

**Public Utility Commission**  
**Acknowledgement of Legal Review**

Contract Number: 473-12-00262

Description of Document: Second Amendment to Interagency Contract with DIR for Data Center Services

I have reviewed the attached document.

  
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Kasey Feldman

Date: 7-21-15

**SECOND AMENDMENT TO THE  
INTERAGENCY CONTRACT  
BETWEEN  
THE TEXAS DEPARTMENT OF INFORMATION RESOURCES  
AND  
PUBLIC UTILITY COMMISSION  
RELATING TO THE CONSOLIDATION OF DATA CENTER SERVICES  
PURSUANT TO THE MASTER SERVICES AGREEMENT BETWEEN THE  
TEXAS DEPARTMENT OF INFORMATION RESOURCES  
AND  
THE MULTISOURCING SERVICES INTEGRATOR AND SERVICE  
COMPONENT PROVIDERS  
DIR CONTRACTS NOS. DIR-DCS-MSI-MSA-001, DIR-DCS-SCP-MSA-002, AND  
DIR-DCS-SCP-MSA-003**

This Second Amendment (Second Amendment) is to the Interagency Contract (the Contract) between the Texas Department of Information Resources (DIR) and the Public Utility Commission (DIR Customer) (collectively, the "Parties") to the Consolidation of Data Center Services pursuant to the Master Services Agreement between Performing Agency and the Multisourcing Services Integrator and Service Component Providers.

**RECITALS**

**WHEREAS**, DIR and Service Providers entered into an agreement (Data Center Services Contracts) on or after December 28, 2011 with commencement of services scheduled to commence on May 1, 2012, as provided by First Amendment to the Data Centers Service Contracts;

**WHEREAS**, pursuant to Texas Government Code, Chapter 771, and in order to extend the services offered under the Data Center Service Contracts, DIR and DIR Customer entered into an Interagency Contract, effective May 1, 2012, in which an estimated not to exceed cost for Data Center Services was provided;

**WHEREAS**, a First Amendment was necessary to revise Section IV, Basis For Computing Reimbursable Costs And Payment For Service, regarding the billing dispute process and provide the not-to-exceed charges for DIR Customer for the next two (2) fiscal years for period of September 1, 2013 through August 31, 2014 and September 1, 2014 through August 31, 2015.

**WHEREAS**, this Second Amendment is necessary to provide the estimated not-to-exceed charges for DIR Customer for the next two (2) fiscal years for period of September 1, 2015 through August 31, 2016 and September 1, 2016 through August 31, 2017.

**NOW, THEREFORE**, in consideration of the promises and covenants contained herein, the receipt and sufficiency of which are hereby acknowledged, the Parties agree to amend the Contract as follows:

1. Appendix 1 of this Second Amendment, Attachment A, Estimated Cost Amount, shall replace in its entirety and supersede all previous agreements related to Attachment A, Estimated Cost Amount, of the Interagency Contract.

Except as specifically amended herein, the Contract shall remain in full force and effect through its term.

**IN WITNESS WHEREOF**, the Parties have signed this Second Amendment effective on the date of the last party to sign.

**RECEIVING AGENCY: PUBLIC UTILITY COMMISSION**

By: 

Printed Name: Brian Lloyd

Title: Executive Director

Date: 7-28-15

**PERFORMING AGENCY: DEPARTMENT OF INFORMATION RESOURCES**

By: \_\_\_\_\_

Printed Name: Todd Kimbriel

Title: Interim Executive Director

Date: \_\_\_\_\_

DIR Contract No. DIR-DCS-1AC008  
Agency Contract No 473-12-00262.

**Appendix 1 to Second Amendment of  
Interagency Contract**

**Attachment A**  
**Estimated Cost Amount**

Below are the estimated not to exceed costs for Services received from the Service Providers. Costs such as incremental network expenses, which are billed directly to or paid by the DIR Customer, are not included in these amounts.

For the period May 1, 2012 through August 31, 2012, the not to exceed amount is \$111,218.88.

For the period September 1, 2012 through August 31, 2013, the not to exceed amount is \$432,531.50.

For the period September 1, 2013 through August 31, 2014, the estimated not to exceed amount is \$434,519.

For the period September 1, 2014 through August 31, 2015, the estimated not to exceed amount is \$443,691.

For the period September 1, 2015 through August 31, 2016, the estimated not to exceed amount is \$445,394.

For the period September 1, 2016 through August 31, 2017, the estimated not to exceed amount is \$436,168.