



**NEW YORK STATE DEPARTMENT OF CIVIL SERVICE
EMPLOYEE BENEFITS DIVISION**

BANKING SERVICES

AGREEMENT #C000593

AMENDMENT #4

between

**NEW YORK STATE
DEPARTMENT OF CIVIL SERVICE**

and

WELLS FARGO BANK, N.A.

NEW YORK STATE DEPARTMENT OF CIVIL SERVICE
and
WELLS FARGO BANK, N.A.
AGREEMENT #C000593
AMENDMENT #4

This Amendment #4 to Agreement #C000593 Banking Services, is entered into, by and between the NEW YORK STATE DEPARTMENT OF CIVIL SERVICE (“DCS” or the “Department”), having its principal office at Agency Building 1, Albany, New York 12239, and WELLS FARGO BANK, N.A. (“the Contractor”) authorized to do business in the State of New York with a principal place of business located at 375 Park Avenue, 6th Floor, New York, NY 10152, collectively referred to as “the Parties.”

WITNESSETH

WHEREAS, Section 2.1.0 of the Agreement provides that the Agreement shall begin on September 30, 2010 through and including September 30, 2013, with two (2) optional one-year extension periods; and

WHEREAS, the first of two optional extension periods was exercised pursuant to Amendment #2 for a one-year period commencing on October 1, 2013, through and including September 30, 2014, at the sole discretion of the Department and approved by the Office of the Attorney General (AG) and the Office of the State Comptroller (OSC); and

WHEREAS, the final optional extension period, began on October 1, 2014 and continues through and including September 30, 2015 and was exercised pursuant to Amendment #3, at the sole discretion of the Department, and approved by the AG and OSC; and

WHEREAS, Section 2.2.0 of the Agreement provides that the Agreement is subject to amendment(s) only upon mutual consent of the Parties, reduced to writing and approved by the NYS Attorney General and the Office of the State Comptroller; and

WHEREAS, the Department has determined that this Agreement, as amended, subject to prior approval by the AG and OSC, shall require an additional extension period beginning on October 1, 2015, and continuing through and including May 31, 2016, upon which time a new contract resulting from procurement will begin; and

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein, the Parties hereby amend the Agreement as follows:

- I. The Agreement shall be extended for an eight (8) month period commencing on October 1, 2015 and continuing through and including May 31, 2016, subject to the approval of the New York State Attorney General's Office and the Office of the State Comptroller.
- II. For the period commencing on October 1, 2015 and continuing through and including May 31, 2016, the Department agrees to reimburse the Contractor in accordance with the fees/expenses provided for in Article VII of the Agreement at the rates set forth in Exhibits 3 and 4 of the Agreement.
- III. Add new Section 2.1.1, as follows:
2.1.1 This Agreement, as amended and as exercised by DCS, subject to prior approval by the Office of the Attorney General ("AG") and the Office of the State Comptroller (OSC), shall be extended on October 1, 2015 through and including May 31, 2016. Pricing beginning on October 1, 2015, shall be in accordance with the Schedule of Fees and Expenses (Exhibits 3 and 4) of the Agreement, which began on October 1, 2010.
- IV. Except as expressly amended by prior Amendments and this Amendment #4, all the terms and conditions of the Agreement as amended shall remain in full force and effect.
- V. This Amendment #4 shall be deemed effective October 1, 2015.

IN WITNESS WHEREOF, the Parties hereto have hereunder signed this Amendment #4 to Agreement #C000593 on the day and year appearing opposite their respective signatures.

Contractor: Wells Fargo Bank, N.A.

Contract Number: C000593

Agency Certification: "In addition to the acceptance of this Amendment #4 to the Agreement, I also certify that original copies of this signature page will be attached to all exact copies of this Amendment #4 to the Agreement."

NEW YORK STATE DEPARTMENT OF CIVIL SERVICE

**DEIRDRE TAYLOR
DEPUTY COMMISSIONER FOR ADMINISTRATION**

By: _____

Date: 9/16/15

WELLS FARGO BANK, N.A.

By: _____

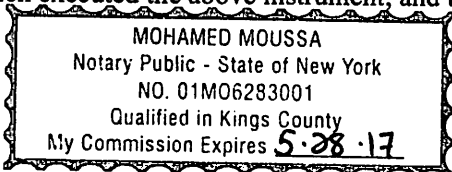
Name: Monique Lopez

Title: Vice President

Date: 8/31/15

STATE OF NY)
COUNTY OF NY) ss:)

On the 31 day of August, 2015, before me personally came Monique Lopez, to me known, and known to me to be the person who executed the above instrument, who, being duly sworn by me, did for her/himself depose and say that (s) he is the VP of Wells Fargo the corporation or organization described in and which executed the above instrument; and that (s) he signed his/her name thereto.



NOTARY PUBLIC

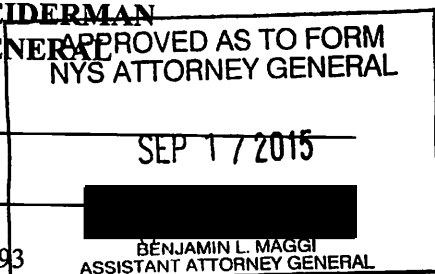
Approved as to form:

**ERIC T. SCHNEIDERMAN
ATTORNEY GENERAL**

By: _____

Date: _____

Agreement #C000593
Amendment #4



Approved:

**THOMAS P. DENAPOLI
STATE COMPTROLLER**

By: _____

Date: _____

FOR THE STATE COMPTROLLER

Page 3 of 3

NYS Banking Services

August 2015