

SERVICE LEVELS

1. General

The Service Level sets out both the nature and the quality of the service provided and the obligations placed on both parties related to the Client's business requirements.

2. Availability

- **Production Systems** availability is planned for use 24 hours per day, 7 days per week, year round, excluding scheduled and agreed upon maintenance windows. System availability metrics will be provided by Provider as a component of the required monthly status report. If, during any rolling 12 month period during the Term, the Production System is unavailable: (a) for a period of 12 hours or more (excluding scheduled and agreed upon system maintenance periods) on three separate occasions; or (b) for a period of 48 hours or more individually or in the aggregate (excluding scheduled and agreed upon system maintenance periods), Provider will be deemed in material breach of its obligations hereunder.
- **Development and Quality Assurance Systems** will be available during the same timeframe as the Production Systems to allow for off-hours support; however, system availability requirements and maintenance periods will be treated more flexibly by Client provided adequate notice is given. Any scheduled maintenance for these systems will be mutually agreed to in advance, in writing, by Client and Provider and will be at least 48 hours before the maintenance work will be executed.
- **System Continuous Service** availability monthly requirements (based on 24x7 year round) are as follows:
 - a. Production System – 99.5%
 - b. Quality System – 98.0%
 - c. Development System – 98.0%

3. Database and Operating System Performance

Provider must perform database, hardware, and Operating System tuning, maintenance, and resource allocation to ensure performance is consistent with the above requirements. System performance and availability monitoring and reporting must be enabled for all supported environments. Provider will provide Client read-only access to monitor supported environments and to review system-level configuration and settings.

4. SAP System Response Time

1. As defined in OSS Note 8963, SAP response time of a transaction step is the difference in time between the point when the request arrives in the system and the point when the system completes the processing. Provider must guarantee the following:
 - a. 87.5% of Production System tasks of type Dialog will be completed in less than one second.
 - b. 92.5% of Production System tasks of type Dialog will be completed in less than two seconds.
2. This performance metric will be included as a component of the monthly service report to be provided by Provider.