

PARTICIPATING ADDENDUM

[hereinafter "Addendum"]

For

**WSCA/NASPO PC Contracts 2009-2014
COMPUTER EQUIPMENT, PERIPHERALS, AND RELATED SERVICES
MASTER PRICE AGREEMENT NUMBER B27164**

Between

Hewlett Packard Company
[hereinafter "Contractor"]

and

State of New Mexico
[hereinafter "Participating State"]

00-000-00-00014AA

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1. Scope

This Addendum covers the WSCA/NASPO PC Contracts 2009-2014 (Computer Equipment, Peripherals and Related Services) lead by the State of Minnesota for use by The State of New Mexico state Agency's and Local Public Bodies. This entity has been authorized by the State Chief Procurement Official of the state within which it is located to use the WSCA/NASPO PC Contracts 2009-2014.

2. Participation

Use of specific WSCA/NASPO cooperative contract by state agencies, political subdivisions and other entities (including cooperatives) authorized by an individual state's statutes to use state contracts are subject to the approval of the respective State Chief Procurement Official. Issues of interpretation and eligibility for participation are solely within the authority of the State Chief Procurement Official.

3. Participating State Modifications or Additions to Master Price Agreement:

3.1. Administrative Fee. Contractor will remit to the State of New Mexico Contract Manager an Administrative Fee in the amount of one percent (1%) of all total sales for New Mexico State and Local Public Bodies from this contract, based on quarterly usage reports issued by Contractor to the State. Checks will be made payable to the State of New Mexico, and issued on a quarterly basis as follows:

<u>Period End</u>	<u>Report & Fee Due</u>
September 30	October 31
December 31	January 31
March 31	April 30
June 30	July 31

The Administrative Fee is based upon:

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- The sales of all equipment and software;
- Service and supplies billings;

3.2. Delete

Software other than the Operating System and HP branded software is not available under this PA. No Imaging of Software purchased and licensed from other State accepted sources is permitted under the PA

3.3. Revision

Software Licensing Notwithstanding any future amendments, this PA is limited to the sale of computer hardware, peripherals and licensed software included therein. All applications and operating system software shall be purchased by the manufacturer either through their own pricing agreement or the New Mexico Statewide price agreements either 41-000-00-00098 or 42-000-00-00098 which ever applies. All software request shall be captured and reported through these contracted vendors.

4. Continuation of Participation from WSCA/NASPO PC Contracts 2004-2009:

To the extent permitted by the laws and rules of the state in which an individual participating entity is located, valid participating addenda for the WSCA/NASPO PC Contracts 2004-2009 are hereby extended to include participation in the WSCA/NASPO PC Contracts 2009-2014.

The authorization to participate in the WSCA/NASPO PC Contracts 2004-2009 is sufficient to permit participation in the WSCA/NASPO PC Contracts 2009-2014.

5. Lease Agreements

No Leasing Is Authorized Under this Addendum.

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6. Primary Contacts

The primary government contact individuals for this Addendum are as follows (or their named successors):

Lead State

Name: Bernadette Kopischke

Address: 112 Admin Bldg, St Paul, MN 55155

Telephone: (651) 201-2450

Fax: (651) 297-3996

E-mail: bernie.kopischke@state.mn.us

Contractor

Name: Debra Lee

Address: 442 Swan Blvd., Deerfield, IL 60015

Telephone: 847.537.0344

Fax: 281.927.5213

E-mail: debra.lee@hp.com

Participating State

Name: Gerrie Becker

Address: PO Box 6850 1100 St. Francis Dr. Rm 2016
Santa Fe, NM 87505

Telephone: 505-476-3121

Fax: 505-827-2484

E-mail: Gerrie.becker@state.nm.us

7. Servicing Subcontractors:

Only those HP Authorized subcontractors and/or resellers and service providers attached hereto in Exhibit A, or as updated on the HP/State website at www.hp.com/buy/wscaili are eligible to support the Price Agreement. The listed HP Authorized subcontractors and/or reseller agents and service providers are those

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providers included in HP's Partner One Reseller and/or Reseller Agent Program.

Orders and payments are to be handled by HP directly unless otherwise mutually agreed by HP and the Participating Entity as specified in this section of the Participating Addendum.

All purchase orders issued by purchasing entities with the jurisdiction of this Addendum must include the Participating State contract number: 00-000-00-00014AA; and the Master Price Agreement Number: B27164

8. Compliance with reporting requirements of the "American Recovery and Reinvestment Act of 2009" ("ARRA"): If or when contractor is notified by ordering entity that a specific purchase or purchases are being made with ARRA funds, contractor agrees to comply with the data element and reporting requirements that are legally required of providers of goods and related services. Ordering entity is responsible for informing contractor as soon as the ordering entity is aware that ARRA funds are being used for a purchase or purchases. Contractor will provide any required report to the ordering entity as required by law. The Contractor, as it relates to purchases under this contract, is not a subcontractor or subgrantee, but simply a provider of goods and related services.

This Addendum and the Master Price Agreement together with its exhibits, set forth the entire agreement between the parties with respect to the subject matter of all previous communications, representations or agreements, whether oral or written, with respect to the subject matter hereof. Terms and conditions inconsistent with, contrary or in addition to the terms and conditions of this Addendum and the Master Price Agreement, together with its exhibits, shall not be added to or incorporated into this Addendum or the Master Price Agreement and its exhibits, by any subsequent purchase order or otherwise, and any such attempts to add or incorporate such terms and conditions are hereby rejected. The terms and conditions of this Addendum and the Master Price Agreement and its exhibits shall prevail and govern in the case of any such inconsistent or additional terms. This Addendum applies only in the jurisdiction of the Participating State or Participating Entity which has executed this Addendum.

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WSCA/NASPO PC Contracts 2009-2014

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IN WITNESS WHEREOF, the parties have executed this Addendum as of the date of execution by Contractor below.

State of New Mexico



Signature

Ross Boom

Printed Name

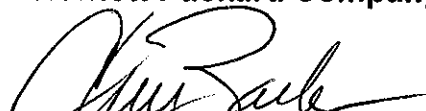
Deputy Director

Title

8/26/09

Date

Hewlett-Packard Company



Signature

Chris Backs

Printed Name

CONTRACT NEGOTIATOR

Title

August 13, 2009

Date

HP Authorized Reseller Agent Listing for State of New Mexico
PA 00-000-00-00014AA

MPA B27164

Outlet ID	Site ID	Reseller Name	Address	City	ST	Zip Postal Code	HP Public Sector/Elite	HP Diversity Network
8280070001	102502	Abba Technologies Inc	1501 San Pedro Dr NE	Albuquerque	NM	87110	Yes	Yes
12750005	2313	Holman's Inc	6201 Jefferson St NE	Albuquerque	NM	87109	Yes	Yes
2460250003	12521	Computer Corner	4410 Menaul Blvd. NE	Albuquerque	NM	87110	Yes	No
6590910001		Ardham Technologies Inc	4600 B Montgomery Blvd Suite 104 NW	Albuquerque	NM	87109	No	Yes
28810006	154664	Countertrade Products Inc	1636 Alameda Blvd NW	Albuquerque	NM	87114	No	Yes
345840004	259912	Ideal System Solutions Inc	112 Rocky Slope	Santa Fe	NM	87508	No	Yes
121860001	17463	Integrity Networking Systems Inc	2703 Broadbent Plwy NE Ste B	Albuquerque	NM	87107	No	Yes
5803020003	32492	Networx Inc	7201 Washington St NE	Albuquerque	NM	87109	No	Yes
6342200081	158060	Science Applications International	6200 Uptown Blvd NE Ste 300	Albuquerque	NM	87110	No	Yes
372410014	193889	Technology Integration Group	2420 Comanche Rd NE Ste A4	Albuquerque	NM	87107	No	Yes
348970002	139201	Wildflower International Ltd	1500 South Saint Francis Drive	Santa Fe	NM	87505	No	Yes
319340001	71271	Advanced Network Management Inc	901W Lambertson Pl NE	Albuquerque	NM	87107	No	No
325820001	82218	Albuquerque Image Products Inc	4406 Tower NE	Albuquerque	NM	87110	No	No
6431750001	247817	Alliance Networks LLC	9577 Osuna Rd NE Ste H	Albuquerque	NM	87111	No	No
5792990001	131785	Alternative Business Systems Inc	3535 Princeton Dr NE	Albuquerque	NM	87107	No	No
146060001	19102	Baifios Inc	5301 Menaul Blvd NE	Albuquerque	NM	87110-3113	No	No
6329360001	236280	Bocotek, Inc.	5600 Mcleod NE Ste K	Albuquerque	NM	87109	No	No
335770002	253727	Brookline Technologies Inc	4801 Lang Ave NE Ste 110	Albuquerque	NM	87109	No	No
6482130001	253959	Carl M Prather Inc	2957 Plaza Azul	Santa Fe	NM	87507	No	No
5811570009	256603	Commercial Data Systems	4828 Hardware Dr NE	Albuquerque	NM	87109	No	Yes
318010001	70319	Computer Network Designs	6305 Sunray Rd NW	Albuquerque	NM	87120	No	No
355500001	98842	Data Terminal Service Inc	715 Rankin Rd NE Ste A	Albuquerque	NM	87107	No	No
5902810001	95428	Document Solutions Inc	4121 Prospect Avenue, NE	Albuquerque	NM	87110	No	No
207400001	23301	Education Technologies Inc	4117 Eubank Blvd NE	Albuquerque	NM	87111	No	No
5991640001	232109	Gaming Data Solutions	4209 Wallaces SE	Albuquerque	NM	87105	No	No
5617900001	107084	Harris Technology Services	1603 Golf Course Rd SE Ste B	Rio Rancho	NM	87124	No	No
6344210001	237908	ITeam Consulting, LLC	7615 Calle Paraiso NE	Albuquerque	NM	87113	No	No
266410001	31544	J and J Technical Services Inc	1510 Barbara Loop SE	Rio Rancho	NM	87124-1097	No	No
381360005	256018	Lakehills Consulting	4239 Balloon Park Rd NE	Albuquerque	NM	87109-5802	No	No
130710001	18059	Laser Specialists Inc	651 Fairway Loop SE	Rio Rancho	NM	87124	No	No
6372820001	241233	LDD Consulting Inc	5345 Wyoming Ste 206	Albuquerque	NM	87109	No	No
5964080001	229343	Light-House Business Info Solutions LLC	3400 Menaul Blvd NE Ste 200	Albuquerque	NM	87107-1818	No	No

Outlet ID	Site ID	Reseller Name	Address	City	ST	Zip Postal Code	HP Public Sector Elite	HP Diversity Network
5682260002	116345	LiveWire Technologies Inc	3717 Monaco Dr NE	Albuquerque	NM	87111-3932	No	No
6315200001	234607	NI-Corp Services LLC	2001 E Lohman Ave 110 Ste 345	Las Cruces	NM	88001	No	No
35340001	10213	Networking & Computer Communications IN	1820 San Pedro Dr NE Ste 11	Albuquerque	NM	87110-5956	No	No
5900880001	147302	Omnitek Inc	326 Washington St SE	Albuquerque	NM	87108	No	No
372410014	193889	PC Specialists, Inc	2420 Comanche Rd NE Ste A4	Albuquerque	NM	87107	No	No
6333490001	236722	Pulakos & Alongi, Ltd.	8801 Horizon Blvd NE Ste 300	Albuquerque	NM	87113	No	No
115960001	17135	Silicon Heights Computers	3900 Eubank NE Ste 3-C	Albuquerque	NM	87111	No	No
42480001	12861	Southeastern Business Systems Inc	117 W 3rd St	Roswell	NM	88201-4707	No	No
5915730001	148979	Southwest Technology Associates Inc	740 San Mateo Blvd NE Ste A3	Albuquerque	NM	87108	No	No
316410007	124488	Systems Technology Associates Inc	3309 Texas St NE	Albuquerque	NM	87110-2313	No	No
5986080001	231457	Tech66 LC	11500 Molly Brown NE	Albuquerque	NM	87111	No	No
231350002	104945	The CAD Store	4204 Carlisle Blvd NE	Albuquerque	NM	87107	No	No
6439650001	248741	The Kemtah Group Incorporated	2 Park Square	Albuquerque	NM	87110-8189	No	No
6489520001	254990	Universal Data Solutions Inc	1505 San Pablo St NE	Albuquerque	NM	87110	No	No
5983330001	231160	Vital Systems Inc	50 Arroyo Calabasas Rd	Santa Fe	NM	87506	No	No
5849300001	140653	Westwind Computer Products	3720 Commercial Blvd NE Ste 400	Albuquerque	NM	87107	No	No

STATE OF NEW MEXICO
GENERAL SERVICES DEPARTMENT



Awarded Vendor
(0000055703)
Hewlett Packard Company
6406 Ivy Lane
Greenbelt, MD 20770

Telephone No. (800) 282-6672

**Price Agreement
Award**

Price Agreement Number: 00-000-00-00014AA

Payment Terms: See Contract

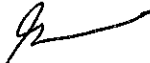
F.O.B.: See Contract

Delivery: See Contract

Ship To:
All State of New Mexico Agencies, Commissions,
Institutions, Political sub-Divisions and local public bodies
allowed by law.

Invoice:

As Requested

Procurement Specialist: Gerrie Becker 

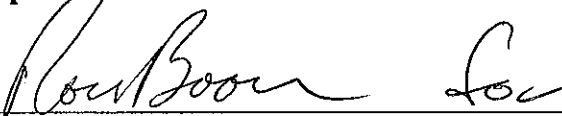
Telephone No.: (505) 476-3121

Commodity: Computer Equipment, Peripherals and Related Services

Term: September 1, 2009 thru August 31, 2012

This Contract is made subject to the "terms and conditions" shown on the reverse side of this page, and as indicated in this Contract.

Accepted for the State of New Mexico



New Mexico State Purchasing Agent

Date: 09/01/09

Purchasing Division, 1100 St. Francis Drive, PO Box 6850, Santa Fe, NM 87502-6850 (505) 827-0472

AB



WSCA/NASPO PC Contract Administration

112 Administration Building, 80 Sherburne Avenue, St. Paul, MN 55155

Fax: 651-297-3996, TTY: MN Relay Service 1-800-627-3829

<http://www.mmd.admin.state.mn.us/wsca/wsca.htm>

**INTENT TO PARTICIPATE
WSCA/NASPO PC CONTRACTS 2009-2014**

I. PURPOSE:

The purpose of this Agreement is to provide the members of the Western States Contracting Alliance (WSCA) and the National Association of State Procurement Officials (NASPO) with the opportunity to participate in a multi-state cooperative contract. Further, this Agreement shall identify the WSCA /NASPO parties to this contract and shall ensure a firm commitment from each party.

A cooperative procurement from **MANUFACTURERS OF PERSONAL COMPUTER EQUIPMENT AND RELATED DEVICES** is considered in the best interests of WSCA and the Participating States because:

1. Access to multi-state, defined and controlled offerings is a requirement of all WSCA/NASPO States to enable them to meet anticipated requirements for personal computers and related devices in a timely manner.
2. All States have a need for centralized reporting of personal computers and related devices ordering volume, to enable better management of these types of supplies
3. The industry is divided between manufacturers that predominately deal directly with end users and manufacturers that actively use resellers/VARs/partners/ distributors to deal with end users. This provides WSCA/NASPO an opportunity to accomplish many local procurement goals, while providing end users with options at a number of levels.
4. WSCA/NASPO expects that a centrally procured and administered personal computer equipment and related devices contracts will reduce pricing and achieve better efficiencies in ordering.
5. The solicitation and resulting contracts will be structured to accommodate any Participating States' localized requirements concerning availability of products in their geographical areas.



WCSA/NASPO PC Contract Administration

112 Administration Building, 80 Sherburne Avenue, St. Paul, MN 55155

Fax: 651-297-3996, TTY: MN Relay Service 1-800-627-3829

<http://www.mmd.admin.state.mn.us/wsca/wsca.htm>

INTENT TO PARTICIPATE WCSA/NASPO PC CONTRACTS 2009-2014

II. EFFECTIVE DATES OF THIS INTENT TO PARTICIPATE

This agreement shall remain in effect until the term of the contract, established in Section IV of this document, has ended or has been terminated for cause.

III. SCOPE OF THE CONTRACT

Scope Description. The Materials Management Division (MMD) of the Minnesota Department of Administration (Admin) will be requesting proposals on behalf of the State of Minnesota, the Western States Contracting Alliance (WCSA), and the National Association of State Procurement Officials (NASPO) from equipment manufacturers of:

- personal computers (desktop workstations, laptops and mobile);
- small, mid-range servers;
- storage solutions hardware for small LANS;
- individual or small shared printers;
- multifunctional (print, copy, scan, fax) printers;
- educational bundles ; and
- limited peripherals to support desktop computing.

Contractors **MUST** provide warranty and maintenance services on **ALL** equipment that is offered and purchased through the resulting contracts. Responders may also propose extended warranty and maintenance services as Value-Added services for equipment purchased from previous WCSA/NASPO contracts, as well as for equipment purchased from previous contracts Purchasing Entities may have had in place. Delivery, support, warranty, and maintenance may be provided by the contract awardees using subcontractors. The contract awardee is still responsible for the timeliness and quality of all services provided by individual sub-contractors. Subcontractor participation will be governed by individual Participating State procurement officials, who have the sole discretion to determine if they will accept services from a sub-contractor. Contractors may offer, but participating states and entities do not have to accept, limited professional services related **ONLY** to the equipment and configuration of the equipment purchased through the resulting contracts.

This RFP is divided into several bands (groups of units and configurations considered related to each other). The definition of bands is not subject to negotiations with potential Responders. Responders may respond to any or all bands. The State of Minnesota and WCSA/NASPO intend this procurement to result in **LIMITED** multiple source awards for each band.



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INTENT TO PARTICIPATE

WCSA/NASPO PC CONTRACTS 2009-2014

“Educational” offerings, including hardware configurations and special purpose educational software included as part of the original purchase, are included in this RFP. The specific rules and restrictions of these “educational” offerings must be detailed in the response.

This request for proposals **IS NOT** for a one-stop, meet-any-and-all requirements contract. Rather, whole products, i.e. computers (laptop, desktop, mobile, etc.), servers, printers, including software pre-loaded on the equipment are to be purchased. The purchase of software is allowed only at the time of the purchase of the hardware. Maintenance parts, replacement hard drives, or cards, for example are NOT acceptable products. At the option of the Participating State procurement official, factory warranted upgrades for equipment previously purchased from the contracts resulting from this RFP, or the previous WCSA/NASPO PC contracts, as well as for equipment purchased from previous contracts Purchasing Entities may have had in place, may be included as part of the resulting contracts. Additionally, any resulting contract **IS NOT** a reseller contract; rather, it is the intent of this request for proposals to contract with equipment manufacturers. Each state represented by WCSA/NASPO that chooses to participate in this contract independently has the option of contracting for a one-stop shop contract, contracts with resellers or any other kind of PC or computer goods or services.

Potential Responders should be aware of several limitations and boundaries intended by the WCSA Directors in supporting the issuing of this RFP.

- The resulting contracts are NOT for the offer and purchase of major, large hardware or hardware and software offerings. In general, individual units/configurations should not exceed \$100,000 each. Printers of all types and monitors per unit/configuration cost should not exceed \$50,000 each. It is the expressed intent of some of the Participating States to set this level at not to exceed \$25,000 each. This **IS NOT** a restriction on how many units/configurations can be purchased, but on the value of each individual unit/configuration. Individual Participating States may set state specific limits in a participating addendum, with the prior approval of the WCSA Directors.

- Contract awardees should assume that the pricing accepted reflects individual or small quantity purchases. If a Participating State, or a group of Participating States or entities within a state(s), chooses to focus purchases on a “standard configuration,” this configuration will be defined and then competed within the pool of contract awardees for specific pricing. Any entity, at any time, that commits to purchasing



WSCA/NASPO PC Contract Administration

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such a standard configuration unit(s) shall receive the same price from a contract awardee.

- MMD and the WSCA Directors acknowledge that individual units and configurations offered in 2009 will evolve during the potential life of the resulting contracts. It is our intent to adhere to the following processes in dealing with this change, evolution.

Substitution of units/configurations: MMD and the WSCA Directors acknowledge that individual units and configurations may stop being produced during the life of the resulting contracts. Substitution of different units and configurations will be permitted with the prior written approval of the Contract Administrator.

Addition of units/configurations: MMD and the WSCA Directors acknowledge that with the evolution of technology, new, emerging units and configurations will develop. Addition of these new, emerging units may be permitted, with the prior approval of the Contract Administrator and the WSCA Directors. The addition of new, emerging units and configurations is at the sole discretion of the Contract Administrator, subject only to review and approval of the WSCA Directors.

Permissive or Mandatory: Permissive contracts. Participating state has the option of making use mandatory.

Administrative Fee: An administrative fee of one-twentieth of one percent (0.05%) will be assessed centrally for purchases under the contract. WSCA/NASPO will approve the disbursement of funds to the State of Minnesota for administration of the procurement and resulting price agreements.

IV. TERM OF THE CONTRACT

The initial contract will be established for three (3) years from September 1, 2009 through August 31, 2012, with the option of two (2) one (1) year extensions.

V. SOLICITATION AND CONTRACT DEVELOPMENT/ADDITIONAL INFORMATION



WSCA/NASPO PC Contract Administration

112 Administration Building, 50 Sherburne Avenue, St. Paul, MN 55155

Fax: 651-297-3996, TTY: MN Relay Service 1-800-627-3529

<http://www.mmd.admin.state.mn.us/wscn/wscn.htm>

**INTENT TO PARTICIPATE
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Solicitation and contract development shall be accomplished in compliance with the WSCA Agreement of Understanding and the NASPO Memorandum of Understanding, incorporated herein by reference.

Solicitation Publication Period

Responders will be given in excess of 90 calendar days after publication to submit proposals.

Solicitation Type and Evaluation Criteria

This request for proposals will consider criteria other than price and will be evaluated based on specified and published criteria, contained in the RFP by a team of evaluators representing, currently, the following states:

- | | | |
|-----------|----------------|--------------|
| Alaska | Arkansas | Louisiana |
| Minnesota | Montana | Nebraska |
| Nevada | New Jersey | North Dakota |
| Oregon | South Carolina | Tennessee |

If a potential participating state wishes to be directly involved in the evaluation of responses, **WE MUST** know **BEFORE** the middle of May, 2008 in order to get those individuals included in the process as it continues to go forward. At the direction of the WSCA Directors, the development of the 2009-2014 RFP has been underway since March, 2007. Please contact Paul Stembler, WSCA/NASPO PC Procurement Manager at paul.stembler@state.mn.us if you want to have staff involved or have any other questions.

Award(s): The solicitation will permit multiple awards. Multiple awards made by Participating States for use in their state will be administered by the Participating State

Additional Requested Information

Request each WSCA/NASPO member, desiring to participate in this contract, provide the following information to the Procurement Manager (Paul Stembler) as soon as possible:

1. Any known limitations on their State's ability to order commodities, such as those limitations that may arise because of the existence of mandatory price agreements.



WCSA/NASPO PC Contract Administration

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<http://www.mmd.admin.state.mn.us/wsca/wsca.htm>

INTENT TO PARTICIPATE

WCSA/NASPO PC CONTRACTS 2009-2014

2. The State-specific terms and conditions that will govern orders placed within the Participating State, or other significant terms and conditions that may be required on the Participating Addendum.

3. Any participant specific data on purchases of these commodities, that were made outside of or in addition to purchases made under the WCSA/NASPO PC Contract 2004-2009.

PARTIES TO THIS AGREEMENT

The parties to this Agreement have affixed their signatures below in witness and in execution of this Intent to Contract,

Participating State:

This 28 day of August, 2008.

Michael C. Vinyard, State Purchasing Agent
Printed Name and Title (State Chief Procurement Official or delegated alternate)

Signature [Handwritten Signature]

MMD for WCSA/NASPO:

This 27 day of Aug, 2008.

Paul Stembler, WCSA/NASPO PC Procurement Manager, for MMD and WCSA/NASPO

Brenda Willard

An executed copy of this intent to participate will be returned to the Participating State.