

**PEPPM 2019 Supplemental I Product Line Bid – California #529561**

**AWARDED VENDOR AGREEMENT**

**BETWEEN**

**Kern County Superintendent of Schools ("Agency")**

**AND**

*immix Technology, Inc.*  
(Bidder's legal name referred to throughout this agreement as "Awarded Vendor")

**For Bid Product Line:**

*Veeam Backup and Replication Software*  
(Product Line Name within PEPPM 2019 Supplemental I Product Line Bid – California #529561)

This Agreement is made and entered into as of the date this Agreement is fully executed by the Kern County Superintendent of Schools (Agency) after an initial signature from the Awarded Vendor. This date of final execution shall be known as the "Effective Date."

Whereas, Agency issued a Request for Bids for PEPPM 2019 Supplemental I Product Line Bid – California ("RFB"); and Whereas that RFB is incorporated into this Agreement by reference and made a part hereof;

Whereas, the Awarded Vendor submitted a Bid in response to the Agency's RFB for the Product Line referenced above;

Whereas, the Agency determined that Awarded Vendor was the lowest responsive and responsible bidder for the Product Line referenced above; and


Whereas, Awarded Vendor signs and executes this Awarded Vendor Agreement to indicate its acceptance of the terms and conditions of the Contract as defined below;

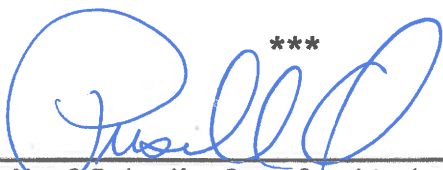
Now, therefore in consideration of the mutual covenants contained herein and other good and valuable consideration, the sufficiency of which is expressly acknowledged by both parties, and intending to be legally bound hereby, the parties mutually agree as follows:

1. This Agreement is a Contract and Contract Documents consist of the Request for Bids, bid Terms and Conditions, any applicable state-specific terms and conditions, all information incorporated into the electronic bid form by Agency or Bidder, the Bidder's responses to Questions, the Bidder's PEPPM Bid Quote Sheet(s), the Bidder's pricing spreadsheet, the Bidder's PEPPM State Selection Form, the Bidder's Ancillary Services Form, this Agreement, all other attachments and exhibits to the request for bids, all addenda to the request for bids issued prior to the Bid Opening Date, and all subsequent written amendments to the Agreement (e.g. adding state-specific terms and conditions). The Contract Documents form the "Contract" between Agency for the Contract term, and during any authorized extensions.
2. Awarded Vendor agrees to furnish products and services related to the RFB in accordance with the RFB Terms and Conditions and Contract.

3. The Contract shall commence upon signing by Agency and end on December 31, 2021. Agency and Awarded Vendor may elect to extend the term of the Contract as set forth in the Terms and Conditions.
4. Awarded Vendor agrees to honor submitted bid prices and pricing formulas according to all terms and conditions of the Contract Documents to all eligible buying organizations in California as authorized to purchase the products included in the Awarded Vendor's bid.
5. Where Awarded Vendor agreed to extend its quoted price formulas and effective prices to eligible LEAs in states and territories outside of California, Awarded Vendor agrees to extend those quoted bid prices and formulas according to all terms and conditions of the Contract Documents to those other LEAs and eligible agencies.
6. Awarded Vendor agrees to remit the Transaction Fee in accordance with the terms and conditions set forth in the Contract.
7. This Agreement shall be governed by and construed under the laws of the state of California, any disputes shall be determined in the court of general jurisdiction in the County of Kern.

IN WITNESS WHEREOF, the parties, intending to be legally bound, have caused their hands to be affixed.

Vendor Signature   
 Signatory Title Director, LEGAL AFFAIRS  
 Vendor Name immix Technology, Inc.  
 Address 8444 Westmark Drive, Suite 200  
 City, State, Zip McLean, VA 22102  
 Date March 21, 2019

KCSOS Signature   
 For Mary C. Barlow, Kern County Superintendent of Schools  
 Signatory Title Priscilla Quinn, Assistant Superintendent  
 Agency Name Kern County Superintendent of Schools  
 Address 1300 17th Street  
 City, State, Zip Bakersfield, CA 93301  
 Date 5/21/19