



Form GSOP 1-PIN (04/98)

STATE OF CALIFORNIA  
Department of General Services - Office of Procurement

**PURCHASE ORDER**

<b>Purchase Order No.</b>	<b>Rev.</b>	<b>Date</b>
62115		6/30/2008
<b>Supplier No.</b>	<b>Solicitation No.</b>	<b>Delivery Date</b>
789542	56927	As Specified
<b>FOB Point</b>	<b>Invoice Terms</b>	
Destination	N45	

LYRIS TECHNOLOGIES INC 2070 ALLSTON WAY STE 200 BERKELEY, CA 94704  Phone: 510-549-4350	<b>S</b> DEPT OF GENERAL SERVICES <b>h</b> OFC TECHNOLOGY SERVICES <b>T</b> 707 THIRD STREET, 3RD FLR <b>i</b> WEST SACRAMENTO, CA 95605 <b>o</b> <b>P</b>	<b>C</b> GENERAL SERVICES Z-01 <b>h</b> OTR INFOR TECH RESOURCES <b>a</b> 707 3RD STREET 3RD FL <b>T</b> WEST SACRAMENTO CA 95605 <b>r</b> <b>o</b> <b>g</b> <b>e</b>		
	<b>Agency Billing</b>	<b>Agency Purchase Estimate</b>	<b>Purchase Estimate</b>	<b>Revision</b>
	30961	3123199	67258	1
<b>Agency Contact</b>		<b>Phone</b>	<b>Date Received</b>	
KATHY SCHNABEL		916-375-4789		

Item No.	Quantity	Unit	Commodity Code	Description	Unit Price	Extension
<b>TERMS AND CONDITIONS:</b>						
THE ATTACHED STATEMENT OF WORK CONSISTING OF TWO (2) PAGES IS PART OF THIS AGREEMENT.						
THE FOLLOWING DOCUMENTS ARE INCORPORATED INTO THIS AGREEMENT AND MAY BE VIEWED AT THE WEBSITE LISTED.						
1. IT General Provisions, GSPD-401IT Revised and Effective 4/12/2007 <a href="http://www.documents.dgs.ca.gov/pd/modellang/GPIT0407.pdf">http://www.documents.dgs.ca.gov/pd/modellang/GPIT0407.pdf</a>						
2. IT Software License Special Provisions (Effective 01/21/2003) <a href="http://www.documents.dgs.ca.gov/pd/modellang/softwarepecial012103.pdf">http://www.documents.dgs.ca.gov/pd/modellang/softwarepecial012103.pdf</a>						
1	1	EA	9091-250-0051-6	SOFTWARE SUPPORT LYRIS LIST MANAGER 9.XX PLATINUM ENTERPRISE COMPREHENSIVE SUPPORT RENEWAL	8,200.0000	8,200.00
<b>Total Value:</b>						<b>8,200.00</b>
<p>This purchase order is being awarded on August 4, 2008 pursuant to Government Code Section 13332.17. Any encumbrances made pursuant to this purchase order shall be construed to have been made on the last day of the preceding fiscal year.</p> <p><b>SALES TAX:</b></p> <p>For the purposes of this Award, there will be no sales tax charged.</p> <p><b>CHANGE ORDERS:</b></p> <p>This Purchase Order may be amended, modified, or terminated at any time by mutual agreement of the parties in writing, change orders amending, modifying or terminating the Purchase Order, including any modifications of the compensation payable, may be issued only by the State Procurement Officer. All such change orders shall be in writing and issued only upon written concurrence of the supplier. Termination, as that term is used in this section, does not include</p>						

Sales and/or use tax to be extra unless noted above

Buyer <i>Diana Mercado</i> DIANA MERCADO	Phone 916-375-4430	BOC Number
--	-----------------------	------------

STATE OF CALIFORNIA

Department of General Services - Office of Procurement

**PURCHASE ORDER CONTINUATION**

Form GSOP 2-PIN (04/98)

<i>Purchase Order No.</i> 62115	<i>Revision</i>	<i>Date</i> 6/30/2008	<i>Supplier No.</i> 789542	<i>Supplier Name</i> LYRIS TECHNOLOGIES INC
------------------------------------	-----------------	--------------------------	-------------------------------	--

<i>Item No.</i>	<i>Quantity</i>	<i>Unit</i>	<i>Commodity Code</i>	<i>Description</i>	<i>Unit Price</i>	<i>Extension</i>
<p>termination for default of the supplier.</p> <p>This Purchase Order has been registered into the State Contracts and Procurement Registration System (<a href="https://www.scprs.dgs.ca.gov">https://www.scprs.dgs.ca.gov</a>). The Registration Number is: 17600808326503</p>						

**DEPARTMENT OF GENERAL SERVICES  
OFFICE OF TECHNOLOGY RESOURCES**

**STATEMENT OF WORK**

---

List Manager

---

This Statement of Work ("Agreement") reflects the services to be provided by Lyris Technologies, hereinafter referred to as the "Contractor," for the Department of General Services, hereinafter referred to as the "DGS".

**SCOPE**

The Contractor will provide Lyris List Manager 9.3 Platinum Enterprise Feature Set, ISP Edition, with support for 300,000 subscribers, 10,000 messages per hour, and twelve (12) months Support. Support will include the following services:

- Email Support incidents
- Phone support incidents (Monday – Friday 7am -5 pm PST)
- Free upgrades to all major and minor revisions during covered period
- 100% credit of purchased product priced toward any upgrade license during covered period
- Free online training (4 sessions) for administrators
- Free installation support

The Contractor's support will help the DGS streamline the product support model by providing quick resolution to questions, trouble shooting solutions, and updates that will help lead to the highest application availability possible.

**PERIOD OF PERFORMANCE**

The term of this Agreement will be August 9, 2008 through August 8, 2009.

**CONTRACTOR REQUIREMENTS**

The Contractor shall provide:

- Assistance to the DGS in implementing the solution into a production environment.
- Administrator training to DGS IT staff prior to roll-out to production
- Product updates/new versions, hot fixes, patches, documentation, and whitepapers that are deemed appropriate for the State's support environment.
- Timely response to support

## STATE RESPONSIBILITIES

The DGS will provide:

- All necessary hardware, network, and host operating system infrastructure
- All necessary staff to develop and implement solution
- A project plan for development, test, and implementation of solution.

## BILLING INFORMATION

The Contractor shall submit invoices (including the purchase order number) to the following address:

DGS – Office of Technology Resources  
707 Third Street  
West Sacramento, CA 95831  
Attn: Kathy Schnabel

## POINTS OF CONTACT

### Contractor Primary Contact:

Matt Esparrago, Account Executive  
Lyris Technologies, Inc.  
5858 Horton Street, Suite 270  
Emeryville, CA 94608  
Ph: (510) 844-1553  
Fax: (510) 844-1598  
Email: [mesparrago@lyris.com](mailto:mesparrago@lyris.com)

### DGS's Primary Contact:

Kathy Schnabel  
DGS \_ Office of Technology Resources  
707 Third Street  
West Sacramento, CA 95831  
Phone: 916-375-4789  
Fax: 916-375-4808  
Email: [Kathy.Schnabel@dgs.ca.gov](mailto:Kathy.Schnabel@dgs.ca.gov)

Please forward renewal notices to the attention of the DGS's Primary Contact

## TERMINATION

The State shall have the right to terminate maintenance upon delivery of written notice at least thirty (30) calendar days prior to any scheduled renewal date.