**SCHEDULE A**

**UTILITY SERVICE SCHEDULE**

**(FORM)**

This Utility Service Schedule is subject to and governed by the Master Utility Services Agreement dated \_\_\_\_\_\_\_\_\_\_\_\_ by and between Proquire LLC and NetApp, Inc. and, to the extent applicable, the Participation Agreement identified below (collectively, the “**Agreement**”). Unless otherwise defined herein, all capitalized terms in this Schedule will have the meanings set forth in the Agreement.

**SCHEDULE NO. \_\_\_\_ TO MASTER UTILITY SERVICES AGREEMENT NO. \_\_\_\_\_\_\_\_\_**

**Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Current Purchase Order # \_\_\_\_\_\_\_\_\_\_\_\_\_**

**Term (Duration) of this Utility Service Schedule (Select One):** ☐ 1 Year ☐ 2 Years ☐ 3 Years

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Applicable Participation Agreement (Check one):** | | **☐ Yes** | **☐ No** | |  | |
| *Effective Date:* |  | |  | | |  |
| *Entered by and between:* |  | |  |  | | |
|  | *Provider or Provider Affiliate* | |  | *Customer or Customer Affiliate* | | |

|  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Provider:** | ☐ NetApp, Inc. | | | | | | ☐ NetApp B.V. | | | | |
| *(Select one)* | 495 East Java Drive  Sunnyvale, CA USA 94089  USA | | | | | | Boeing Avenue 300  1119 PZ Schiphol-Rijk  The Netherlands | | | | |
|  |  | | | | | |  | | | | |
| Customer or Affiliate Name: |  | | | | | | | | | | |
| Business Address: |  | | | | | | | | | | |
| Bill to Address: |  | | | | | | | | | | |
| Installation Address: |  | | | | | | | | | | |
| 1. Signature Required By: |  | | | | | | |  | | | |
|  |  | | | | | | | Date: (MM/DD/YYYY) | | | |
| 2. Initial Raw System Capacity  (by disk type): | |  |  | Raw Gigabytes SAS |  | Raw Gigabytes SATA | | |  | Raw Gigabytes SSD | |
| 3. System Size | |  | ☐ Small | | ☐ Medium | | | | ☐ Large | | |
| **4. Usage Rates**:  (SAMPLE ONLY – Table to be Updated per Final Rates and Specs) | | -- Excluding sales tax | | | | | | | | | | |
|  | |  | | | | | | | | |

|  |  |  |
| --- | --- | --- |
| **5. Products and Support Services Description**: | | |
| **PART NUMBER** | **DESCRIPTION** | **QUANTITY** |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |

*(specify details here and reference* ***Quote No.*** *XXXXXXX)*

6. Terms and Conditions: The terms and conditions of the above-referenced Agreement are incorporated herein*[; provided that, for all purposes of this Schedule No. [XXX] and the Contract created hereby, the term “Provider” shall mean NetApp \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. NetApp \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ shall be bound by the terms and conditions contained in the Agreement, as modified by this Schedule. Customer shall look solely to NetApp \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ for the performance of all of Provider’s obligations under the Contract]*. In the event that any term of this Schedule conflicts with anything contained in the Agreement, this Schedule will control for purposes of this Schedule only. In addition, the following terms will apply to this Contract:

***[insert exceptions or modifications to Agreement terms, if any, including amendments to accommodate local legal or commercial variations or state “none”]***

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Provider: (Select One)**  **☐ NetApp, Inc. ☐ NetApp BV** | | | **☐ NetApp BV** |  | **Customer Affiliate:** | |
| **Affiliate (if applicable):** | |  | |  | |
| Signature: |  | | |  | Signature: |  |
| Name: |  | | |  | Name: |  |
| Title: |  | | |  | Title: |  |
| Date: |  | | |  | Date: |  |