



**AUTHORIZED USER ATTACHMENT FOR LOT 3 ORDERS
SOLICITATION 22802 INFORMATION TECHNOLOGY UMBRELLA CONTRACT
CONTRACT PM67310 – VMWARE, INC**

Incorporation into Quote and Authorized User Agreement. The parties agree that the terms of this Attachment ('VMware General Terms'), found at <https://www.vmware.com/agreements.html>, apply as part of the pricing offered by the Contractor and are hereby incorporated into the agreement between the Authorized User and the Contractor. The parties acknowledge that the terms set forth in this Attachment are accepted by the Authorized User in connection with the pricing offered by the Contractor and are consistent with and fulfill the terms of Sections 8 and 28 of Appendix B as more advantageous to the Authorized User and the State than the terms set forth in the Contract and place no additional liability upon the Authorized User or the State.

Additional Applicable Terms. In addition to the above-referenced 'VMware General Terms,' the quote provided to the Authorized User and any subsequent Authorized User Agreement for cloud services is subject to the following, cloud-specific terms of service and ancillary terms found under the 'Exhibits' and 'Offering Specific Terms' tabs at <https://www.vmware.com/agreements.html>:

Exhibits to VMware General Terms

1. Cloud Services Exhibit
2. Software Exhibit (as applicable)
3. Data Processing Addendum
4. U.S. Public Sector Exhibit

Offering Specific Terms

1. Cloud Services Guide
2. Service Level Agreements
3. Sub-Processor Data Sheets

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Changes to Product or Service Offerings. Any replacement Product that the Contractor may be required to provide at no additional charge shall have similar features, functionality, and pricing as the discontinued Product. In the event of this occurrence, the Authorized User shall cease use of the discontinued Product and exchange the discontinued Product for the replacement Product.