

Amendment 004

Agreement Between

The Rector and Visitors of the University of Virginia

And

International Business Machines Corporation

The Rector and Visitors of the University of Virginia (the "University") and International Business Machines Corporation ("IBM") are amending their Agreement dated December 21, 2007, whereby IBM contracted to provide high end computing needs to the University. The following changes are made to the Agreement effective upon signature by both parties.

1. Reference Section II.C. IBM Business Partners. Replace this paragraph in its entirety with the following:

IBM authorized Remarketer Business Partners: The University has the option of utilizing IBM Business Partners to make purchases under this Agreement through IBM's Remarketer program. IBM will identify and define such program and list approved partners on its web site for this contract. The Remarketer program supersedes any conflicting terms in this Agreement. Under the Remarketer program, the University purchase order shall be issued to the authorized Remarketer Business Partner that shall fulfill and invoice the University. Payments for the order are made directly to the Remarketer Business Partner. The purchase order must include the contract number in order to incorporate by reference, the terms and conditions of this contract. The Remarketer Business Partners are only permitted to fulfill with the IBM or IBM branded products and services permitted by this contract. **Third party products and any Remarketer Business Partner services are specifically excluded.**

2. Section II.D. Invoicing. This section is modified to permit the invoicing directly to the University by the authorized Remarketer Business Partner.

Except as modified herein, all other terms and conditions of the Agreement shall remain in full force and effect. In case of conflict between this Amendment and Agreement, this Amendment will take precedence.

Acceptance

For the Rector and Visitors
University of Virginia

Eric Denby, PSDS Director (#UVA682546)

Printed Name



Eric N. Denby 9
2016.03.01
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Signature and Date

For International Business Machines

Printed Name

Signature and Date