

AMENDMENT NUMBER 5
to
CONTRACT DIR-SDD-503
between
the State of Texas, acting by and through the Department of Information Resources
and
Sun Microsystems, Inc.

This Amendment Number 5 to Contract DIR-SDD-503 (“Contract”) is between the State of Texas, acting by and through the Department of Information Resources (“DIR”) and Sun Microsystems, 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 hereby amended to read as follows:

The term of this Contract is hereby extended through August 31, 2008. Prior to this expiration date the parties may renew this Contract through March 13, 2009, completing one of the three (3) optional one-year terms.

2. All other terms and conditions of the Contract, 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 5, then Amendment Number 4, then Amendment Number 3, then Amendment Number 2, then Amendment Number 1 and then the Contract.

IN WITNESS WHEREOF, the parties hereby execute this amendment to be effective as of July 31, 2008.

Sun Microsystems, Inc.

**The State of Texas, acting by and through the
Department of Information Resources**

By: signature on file

By: signature on file

Name: Randy Russell

Name: Cindy Reed

Title: Account Executive

Title: Deputy Executive Director
Operations & Statewide Technology Sourcing

Date: 7/31/08

Date: 7/31/08

Legal: 7/30/08