

**MASTER AGREEMENT AMENDMENT**

<b>Amendment # 3</b>	<b>Master Agreement # 140601</b>	<b>Amendment CMS # 178456</b>
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**1. PARTIES**

This Amendment to the above-referenced Master Agreement (“Contract”) is entered into by and between **Lexmark International, Inc.** (hereinafter called “Contractor”), and the **State of Colorado, acting by and through the Department of Personnel & Administration, State Purchasing & Contracts Office** (hereinafter called the “State”), and collectively referred to as the “Parties.”

**2. EFFECTIVE DATE AND ENFORCEABILITY**

This Amendment shall not be effective or enforceable until it is approved and signed by the Colorado State Controller or designee (hereinafter called the “Effective Date”). The State shall not be liable to pay or reimburse Contractor for any performance hereunder including, but not limited to, costs or expenses incurred, or be bound by any provision hereof prior to the Effective Date.

**3. FACTUAL RECITALS**

- A.** The Parties entered into a Master Agreement effective August 21, 2019, that authorized Participating States to execute Participating Addenda with the Contractor for Copiers and Managed Print Services, as set forth in the NASPO ValuePoint Master Agreement, Contract number 140601.
- B.** The Contract was extended for an additional term beginning on January 1, 2022 and ending on December 31, 2022, via the issuance of Amendment #1, CMS #170829, which was executed on August 18, 2021.
- C.** The Master Agreement was amended on April 21, 2022, via Amendment #2, CMS #175072, in order to modify language in Section 3.1.3 of the Contract.

**4. CONSIDERATION**

The Parties acknowledge that the mutual promises and covenants contained herein and other good and valuable consideration are sufficient and adequate to support this Amendment.

**5. LIMITS OF EFFECT**

This Amendment is incorporated by reference into the Contract, and the Contract and all prior amendments thereto, if any, remain in full force and effect except as specifically modified herein.

**6. MODIFICATIONS**

Per Section 1.4.2 of the Master Agreement, this Amendment shall extend the Contract for an additional term, beginning on January 1, 2023, and ending on July 31, 2024.

**7. START DATE**

This Amendment shall take effect on January 1, 2023.

**8. ORDER OF PRECEDENCE**

Except for the Special Provisions, in the event of any conflict, inconsistency, variance, or contradiction between the provisions of this Amendment and any of the provisions of the Master Agreement, the provisions of this Amendment shall in all respects supersede, govern, and control.

**SIGNATURE PAGE FOLLOWS**

**THE PARTIES HERETO HAVE EXECUTED THIS AMENDMENT**

<p><b>CONTRACTOR</b> <b>Lexmark International, Inc.</b></p> <p>By: _____ Mark W. Deicher Title: _____ Senior Contract Manager _____ DocuSigned by: Mark W. Deicher 5E8F3A8E1B9140A... <b>Signature</b> 8/23/2022 Date: _____</p>	<p><b>STATE OF COLORADO</b> <b>Jared S. Polis, Governor</b> Department of Personnel and Administration Tony Gherardini, Executive Director</p> <p>DocuSigned by: John Chapman EF45AFDEB51E414... By: John Chapman, State Purchasing Manager Date: _____ 8/23/2022</p>
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**ALL CONTRACTS REQUIRE APPROVAL BY THE STATE CONTROLLER**

**CRS §24-30-202 requires the State Controller to approve all State contracts. This Amendment is not valid until signed and dated below by the State Controller or delegate.**

**STATE CONTROLLER**  
**Robert Jaros, CPA, MBA, JD**

By: \_\_\_\_\_ DocuSigned by:  
Rachael Kamlet  
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Date: \_\_\_\_\_ 8/24/2022