

**PEPPM 2019 Product Line Bid**

**AWARDED VENDOR AGREEMENT ("Agreement")**

**BETWEEN**

**Central Susquehanna Intermediate Unit, Milton, Pennsylvania ("Agency")**

**AND**

NetApp, Inc.

(Bidder's legal name referred to throughout this Agreement as "Awarded Vendor")

**For Product Line:**

<u>NetApp, Inc.</u> Manufacturer/Publisher Name	<u>NetApp, Inc.</u> Product Line Description (as per PEPPM Product Line Bid List)
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This Agreement is made and entered into as of the date this Agreement is fully executed by the Awarded Vendor and Agency (the "Effective Date").

Whereas, Agency issued a Request for Bids for PEPPM 2019 Product Line Bid ("RFB"), which RFB is incorporated into this Agreement by reference and made a part hereof;

Whereas, Awarded Vendor submitted a Bid in response to the Agency's RFB for the above referenced Product Line;

Whereas, the Agency notified Awarded Vendor that it was the lowest responsive and responsible bidder for the above-referenced Product Line; and

Whereas, Awarded Vendor executes this Awarded Vendor Agreement to memorialize its acceptance of the terms and conditions of the Contract (as hereinafter defined).

Now, therefore in consideration of the mutual covenants contained herein and other good and valuable consideration, the sufficiency of which is expressly acknowledged by both parties, and intending to be legally bound hereby, the parties mutually agree as follows:

1. Awarded Vendor agrees to furnish products and services for the above-referenced Product Line in accordance with the Contract.

2. Awarded Vendor's legal address is

1395 Crossman Ave  
Sunnyvale, CA 94089

Agency's address is

90 Lawton Lane  
Milton, PA 17847

3. The Contract shall commence on January 1, 2019 and end on December 31, 2021. Agency and Awarded Vendor may extend the term of the Contract as set forth in the PEPPM Terms and Conditions.
4. Awarded Vendor agrees to extend its bid prices according to all terms and conditions of the Contract Documents to all LEAs in Pennsylvania that are authorized to purchase the products included in the Awarded Vendor's bid.
5. To the extent that the Awarded Vendor agreed to extend its bid prices to LEAs in states other than Pennsylvania, and/or to other Eligible Entities in Pennsylvania or other states, then Awarded Vendor agrees to extend its bid prices according to all terms and conditions of the Contract Documents to all such other LEAs and Eligible Entities that are authorized to purchase the products included in the Awarded Vendor's bid as set forth in Awarded Vendor's bid.
6. Awarded Vendor agrees to remit the Transaction Fee to the eCommerce Consultant in accordance with the terms and conditions set forth in the Contract.
7. Unless the context otherwise requires, capitalized terms used but not otherwise defined in this Agreement shall have the respective meanings specified in the RFB or other Contract Documents.

IN WITNESS WHEREOF, the parties, intending to be legally bound, have caused their hands and seals to be affixed.

[Remainder of Page Intentionally Left Blank. Signature Pages Follow]

CSIU use only:

**CENTRAL SUSQUEHANNA  
INTERMEDIATE UNIT**

**Amy Pfleegor**

By **Kevin Singer**

Witness

CSIU Executive Director

Print Names Above:


  
Signature

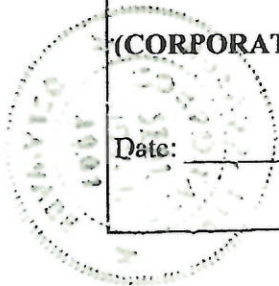
  
Signature

Date: November 15, 2018

Date: November 15, 2018

[signatures continued on following page]

<b>Vendor Name (if corporation)</b>	NetApp, Inc.
 Corporate Secretary (or designee)	By <u>Mary Jo Orr</u> Corporate President (or designee)
Designee Title (If not Corporate Secretary)	Controller Designee Title (If not Corporate President)
Print Names Above: <u>MATTHEW K. FANCETT</u> <u>Mary Jo Orr</u>	
Signature	Signature
(CORPORATE SEAL)	
Date: <u>9/6/18</u>	Date: <u>9/10/18</u>



<b>Vendor Name (if unincorporated)</b>	_____
_____	By _____
Witness	Owner (or designee)
_____	_____
Title	Designee Title (If not Owner)
Print Names Above:	
_____	_____
Signature	Signature
Date: _____	Date: _____