

**ENGAGEMENT ADDENDUM Number 1**  
to  
**PARTICIPATING ADDENDUM**  
**WESTERN STATES CONTRACTING ALLIANCE**  
**PUBLIC CLOUD HOSTING SERVICES**  
Administered by the State of Utah (hereinafter "Lead State")

STATE OF UTAH COOPERATIVE CONTRACT ("CONTRACT")  
Environmental Systems Research Institute, Inc.  
(hereinafter "Contractor")  
Utah Contract Number: ~~MA288~~ MA266

And

State of Washington, Department of Enterprise Services  
(Participating Entity Contract Number: 08713)

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**A. SCOPE OF USE:** This Engagement Addendum covers the use of the Contract and Participating Addendum for eligible Purchasing Entities that are "state agencies" as that term is defined in RCW 43.41A.006(15) within the Participating State (each a "State Buyer"). This Engagement Addendum is not for personal use. Any capitalized term not defined herein shall have the meaning ascribed to it in either the Contract or the Participating Addendum.

**B. INDIVIDUAL CUSTOMER:** The individual state agency that purchases products/services under this Engagement Addendum will be treated as if they are an Individual Customer. Except to the extent modified below, each State Buyer will be responsible to follow the terms and conditions of the Contract and the Participating Addendum; and they will have the same rights and responsibilities for their purchases as the Lead State has in the Contract. Each State Buyer will be responsible for their own charges, fees, and liabilities. Each State Buyer will have the same rights to any indemnity or to recover any costs allowed in the Contract for their purchases. The Contractor will apply the charges to each State Buyer individually.

**C. SCOPE OF ENGAGEMENT ADDENDUM:** This Engagement Addendum only covers the use, licensing, or purchase by State Buyers of any PUBLIC CLOUD HOSTING SERVICES available under the Participating Addendum for Statements of Work accepted by Contractor in which State Buyer data to be accessed, stored and processed in a PUBLIC CLOUD HOSTING SERVICE that has been classified by the State Buyer as either Category 1 (Public Information) or Category 2 (Sensitive Information) as set forth in Section 4.1, *Data Classification*, of the Office of the Chief Information Officer Standard 141.10, *Securing Information Technology Assets*. Statements of Work that would include Category 3 (Confidential Information) or Category 4 (Confidential Information Requiring Special Handling) must not be made under this Engagement Addendum.

**D. MODIFICATIONS OR ADDITIONS TO PARTICIPATING ADDENDUM TERMS AND CONDITIONS.** The modifications or additions to the Participating Addendum Terms and Conditions set forth in this section apply only to Statements of Work from State Buyers within the Participating State and within the scope of this Engagement Addendum as set forth above.

1. The section is hereby added to the Participating Addendum:

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**STATE OF UTAH COOPERATIVE CONTRACT ("CONTRACT")**  
**Environmental Systems Research Institute, Inc.**  
**(hereinafter "Contractor")**  
**Utah Contract Number: MA268 MA 266**



And

**State of Washington, Department of Enterprise Services**  
**(Participating Entity Contract Number: 08713)**

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*Participating State Security Requirements.* Contractor will choose an Infrastructure Host that complies with (i) one or more of the following Security Policies, or their successor: (1) the standards set forth in ISO 27001 and 27002, (2) the objectives and principles set forth in the Auditing Standards Board's Statement on Standards for Attestation Engagements (SSAE) No. 16, or (3) NIST Special Publication 800-53 Revision 3 Moderate-Impact System Baseline; and, (ii) the corresponding Security Policy(-ics) with respect to (1) any electronic transfer of code or data; (2) prevention of unauthorized access; and (3) prevention of any and all undisclosed programs, extraneous code, self-help code, unauthorized code, or other data that may be reasonably expected to damage data, code, software, systems or operations of any network, system or data.

**E. PRIMARY CONTACTS:** The primary contact individuals for this Engagement Addendum are the same as set forth in Section 5, *Primary Contacts*, in the Participating Addendum.

**F. PRICE AGREEMENT NUMBER:** All purchase orders issued by State Buyers within the jurisdiction of this Engagement Addendum shall include the Participating State contract number: 08713 and the Lead State price agreement number: MA268.

**G. ENTIRE AGREEMENT:** This Engagement Addendum, the cited Participating Addendum and the Contract, together with their exhibits, and any Statement of Work under this Engagement Addendum shall set forth the entire agreement between State Buyer and Contractor with respect to the subject matter hereof and shall supersede and replace any preprinted terms and conditions contained in, and any additional or different terms of, any purchase order issued by the State Buyer. Nothing in this Engagement Addendum or the Participating Addendum shall prohibit a State Buyer and Contractor from entering into a Statement of Work that contains different or additional terms, and such Statement of Work shall have priority. However, the terms of any such Statement of Work will be binding only upon Contractor and the State Buyer that entered into such Statement of Work.

**H. ORDER OF PRECEDENCE:** In the event of any inconsistency between the documents in or pursuant to this Engagement Addendum, the inconsistency shall be resolved in the following order of

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Utah Contract Number: ~~MA268~~ MA266 *De C*

And

State of Washington, Department of Enterprise Services  
(Participating Entity Contract Number: 08713)

precedence:

- 1) Applicable federal and state statutes, laws, and regulations;
- 2) A Statement of Work under this Engagement Addendum
- 3) This Engagement Addendum
- 4) The Participating Addendum;
- 5) The terms and conditions of Lead State Contract MA268 including its various attachments and exhibits.

IN WITNESS WHEREOF, the parties have executed this Engagement Addendum as of the date of execution by both parties below.

<b>Washington State Office of the Chief Information Officer</b>	<b>Contractor: Environmental Systems Research Institute, Inc.</b>
By: <i>mcbt</i>	By: <i>William C. Fleming</i>
Name: MICHAEL DEANGELO	Name: William C. Fleming
Title: DEPUTY CIO	Title: Managing Business Attorney
Date: 1/6/14	Date: DEC 23 2013

*Washington State MCD*  
*1-29-14*