



# COUNTY OF EL DORADO

1/2/2024 9:33:54 AM

# Purchase Contract

Fiscal Year 2024

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EVERGREEN SERVICES TOPCO LLC  
dba EXECUTECH UTAH LLC  
10876 S RIVER FRONT PKWY  
STE 100  
SOUTH JORDAN, UT 84095

THIS NUMBER MUST APPEAR ON ALL  
INVOICES, PACKAGES AND SHIPPING PAPERS

Purchase Contract # **8388**

**SUBJECT TO TERMS AND CONDITIONS ON WEBSITE**  
[https://edcgov.us/Government/Contracts/Pages/po\\_terms\\_\\_\\_conditions.aspx](https://edcgov.us/Government/Contracts/Pages/po_terms___conditions.aspx)

For Period: 01/31/2024 To 01/30/2027

PLEASE NOTE: This Purchase Contract is for a NTE (Not To Exceed) amount.

NTE:

PRICING, SERVICE & SOFTWARE TERMS PER QUOTE #006393

CONTRACT ADMINISTRATOR, TONIA DIGIORNO, INFORMATION TECHNOLOGIES DIRECTOR OR SUCCESSOR

MEDIA: ELECTRONIC DOWNLOAD ONLY

THIS PURCHASE ORDER IS BEING ISSUED FOR THE ACQUISITION OF SOFTWARE LICENSES, SOFTWARE MAINTENANCE, UPGRADE PROTECTION AND/OR RENEWALS OF SAME. COUNTY OF EL DORADO DOES NOT ACCEPT PHYSICAL MEDIA FOR EITHER THE INITIAL PURCHASE OF SOFTWARE LICENSES AND/OR ANY SOFTWARE MAINTENANCE AND UPDATES. SOFTWARE, MAINTENANCE AND UPGRADE PROTECTION WHEN ELECTRONICALLY DOWNLOADED ARE NOT SUBJECT TO TAXATION PER THE STATE OF CALIFORNIA, CDTFA REGULATION SECTION 1502 OF TITLE 18 OF THE CALIFORNIA CODE OF REGULATIONS. SHOULD COUNTY OF EL DORADO EVER RECEIVE PHYSICAL MEDIA OR DOCUMENTATION RELATIVE TO THIS SOFTWARE AND/OR SOFTWARE MAINTENANCE AND/OR LICENSE UPDATES, THE COUNTY SHALL BEAR THE COST OF ANY APPLICABLE TAXES RELATIVE TO THIS TRANSACTION.

RUBRIK, INC. END USER LICENSE AGREEMENT & HARDWARE WARRANTY & SUPPORT SERVICES POLICY ARE INCORPORATED HEREIN AND MADE BY REFERENCE A PART OF THIS PURCHASE ORDER CONTRACT. EXCEPT FOR ANY REFERENCE MADE TO THE "CONFIDENTIALITY", IN RUBRIK, INC. END USER LICENSE AGREEMENT & HARDWARE WARRANTY & SUPPORT SERVICES POLICY IN WHICH CASE THIS PURCHASE ORDER CONTRACT IS SUBJECT TO DISCLOSURE IN ACCORDANCE WITH THE LAWS OF THE STATE OF CALIFORNIA.

VENDOR CONTACT:  
DEAN MILLER / PHIL CASE  
(916) 567-4444 / (571) 258-8705  
DEAN.MILLER@EXECUTECH.COM  
PHIL.CASE@RUBRIK.COM

This Purchase Contract expressly limits acceptance to the terms and conditions stated herein, set forth on the website and any supplementary or additional terms and conditions annexed hereto or incorporated herein by reference. Any additional or different terms and conditions proposed by the seller are objected to and hereby rejected unless otherwise stated above.