



STATE OF UTAH COOPERATIVE CONTRACT AMENDMENT

AMENDMENT # **3**

CONTRACT # **AR233 - WESTERN STATES CONTRACTING ALLIANCE (WSCA)
CISCO NETWORKING COMMUNICATIONS & MAINTENANCE
MASTER AGREEMENT ("Contract")**

Original Starting Date: **10/01/07**

Amended Expiration Date : **05/31/2012**

TO BE ATTACHED AND MADE PART OF the specified Contract by and between the State of Utah Division of Purchasing and

CISCO SYSTEMS INC
(Referred to as CONTRACTOR)

BOTH PARTIES AGREE TO AMEND THE CONTRACT AS FOLLOWS:

Effective Date of Amendment: **Date of last signature of the Parties**

The contract is amended to:

Delete the Contract, Attachment B, Section 16 in its entirety and replace it for the purpose of modifying the due dates for quarterly contract usage reporting, and delete the reporting format at Attachment C, Exhibit D and replace it in its entirety. See Attached Changes.

Please provide the following contact information.

	Name	Phone Number	Email Address
General Contact	Mimi Nguyen	1 408 527 2627	minnguye@cisco.com
Sales Contact	Greg Semler	1.408.894.7116	gsemler@cisco.com
Quarterly Report Contact	Phyllis Brown	1.408.894.7856	phbrown@cisco.com

All other terms and conditions in the original contract remain the same.

IN WITNESS WHEREOF, the parties sign and cause this contract to be executed.

<p>CONTRACTOR</p> <p><i>Dana Giampoteow</i> 3/18/2010</p> <p>Contractor's Signature Date</p> <p>DANA GIAMPOTEOW</p> <p>Contractor's Name (Print)</p> <p>DIRECTOR OF FINANCE</p> <p>Title (Print)</p>	<p>STATE OF UTAH</p> <p><i>Kent Beers</i> 3-22-10</p> <p>State of Utah Division of Purchasing Date</p>
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Purchasing Agent	Phone #	e-mail	Fax #
Debbie Gundersen	(801) 538-3150	dgundersen@utah.gov	(801) 538- 3882

AMENDMENT # 3

To

AR-233 - WESTERN STATES CONTRACTING ALLIANCE (WSCA) CISCO NETWORKING COMMUNICATIONS & MAINTENANCE MASTER AGREEMENT ("AR-233" or "Prime Contract")

(Modifying the Quarterly Contract Usage Reporting Deadlines and modifying the Report Format)

This Amendment # 3 ("Amendment") is entered into between Cisco Systems, Inc. with its principal place of business at 170 Tasman Drive, San Jose, CA 95134 ("Cisco" or "Contractor") and the Division of Purchasing and General Services, an agency of the State of Utah ("State"), with its principal place of business at State Office Building, Capitol Hill, Salt Lake City, UT 84114-1061, and acting on its own behalf and as the lead state for the Prime Contract on behalf of the *Western States Contracting Alliance* ("WSCA"), (collectively, the "Parties"). This Amendment is effective as of the date of last signature of the Parties, below. ("Effective Date").

This Amendment modifies the reporting deadlines for submission of the Prime Contract quarterly contract usage report ("Report Deadlines") and the format for the quarterly contract usage report ("Report Form"), as follows:

1. Report Deadlines. The Prime Contract, Attachment B, Section 16 is deleted and replaced in its entirety with the following:

"16. **REPORTS:** Contractor shall submit quarterly reports to the WSCA Contract Manager showing the quantities and dollar volume of purchases of product and services by each Participating State [and its Purchasers]. Contractor shall also remit the WSCA Administration Fee at the time of submission of each quarterly contract usage report in accordance with Section D(3) in Attachment A of the WSCA Master Agreement. The due dates for the quarterly contract usage report along with the WSCA Administration Fees are as follows:

<u>CY Quarter</u>	<u>Activity Period</u>	<u>Due Dates (For Reports & Admin. Fees)</u>
Q1:	January 1 – March 31 st	May 31 st
Q2:	April 1 – June 30 th	August 31 st
Q3:	July 1 – September 30 th	November 30 th
Q4:	October 1– December 31 st	February 28 th

The State, as WSCA Contract Manager, represents and warrants to Contractor that it is authorized to collect data on purchases under this Agreement. The Purchaser recognizes that this data is public information. Cisco will use commercially reasonable efforts to provide the information set forth on Attachment C, Exhibit D (Form of Quarterly Report) and shall be fully indemnified by the State. Notwithstanding the foregoing, the Parties hereto agree that that the Form of the Quarterly Report may be updated from time to time subject to the mutual agreement between Contractor and the State as WSCA Contract Manager."

2. Report Format. The required format for the Quarterly Report as set forth in Prime Contract, Attachment C, Exhibit D, is deleted in its entirety and replaced with the updated reporting template attached in Appendix A to this document.

3. In all other respects, the Prime Contract remains unchanged.

This Amendment represents the entire understanding of the Parties and merges, supersedes and replaces any prior oral, electronic or other written communications or understandings with respect to the subject matter herein, and may only be modified by a written document executed by the Parties. Each Party warrants and represents that its respective signatory appearing below is, as of the date of signature, duly authorized to execute this Amendment on behalf of and with the intent to legally bind their respective principal first identified above.

[Affix signatures as required by State Statutes, Rules or Policies below.]

CISCO SYSTEMS, INC.

STATE OF UTAH, ON ITS OWN BEHALF AND ON
BEHALF OF WSCA

Signature:

Dana G. Geronzi

Name:

Nancy Orton

Print Name:

Dana G. Geronzi

Signature:

Nancy Orton

Title:

Director Finance

Print Name:

Nancy Orton

Title:

Assistant Director

Date:

3/18/2010

Date:

3-22-10

APPENDIX A
FORM OF QUARTERLY REPORT
State Summary Sales Volume Report Template

WESTERN STATES CONTRACTING ALLIANCE (WSCA)
PARTNER REPORTED SALES, REVENUE AND FEE REMITTANCE TEMPLATE
FOR
STATE OF XXXXX

Quarterly Reporting Period Ending: XX-XX-20XX

WSCA	This Reporting Period
State	Name of State

Sum of Total Product Type	Partner Name			
	Partner A	Partner B	Partner C	Grand Total
Product	0	0	0	0
Service	0	0	0	0
Basic Install And Config Services	0	0	0	0
Grand Total	0	0	0	0
% of Sales In State	0%	0%	0%	0%

UT 0.5% Admin Fee PARTNER Fee Remittance	0	0	0	0
State Admin Fee PARTNER Fee Remittance (if Any)	0	0	0	0

		% of Total Sales
Reported Product Sales - Total:	\$0.00	0.00%
Reported Services Sales - Total:	\$0.00	0.00%
Basic Install And Config Services Sales - Total:	\$0.00	0.00%
Grand Total:	\$0.00	0.00%
WSCA-UT Administrative Fee - Grand Total:	\$0.00	0.00%
WSCA State Administrative Fee Remittances - Grand Total:	\$0.00	0.00%

