

**AMENDMENT NUMBER 1
CONTRACT NO. DIR-TSO-2595
BETWEEN
THE STATE OF TEXAS, DEPARTMENT OF INFORMATION RESOURCES
AND
DYONYX, L.P.**

This Amendment Number 1 to Contract Number DIR-TSO-2595 (“Contract”) is between the Department of Information Resources (“DIR”) and DYONYX, L.P. (“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 extended for one (1) year through November 13, 2016. If vendor has no sales for the one-year term, DIR will not extend or negotiate any extensions and the Contract will expire November 14, 2016. If the Vendor has sales and prior to the expiration date of the term, DIR and Vendor may extend the Contract upon mutual agreement, for up to the remaining two (2) additional one-year terms.

2. **Contract, Section 4. Pricing**, is hereby removed from the Contract and transitioned in its entirety to Appendix A, Standard Terms and Conditions for Services Contracts, **Section 7. Pricing, Purchase Orders, Invoices, and Payments**.
3. **Contract, Section 8. Intellectual Property Matters**, is hereby removed from the Contract and transitioned in its entirety to Appendix A, Standard Terms and Conditions for Services Contracts, **Section 4. Intellectual Property Matters**.
4. **Contract, Sections 5 - 9** are hereby re-numbered **Sections 4 – 7**.
 - A. **Section 5. DIR Administrative Fee** is re-numbered as **Section 4. DIR Administrative Fee**;
 - B. **Section 6. Notification** is re-numbered as **Section 5. Notification**;
 - C. **Section 7. Statement of Work, Service Agreements and Shrink/Click-wrap Agreement** is re-numbered as **Section 6. Statement of Work, Service Agreements and Shrink/Click-wrap Agreement**;
 - D. **Section 9. Authorized Exceptions to Appendix A, Standard Terms and Conditions for Services Contracts** is re-numbered **Section 7. Authorized Exceptions to Appendix A, Standard Terms and Conditions for Services Contracts**.
5. **Appendix A, Standard Terms and Conditions for Services Contracts dated 8/9/13**, is hereby replaced in its entirety with **Appendix A, Standard Terms and Conditions for Services Contracts dated 09/24/15**, as attached.

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 1 and then Contract DIR-TSO-2595.

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IN WITNESS WHEREOF, the parties hereby execute this Amendment Number 1 to be effective upon the date of the last signature but in all events, not later than November 13, 2015.

DYONYX, L.P.

Authorized By: Signature on File

Name: Chuck Orrico

Title: President and CEO

Date: 11/19/15

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

Authorized By: Signature on File

Name: Wayne Egeler for Dale Richardson

Title: Chief Operations Officer

Date: 12/10/15

Office of General Counsel: DRBrown 12/9/15