

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

3 **Resolution retroactively authorizing the Department of Technology to enter into the**
4 **Fifth, Sixth, and Seventh Amendment of an agreement with Stratus Technologies, Inc.,**
5 **to extend the term of the 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. 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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City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails
Resolution

File Number: 081419

Date Passed:

Resolution retroactively authorizing the Department of Technology to enter into the Fifth, Sixth and Seventh Amendment of an agreement with Stratus Technologies, Inc., to extend the term of the agreement to fourteen years.

January 27, 2009 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 081419

I hereby certify that the foregoing Resolution was ADOPTED on January 27, 2009 by the Board of Supervisors of the City and County of San Francisco.

2/5/09

Date Approved

Angela Calvillo
Clerk of the Board

Mayor Gavin Newsom