State of Maine

Master Agreement

Effective Date: 12/03/18
Expiration Date: 02/28/26

Master Agreement Description: Secondary Back up Storage

Buyer Information
Justin Franzose 207-624-7337 ext. justin.franzose@maine.gov

Issuer Information
Joan Bolduc 207-624-9904 ext. JOAN.BOLDUC@MAINE.GOV

Requestor Information
Joan Bolduc 207-624-9904 ext. JOAN.BOLDUC@MAINE.GOV

Authorized Departments
ALL

Vendor Information

Vendor Line #: 1
Vendor ID VS0000022046
Vendor Name Cybernorth LLC
Alias/DBA CYBERNORTH

Vendor Address Information
15 Cottage Road, Unit 2433
South Portland, ME  04116
US

Vendor Contact Information
Jeremy Lombardo
207-232-7964 ext.
JLOMBARDO@CYBERNORTH.COM
## Commodity Information

**Vendor Line #:** 1  
**Vendor Name:** Cybernorth LLC  
**Commodity Line #:** 1  
**Commodity Code:** 20651  
**Commodity Description:** Secondary backup storage  
**Commodity Specifications:** 
**Commodity Extended Description:** As per amendment to CT 18B 20181114*1658 attached and made part of this MA

<table>
<thead>
<tr>
<th>Quantity</th>
<th>UOM</th>
<th>Unit Price</th>
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<tbody>
<tr>
<td>0.00000</td>
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<td>$0.00</td>
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<th>Delivery Days</th>
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<tr>
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<td>Free on Board</td>
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<table>
<thead>
<tr>
<th>Contract Amount</th>
<th>Service Start Date</th>
<th>Service End Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>$0.00</td>
<td>12/03/18</td>
<td>02/28/26</td>
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<thead>
<tr>
<th>Catalog Name</th>
<th>Discount</th>
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<tr>
<td></td>
<td>0.0000    %</td>
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<thead>
<tr>
<th>Discount Start Date</th>
<th>Discount End Date</th>
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</table>
DATE: 8/22/2026

ADVANTAGE CONTRACT #: 18B-20181114*1658

DEPARTMENT AGREEMENT #: .

AMENDMENT AMOUNT: $ 2,193,940

This Amendment, is between the following Department of the State of Maine and Provider:

STATE OF MAINE

department:
DAFS, OIT

Address: 145 Statehouse Station
City: Augusta State: ME Zip Code: 04333

PROVIDER: CyberNorth

Address: 15 Cottage Road, Unit 2433
City: South Portland State: ME Zip Code: 04116

Provider’s Vendor Customer #: VS0000022046

Each signatory below represents that the person has the requisite authority to enter into this Contract Amendment. The parties sign and cause this Contract Amendment to be executed.

Department of Administrative and Financial Services, Office of Information Technology

Signature: Frederick Brittain Date: 9/5/2019

CyberNorth

Signature: Jeremy Lombardo Date: 9/5/2019

Department of Administrative and Financial Services, Office of Information Technology

Signature: Frederick Brittain, Chief Information Officer Date: 9/5/2019

Amendment rev. July 2019

Upon final approval by the Division of Procurement Services, a case details page will be made part of this contract.
AMENDMENT

The contract is hereby amended as follows: (Check and complete all that apply)

☐ Amended Period:

Original Start Date: 12/3/2018  
Current End Date: 2/28/2024

Amendment Start Date:  
New End Date: Click or tap to enter a date.

Reason: Click or tap here to enter text.

☒ Amended Contract Amount:

Amount of Adjustment: $2,193,940  
New Contract Amount: $6,693,867.40

Reason: Add secondary backup storage

☒ Amended Scope of Work:

The Scope of work in Rider A is amended as follows: see below

☐ Other:

Reason:

All other terms and conditions of the original contract and subsequent contract amendments remain in full force and effect.

CODING

<table>
<thead>
<tr>
<th>LINE TOTAL</th>
<th>FUND</th>
<th>DEPT</th>
<th>UNIT</th>
<th>SUB UNIT</th>
<th>OBJ</th>
<th>PROGRAM</th>
<th>PROGRAM PERIOD</th>
<th>BOND FUNDING</th>
<th>FISCAL YEAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>$369,858</td>
<td>038</td>
<td>18B</td>
<td>2008</td>
<td>01</td>
<td>015</td>
<td>0115</td>
<td>5-yrs</td>
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</tr>
</thead>
<tbody>
<tr>
<td>$1,824,082</td>
<td>038</td>
<td>18B</td>
<td>0155</td>
<td>01</td>
<td>009</td>
<td>(2008 prepay)</td>
<td>5-yrs</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(Departments - Attach separate sheet as needed for additional coding.)

Hyperconvergence, using the Simplivity platform has been adopted as an enterprise computing platform. OIT issued an RFP for this platform in 2018 and as a result, CyberNorth was awarded the contract. As requirements for increased growth in services, a corresponding growth in the infrastructure is also required. Also, as a result of the backup redesign, CyberNorth and OIT identified Cohesity as the backup solution. Cohesity, running on HPE’s hyperconverged platform was determined to be the best fit. This will reduce the overall on-prem storage, as well as costs to our customers.

Due to the continuing need for increased capacity, making this contract a Master Agreement will allow the flexibility in acquiring the growth of the HPE hyperconverged platform and Cohesity.

Future requirements for these products will be executed as a Delivery Order. All agreements for services initiated during the duration of this Contract and whose performance and payment time frames extend past the end date of the then-current term of the contract shall remain in effect for performance and payment purposes only, limited to
the time frame and services established per each written agreement. No new agreements may be executed after the Contract has expired.

All other terms and conditions are consistent with those in Contract #18B-20181114*1658.

Requirements to support the Secondary Storage Solution are below:

<table>
<thead>
<tr>
<th>Part Number</th>
<th>Description</th>
<th>Quantity</th>
<th>List Price</th>
<th>Discount %</th>
<th>Total Discount</th>
<th>Extended Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>HPDL380-96</td>
<td>HPDL380 NODES WITH 2 x INTEL XEON GOLD 16 CORE 2.6 GHz 128 GB RAM 12 x 8TB SSD PER NODE, INCLUDES (5) YEAR HPE FOUNDATION CARE SUPPORT</td>
<td>12</td>
<td>$618,228.00</td>
<td>40.17%</td>
<td>$248,370.00</td>
<td>$369,858.00</td>
</tr>
<tr>
<td>SUB-DATAPLAT-STD-5YR</td>
<td>FIVE (5) YEAR COHESITY DATAPLATFORM STANDARD EDITION SUBSCRIPTION (1TB). INTELLIGENT WEB-SCALE SOFTWARE FOR CONSOLIDATING SECONDARY DATA WITH MULTI-PROTOCOL ACCESS (NFS, S3 &amp; SMB), REPLICAITION, ACCESS MANAGEMENT, MONITORING, REST API, ENCRYPTION, SNAPs</td>
<td>922</td>
<td>$2,489,400.00</td>
<td>44.91%</td>
<td>$1,118,118.00</td>
<td>$1,371,282.00</td>
</tr>
<tr>
<td>SUB-DPRT-ULARC-5YR</td>
<td>FIVE (5) YEAR COHESITY DATAPROTECT ADD-ON SUBSCRIPTION (1 TB). BACKUP SOFTWARE FOR VIRTUAL AND PHYSICAL ENVIRONMENTS. SUBSCRIPTION PER TB OF BACKEND STORAGE USED FOR BACKUP. INCLUDED IS UNLIMITED CLOUD ARCHIVE.</td>
<td>72</td>
<td>$338,400.00</td>
<td>36.37%</td>
<td>$123,100.00</td>
<td>$215,300.00</td>
</tr>
<tr>
<td>SUB-CLOUDTIER-5YR</td>
<td>FIVE (5) YEAR COHESITY CLOUDTIER ADD-ON SUBSCRIPTION (1 TB). PROVIDES ABILITY TO TIER DATA TO SUPPORTED CLOUD STORAGE TARGETS. CUSTOMER MUST SEPARATELY PROCOURE STORAGE CAPACITY FROM A SUPPORTED CLOUD TARGET. SUBSCRIPTION PER TB OF CLOUD STORAGE TO BE USED</td>
<td>240</td>
<td>$324,000.00</td>
<td>26.69%</td>
<td>$86,500.00</td>
<td>$237,500.00</td>
</tr>
<tr>
<td>CN-Support-Cohesity</td>
<td>CyberNorth Cohesity Support: 5 Years CyberNorth Support</td>
<td>12</td>
<td>$60,000.00</td>
<td>100.00%</td>
<td>No Charge</td>
<td>No Charge</td>
</tr>
</tbody>
</table>

**TOTAL LIST PRICE**

$3,770,028.00

**TOTAL DISCOUNT**

$1,576,088.00

**TOTAL PRICE TO THE STATE OF MAINE**

$2,193,940.00

*Pricing does not include tax or shipping fees

- Pricing does not include taxes.
- Pricing does include shipping.
- Net 30 Payment terms.
AMENDMENT

DATE: 9/16/2019

ADVANTAGE CONTRACT #: CT 18B-20181114*1658; MA 18P-190906-039

DEPARTMENT AGREEMENT #: NA

AMENDMENT AMOUNT: $ 0.00

This Amendment, is between the following Department of the State of Maine and Provider:

State of Maine DEPARTMENT

DEPARTMENT: DAFS, OIT

Address: 51 Commerce Dr, 145 Statehouse Station
City: Augusta State: ME Zip Code: 04333-0145

PROVIDER

PROVIDER: CyberNorth

Address: 15 Cottage Road, Unit 2433
City: South Portland State: ME Zip Code: 04116

Provider's Vendor Customer #: VS0000022046

Each signatory below represents that the person has the requisite authority to enter into this Contract Amendment. The parties sign and cause this Contract Amendment to be executed.

Department of Administrative and Financial Services, Office of Information Technology

Frederick Brittain, Chief Information Officer Date

Amendment rev. July 2019

Upon final approval by the Division of Procurement Services, a case details page will be made part of this contract.
The contract is hereby amended as follows: (Check and complete all that apply)

<table>
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<tr>
<th>☒ Amended Period:</th>
<th>Original Start Date: 12/3/2018</th>
<th>Current End Date: 2/28/2024</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Amendment Start Date: 9/16/2019</td>
<td>New End Date: 2/28/2026</td>
</tr>
</tbody>
</table>

Reason: **Extending agreement end-date 2-years as authorized by RFP 201807137.**

Date extension required because equipment and software is purchased with a 5-year support/license agreement. The support agreement end-date must be within the dates of the over-riding contract/master agreement. Initial contract was 5-years, not structured for this issue. Correcting situation.

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<th>☐ Amended Scope of Work:</th>
<th>The Scope of work in Rider A is amended as follows: NA</th>
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<td>Reason:</td>
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<tr>
<th>☐ Other:</th>
<th>Reason:</th>
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All other terms and conditions of the original contract and subsequent contract amendments remain in full force and effect.

### CODING

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<td>Click or tap</td>
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(Departments - Attach separate sheet as needed for additional coding.)
State of Maine
Competitive Award Authorization Form

**Form Instructions:** Please provide the information requested in the form below. This form must accompany contracts being proposed for approval that are the direct result of a competitive Request for Proposals (RFP), a subsequent contract renewal that was anticipated in the RFP or when Competitive Quotes are obtained. If the renewals allowable under the original RFP have been exhausted, another competitive RFP should be conducted.

<table>
<thead>
<tr>
<th>Contract Administrator:</th>
<th>D. Pease</th>
<th>Office/Division/Program:</th>
<th>DAFS / OIT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contract Amount:</td>
<td>$ 0.00</td>
<td>Contract (CT) Number:</td>
<td>Master Agreement 18P-190906-039</td>
</tr>
<tr>
<td>Start Date:</td>
<td>12-03-2018</td>
<td>End Date:</td>
<td>2-28-2026</td>
</tr>
<tr>
<td>Selected Bidder’s Name, City and State:</td>
<td>Cybernorth, South Portland, ME</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Short Description of Service:</td>
<td>HyperConverged computing equipment/support and related services</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### 1. Information on the Competitive Process Used

If a RFP process was used:

- **RFP#:** 201807137

  **Note:** Executing contract extension to allow purchase of equipment and software which has a 5-year support agreement. If not extended, maintenance and subscription services extend beyond the original end date of the competitively competed contract.

- **PQVL#:**
  - ☐ Initial contract. ☐ First renewal. ☐ Second renewal. ☐ Third renewal

If this is a first, second, or third renewal after an RFP, you need not complete the remainder of section 1 nor sections 2, 3 and 4. Simply enter the original RFP number, check the appropriate box, sign and date the form and send it with the contract.

If competitive quotes were obtained:

- ☐ This contract award is the result of obtaining Competitive Quotes.

The RFP process can be used for any contract award, but please note that as an alternative to the RFP process, Competitive Quotes can be used in determining awards for contracts if both of the following criteria apply:

A. The total contract amount is $10,000 or less; and

B. If the services sought are straightforward in nature, such that price, availability and pass/fail criteria are the determining factors in the award decision (i.e. no subjective evaluation factors needed to be used).

*Rewars are not allowed for Competitive Quote awards. Once a contract expires that was the result of obtaining Competitive Quotes, new quotes are to be sought if the need for the services continues.*
2. Identify All Bidders
   A. For RFPs, please list all bidders who submitted proposals before the stated Proposal Submission Deadline.
   B. For contracts where Competitive Quotes were obtained, the following needs to be included in this section:
      1) List all vendors who were contacted for quotes;
      2) List all vendors who responded and the quoted amounts for each and;
      3) Clearly identify the selected vendor (place in bold).

Please note, in accordance with 5 M.R.S. §1825-A(3), competitive bidding must be conducted with a minimum of three vendors, unless three vendors are not available. If three are not available, please mention below how this was determined. If more than three are available, it is HIGHLY RECOMMENDED to contact all vendors to seek as many quotes as possible.

   A. For contract awards based on an RFP, describe the process that was followed in reviewing and scoring the proposals. A consensus approach is encouraged, but not required. Be sure to retain copies of all scoring documentation, in accordance with your Department’s archiving requirements.
   B. If this contract award is the result of obtaining Competitive Quotes, then please specify below that the quote with the lowest price was selected from among the bidders that met the State’s requirements.

Please attach to this document all Competitive Quotes received (not RFP proposals).

4. Reminder regarding Award Notification Letters.
Award notification letters should be sent out to bidders following all competitive processes. If you are not already aware, please note that award notification letters must state that the award is conditional, pending SPRC Approval and negotiation of a mutually agreeable contract. The letters must also include a notification of all bidders’ right to appeal the decision. Please be sure to use the template on the Division of Procurement Services website:
http://www.maine.gov/purchases/files/Sample_Award_Notification_Letter.doc

Signature of requesting Department’s Contract Administrator (or other relevant stakeholder):

<table>
<thead>
<tr>
<th>Printed Name</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>D. Pease</td>
<td>9-20-2019</td>
</tr>
</tbody>
</table>