

Amendment Number 1
to
Contract Number DIR-CPO-4471
between
State of Texas, acting by and through the Department of Information Resources
and
Microsoft Corporation

This Amendment Number **1** to **Contract** Number **DIR-CPO-4471** (“**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. **Contract, Section 3. Product Offerings, B. Emerging Technologies and Future Acquisitions** is hereby amended as follows:

DIR recognizes that technology is ever-evolving and advancing. DIR reserves the right to consider the addition of emerging technology such as next generation, enhancements and upgrades for services that are within the scope of Education Information Technology (I.T.) Products and Related Services. Vendor may propose such services throughout the term of the contract. Pricing and terms will be negotiated upon DIR acceptance. Any determination will be at DIR’s sole discretion and any decision will be final. In addition, Texas DIR and Vendor may mutually agree to add future acquisitions of Vendor to the contract. Subsequent terms of the acquisition(s) and pricing will be mutually agreed upon in writing and amended under the contract.

2. **Appendix C, Pricing Index** is hereby replaced in its entirety with **Appendix C, Pricing Index (per Amendment 1)**, as attached.

All other terms and conditions of the **Contract**, not expressly amended 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 1, and then the Contract.

REMAINDER 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.

Microsoft Corporation

Authorized By: Signature on File

Name: Ryan Asdourian

Title: Surface BG Lead

Date: 9/14/2020

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: 9/16/2020

Office of General Counsel: M.H. 9/15/2020