

Amendment Number 5
to
Contract Number DIR-SDD-1927
between
State of Texas, acting by and through the Department of Information Resources
and
Microsoft Corporation

This Amendment Number 5 to Contract Number DIR-SDD-1927 (“Contract”) is between the Department of Information Resources (“DIR”) and Microsoft Corporation (“Vendor”). DIR and Vendor agree to modify the terms and conditions of the Contract as follows:

1. **Appendix B** to the master agreement, regarding **Price List – Technical Services and Rates**, is hereby amended and replaced in its entirety by the attached new Appendix B, which reflects Microsoft’s new Microsoft Technical Services Hourly Rates which becomes effective October 1, 2016.
2. **Contract, Section 12. Term and Termination**, the following sentence is hereby inserted between the first and second paragraphs of this section:

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

3. **Contract, Section 12. Term and Termination**, is hereby amended to remove, in its entirety the sentence inserted to the end of that section under Amendment 4 and to insert the following:

DIR and Vendor hereby agree to extend the term of the Contract for ninety (90) days through January 15, 2017, 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, then Amendment Number 4, then Amendment Number 3, then Amendment Number 2, then Amendment Number 1, and then the Contract.

(Balance of this page intentionally left blank.)

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 October 1, 2016.

Microsoft Corporation

Authorized By: Signature on File

Name: David T. Gallagher

Title: Director of Contracts

Date: 10/5/2016

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: 10/6/2016

Office of General Counsel: Signature on File