

1 [Amendment to a Contract to Extend the Term for More than Ten Years.

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3 **Resolution authorizing the Department of Technology to enter into the Seventh**  
4 **Amendment of an agreement with Stratus Technologies, Inc., to extend the term of the**  
5 **agreement to fourteen years.**

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7 WHEREAS, on April 5, 1999, the City and County of San Francisco (“City”), acting  
8 through its Department of Telecommunications and Information Services (now called the  
9 Department of Technology (“DT”), entered into an agreement with Stratus Technologies, Inc.  
10 (“Stratus”) in which Stratus agreed to provide the City with 24/7/365 hardware maintenance  
11 and operating system maintenance on Stratus computer equipment for the City’s 911  
12 Dispatch System (the “Agreement”); and,

13 WHEREAS, the initial term of the Agreement was for a period of two years; and

14 WHEREAS, the DT and Stratus have amended the Agreement six times, by the First  
15 Amendment dated May 1, 2000; and the Second Amendment dated November 7, 2002; and  
16 Third Amendment dated August 6, 2003; and the Fourth Amendment dated June 4, 2004; and  
17 Fifth Amendment dated July 18, 2006; and the Sixth Amendment dated September 12, 2008;

18 WHEREAS, in the Fifth Amendment DT and Stratus agreed to extend the term of the  
19 Agreement until September 30, 2008; and,

20 WHEREAS, the DT has determined that it is in the best interests of the City to extend  
21 the term of the Agreement for an additional four years; and,

22 WHEREAS, the proposed Seventh Amendment to the Agreement would extend the  
23 term of the Agreement from ten years (through September 30, 2008) to fourteen years  
24 (through September 30, 2012); and,

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1           WHEREAS, Charter section 9.118(b), "Contract and Lease Limitations," requires Board  
2 of Supervisors approval of any amendment to a contract that would extend the term of the  
3 contract for ten or more years; and,

4           WHEREAS, the proposed Seventh Amendment is on file with the Clerk of the Board of  
5 Supervisors in File No. \_\_\_\_\_, which is hereby declared to be a part of this resolution as  
6 though fully set forth herein, now, therefore, be it

7           RESOLVED, that the Board of Supervisors approves the Seventh Amendment to the  
8 Agreement with Stratus Technologies, Inc.

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