

Amendment Number 1
to
Contract Number DIR-TSO-3397
between
State of Texas, acting by and through the Department of Information Resources
And
PenBay Solutions, LLC

This Amendment Number 1 to Contract Number DIR-TSO-3397 (“Contract”) is between the Department of Information Resources (“DIR”) and PenBay Solutions, 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 by adding the following:

DIR and Vendor hereby agree to extend the term of the Contract for one (1) year through May 4, 2019, or until terminated pursuant to the termination clauses contained in the Contract. The contract will renew automatically in one-year increments for one (1) additional year under the same terms and conditions unless either party provides notice to the other party 60 days in advance of the renewal date stating that the party wishes to discuss modification of terms or not renew.

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

2. **Contract, Section 6. Notification** is hereby restated in its entirety as follows:

6. Notification

All notices under this Contract shall be sent to a party at the respective address indicated below.

If sent to the State:

Kelly Parker, CTPM, CTCM
Director, Cooperative Contracts
Department of Information Resources
300 W. 15th St., Suite 1300
Austin, Texas 78701
Phone: (512) 475 - 1647
Facsimile: (512) 475-4759
Email: Kelly.Parker@dir.texas.gov

If sent to the Vendor:
Richard Koochagian
PenBay Solutions, LLC
8615 Westwood Center Drive
Vienna, Virginia 22182
Phone: (703) 537-9092
Fax: (207) 236-4977
Email: rkoochagian@penbaysolutions.com

3. **Appendix A. Standard Terms and Conditions For Product and Related Services Contracts dated 09/24/2015**, is here by restated in its entirety and replaced with the attached **Appendix A. Standard Terms and Conditions For Product and Related Services Contracts dated 09/29/2017**

4. **Appendix C. Pricing Index**, is hereby restated in its entirety and replaced with the attached **Appendix C. Pricing Index**.

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 Amendment Number 1, and then the Contract.”

(Remainder of 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 5/04/2018.

PenBay Solutions, LLC

Authorized By: Signature on file

Name: Richard Koochagian

Title: COO

Date: 5/11/2018

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: 5/17/2018

Office of General Counsel: Signature on file 5/17/2018