G-Cloud 12 Amazon Web Services EMEA SARL, UK Branch (AWS) – Marketplace: Bring Your Own License (BYOL) Services Definition Document

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Disclaimer:
It is the sole responsibility of the Customer to determine how to use the Service Offering information provided in this document. Prices referred to in the document or the incorporated links as referred to throughout the document are for illustration purposes only. Customer should refer to the pricing document on the Digital Marketplace for Supplier's G-Cloud pricing.

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1.0 Service Definition – AWS Marketplace (BYOL)

This document provides the service definition for the AWS Marketplace Bring Your Own License (BYOL) service offering as provided by Amazon Web Services EMEA SARL, UK Branch (AWS) in the G-Cloud 12 framework catalogue.

1.1 How to use the AWS Service Definition Documents

To make it easier for customers to review AWS service content from the hundreds of individual AWS listings on the Digital Marketplace, AWS has grouped the descriptions from its listed services into bundled Service Definition Documents that describe the features of each family of AWS Cloud services. The AWS service families are:

- Cloud Compute Infrastructure Services (Lot 1 & 2)
- Professional Services (Lot 3)
- Support Services (Lot 3)
- Training Services (Lot 3)
- AWS Marketplace (Lot 2)
- AWS Managed Services (Lot 3)

For a list of all AWS Digital Marketplace Service IDs, please contact an AWS account representative through aws-gcloud@amazon.com.

This AWS Marketplace BYOL Service Definition document describes the key features for the AWS Marketplace BYOL Service available to Customers on G-Cloud 12. The underlying physical infrastructure that Customers provision through an AWS Marketplace BYOL Service will be provided by AWS in accordance with the corresponding Digital Marketplace Service ID listing. Notwithstanding that AWS has combined its service descriptions into a consolidated set of documents for ease of review by Customers, in order to receive the AWS cloud compute infrastructure through a Call-Off Contract the Customer must reference each individual Digital Marketplace Service ID within the Call-Off Contract in order to enable that service as an option that is covered under their G-Cloud 12 Call-Off Contract.

AWS would recommend that Buyers list all AWS Digital Marketplace Service ID's in its Call-Off Contract to cover the various underlying cloud compute infrastructure services that may be provisioned through the Customers use of the AWS Marketplace BYOL Service .

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1.2 Service Overview - AWS Marketplace

1.2.1.1 AWS Marketplace general overview

AWS Marketplace is a curated digital catalog that enables customers to find, deploy, and manage third-party software, AI/ML models and algorithms and the data sets they need to build solutions and run their organisations.

AWS Marketplace includes products under popular categories such as security, networking, storage, machine learning, business intelligence, database, and DevOps.

Products can take many forms, such as an Amazon Machine Image (AMI) that is instantiated using a customer's AWS account. Others can be configured to use AWS CloudFormation templates for delivery to the customer or as software as a service (SaaS).

1.2.1.2 AWS Marketplace (BYOL) on the G-Cloud 12 Framework

This Service Definition applies to the '**Bring Your Own Licence' (BYOL)** service that is available through the AWS Marketplace under the G-Cloud 12 Framework.

1.3 Licence BYOL on the AWS Marketplace

The BYOL Service is designed to help Buyers migrate on-premises workloads to AWS, leveraging software for which the Buyer has already purchased a licence, but wishes to now run it in the cloud. **The BYOL Service comprises of the following** components provided by AWS:

- **Over 600 BYOL products for fast provisioning and metered deployment** of products such as security, network, storage, BI, and database, to name a few. Delivery methods for deployment of the software include Amazon Machine Image (AMI), CloudFormation and Containers. Details of which delivery method is available for which BYOL offering, is explained on the relevant BYOL product page on AWS Marketplace. Buyers who choose the BYOL Service need to have an active and valid AWS account in order to activate the license.

- **Cloud compute infrastructure provided by AWS** in accordance with the relevant Service Definition and Pricing Document listed on the Digital Marketplace. The Buyer activates the AWS infrastructure it requires to use their BYOL software.

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1.4 Buyer Responsibilities

The **Buyer is responsible (and AWS has no responsibility)** for the following elements of the BYOL Service:

- **Procuring its own software licence from the third-party provider** in a separate contractual relationship directly between the Buyer and the third-party-provider.
- **Managing its own compliance with applicable public procurement regulations** to ensure any software activated via the AWS Marketplace has been lawfully procured.
- **Managing its own ongoing compliance to the software licence terms** of the third-party provider.
- **Ensuring the security and integrity of its own BYOL software licence keys**.
- **Triage and resolution of issues with the third-party provider's software directly with the provider**.
- **Activating appropriate AWS infrastructure** to enable the BYOL Service to operate efficiently (though AWS can provide Buyers with assistance and support with this where requested).
- **Selecting a software service that is listed from a G-Cloud 12 third-party provider supplier** if the Buyer wishes to achieve the same legal benefits (i.e. terms and conditions).

The recommended process for the Buyer is to begin with a search and confirmation of the availability of a BYOL version of their existing application in AWS Marketplace. Once confirmed the customer simply selects the "Continue to Subscribe" button in the product page to proceed. The customer will be required to supply a license key to activate and use the product. The license key can be obtained directly from the third-party provider, an approved reseller or distributor.

The third-party provider verifies entitlement and handles licensing enforcement. AWS Marketplace does not charge customers for usage of the software however, customers are responsible for any AWS infrastructure usage fees as identified in the pricing section of product detail page).

1.5 Pricing Overview

Buyers are **charged for the underlying AWS cloud computing infrastructure** used to deploy and run the BYOL Service. Please see the AWS UK G-Cloud 12 Pricing Document affiliated with this service in the Digital Marketplace.

Any other fees, including for procuring, activating and running the software from the third-party provider, are the responsibility of the Buyer to manage and account for separately in accordance with the terms of its separate licence agreement with the

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third-party provider. AWS does not monitor and has no responsibility or liability for the ongoing compliance of the Buyer to the terms of the third-party-provider.

AWS Marketplace also provides the Buyer with the Private Offer feature which enables them the ability to further negotiate with the third-party provider on favourable terms for the BYOL software license the Buyer currently possesses. This process requires a signed Custom Transaction Request (CTF) form between the Buyer and third-party provider prior to agreeing to applicable price, terms and payment schedule.

1.6 Service Constraints

Other products existing in the AWS Marketplace are **NOT** covered under G-Cloud 12 terms and are not included as part of this service offering.

1.7 Service Support

Support for all third party software products is provided by the third-party provider via the direct relationship between the Buyer and the third-party-provider. For information only, AWS lists general support instructions and contact information on the third-party provider's details page in AWS Marketplace, which instructs a Buyer how to contact, register and access general support. However, the **Buyer is responsible (and AWS has no responsibility) for contacting the third-party provider** through the procurement and licensing arrangements the Buyer has made directly with the third-party provider.

The sole responsibility of AWS for support will be for support of the AWS Marketplace front end and access to the cloud computing infrastructure which AWS provides. Whilst AWS may provide support to third-party providers with regard to their listed offerings, third-party providers are responsible for the pre-configuration and optimisation of products, and the Buyer recognises that AWS may require the third-party provider to provide support where the issue relates to the pre-configuration of their product..

1.8 British Standard 7858:2012

Buyers selecting AWS Services and expressly requiring AWS conformity to BS7858:2012 acknowledge that AWS scopes BS7858:2012 compliance to those AWS employees with physical access to the 'data layer' zones within datacentres as well as critical permission groups, and those who are directed by the Buyer to access Buyer Data such as Technical Account Managers ("TAMS"). A list of TAMs shall be provided to the Buyer by the Supplier prior to the Start date of the Call-Off Contract and the Buyer shall only contact the listed TAMs in relation to Buyer Data during the Term of the Call-Off Contract. Buyers are obliged in accordance with the Call-Off Contract to encrypt Buyer Data when using AWS Services. Buyer should note that the Supplier does not include Supplier Staff (as defined in the CallOff Contract) responsible for operating the

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AWS Services or those with logical access to encrypted Buyer Data for the purposes of its BS7858 compliance.

1.9 On-boarding through the AWS Marketplace

In order to deploy a third-party provider's software out of AWS Marketplace as a BYOL Service, a Buyer simply needs to have an active and valid AWS Account. Additional information on how to use AWS Marketplace can be accessed here.

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