire State Plaza, Albany, NY 12242
p. (518) 474-1021 | f. (518) 486-3651 | donna.venditti@ogs.ny.gov
www.ogs.ny.gov

From: Belenchia, Kelly A (OGS)
Sent: Tuesday, April 14, 2015 10:50 AM
To: Venditti, Donna R (OGS)
Subject: RE: Consolidated Buy

Donna

Do you need anything else in reference to PS' B-1184 request FY15/16?

I'm not sure you responded to my request to use the FY14/15 B-1184 for the late arrival MS Premier and IBM POs. Is it OK?

From: Venditti, Donna R (OGS)
Sent: Thursday, April 09, 2015 9:55 AM
To: Belenchia, Kelly A (OGS)
Subject: RE: Consolidated Buy

Thanks.

Donna Venditti
Chief Budgeting Analyst

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From: Belenchia, Kelly A (OGS)
Sent: Wednesday, April 08, 2015 4:26 PM
To: Venditti, Donna R (OGS); Filburn, Susan M (OGS)
Cc: McAuley, Kathleen (OGS); Surgick, Anuola N (OGS)
Subject: RE: Consolidated Buy

I am, but below is the information you are requesting:

IBM Corporation Software and Related Services	
Award Document	**Contract Period:** December 24, 2008 - September 23, 2015
Pricing Information	**Group:** 76000 **Award:** NEG-21740 **Contract:** PT64366
Enterprise Systems International Business Machines Corp	
Award Document	**Contract Period:** July 02, 2008 - July 01, 2015
Contract Updates	**Group:** 76200 **Award:** NEG-21159 **Contract:** PT63994
IBM, Inc. Systems and Peripherals - Storage	
Award Document	**Contract Period:** May 30, 2007 - May 29, 2015
Contractor Information	**Group:** 75050 **Award:** NEG-20754 **Contract No.:** PT63039
Microsoft Software Reseller	
Award Document	**Contract Period:** July 01, 2013 through June 30, 2016
Contractor Information (Pre-Sales/Post-Sales)	**Group:** 76000 **Award:** 22722 **Contract:** PS66134
Microsoft Premier Support	
Award Document	**Contract Period:** January 01, 2013 - December 31, 2015

Contract Updates	**Group:** 76304 **Award:** 22499 **Contract:** PS65963

Citrix Software
Microcomputer Software

Award Document	**Contract Period:** 08/09/2004 - 08/08/2015
Contractor Information	**Group**: 76086 **Award**: NEG-18158 **Contract**: PT61263

Miscellaneous Software Catalog
(Statewide)

Award Document	**Contract Period:** July 15, 2010 - July 14, 2015
Contractor Information {Includes Pricing Information}	**Group:** 79518 **Award:** 21961 **Contract Nos.:** PT65191, 65192 and PT65193

Redhat and VM ware

From: Venditti, Donna R (OGS)
Sent: Wednesday, April 08, 2015 3:25 PM
To: Belenchia, Kelly A (OGS); Filburn, Susan M (OGS)
Cc: McAuley, Kathleen (OGS); Surgick, Anuola N (OGS)
Subject: RE: Consolidated Buy

Kelly, are you certain that is the case? If you'd like to provide the contract numbers, Tryphina and Anuola can do the research--similar to the info Anuola provided regarding the Citrix contract (PT61263) in her email below.

Thanks.

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From: Belenchia, Kelly A (OGS)
Sent: Wednesday, April 08, 2015 11:03 AM
To: Filburn, Susan M (OGS); Venditti, Donna R (OGS)
Cc: McAuley, Kathleen (OGS); Surgick, Anuola N (OGS)
Subject: RE: Consolidated Buy

All the consolidated buys are under pre-existing contracts that do not have mwbe goals.

From: Filburn, Susan M (OGS)
Sent: Tuesday, April 07, 2015 5:19 PM
To: Venditti, Donna R (OGS)

Cc: McAuley, Kathleen (OGS); Surgick, Anuola N (OGS); Belenchia, Kelly A (OGS)
Subject: RE: Consolidated Buy

Kelly and Kathy will send responses.
Thanks.

From: Venditti, Donna R (OGS)
Sent: Tuesday, April 07, 2015 5:01 PM
To: Filburn, Susan M (OGS)
Cc: McAuley, Kathleen (OGS); Surgick, Anuola N (OGS); Belenchia, Kelly A (OGS)
Subject: FW: Consolidated Buy

Sue, I'm In the process of submitting the B-1184 for the consolidated buy and trying to determine what to use for the MWBE goals. Please see the email from Anuola below. Can you answer any of the questions?

Thanks.

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Chief Budgeting Analyst

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From: Surgick, Anuola N (OGS)
Sent: Tuesday, April 07, 2015 4:32 PM
To: Venditti, Donna R (OGS)
Cc: Ramsey, Tryphina J (OGS); Gorman, Rhonda (OGS)
Subject: RE: Consolidated Buy

From your original e-mail, you indicated that there were no subcontracting opportunities. Was it a question?

If would answer the following questions to determine if there are no subcontracting opportunities.

1. Is this proprietary software?
2. Is the software provided electronically? From manufacturer straight to customer?
3. Is it off the shelf software? That can be supplied by any software provider?
4. Do these companies have resellers?
5. Are there any services required or can be required such as installation or training?

Also please note that if this is in reference to Citrix Contract PT61263, they have a full waiver from MWBE Goals on their contract. It was granted for the one year extension from 8/2014 – 8/2015.

Anuola N. Surgick
Minority Business Specialist 2

From: Venditti, Donna R (OGS)
Sent: Tuesday, April 07, 2015 3:35 PM
To: Surgick, Anuola N (OGS)

Cc: Ramsey, Tryphina J (OGS); Gorman, Rhonda (OGS)
Subject: RE: Consolidated Buy

How do you know that for certain?

Donna Venditti
Chief Budgeting Analyst

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www.ogs.ny.gov

From: Surgick, Anuola N (OGS)
Sent: Tuesday, April 07, 2015 2:03 PM
To: Venditti, Donna R (OGS); Ramsey, Tryphina J (OGS)
Cc: Gorman, Rhonda (OGS)
Subject: RE: Consolidated Buy

If there are no subcontracting opportunities, then I would agree.

Anuola N. Surgick
Minority Business Specialist 2

From: Venditti, Donna R (OGS)
Sent: Tuesday, April 07, 2015 1:38 PM
To: Ramsey, Tryphina J (OGS); Surgick, Anuola N (OGS)
Cc: Gorman, Rhonda (OGS)
Subject: Consolidated Buy
Importance: High

Tryphina/Anuola, we're doing a B-1184 for a $70M annual consolidated buy for Procurement. The buy consists of the following:

Annual purchase of State Agencies' Enterprise hardware, software and maintenance. IBM Hardware: $10.8M, IBM Software: $20.4M, Microsoft Software: $31.2M, Microsoft Premier: $500K, and additional Centralized Enterprise Agreements: Citrix $2.5M, Red Hat $1.5M and VM Ware $3.1M.

While all of these vendors are on state contract, I'm assuming the goals would be 0% and the reason would be that there are no subcontracting opportunities. Do you agree?

Thanks.

Donna Venditti
Chief Budgeting Analyst

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