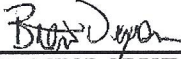





## NOTICE OF AWARD

State Of Missouri  
Office Of Administration  
Division Of Purchasing  
PO Box 809  
Jefferson City, MO 65102-0809  
<http://oa.mo.gov/purchasing>

<b>CONTRACT NUMBER</b> CT170046001	<b>CONTRACT TITLE</b> NASPO ValuePoint Computer Equipment: Servers and Storage including related Peripherals & Services
<b>AMENDMENT NUMBER</b> N/A	<b>CONTRACT PERIOD</b> April 1, 2015 through March 31, 2017
<b>REQUISITION/REQUEST NUMBER</b> N/A	<b>SAM II VENDOR NUMBER/MissouriBUYS SYSTEM ID</b> 1308719850 4
<b>CONTRACTOR NAME AND ADDRESS</b> IBM Corporation 4660 La Jolla Village Drive, Ste. 300 San Diego, CA 92122	<b>STATE AGENCY'S NAME AND ADDRESS</b> Various State Agencies Throughout Missouri
<b>ACCEPTED BY THE STATE OF MISSOURI AS FOLLOWS:</b>  In accordance with section 34.046, RSMo, contract CT170046001 between the State of Missouri and IBM is hereby awarded by the State of Missouri consisting of the attached documentation as specified on page 2 of the attached Cooperative Contract Procurement document. The state agency must reference the State of Missouri contract number CT170046001, and the NASPO ValuePoint contract number, MNWNC – 116, on all purchase orders.	
<b>BUYER</b> Brent Dixon	<b>BUYER CONTACT INFORMATION</b> Email: <a href="mailto:brent.dixon@oa.mo.gov">brent.dixon@oa.mo.gov</a> Phone: (573) 751-4903 Fax: (573) 526-9816
<b>SIGNATURE OF BUYER</b> 	<b>DATE</b> 09/02/16
<b>DIRECTOR OF PURCHASING</b>  Karen S. Boeger	



STATE OF MISSOURI  
OFFICE OF ADMINISTRATION  
DIVISION OF PURCHASING  
COOPERATIVE CONTRACT PROCUREMENT

CONTRACT NO.: CT170046001

REQ NO.: N/A - Statewide

TITLE: NASPO ValuePoint Computer Equipment: Servers and  
Storage including related Peripherals & Services -IBM

BUYER: Brent Dixon

PHONE NO.: (573) 751-4903

E-MAIL: brent.dixon@oa.mo.gov

TO: IBM Corporation  
4660 La Jolla Village Drive, Ste. 300  
San Diego, CA 92122

RETURN DOCUMENT TO THE DIVISION OF PURCHASING AND BY E-MAIL, FAX, OR MAIL/COURIER:

SCAN AND E-MAIL TO:	shelby.loethen@oa.mo.gov
FAX TO:	(573) 526-9816
MAIL TO:	Purchasing, P.O. Box 809, Jefferson City, Mo 65102-0809
COURIER/DELIVER TO:	Purchasing, 301 West High Street, Room 630, Jefferson City, Mo 65101-1517

DELIVER SUPPLIES/SERVICES FOB (Free On Board) DESTINATION TO THE FOLLOWING ADDRESS:

VARIOUS STATE AGENCIES THROUGHOUT MISSOURI

The Contractor hereby agrees to provide the services and/or supplies described in the attached State of Minnesota Contract #MNWNC-116 for the State of Missouri subject to the conditions stated on page 2. The Contractor further agrees that when a Notice of Award is signed and issued by an authorized official of the State of Missouri, a binding contract shall exist between the Contractor and the State of Missouri.

SIGNATURE REQUIRED

DOING BUSINESS AS (DBA) NAME International Business Machines		LEGAL NAME OF ENTITY/INDIVIDUAL FILED WITH IRS FOR THIS TAX ID NO. International Business Machines	
MAILING ADDRESS 4660 La Jolla Village Dr. Ste 300		IRS FORM 1099 MAILING ADDRESS 1 New Orchard Rd	
CITY, STATE, ZIP CODE San Diego, CA 92122		CITY, STATE, ZIP CODE Armonk, NY 10504-1722	
CONTACT PERSON Karen Schneider		EMAIL ADDRESS kasch@us.ibm.com	
PHONE NUMBER 720-397-5563		FAX NUMBER N/A	
TAXPAYER ID NUMBER (TIN) 13-0871985	TAXPAYER ID (TIN) TYPE (CHECK ONE) <input checked="" type="checkbox"/> FEIN <input type="checkbox"/> SSN	VENDOR NUMBER (IF KNOWN) 1308719850	
VENDOR TAX FILING TYPE WITH IRS (CHECK ONE) <input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Individual <input type="checkbox"/> State/Local Government <input type="checkbox"/> Partnership <input type="checkbox"/> Sole Proprietor <input type="checkbox"/> IRS Tax-Exempt			
AUTHORIZED SIGNATURE 		DATE 19 Aug 9 2016	
PRINTED NAME Karen Schneider		TITLE NASPO ValuePoint Nat'l Mgr	

**CONTRACT TITLE:** NASPO ValuePoint Computer Equipment: Servers and Storage including related Peripherals & Services

**CONTRACT PERIOD:** APRIL 1, 2015 THROUGH MARCH 31, 2017

This contract is a part of the State of Missouri and IBM NASPO ValuePoint Contract number MNWNC-116 and is for use by State Agencies only.

Contract CT170046001 is awarded by the State of Missouri consisting of the following documentation that is available on NASPO ValuePoint's website at <http://www.naspovaluepoint.org/#/contract-details/52/overview/general>:

- ❖ The attached Contract #MNWNC-116, signed by the State of Minnesota and IBM Corporation
- ❖ The attached RFP #19512 issued by the State of Minnesota on 11/18/13 consisting of 139 pages.
- ❖ The attached Participating Addendum

The contractor shall provide the server and storage hardware, software, and related services outlined below in the contract utilization requirements at the firm, fixed discounts agreed to in the computer equipment contract established by the State of Minnesota and IBM Corporation based on NASPO ValuePoint contract #MNWNC-116. All references to the State of Minnesota's Department of Administration's Materials Management Division and NASPO ValuePoint, in the attached documentation shall be deemed to refer to the State of Missouri with the exception of information specific to the State of Minnesota and NASPO ValuePoint such as background information, statistical/factual information, etc.

#### **Contract Utilization Requirements:**

Prices reflect list price and the contract's discounts per unit of one (1). The state agency must check with IBM or an approved IBM Business Partner to learn more about discounts for volume or establishing standard configurations.

The NASPO Master Agreement has established configuration limits. Configuration is defined as the combination of hardware and software components that make up the total functioning system. Software purchases are considered as a part of the configuration limit of the equipment. The state has elected to use the configuration limit of \$1,500,000.00 per single configuration.

#### **Systems & Servers**

IBM's Power Systems Server Solutions include operating systems, systems software, services support, and training for System P, System I, and Linux Platforms.

#### **Storage Solutions**

IBM's Storage Solutions include disk storage, flash storage, hybrid storage, software defined storage, storage area networks (SAN), tape and virtual tape storage, and optical storage connected to IBM Power Systems.

#### **Maintenance & Services**

Maintenance and Support Services are available from IBM and approved IBM Business Partners for all products eligible to be sold under your state's Participating Addendum. Prices are determined based on the products and options selected.

Support Services available include, but are not limited to, warranty services, maintenance, installation, de-installation, factory integration (software or equipment components), asset management, recycling/disposal, training and certification, pre-implementation design, disaster recovery planning and support, service desk/help desk, and any other directly related technical support service required for the effective operation of a product offered or supplied.

**Software**

IBM's Software Solutions include new License and Subscription & Support software and distributed software which runs on IBM Power Systems which may be purchased on premise as either perpetual licenses or subscription based licenses including software as a service.

Software such as middleware which is not always installed on the equipment, but is related to storage and server equipment purchased, is allowed and may be procured after the initial purchase of equipment.

**Invoicing:**

The contractor shall submit invoices for products and services provided for the State of Missouri to the address included on the state agency's purchase order.

**Affidavit of Work Authorization and Documentation:**

Pursuant to section 285.530, RSMo, if the contractor meets the section 285.525, RSMo, definition of a "business entity" (<http://www.moga.mo.gov/mostatutes/stathtml/28500005301.html?&me=285.530>) the contractor must affirm the contractor's enrollment and participation in the E-Verify federal work authorization program with respect to the employees hired after enrollment in the program who are proposed to work in connection with the services requested herein. The contractor should complete applicable portions of Exhibit A, Business Entity Certification, Enrollment Documentation, and Affidavit of Work Authorization. The applicable portions of Exhibit A must be submitted prior to an award of a contract.

**Contractor's Personnel:**

The contractor shall only employ personnel authorized to work in the United States in accordance with applicable federal and state laws. This includes but is not limited to the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) and INA Section 274A.

If the contractor is found to be in violation of this requirement or the applicable state, federal and local laws and regulations, and if the State of Missouri has reasonable cause to believe that the contractor has knowingly employed individuals who are not eligible to work in the United States, the state shall have the right to cancel the contract immediately without penalty or recourse and suspend or debar the contractor from doing business with the state. The state may also withhold up to twenty-five percent of the total amount due to the contractor.

The contractor shall agree to fully cooperate with any audit or investigation from federal, state, or local law enforcement agencies.

If the contractor meets the definition of a business entity as defined in section 285.525, RSMo, pertaining to section 285.530, RSMo, the contractor shall maintain enrollment and participation in the E-Verify federal work authorization program with respect to the employees hired after enrollment in the program who are proposed to work in connection with the contracted services included herein. If the contractor's business status changes during the life of the contract to become a business entity as defined in section

285.525, RSMo, pertaining to section 285.530, RSMo, then the contractor shall, prior to the performance of any services as a business entity under the contract:

- (1) Enroll and participate in the E-Verify federal work authorization program with respect to the employees hired after enrollment in the program who are proposed to work in connection with the services required herein; AND
- (2) Provide to the Division of Purchasing the documentation required in the exhibit titled, Business Entity Certification, Enrollment Documentation, and Affidavit of Work Authorization affirming said company's/individual's enrollment and participation in the E-Verify federal work authorization program; AND
- (3) Submit to the Division of Purchasing a completed, notarized Affidavit of Work Authorization provided in the exhibit titled, Business Entity Certification, Enrollment Documentation, and Affidavit of Work Authorization.

In accordance with subsection 2 of section 285.530, RSMo, the contractor should renew their Affidavit of Work Authorization annually. A valid Affidavit of Work Authorization is necessary to award any new contracts.

**Executive Order 04-09: Products and/or Services Provided Outside United States:**

If any products and/or services offered under this RFP are being manufactured or performed at sites outside the United States, the offeror MUST disclose such fact and provide details in the space below or on an attached page.

Are any of the offeror's proposed products and/or services being manufactured or performed at sites outside the United States?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If YES, do the proposed products/services satisfy the conditions described in 4a, b, c, or d of Executive Order 04-09? (see the following web link: <a href="http://www.sos.mo.gov/library/reference/orders/2004/eo04_009.asp">http://www.sos.mo.gov/library/reference/orders/2004/eo04_009.asp</a> )	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
<p>If YES, mark the appropriate exemption below, and provide the requested details:</p> <p><input checked="" type="checkbox"/> a. Unique good or service.</p> <ul style="list-style-type: none"> <li>• EXPLAIN: Consistent with industry standard practice, IBM uses components that may be manufactured globally.</li> </ul> <p><input type="checkbox"/> b. Foreign firm hired to market Missouri services/products to a foreign country.</p> <ul style="list-style-type: none"> <li>• Identify foreign country: <u>N/A</u></li> </ul> <p><input type="checkbox"/> c. Economic cost factor exists</p> <ul style="list-style-type: none"> <li>• EXPLAIN: <u>N/A</u></li> </ul> <p><input checked="" type="checkbox"/> d. Vendor/subcontractor maintains significant business presence in the United States and only performs trivial portion of contract work outside US.</p> <ul style="list-style-type: none"> <li>• Identify maximum percentage of the overall value of the contract, for any contract period, attributed to the value of the products and/or services being manufactured or performed at sites outside the United States: <u>5</u>%</li> <li>• Specify what contract work would be performed outside the United States: Certain IBM</li> </ul>		

standard maintenance services involving help desk calls may be transferred to IBM consultants overseas \_\_\_\_\_

**EXHIBIT A**  
**BUSINESS ENTITY CERTIFICATION, ENROLLMENT DOCUMENTATION,**  
**AND AFFIDAVIT OF WORK AUTHORIZATION**

**BUSINESS ENTITY CERTIFICATION:**

The contractor must certify their current business status by completing either Box A or Box B or Box C on this Exhibit.

<b>BOX A:</b>	To be completed by a non-business entity as defined below.
<b>BOX B:</b>	To be completed by a business entity who has not yet completed and submitted documentation pertaining to the federal work authorization program as described at <a href="http://www.dhs.gov/files/programs/gc_1185221678150.shtm">http://www.dhs.gov/files/programs/gc_1185221678150.shtm</a> .
<b>BOX C:</b>	To be completed by a business entity who has current work authorization documentation on file with a Missouri state agency including Division of Purchasing and Materials Management.

**Business entity**, as defined in section 285.525, RSMo, pertaining to section 285.530, RSMo, is any person or group of persons performing or engaging in any activity, enterprise, profession, or occupation for gain, benefit, advantage, or livelihood. The term "business entity" shall include but not be limited to self-employed individuals, partnerships, corporations, contractors, and subcontractors. The term "business entity" shall include any business entity that possesses a business permit, license, or tax certificate issued by the state, any business entity that is exempt by law from obtaining such a business permit, and any business entity that is operating unlawfully without such a business permit. The term "business entity" shall not include a self-employed individual with no employees or entities utilizing the services of direct sellers as defined in subdivision (17) of subsection 12 of section 288.034, RSMo.

Note: Regarding governmental entities, business entity includes Missouri schools, Missouri universities (other than stated in Box C), out of state agencies, out of state schools, out of state universities, and political subdivisions. A business entity does not include Missouri state agencies and federal government entities.

~~(Complete the following if you have the E-Verify documentation and a current Affidavit of Work Authorization already on file with the State of Missouri. If completing Box C, do not complete Box B.)~~

**BOX C – AFFIDAVIT ON FILE - CURRENT BUSINESS ENTITY STATUS**

I certify that IBM Corporation (Business Entity Name) **MEETS** the definition of a business entity as defined in section 285.525, RSMo, pertaining to section 285.530, RSMo, and have enrolled and currently participates in the E-Verify federal work authorization program with respect to the employees hired after enrollment in the program who are proposed to work in connection with the services related to contract(s) with the State of Missouri. We have previously provided documentation to a Missouri state agency or public university that affirms enrollment and participation in the E-Verify federal work authorization program. The documentation that was previously provided included the following.

- ✓ The E-Verify Employment Eligibility Verification page OR a page from the E-Verify Memorandum of Understanding (MOU) listing the contractor's name and the MOU signature page completed and signed by the contractor and the Department of Homeland Security – Verification Division
- ✓ A current, notarized Affidavit of Work Authorization (must be completed, signed, and notarized within the past twelve months).

Name of Missouri State Agency or Public University\* to Which Previous E-Verify Documentation Submitted:  
Office of State Courts

(\*Public University includes the following five schools under chapter 34, RSMo: Harris-Stowe State University – St. Louis; Missouri Southern State University – Joplin; Missouri Western State University – St. Joseph; Northwest Missouri State University – Maryville; Southeast Missouri State University – Cape Girardeau.)

Date of Previous E-Verify Documentation Submission: \_\_\_\_\_

Previous **Bid/Contract Number** for Which Previous E-Verify Documentation Submitted: OSCA 16-020  
(if known)

Gregory T. Reeves

*Gregory T. Reeves*

Authorized Business Entity Representative's  
Name (Please Print)

Authorized Business Entity  
Representative's Signature

43420  
E-Verify MOU Company ID Number

gtreeve@us.ibm.com  
E-Mail Address

International Business Machines  
Business Entity Name

7/25/16  
Date

**FOR STATE USE ONLY**

Documentation Verification Completed By:

*Brian J. Taylor*  
Buyer

8/24/16  
Date