

Amendment Number 1
to
Contract Number DIR-TSO-3485
between
State of Texas, acting by and through the Department of Information Resources
and
22nd Century Technologies, Inc.

This Amendment Number 1 to Contract Number DIR-TSO-3485 ("Contract") is between the Department of Information Resources ("DIR") and 22nd Century Technologies, Inc. ("Vendor"). DIR and Vendor agree to modify the terms and conditions of the Contract as follows:

1. Contract, Section 2. Term of Contract, is amended by the addition of the following:

DIR and Vendor hereby agree to extend the term of the Contract for one (1) year through August 1, 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 amended as follows: All notices under this Contract shall be sent to a party at the respective address indicated below.

If sent to the State:
Kelly A. 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

3. Appendix A. Standard Terms and Conditions For Product and Related Services Contracts dated 03/22/2016, is here by restated in its entirety and replaced with the attached Appendix A. Standard Terms and Conditions For Information Technology Staffing Augmentation Contracts (ITSAC) dated 09/29/2017.

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.

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 8/01/2018.

22nd Century Technologies, Inc.

Authorized By: Signature on file

Name: Kulpreet Singh

Title: Director-Sales

Date: 7/9/2018

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: 7/20/2018

Office of General Counsel: Signature on file 7/18/2018