

Amendment Number 5
to
Contract Number DIR-SDD-2108
between
State of Texas, acting by and through the Department of Information Resources
and
International Business Machines Corporation

This Amendment Number 5 to Contract Number DIR-SDD-2108 (“Contract”) is between the Department of Information Resources (“DIR”) and International Business Machines Corporation (“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 as follows:

The term of this Contract is hereby renewed through November 4, 2016. Prior to this expiration date, the parties may renew the Contract upon mutual agreement through October 4, 2017, completing the remainder eleven (11) months of the third one-year (1) renewal option. No additional extension options remain.

All other terms and conditions of the Contract not specifically modified herein shall remain in full force and effect. In the event of a conflict among 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 finally the Contract.

(Balance of this page intentionally left blank.)

IN WITNESS WHEREOF, the parties hereby execute this amendment to be effective as of the date of the last signature, but in all events, no later than October 4, 2016.

International Business Machines Corporation

Authorized By: Signature on File

Name: Eric Rice

Title: IBM Contracts Sales Manager

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 10/6/2016