

**AMENDMENT TWO
CONTRACT NUMBER 3123ITC018
BY AND BETWEEN
TEXAS WORKFORCE COMMISSION
AND
INTERNATIONAL BUSINESS MACHINES CORPORATION**

This Amendment Two (the “Amendment”) to Contract Number 3123ITC018 (the “Contract”), is entered into by and between International Business Machines Corporation and the Texas Workforce Commission (TWC), also hereinafter referred to collectively as “the Parties,” or individually as a “Party.”

WHEREAS, the Parties entered into the Contract, effective October 6, 2022, for the purposes of assessing the TWC Cloud Migration; and

WHEREAS, this contract was subsequently amended by Amendment One on June 3, 2023 to revise the Scope of Work and Contract Term End Date from December 09, 2022 to an expected/anticipated Contract Term End Date of July 7, 2023;

WHEREAS, this Amendment Two is required to extend the end date of the contract, and

NOW THEREFORE, IN CONSIDERATION OF THE CITED PREMISES, the Parties mutually agree to the following:

SECTION 1 – SPECIFIC AMENDED PROVISIONS

Amend Section 14, signature block, Estimated End Date, of the Contract to read as follows: “Estimated End Date: 08/31/2023”.

SECTION 2 – INCORPORATION OF AMENDMENTS

2.1 This Amendment Two together with Amendment One and the Contract represents the entire agreement between the Parties concerning the subject matter of this Contract and supersede any and all prior or contemporaneous oral or written statements, agreements or negotiations.

2.2 Except as expressly amended herein, all other terms of the Contract remain unchanged, are in full force and effect, and are ratified and affirmed by the Parties.

2.3 In the event of conflicting language between the Contract and the language in this Amendment, the language in this Amendment shall control.

SECTION 3 – SIGNATURES

The Parties agree that signatures on this Contract are valid if signed by an individual authorized to obligate that Party whether that individual’s signature is hand-made or represented electronically or digitally as those terms are defined by 34 Texas Administrative Code § 20.3.

SECTION 4 – AUTHORIZED SIGNATORIES

The undersigned signatories represent and warrant that they have full authority to enter into this Amendment on behalf of the respective Parties named below.

IN WITNESS WHEREOF, the Parties hereby execute this Amendment Two to be effective as of the date of the last signature.

TEXAS WORKFORCE COMMISSION INTERNATIONAL BUSINESS MACHINES CORPORATION

Heather Hall

Michael McDaid

Heather Hall
Chief Information Officer

Michael McDaid
Partner, International Business Machines Corporation

7/23/2023

7/23/2023

Date

Date