

**AMENDMENT TWO
TO THE AGREEMENT FOR
SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM EDUCATION
BY AND BETWEEN
THE HEALTH AND HUMAN SERVICES COMMISSION
AND
Feeding Texas**

This Amendment Two ("**Amendment**") to the Agreement for Supplemental Nutrition Assistance Program Education by and between the Health and Human Services Commission ("**HHSC**") and Feeding Texas, ("**CONTRACTOR**") dated effective October 1, 2015 (HHSC Contract No. 529-16-0002-00002; as amended the "**Agreement**"), is entered into by and between HHSC and CONTRACTOR in order to amend the Agreement as follows:

1. Contract Period

In accordance with Section II of the Agreement, the term of the Agreement is renewed for one (1) 12 month renewal option ("**FY18 Renewal Term**"), beginning on October 1, 2017 and continuing through September 30, 2018, unless terminated earlier in accordance with the terms of the Agreement. The FY18 Renewal Term is subject to the terms and conditions of the Agreement, including those related to appropriation of funds, unless otherwise provided in this Amendment.

2. Contract Amount

The total contract amount for the FY18 Renewal Term of the Agreement may not exceed \$6,046,000. The amount is available to Contractor during the FY18 Renewal Term. This amount includes up to \$5,441,400 from HHSC and \$604,600 in matching funds provided by the CONTRACTOR. Continued funding for the Agreement is contingent upon availability of State and Federal funds.

As of the execution of this Amendment, the maximum contract amounts set forth above and the Budget Pages attached to this Amendment are estimations. CONTRACTOR will not commence work or incur expenses for the FY18 Renewal Term unless and until HHSC provides CONTRACTOR with a written notice authorizing CONTRACTOR to proceed based on a budget with maximum contract amounts equal to or less than the estimated maximum contract amounts set forth above. If necessary and at the sole discretion of HHSC, the parties may subsequently amend the Agreement to incorporate revised Budget Pages and maximum contract amounts.

3. Plan of Operations and Budget Pages

The CONTRACTOR's Plan of Operations for the FY18 Renewal Term, including all related attachments, is attached to this Amendment as Exhibit A ("**FY18 Plan of Operations**").

The CONTRACTOR's Budget Pages for the FY18 Renewal Term, including the budget narrative and all other related attachments, is attached to this Amendment as Exhibit B ("**FY18 Budget Pages**").

All references to "Plan of Operations" and "Budget Pages" in the Agreement are deemed to mean the FY18 Plan of Operations and the FY18 Budget Pages with respect to the FY18 Renewal Term.

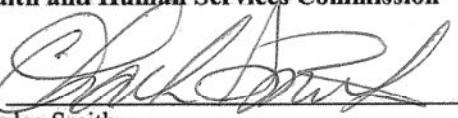
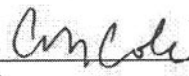
4. Entirety of Agreement.

The terms and conditions of this Amendment are in addition to, and construed together with, the terms of the Agreement, including all previous amendments to the Agreement. In the event of conflict in any language in the Agreement, all previous amendments to the Agreement, and this Amendment, the language in this Amendment will control. All other terms and conditions of the Agreement and any previous amendments remain in full force and effect.

5. Capitalized Terms.

Capitalized items used in this Amendment and not otherwise defined have the meanings assigned to them in the Agreement.

IN WITNESS WHEREOF, this Amendment has been signed by an authorized representative of each Party, to be effective as of the last signature date below.

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| Health and Human Services Commission By:  Charles Smith Executive Commissioner <u>4-8-2017</u> Signature Date | Feeding Texas By:  Celia Cole Chief Executive Director <u>3/9/17</u> Signature Date |
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