

EVERETT CITY COUNCIL AGENDA ITEM COVER SHEET

PROJECT TITLE:

Amendment to Contract Documents, Enterprise Software Assurance Agreement, with Microsoft Corporation, for Visio purchases and software updates

- Briefing
- Proposed Action
- Consent
- Action
- First Reading
- Second Reading
- Third Reading
- Public Hearing

COUNCIL BILL # _____
 Originating Department Finance/Purchasing
 Contact Person Clark Langstraat
 Phone Number 425-257-8901
 FOR AGENDA OF March 30, 2016

Initialed by:
 Department Head _____
 CAA db
 Council President SPM

Location **Preceding Action** **Attachments** **Department(s) Approval**

 Council Approval Amendment Information Technology
 December 3, 2014

| | | |
|----------------------|---------------------|----------------------------|
| Amount Budgeted | Purchases as needed | |
| Expenditure Required | Purchases as needed | Account Number(s): Various |
| Budget Remaining | -0- | |
| Additional Required | -0- | |

DETAILED SUMMARY STATEMENT:

Information Technology would like to add Visio software purchases to the City's three year Enterprise Software Assurance Agreement with Microsoft. Purchases will be made as needed throughout the term of the agreement, with an annual cost estimated to be \$1,500 or less, including Washington State sales tax. The Enterprise Agreement supports the computer operating system, Office Pro (including Word, Excel, Access, and PowerPoint) as well as network, Exchange/e-mail, Systems Configuration Management, and Share Point client access licenses. The Enterprise Agreement provides Software Assurance that allows upgrades to the latest release for any of the covered licenses, without additional cost.

RECOMMENDATION (Exact action requested of Council):

Authorize the Mayor to sign Amendment to Contract Documents, Enterprise Software Assurance Agreement, with Microsoft Corporation, for Visio purchases and software updates, for an annual cost less than \$1,500, including Washington State sales tax.

Amendment to Contract Documents

Enterprise Enrollment (Indirect)
Invoice for Quoted Price
Amendment ID M97

Enrollment Number
Microsoft to complete for initial term
Partner to complete for renewal

6641925

0439662

This amendment ("Amendment") is entered into between the parties identified on the attached program signature form. It amends the Enrollment or Agreement identified above. All terms used but not defined in this Amendment will have the same meanings provided in that Enrollment or Agreement.

Notwithstanding anything to the contrary or in addition to any terms in the Enrollment, the Enrollment is hereby amended to add the following paragraph:

The price quoted to Enrolled Affiliate's Reseller is a fixed price based on an estimated order submission date. Microsoft will invoice Enrolled Affiliate's Reseller based on this fixed price quote. If this order is submitted later than the estimated order submission date, Enrolled Affiliate's Reseller will be charged for net new Online Services subscriptions for the period during which these services were not provided. Pricing to Enrolled Affiliate is agreed between Enrolled Affiliate and Enrolled Affiliate's Reseller.

Except for changes made by this Amendment, the Enrollment or Agreement identified above remains unchanged and in full force and effect. If there is any conflict between any provision in this Amendment and any provision in the Enrollment or Agreement identified above, this Amendment shall control.

This Amendment must be attached to a signature form to be valid.

Microsoft Internal Use Only:

| | | |
|---|-----|---|
| EnrAmend(Ind)(InvoiceforQuotedPrice)(WW)(ENG)(June2015) | M97 | B |
|---|-----|---|

Program Signature Form

| | | |
|------------------|----------|---------|
| MBA/MBSA number | | 0439662 |
| Agreement number | 01E73529 | |

Note: Enter the applicable active numbers associated with the documents below. Microsoft requires the associated active number be indicated here, or listed below as new.

For the purposes of this form, "Customer" can mean the signing entity, Enrolled Affiliate, Government Partner, Institution, or other party entering into a volume licensing program agreement.

This signature form and all contract documents identified in the table below are entered into between the Customer and the Microsoft Affiliate signing, as of the effective date identified below.

| Contract Document | Number or Code |
|------------------------------------|----------------|
| <Choose Agreement> | |
| <Choose Enrollment/Registration> | |
| Invoice for Quoted Price Amendment | M97 (6641925) |
| | |
| | |
| | |

By signing below, Customer and the Microsoft Affiliate agree that both parties (1) have received, read and understand the above contract documents, including any websites or documents incorporated by reference and any amendments and (2) agree to be bound by the terms of all such documents.

| Customer |
|--|
| Name of Entity (must be legal entity name)* City of Everett |
| Signature* _____ |
| Printed First and Last Name* |
| Printed Title |
| Signature Date* |
| Tax ID |

* indicates required field

| Microsoft Affiliate |
|---|
| Microsoft Corporation |
| Signature _____ Printed First and Last Name Printed Title Signature Date <small>(date Microsoft Affiliate countersigns)</small> |
| Agreement Effective Date <small>(may be different than Microsoft's signature date)</small> |

Optional 2nd Customer signature or Outsourcer signature (if applicable)

| Customer |
|--|
| <p>_____</p> <p style="text-align: center; font-size: 2em; opacity: 0.5;">Microsoft</p> <p>_____</p> |

If Customer requires physical media, additional contacts, or is reporting multiple previous enrollments, include the appropriate form(s) with this signature form.

After this signature form is signed by the Customer, send it and the Contract Documents to Customer's channel partner or Microsoft account manager, who must submit them to the following address. When the signature form is fully executed by Microsoft, Customer will receive a confirmation copy.

Microsoft Corporation
 Dept. 551, Volume Licensing
 6100 Neil Road, Suite 210
 Reno, Nevada 89511-1137
 USA