1   [Amendment to a Contract with Stratus Technologies, Inc. to Extend the Term for More than
2   Ten Years.]

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4   **Resolution <u>retroactively</u> authorizing the Department of Technology to enter into the**

5   **<u>Fifth, Sixth, and</u> Seventh Amendment of an agreement with Stratus Technologies, Inc.,**

6   **to extend the term of the agreement to fourteen years.**

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8   WHEREAS, on April 5, 1999, the City and County of San Francisco ("City"), acting

9   through its Department of Telecommunications and Information Services (now called the

10 Department of Technology ("DT"), entered into an agreement with Stratus Technologies, Inc.

11 ("Stratus") in which Stratus agreed to provide the City with 24/7/365 hardware maintenance

12 and operating system maintenance on Stratus computer equipment for the City's 911

13 Dispatch System (the "Agreement"); and,

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

15   WHEREAS, the DT and Stratus have amended the Agreement six times, by the First

16 Amendment dated May 1, 2000; and the Second Amendment dated November 7, 2002; and

17 Third Amendment dated August 6, 2003; and the Fourth Amendment dated June 4, 2004; and

18 Fifth Amendment dated July 18, 2006; and the Sixth Amendment dated September 12, 2008;

19   WHEREAS, in the Fifth Amendment DT and Stratus agreed to extend the term of the

20 Agreement until September 30, 2008; and,

21   WHEREAS, the DT has determined that it is in the best interests of the City to extend

22 the term of the Agreement for an additional four years; and,

23   WHEREAS, the proposed Seventh Amendment to the Agreement would extend the

24 term of the Agreement from ten years (through September 30, 2008) to fourteen years

25 (through September 30, 2012); and,

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. 081419, 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 retroactively approves the Fifth, Sixth, and

8 Seventh Amendments to the Agreement with Stratus Technologies, Inc.

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