



**Office of General Services
Procurement Services**

Corning Tower, Empire State Plaza, Albany, NY 12242 | <https://ogs.ny.gov/procurement> | customer.services@ogs.ny.gov | 518-474-6717

Second Amendment Contract PB160AA

Group 73600 – Award 22772 Project Based Information Technology Consulting Services (Statewide)

THIS SECOND AMENDMENT, (the “Second Amendment”) is made between the People of the State of New York, acting by and through the Commissioner of the Office of General Services (hereinafter “State” or “OGS”) whose principal place of business is the 36th Floor, Corning Tower, The Governor Nelson A. Rockefeller Empire State Plaza, Albany, New York 12242, pursuant to authority granted under New York State Finance Law §163, and Maureen Data Systems, Inc. d/b/a MDS (hereinafter “Contractor”), with its principal place of business at 307 West 38th Street, Suite 1801, New York, NY 10018. The foregoing are collectively referred to as the “Parties”.

WITNESSETH:

WHEREAS, OGS and Contractor are Parties to Contract number PB160AA through which Contractor is authorized to provide for the acquisition of Project Based Information Technology Consulting Services to Authorized Users; and

WHEREAS, The Contract was amended by a First Amendment, dated January 22, 2019; and

WHEREAS, Contractor has subsequently been awarded the following additional Lot: Lot 2 – Project Based Information Technology Consulting Service for projects up to \$7,500,000

NOW THEREFORE, in consideration of the mutual covenants herein contained, the Parties do hereby agree as follows:

SECTION 1: Addition of Lot 2

Appendix G – Contractor Information is hereby deleted in its entirety and replaced with the Appendix G – Contract Information, dated February , 2023, incorporated by reference herein as if fully set forth. All references to Appendix G shall be deemed to reference the Appendix G – Contract Information dated February , 2023.

SECTION 2: Severability

In the event that any one or more of the provisions of this Second Amendment shall for any reason be declared unenforceable under the laws or regulations in force, such provision will not have any effect on the validity of the remainder of this Second Amendment, which shall then be construed as if such unenforceable provision had never been written or was never contained in this Agreement.

SECTION 3: Entire Agreement

The Contract, as amended, constitutes the entire agreement of the Parties with respect to the subject matter thereof, and any further amendment must also be in writing executed by authorized representatives of the Parties.

SECTION 4: All Other Terms and Conditions of the Contract

Except as herein modified, all other terms and conditions of Contract PB160AA shall remain in full force and effect.

INDIVIDUAL, CORPORATION, PARTNERSHIP, OR LLC ACKNOWLEDGMENT

STATE OF New Jersey }

: ss:

COUNTY OF Essex }

On the 30th day of March in the year 2023, before me personally appeared William Mielko, known to me to be the person who executed the foregoing instrument, who, being duly sworn by me did depose and say that he maintains an office at Wells Fargo Bank

and further that:

[Check One]

- If an individual): he executed the foregoing instrument in his/her name and on his/her own behalf.
- If a corporation): he is the VP OF SALES of _____, the corporation described in said instrument; that, by authority of the Board of Directors of said corporation, he is authorized to execute the foregoing instrument on behalf of the corporation for purposes set forth therein; and that, pursuant to that authority, he executed the foregoing instrument in the name of and on behalf of said corporation as the act and deed of said corporation.
- If a partnership): he is the _____ of _____, the partnership described in said instrument; that, by the terms of said partnership, he is authorized to execute the foregoing instrument on behalf of the partnership for purposes set forth therein; and that, pursuant to that authority, he executed the foregoing instrument in the name of and on behalf of said partnership as the act and deed of said partnership.
- If a limited liability company): he is a duly authorized member of _____, LLC, the limited liability company described in said instrument; that, he is authorized to execute the foregoing instrument on behalf of the limited liability company for purposes set forth therein; and that, pursuant to that authority, he executed the foregoing instrument in the name of and on behalf of said limited liability company as the act and deed of said limited liability company.

[Signature]

Signature of Notary Public

Notary Public Registration No. 2355050 State New Jersey

Raymond Bautista
Notary Public
State of New Jersey
ID # 2355050
My Commission Expires 02/06/2027

IN WITNESS WHEREOF, the Parties have executed this Second Amendment as of the date last written below. The Parties further hereby certify that original copies of this executed and approved signature page will be affixed, upon final approval, to exact copies of this Second Amendment being executed simultaneously herewith. The acknowledgment must be fully and properly executed by an authorized person. By signing you certify your express authority to sign on behalf of yourself, your company, or other entity and full knowledge and acceptance of this Second Amendment, Appendix A Standard Clauses For New York State Contracts, ([e.g., October, 2019]) (Appendix B General Specifications ([e.g., April 2016]), and State Finance Law §139-j and §139-k (Procurement Lobbying), and that all information provided is complete, true and accurate. By signing, Contractor affirms that it understands and agrees to comply with the OGS procedures relative to permissible contacts as required by State Finance Law §139-j (3) and §139-j (6) (b).

CONTRACTOR

THE PEOPLE OF THE STATE OF NEW YORK,
ACTING BY AND THROUGH THE COMMISSIONER
OF GENERAL SERVICES

Signature:

William J. Mierko

Signature:

Anthony Montes

Printed Name:

William J Mierko

Printed Name:

Anthony Montes

Title:

VP SALES

Title:

CM 3

Date:

3-30-2023

Date:

4/3/2023

Company Name:

Maureen Data Systems, Inc. d/b/a
MDS

Office of General Services

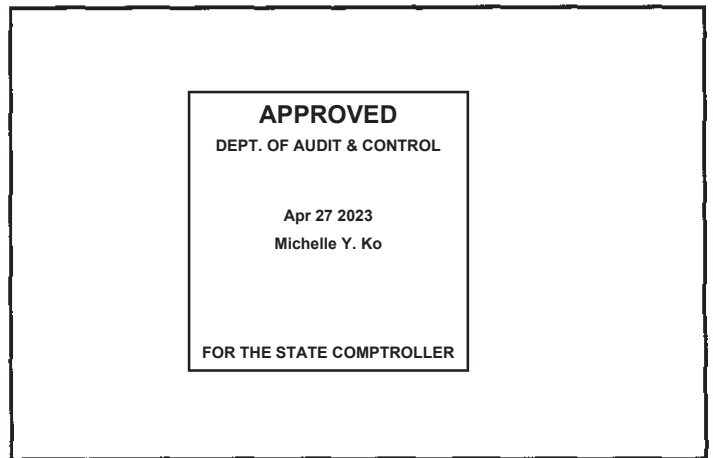
Federal ID:

13-3817821

NYS Vendor ID:

1000006466

NEW YORK STATE OFFICE OF THE STATE
COMPTROLLER



NOTICE: This Second Amendment becomes effective once OGS approves, subject to approval by OSC if required. OGS will then post a notification to its website in the form of a Contract Award Notification Update.