

**ENGAGEMENT ADDENDUM Number 003**  
**to**  
**PARTICIPATING ADDENDUM NUMBER F50B4400073**  
**State of Maryland**  
**(hereinafter "Participating State/Entity")**

**WSCA-NASPO Cooperative Purchasing Program**  
**PUBLIC CLOUD HOSTING SERVICES**  
**Administered by the State of Utah (hereinafter "Lead State")**

STATE OF UTAH STATE COOPERATIVE CONTRACT  
Day1 Solutions, Inc.  
(hereinafter "Contractor")  
Utah Contract Number: MA265

And

Maryland Department of Information Technology  
(hereinafter "Using Agency/Entity")  
(Using Agency/Entity Contract Number: 060B6400011)

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**A. SCOPE:** This Engagement Addendum between Contractor and Using Agency/Entity (the "Parties") covers the use of the Participating Addendum Number F50B4400073 between Contractor and the Participating State/Entity for the State of Utah State Cooperative Contract for PUBLIC CLOUD HOSTING SERVICES Contract lead by the State of Utah.

**B. INDIVIDUAL CUSTOMER:** Under this Engagement Addendum, Using Agency/Entity will be treated as if they are an Individual Customer. Except to the extent modified below, each agency and political subdivision will be responsible to follow the terms and conditions of the Contract and the Participating Addendum; and they will have the same rights and responsibilities for their purchases as the Lead State has in the Contract and the Maryland Department of Information Technology has in the Participating Addendum. Each agency and political subdivision will be responsible for their own charges, fees, and liabilities. Each agency and political subdivision will have the same rights to any indemnity or to recover any costs allowed in the contract for their purchases. The Contractor will apply the charges to each Using Agency/Entity individually.

**C. DESCRIPTION OF ENGAGEMENT:** This engagement covers all products and services offered by the Contractor that may be procured by the Using Agency/Entity (Department of Information Technology for itself and by other Maryland state agencies). Further, each Using Agency/Entity may complete its own Engagement Addendum and Statements of Work that will define individual project scope and deliverables, and will be issued on an as-needed basis. Each Engagement Addendum and Statement of Work must be signed for approval by the Department of Information Technology. This engagement is not a purchase order, nor does it guarantee any purchases will be made.

**D. USING STATE/ENTITY MODIFICATIONS OR ADDITIONS – THESE APPLY ONLY TO THE SPECIFIC USE OF THE CONTRACT AUTHORIZED BY THIS ENGAGEMENT ADDENDUM:**

(These modifications or additions apply only to actions and relationships within the Using Agency/Entity.)

No changes are required.

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E. PRIMARY CONTACTS: The primary contact individuals for this engagement addendum are as follows (or their named successors):

Lead State

Name	Spencer Hall
Address	Utah Department of Administrative Services Division of Purchasing and General Services Capitol Hill 3150 State Office Building (Mail: Purchasing and General Services PO Box 141061 Salt Lake City, UT 84114-1061)
Telephone	801-538-3307
Fax	801-538-3882
E-mail	spencerh@utah.gov

Contractor

Name	Jeffrey R. Poplin
Address	Day1 Solutions, Inc. 1751 Pinnacle Dr. Suite 425 McLean, VA 22102
Telephone	703-646-3291 – Office 703-868-1752 - Cell
E-mail	jeff@day1solutions.com

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Participating Entity

Name	Michael Meini, Assistant Director of Procurement
Address	Maryland Department of Information Technology 45 Calvert Street Annapolis, MD 21401
Telephone	(410) 260-7179
Fax	N/A
E-mail	Michael.Meini@maryland.gov

Engaging Entity

Name	Dave Delgaudio, Server and Storage Services Manager
Address	Maryland Department of Information Technology 45 Calvert Street Annapolis, MD 21401
Telephone	(410) 260-6289
Fax	N/A
E-mail	dave.delgaudio@maryland.gov

Engaging Entity Billing Contact Information

Name	James Appel, Executive Financial Officer
Address	Maryland Department of Information Technology 45 Calvert Street Annapolis, MD 21401
Telephone	(410) 260-7919
Fax	N/A
E-mail	doitfiscal.invoiceservice@maryland.gov

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**F. SUBCONTRACTORS:**

The Contractor may use subcontractors; however, the Contractor will be responsible for any agreements with the subcontractors. The Using Agency/Entity is not agreeing to and is not responsible for any terms and conditions with a subcontractor.

**G. PURCHASE ORDER INSTRUCTIONS:**

The form of "engagement" and required information on the invoice related to services provided under the Contract have been determined by WSCA-NASPO and agreed to by the Contractor. Any additional information requirements should be detailed in Paragraph 3 (above).

**H. PRICE AGREEMENT NUMBER**

All purchase orders issued by purchasing entities within the jurisdiction of this Engagement Addendum shall include the Participating Addendum number: F50B4400073, the Engagement Addendum number and the Contract number: MA265.

This Engagement Addendum, the cited Participating Addendum and the Contract number MA265 (administered by the State of Utah ) 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 Engagement Addendum, the cited Participating Addendum and the Contract, together with its exhibits, shall not be added to or incorporated into this Engagement Addendum, the cited Participating Addendum or the Contract 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 Engagement Addendum, the cited Participating Addendum and the

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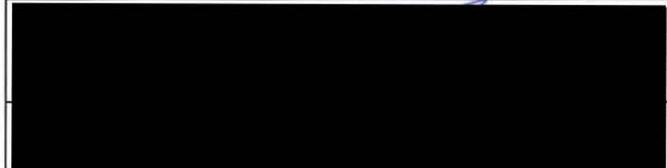
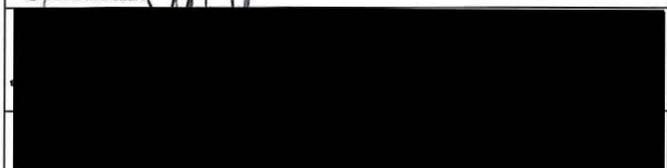
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Contract and its exhibits shall prevail and govern in the case of any such inconsistent or additional terms within the Participating State.

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

<b>Using Agency/Entity Individual with Authority to Execute Contracts:</b>	Contractor: Dayl Solutions, Inc.
	
Title: Chief of Staff, Dept. of Information Technology	Title: VP of Public Sector
Date: 2/26/16	Date: 12/8/2015
<b>Participating State Chief Information Official:</b>	
	
Title: Secretary, Dept. of Information Technology	
Date: 2/29/2016	