

AMENDMENT NO. 4
to
AGREEMENT FOR ELECTRONIC FUNDS TRANSFER FINANCIAL SERVICES
between the STATE OF NORTH CAROLINA and
BANK OF AMERICA, N.A.
(ITS-007062-1)

THIS AMENDMENT NUMBER 4 (“Amendment”) to the above-referenced agreement is made by and among the North Carolina Office of State Controller and the North Carolina Department of State Treasurer (together, the “State”) and Bank of America, N.A. (the “Vendor”) (the State and Vendor hereinafter referred to collectively as the “Parties”) and shall be effective as of the latest date of signature below.

R E C I T A L S

WHEREAS, the Parties entered into an “Agreement for Electronic Funds Transfer Financial Services” (ITS-007062-1) effective June 24, 2013 (the “Agreement”), with an initial term of five years and the option, upon agreement of the Parties, for two successive one-year renewal periods; and

WHEREAS, the Parties executed Amendment No. 1 to the Agreement effective November 18, 2014 to provide for overdraft fees and to make available the use of a Uniform Payment Identification Code and the use of Electronic Data Interchange; and

WHEREAS, the Parties executed Amendment No. 2 to the Agreement effective January 30, 2015 to make available the use of certain prepaid card services described individually as (i) CashPay Service, (ii) Higher Education Prepaid Debit Card Service, and (iii) Commercial Prepaid Card Service; and

WHEREAS, the Parties executed Amendment No. 3 in July 2018 to memorialize their assent to (i) exercising the first renewal option provided for under the terms of the Agreement, thereby renewing the Agreement for an additional one-year term from June 24, 2018 to June 23, 2019, and (ii) modifying that portion of the Agreement setting forth the State’s General Terms and Conditions to comply with certain legislative changes made to N.C. Gen. Stat. § 143B-1350 governing (in part) the State’s procurement of information technology; and

WHEREAS, the Parties, in contemplation of the Agreement’s impending expiration on June 23, 2019, now wish to exercise the second one-year renewal option provided for under the terms of the Agreement;

NOW, THEREFORE, in consideration of the mutual promises set forth herein, the State and Vendor do mutually agree as follows:

1. Renewal. The Agreement between the Parties, and all rights and obligations attendant thereto, shall be renewed for an additional term of one year, such term to commence on June 24, 2019 and to conclude on June 23, 2020.

2. Effect of Amendment. This Amendment modifies the Agreement only as expressly provided herein. All other terms, conditions and provisions of the Agreement shall remain in full force and effect, modified only to the extent necessary to accomplish the purpose of this Amendment.

IN WITNESS WHEREOF, the Parties have caused their duly authorized representatives to execute this Amendment as of the dates written below.

NORTH CAROLINA OFFICE OF THE STATE CONTROLLER

Linda Combs

Name

State Controller of North Carolina

Title

DocuSigned by:
Linda Combs
Signature CF2DC6C1DBDF493...

6/7/2019 | 14:19 PM EDT

Date

NORTH CAROLINA OFFICE OF STATE TREASURER

Dale Folwell

Name

Treasurer

Title

DocuSigned by:
Dale Folwell
Signature 076945547B...

6/7/2019 | 14:08 PM EDT

Date

BANK OF AMERICA, N.A.

Lora Prisock

Name

Director

Title

DocuSigned by:
Lora Prisock
Signature 6A3A0EA2F413...

5/30/2019 | 14:40 PM EDT

Date