Amendment No. 4 to Campus and School Agreement
Google Workspace for Education Services
Erie 1 BOCES

This Amendment No. 2 to the Agreement (the "**Amendment No. 4**") is made and entered into as of the date of the last signature below by and between Google LLC ("**Google**" or "**Vendor**"), a corporation having its principal offices at 1600 Amphitheatre Parkway, Mountain View, CA, 94043,and Erie 1 Board of Cooperative Educational Services ("**Erie 1 BOCES**" or "**Customer**") a municipal corporation organized and existing under the Education Law of the State of New York having its principal offices at 355 Harlem Road, West Seneca, NY 14224 (each a "**Party**" and, collectively, the "**Parties**"). This Amendment will be effective as of the last signature date below (the **"Amendment Effective Date"**).

WHEREAS, Parties have entered into an Agreement on September 30, 2019 ("**Agreement**") and last amended on August 3, 2020 ("Amendment No. 3"), and governing the provision of Google Workspace for Education services (pka "G Suite for Education") ("**Services**") which is set to expire on June 30, 2023; and

WHEREAS, Parties wishes to amend the Agreement so as to extend the Term of the Agreement through June 30, 2026; and

WHEREAS, a Board of Cooperative Educational Services ("**BOCES**") is a municipal corporation organized and existing under the Education Law of the State of New York that pursuant to Education Law §1950 provides shared computer services and software to school district components ("**District**" or "**Districts**") of the Regional Information Center ("**RIC**") and in that capacity purchases various products for use by said districts as part of the BOCES service, and

WHEREAS, several BOCES throughout New York State wish to continue to offer Google Workspace for Education Services to its Districts as part of the BOCES service;

NOW, THEREFORE, And in consideration of the mutual promises hereinafter set forth, the parties agree as follows:

AGREEMENT:

1. Termination Date. Section 1.9.1 is partially amended to extend the term of the Agreement, and shall read as follows:

   "**1.9.1 Term of Agreement**. The first Renewal term of this Agreement shall commence on the Amendment Effective Date and continue until 11:59 pm June 30, 2026 (**"Renewal Term 1"**), unless earlier terminated as otherwise set forth herein. The Renewal Term 1 may be extended for successive renewal terms of

three (3) years (each a "**Renewal Term**") by mutual execution by the Parties of either a written Amendment to this Agreement, or, a new Agreement. Notwithstanding the foregoing, if Customer continues to use the Services after the end of the Initial Term (and each Renewal Term, if applicable), the Agreement will automatically renew for consecutive renewal terms of 12 months unless either party gives 30 day prior notice of non-renewal of the Initial Term or any Renewal Term.

2. **Duration of Agreement and Protected Data Upon Expiration**. EXHIBIT B Supplemental Information about Google Workspace for Education Services (pka G Suite for Education) Agreement between Erie 1 BOCES and Google LLC is partially amended to update the information in the first bullet point under the title "Duration of Agreement and Protected Data Upon Expiration" in accordance with Section 1.9.1 of the Agreement and shall read as follows:

   - "The Agreement renewal commences on August 1, 2023 and expires on June 30, 2026."

3. <u>Miscellaneous</u>. The Agreement remains in full force and effect except as modified by this Amendment. To the extent the Agreement and this Amendment conflict, this Amendment governs. This Amendment may be executed in one or more counterparts including facsimile, PDF or other electronic copies, which when taken together upon proper delivery will constitute a single instrument. The Agreement's governing law and dispute resolution provisions also apply to this Amendment.

Signed by the parties' authorized representatives on the dates below

Google LLC ("Google")   **ERIE 1 BOCES ("Customer")**

By:_____   By:_____

Name:_____   Name:_____

Title:_____   Title:_____

Date:_____   Date:_____