

-Supplemental Terms-

Resale of Extreme-Branded Products and Services to the U.S. Government

The following terms shall apply with respect to the resale of Extreme-branded products and services by authorized Extreme resellers to any agency of the U.S. Government and other federal-affiliated entities as authorized in GSA Order ADM 4800.2.¹

1. Purchase Orders to Extreme Federal Inc.

For direct Extreme-authorized resellers²: all purchase orders for resale to a U.S. Government entity must be made through **Extreme Federal, Inc.**, a wholly owned subsidiary of Extreme Networks, Inc., and must clearly identify the U.S. Government end user customer.³

Extreme Federal, Inc.

13241 Woodland Park Rd. #210

Herndon, VA 20171

US-Federal-Intake@Extremenetworks.com (Email for purchase order submission)

DUNS: 080845909

CAGE: 805X8

Clearance Level: Top Secret

SAM Registration - <https://sam.gov/SAM/pages/public/searchRecords/searchResults.jsf>

For Extreme-authorized indirect resellers⁴: all purchase orders for resale to a U.S. Government entity must be placed with an authorized Extreme distributor (who is required to place their order with Extreme Federal, Inc.). Reseller's orders to the distributor must clearly identify the U.S. Government end user customer.⁵

2. Federal Acquisition Regulations. Any purchase order accepted by Extreme Federal shall be considered a subcontract for "commercial items" as defined under the Federal Acquisition Regulation Subpart 2.1. Only clauses in FAR Subparts 12.5 and 44.4 which are required by law to be incorporated into a commercial item subcontract shall apply to such purchase order. Any additional FAR or agency FAR Supplemental clauses are expressly rejected by Extreme and shall have no force and effect unless Extreme accepts their inclusion in a writing that is signed by an authorized representative of Extreme Federal, Inc.

¹ GSA Order ADM 4800.2 (June 2013) available at: <https://www.gsa.gov/cdnstatic/SignedGSADirective48002H.pdf>.

² Extreme-authorized direct resellers are resellers who are enrolled in Extreme's channel partner program, and have a valid direct purchase agreement with Extreme which allows the reseller to place orders directly with Extreme and to resell Extreme products/services to end user customers in a designated territory.

³ If the government end user customer is *classified* (per Executive Order 13536), then the purchase order should only indicate that the end user is a U.S. Government customer (but not identify the specific customer).

⁴ Extreme-authorized indirect resellers are resellers who are enrolled in Extreme's channel partner program and who are authorized to purchase Extreme products/services through authorized Extreme distributors for resale to end users in a designated territory.

⁵ Same comment as set forth in footnote 3 above.

3. **End User License Agreement-United States Government Restricted Rights.** The software and documentation provided with Extreme Products and Services are “commercial items” as that term is defined at 48 C.F.R. 2.101, consisting of “commercial computer software” and “commercial computer software documentation” as such terms are used in 48 C.F.R. 12.212. Consistent with 48 C.F.R. 12.212 and 48 C.F.R. 227.7202-1 through 227.7202-4, all U.S. Government end users acquire the software and documentation in accordance with only those license rights set forth herein.
4. **Trade Agreements Act (“TAA”).** All requests for TAA-compliant products must be clearly set forth in writing at the time of your request for quote and must be called out conspicuously on the order issued to Extreme.
5. **International Traffic in Arms Regulations (Not Applicable to Extreme Products).** No Extreme product is on the United States Munitions List, and accordingly, is not subject to ITAR.
6. **Extreme End User License Agreement (EULA).** Extreme’s end user license agreement is set forth at <https://cloud.kapostcontent.net/pub/3cea3a27-431f-4d22-aff4-609b6dd6a6dc/end-user-license-agreement?kui=RWQrhDMFPQ3mjYarjbrnDg> . The license rights to use the software by U.S. Government is set forth in Section 12 (“United States Government Restricted Rights”).
7. **Representations and Certifications.** Extreme Federal Inc.’s representations and certifications are available online at the United States Government’s online Representation and Certification site: <https://sam.gov/>. Search SAM under DUNS: 080845909 for Extreme Federal. Upon written request, Extreme will provide same representations/certifications for commercial item subcontracts. Requests should be sent to askusfederal@extremenetworks.com.

*For other information/questions related to Extreme Federal, please contact
askusfederal@extremenetworks.com.*

Thank you.

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