



Contract Number

17-841 A-2

SAP Number

Information Services Department

Department Contract Representative Lea Radimaker
Telephone Number 909-388-0672

Contractor CommVault Systems, Inc.
Contractor Representative Terry Boyle
Telephone Number 732-728-7165
Contract Term 11/14/2017 – 11/13/2022
Original Contract Amount _____
Amendment Amount _____
Total Contract Amount _____
Cost Center _____

IT IS HEREBY AGREED AS FOLLOWS:

AMENDMENT NO. 2

This Amendment No. 2 (this "Amendment") dated October 27, 2020 is made by and between COMMVAULT SYSTEMS, INC. ("CommVault"), and the COUNTY OF SAN BERNARDINO ("Customer") and modifies the terms to Agreement executed between the parties as of November 14, 2017 ("Agreement").

1. Delete Section 1.1 in its entirety and replace with the following:
 - 1.1 Beginning on November 14, 2017 (the "Effective Date") and continuing through November 13, 2022, (the "Term"), CommVault shall provide Support pursuant to the specific support plan ("Support Plan") chosen by Customer. CommVault may perform Support itself or subcontract the performance of the Support, in whole or in part provided that CommVault remains liable to Customer for performance under this contract.
2. Replace COMMVAULT SYSTEMS, INC. SUPPORT AGREEMENT SCHEDULE 1 with Schedule 1, as attached hereto and incorporated herein.
3. **Full Force and Effect.** The Agreement, as amended by this Amendment, remains in full force and effect.
4. **Capitalized Terms.** Any capitalized term used but not defined in this Amendment shall have the meaning given to it in the Agreement or the Addendum, as applicable.

5. **Counterparts.** This Amendment may be signed in one or more counterparts, each of which shall be deemed an original but all of which taken together shall constitute one and the same instrument. A facsimile or e-mail transmission of a signed version of this Amendment shall be legal and binding on all parties.

COUNTY OF SAN BERNARDINO

►

 Curt Hagman, Chairman, Board of Supervisors

Dated: _____
 SIGNED AND CERTIFIED THAT A COPY OF THIS DOCUMENT HAS BEEN DELIVERED TO THE CHAIRMAN OF THE BOARD

Lynna Monell
 Clerk of the Board of Supervisors
 of the County of San Bernardino

By _____
 Deputy

Commvault Systems
 (Print or type name of corporation, company, contractor, etc.)

By ► [Signature]
 (Authorized signature - sign in blue ink)

Name Scott Giannattasio
 (Print or type name of person signing contract)

Title Snr WW Renewals Mgr
 (Print or Type)

Dated: 10/9/20

Address 1 Commvault Way
Tinton Falls NJ, 07724

FOR COUNTY USE ONLY

Approved as to Legal Form
 ► [Signature]
 County Counsel

Date 10-20-20

Reviewed for Contract Compliance
 ► _____

Date _____

Reviewed/Approved by Department
 ► _____

Date _____

**COMMVault SYSTEMS, INC.
SUPPORT AGREEMENT
SCHEDULE 1**

Customer Name: San Bernardino County, California
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Supported Products for CCID: F5800

Part Number	Quantity
CV-ACT-1U	100
CV-BR-FT	592
CV-BR-MB	20000
CV-BR-EP	10

The initial term of the above services shall start on 11/14/2017 and end on 11/13/2020; and the (2) subsequent renewals for: 11/14/2020 – 11/13/2021 and 11/14/2021 – 11/13/2022.

The pricing for such Support shall be at Commvault authorized reseller's applicable rates.

Customer Contact at Equipment Locations:

NAME/TITLE	PHONE, FAX, EMAIL	ADDRESS

COMMVault SYSTEMS, INC.
SUPPORT AGREEMENT
SCHEDULE 1

Customer Name:

San Bernardino County, California

Software Conversion and Purchase. Customer is purchasing fifty (50) front-end terabytes (“TBs”) of CommVault Complete Backup & Recovery – Per Front-End TB, Perpetual (CV-BR-FT) (the “New Licenses”) from a CommVault authorized reseller (“Reseller”) at Reseller’s applicable pricing. Concurrent with the foregoing purchase, Customer is converting its existing sku-based perpetual licenses in CommCell ID F5800 to four hundred thirty-seven (437) TBs of CommVault Complete Backup & Recovery and twenty thousand (20,000) CommVault Complete Backup & Recovery Mailboxes per use (CV-BR-MB) and Ten (10) CommVault Complete Backup & Recovery for Endpoints, per user (CV-BR-EP) at no additional cost to Customer (collectively, the “Converted Licenses”). Additional licensing of these skus may be purchased through Reseller at the applicable Reseller’s pricing.

As a result, licensing on CommCell ID F5800 shall be provisioned as CommVault Complete Backup & Recovery and consist of software provided above to conduct backup and recovery activities, with certain additional features that provide for archive, operational reporting and hardware snapshot management as set forth in the CommVault software user documentation.

Maintenance and Support. CommVault maintenance and support services commenced on 11/14/2017 and subsequently renewed through 11/13/2020 (the “Initial Term”). Thereafter, this Schedule 1 will renew for the term beginning 11/14/2020 through 11/13/2022 (the “Renewal Term”).

Current maintenance and support fees associated with the Converted Licenses shall remain in place. However, Customer shall purchase from Reseller two (2) years of maintenance and support for the New Licenses which shall be co-termed with the Term of the Agreement. Additionally, Customer’s purchase of maintenance and support for any Additional Licenses during the Term shall be co-termed with the Term.