



Embedded Lease Checklist and Assessment Form (ELCAF)
Dedicated Customer Version

CHECKLIST ASSESSMENT RESULTS - No Input Required

Embedded Lease Assessment: Compliant or Non-Compliant	Compliant	Accounting Treatment: Contra Revenue or Cost of Sales	Contra Revenue	Sale Leaseback Flag: Yes or No	No
Embedded Lease Category: Dedicated or Leveraged	Dedicated	Tax Treatment Assessment: Resale or Not for Resale	Not For Resale-Not Tax Exempt		

Section A: HEADER INFORMATION

GRRO Approved Embedded Lease Model *	Pointnext - Flexible Capacity	Business Unit Description *	Pointnext OS	New Contract or Amendment/Change *	Amendment/New Design WITHOUT Ts&Cs changes
Customer Name *	BNP			Please provide Total Contract Value (TCV) in USD\$ at date of contract execution/signature to determine if RRC is required *	459460
Deal Description	Greenlake BNP - OPE-0009706676 CR004			Estimated Quote Totals equal to the requested SAL or VAL in USD\$ *	63657
Customer Contract or Change Order Signature Date *	11/30/2020	Duration of System/Contract Term *	60	Duration of Embedded Lease *	60
Does Embedded Lease terms exceed the Contract lease terms? *	No	Bill-To Country for HPEFS Invoicing	Belgium	ELCAF Identifier *	BE3-BNP06.35.11/ELCAF1
Customer Invoice System of Record *	Compass			Enter Bill-To WBS	BE3-BNP06.35.11
				No Entry Required	-
				HPEFS Description *	Pointnext - Compass IC Contra Revenue (See Instructions)

Section B: ASSESSMENT QUESTIONS Be sure to answer all questions and supply all required information			
Questions *	Answers *	Contract Paragraph # and Page # *	Comments
<p>1A. Does the contract require specific assets to be used in service delivery in the form of asset model numbers or configurations with minimum quantity?</p> <p>Examples of the way in which asset specifications may be found in the contract are:</p> <ul style="list-style-type: none"> (i) Per unit billing schedule that incorporates a list of required assets (ii) Contractual clause requiring the maintenance of an asset database that provides a listing of specific assets (iii) Contractual clause requiring defined refresh schedule with disclosure of specified assets <p>This information may be included in an attachment, as part of a billing or contractual requirement, in a change order, or in an acceptance certificate, as long as it is either signed by the client directly or incorporated by reference in a client contract. Examples of model numbers, configuration, or per unit billing include number of ports, MIPS, gigabytes, seats, etc.</p>	Yes	<p>page 27-28page 32 Table 7 - Table8HPE: 6x HPE DL380 Gen10 48TB Server for CohesityDetails inTable 8Cohesity: See Exhibit R</p>	Quantities start configuration specified
<p>1B. Is HPE required to obtain customer approval prior to substituting assets listed in the contract?</p> <p>This is not the same as HPE being required to have customer permission to enter the customer facility. If the right of substitution is not specifically stated, if the context of the HPE rights implies that HPE may substitute products without customer permission (outside of warranty, support, or indemnity obligations), the answer is “No”. A ‘No’ answer results in a Non-Compliant lease which must be approved by Pointnext Finance, supported by Legal ruling of the implied right to substitute</p>	Yes	<p>page 36 Exhibit M - Technology Refresh Services</p>	subject to the Change Management Process.
<p>2A. Does the customer contract convey a right to use the asset by including both of the following terms?</p> <ul style="list-style-type: none"> (i) A minimum revenue commitment that covers the HPEFS billing amount over the lease term (ii) A contractually specified Termination Fee that is greater than or equal to the balance of payments due for the equipment portion of the contract 	Yes	<p>Pricing, invoicing and 6.2. Termination Fees p27</p>	Committed capacity set to 80%
<p>2B. Does the customer control substantially all of the asset output or usage by meeting both of the following criteria?</p> <ul style="list-style-type: none"> (i) The customer operates and/or directs others to operate the asset, and (ii) The customer controls physical or virtual access to the asset <p>Example: Customer's possession and operation of a server, storage devices or desk top device would meet both criteria in (B) above.</p>	Yes	<p>See page 21 Responsibilities, limitations and assumptions</p>	-
<p>3. Is the contract for a Public Sector customer in any country where regulatory requirements only allow recovery of lease costs when charged as rent booked directly to COS?</p> <p>Example: Government mandated audit rights with Cost Accounting Standards (CAS), or subject to U.S. Federal Acquisition (FAR) or equivalent Public Sector government regulations in other countries.</p> <p>Please contact GRRO immediately if Question 3 = YES and Customer is not US Public Sector</p>	No	<p>[Q4ContractPage]</p>	-

4. Does the contract contain a Sale/Leaseback transaction between HPE and the customer? Enter the Fair Market Value in US\$ of the equipment being purchased by HPE Attach documentation of appraisal analysis (i) By independent appraisal (required if acquisition is \$20M or more) (ii) By internal analysis (if acquisition is between \$5M and \$20M) Note: Fair Market Value must be determined prior to funding to properly account for this transaction. [FairMarketLabel] [FairMarketValue]	No	[Q4ContractPage]	-
5. Is the equipment located in the Canada Provinces of British Columbia, Manitoba or Saskatchewan? If so, are both of the following true for this contract? (i) the equipment is physically located at the customer's site (ii) The equipment is physically operated by the customer's personnel [TaxResaleLabel] [TaxResale]	[Q5]	[Q5ContractPage]	-

Section C: PREPARER, APPROVER AND OTHER CONTACTS				
	Name *	Email Address	Comments	Date
ELCAF Preparer per BU Policy	Na, Hongmei (Mavis, Solutions Operations)	hna@hpe.com	[Preparer Comments]	12/18/2020
ELCAF Reviewer per BU Policy	Niedziela, Lukasz	lukasz.niedziela@hpe.com	reviewed	12/18/2020
ELCAF Approver per BU Policy	Niedziela, Lukasz	lukasz.niedziela@hpe.com	approved	12/18/2020
HPEFS Contact	HPEFS_EMEA_Services_CDS	hpefs_emea_services_cds@hpe.com		
GRRO Contact	[GRRO Contact Name]	[GRRO Contact Email]		
Other Contacts to be informed	Peeters, Philip	philip.peeters@hpe.com		
	Drenska, Ivana (Solutions Operations)	drenska@hpe.com		
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	[Other Contacts Name4]	[Other Contacts Email4]		
	[Other Contacts Name5]	[Other Contacts Email5]		

	[Other Contact Name 6]	[Other Contact Email 6]	
	[Other Contact Name 7]	[Other Contact Email 7]	
	[Other Contact Name 8]	[Other Contact Email 8]	

<div>Attach here : Mandatory Supporting Documentation:</div> <ul style="list-style-type: none">Hardware, Software, Install Quotes (no other services allowed)Contract/SOW and/or Change Order/AmendmentNA only - Worksheet with LRF, Lease Calculation, Tax Exempt Certificate	Attachment 1 :	[[FCS_ChangeRequest_BNPPCAR001_Initial Cohesity cluster 3 nodes - Signed PYA V2.pdf]] -
	Attachment 2 :	[[NQ01825537-03.pdf]] -
	Attachment 3 :	[[NQ01825537-03.xlsx]] -
	Attachment 4 :	[[APE-001130373_1.png]] -
	Attachment 5 :	[[APE-001130373_2.png]] -
	Attachment 6 :	[[BNPP AM CAR v2 update 02.12.20 - export_71787_BNPPAM_02_12_2020_05_05_23....xlsx]] -
	Attachment 7 :	[Link7]
	Attachment 8 :	[Link8]
	Attachment 9 :	[Link9]
	Attachment 10 :	[Link10]