



Form GSOP 1-PIN (04/98)

STATE OF CALIFORNIA
Department of General Services - Office of Procurement

PURCHASE ORDER

<i>Purchase Order No.</i>	<i>Rev.</i>	<i>Date</i>
62373		6/30/2009

<i>Supplier No.</i>	<i>Solicitation No.</i>	<i>Delivery Date</i>	<i>FOB Point</i>	<i>Invoice Terms</i>
789542	57397	As Specified	Destination	

LYRIS TECHNOLOGIES INC
5858 HORTON ST, STE 270
EMERYVILLE, CA 94608

S DEPT OF GENERAL SERVICES
h OFC TECHNOLOGY RESOURCES
t 707-3RD STREET, 3RD FLOOR
i WEST SACRAMENTO, CA 95605
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h OTR INFOR TECH RESOURCES
a 707 3RD STREET 3RD FL
t WEST SACRAMENTO CA 95605
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<i>Agency Billing</i>	<i>Agency Purchase Estimate</i>	<i>Purchase Estimate</i>	<i>Revision</i>
30961	3135722	67562	0

<i>Agency Contact</i>	<i>Phone</i>	<i>Date Received</i>
KATHY SCHNABEL	916-375-4789	

Phone: 510-549-4350

<i>Item No.</i>	<i>Quantity</i>	<i>Unit</i>	<i>Commodity Code</i>	<i>Description</i>	<i>Unit Price</i>	<i>Extension</i>
<u>TERMS AND CONDITIONS:</u>						
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.						
<u>ATTACHMENTS:</u>						
1. IT General Provisions, GSPD-401IT Revised and Effective 4/12/2007 http://www.documents.dgs.ca.gov/pd/modellang/GPIT0407.pdf						
2. IT Software License Special Provisions (Effective 01/21/2003) http://www.documents.dgs.ca.gov/pd/modellang/softwarepecial012103.pdf						
1	1	EA	9091-250-0052-8	SOFTWARE SUPPORT & MAINTENANCE LYRIS LIST MANAGER 10.XX PLATINUM ENTERPRISE ISP WITH COMPREHENSIVE SUPPORT	8,200.0000	8,200.00
<u>Total Value:</u>						8,200.00
<u>NOTE:</u>						
Electronic download only. There will be no tax charged against this Purchase Order.						

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

<i>Buyer</i> JOHN MEDEIROS	<i>Phone</i> 916-375-4412	<i>BOC Number</i>
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STATE OF CALIFORNIA

Department of General Services - Office of Procurement

PURCHASE ORDER CONTINUATION

Form GSOP 2-PIN (04/98)

<i>Purchase Order No.</i>	<i>Revision</i>	<i>Date</i>	<i>Supplier No.</i>	<i>Supplier Name</i>
62373		6/30/2009	789542	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><u>CHANGE ORDERS:</u></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 termination for default of the supplier.</p> <p><u>STATE CONTRACTS AND PROCUREMENT REGISTRATION:</u></p> <p>This Purchase Order has been registered into the State Contracts and Procurement Registration System (https://www.scprs.dgs.ca.gov). The Registration Number is: eP 1017984</p>						

Office of Technology Resources

STATEMENT OF WORK

List Manager

This Statement of Work ("Agreement") reflects the services to be provided by Lyris, Inc., hereinafter referred to as the "Contractor," for the Department of General Services, Office of Technology Resources, referred to as the "State".

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 hours, and twelve (12) months support. Support will include the following services:

- Email Support incidents
- Phones support incidents (Monday – Friday 7:00 a.m. to 5:00 p.m. 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 twelve (12) months effective upon the Agreement start date or upon the date the Purchase Order is signed, whichever is later.

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/OTR 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 3rd Street, 3rd Floor
West Sacramento, CA 95605
Attn: Kathy Schnabel

POINTS OF CONTACT

Contractor Primary Contact:

James Mitzel
Lyris Technologies Inc
5858 Horton Street, Suite 270
Emeryville, CA 94608
(510) 844-1600 (ph)
(510) 844-1598 (fax)

State's Primary Contact:

Kathy Schnabel
DGS – Information Technology Services Division
707 3rd Street, 3rd Floor
West Sacramento, CA 95605
(916) 375-4789 (ph)
(916) 375-4808 (fax)
Email: Kathy.Schnabel@dgs.ca.gov

Please forward renewal notices to the attention of the State'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.