

Amendment Number 5
to
Contract Number DIR-SDD-1890
between
State of Texas, acting by and through the Department of Information Resources
and
Layer 3 Communications, LLC.

This Amendment Number 5 to Contract Number DIR-SDD-1890 (“Contract”) is between the Department of Information Resources (“DIR”) and Layer 3 Communications, LLC. (“Vendor”). DIR and Vendor agree to modify the terms and conditions of the Contract as follows:

1. Contract, Section 2. Term of Contract, is hereby amended in its entirety and replaced with:

The term of this Contract shall be one (1) year commencing on the last date of approval by DIR and Vendor. Prior to expiration of the original term, DIR may extend this Contract, by mutual agreement, for up to three (3) optional one-year terms.

Additionally, the parties by mutual agreement may extend the term for up to ninety (90) additional calendar days.

2. Contract, Section 2. Term of Contract, is hereby amended to add to following:

DIR and Vendor hereby agree to extend the term of the Contract for ninety (90) days through November 29, 2016, or until terminated pursuant to the termination clauses contained in the Contract, completing all renewal options. No additional extension options remain.

All other terms and conditions of the Contract as amended, not specifically modified herein, shall remain in full force and effect. In the event of conflict among the provisions, the order of precedence shall be this Amendment Number 5, Amendment Number 4, Amendment Number 3, then Amendment Number 2, then Amendment Number 1, and then the Contract.

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IN WITNESS WHEREOF, the parties hereby execute this Amendment Number 5 to be effective as of the date of last signature, but in all events not later than August 29, 2016.

Layer 3 Communications, LLC.

Authorized By: Signature on file

Name: Craig Wall

Title: VP and GM, Western Region

Date: 8/9/2016 | 8:41 AM CDT

The State of Texas, acting by and through the Department of Information Resources

Authorized By: Signature on file

Name: Hershel Becker

Title: Chief Procurement Officer

Date: 8/9/2016 | 7:03 PM CDT

Office of General Counsel: DB 8/9/2016 | 5:30 PM CDT