



## AMENDMENT TWO

### ORACLE CONTRACT INFORMATION

This Amendment ("Amendment Two") amends the Oracle License and Services Agreement OLSAMV101705-11927940-19-JAN-07, dated January 19, 2007, ("agreement"), between Midwestern Higher Education Commission ("you") and Oracle USA, Inc. (hereinafter "Oracle").

The parties agree to amend the agreement as follows:

#### 1. *Section A – Agreement Definitions*

Add the following to paragraph one in Section A – Agreement Definitions

Insert "South Dakota" after "Ohio"

Add the following as a new second paragraph to Section A – Agreement Definitions

"Notwithstanding the above, for purposes of placing orders under this agreement only "you/your" may refer to the entity that executes an ordering document that references this agreement."

#### 2. *Section B. Applicability of Agreement*

Delete the first sentence under Section B Applicability of Agreement, and replace with the following:

"Orders may be placed under the terms of this agreement through May 31, 2010."

#### 3. *Section D. Ownership and Restrictions*

Add the following as a new second paragraph to Section D – Ownership and Restrictions

"Third party technology that may be appropriate or necessary for use with some Oracle programs is specified in the program documentation. Such third party technology is licensed to you under the terms of the third party technology license agreement specified in the program documentation and not under the terms of this agreement."

#### 4. *Exhibit 1*

Delete Exhibit 1 in its entirety and replace it with the following:

Exhibit 1

All public and private non-profit colleges, universities, community colleges, technical colleges and higher education agencies in MHEC member states shall be eligible.

*Signature Page Follows*

Subject to the modifications herein, the agreement shall remain in full force and effect.

The effective date of this Amendment Two is May 14, 2009. (to be completed by Oracle)

*Midwestern Higher Education Commission*


Authorized Signature: 

Name: Larry A Isaak

Title: President

Signature Date: 5/13/09

*Oracle USA, Inc.*

Authorized Signature: 

Name: Justin Lyons

Title: Manager - NATO West

Signature Date: May 14, 2009