

# Blackboard

This Blackboard Order Form ("Order Form") by and between **Blackboard Inc.** ("Blackboard") and **Texas A & M University - College Station** ("Customer") details the terms of Customer's use of the products and services set forth below ("Product and Pricing Summary"). This Order Form, together with the Blackboard Master Agreement dated June 29, 2012 and incorporated by this reference, form the entire agreement between the parties in respect of the products and services set forth in the Product and Pricing Summary.

Notwithstanding anything to the contrary in any purchase order or other document provided by Customer, any product or service provided by Blackboard to Customer in connection with a purchase order related to this Order Form is conditioned upon Customer's acceptance of this Order Form and the Blackboard Master Agreement. Any additional, conflicting or different terms proffered by Customer in a purchase order or otherwise shall be deemed null and void. Each of the individuals executing this Order Form represent and warrant that he or she is authorized to execute the Agreement on behalf of Customer or Blackboard, as applicable.

In consideration of the promises set forth herein, and other good and valuable consideration, the receipt of which are hereby acknowledged, the parties hereby agree as follows:

## A. Software & Services Product and Pricing Summary

Qty	Product Code	Product or Service	Initial Term Period #1 Effective Dates	Initial Term Period #1 09/01/2018- 08/31/2019 (USD)	Initial Term Period #2 09/01/2019- 08/31/2020 (USD)	Initial Term Period #3 09/01/2020- 08/31/2021 (USD)
1	AS-HST-DIAM	DIAMOND 1 HOSTING	09-01-2018 - 08-31-2019	\$188,067.91	\$191,772.84	\$197,526.03
1	CL-WC-FTE	WEB CONFERENCING	09-01-2018 - 08-31-2019	\$62,689.30	\$68,841.53	\$70,906.78
1	MOB-LRN	MOBILE SOLUTIONS	09-01-2018 - 08-31-2019	\$4,822.25	\$4,917.25	\$5,064.77
1	AS-CD	COURSE DELIVERY	09-01-2018 - 08-31-2019	\$72,333.81	\$73,758.79	\$75,971.55
1	AS-CM	COMMUNITY ENGAGEMENT	09-01-2018 - 08-31-2019	\$72,333.81	\$73,758.79	\$75,971.55
1	AS-CS	CONTENT MANAGEMENT	09-01-2018 - 08-31-2019	\$72,333.81	\$73,758.79	\$75,971.55

1	AS-HST-CS	CONTENT MANAGEMENT HOSTING	09-01-2018 - 08-31-2019	\$4,822.25	\$4,917.25	\$5,064.77
1	AS-CS-TEST	CONTENT MANAGEMENT TEST	09-01-2018 - 08-31-2019	\$0.00	\$0.00	\$0.00
1	AS-HST- OPDB	HOSTING OPEN DB REPORTING ENV	09-01-2018 - 08-31-2019	\$0.00	\$0.00	\$0.00
1	AS-HST-SSL	HOSTING SSL SERVICE	09-01-2018 - 08-31-2019	\$0.00	\$0.00	\$0.00
1	AS-HST- TEST	HOSTED TEST ENVIRONMENT	09-01-2018 - 08-31-2019	\$0.00	\$0.00	\$0.00
1	AS-HST- STOR1TB	HOSTING ADDITIONAL STORAGE 1TB	09-01-2018 - 08-31-2019	\$0.00	\$0.00	\$0.00
1	AS-HST-STG	HOSTED STAGING ENVIRONMENT	09-01-2018 - 08-31-2019	\$0.00	\$0.00	\$0.00
1	AS-CD-TEST	COURSE DELIVERY TEST	09-01-2018 - 08-31-2019	\$0.00	\$0.00	\$0.00
1	AS-CDDEV	COURSE DELIVERY DEVELOPER EDITION	09-01-2018 - 08-31-2019	\$0.00	\$0.00	\$0.00
1	AS-CM-TEST	COMMUNITY ENGAGEMENT TEST	09-01-2018 - 08-31-2019	\$0.00	\$0.00	\$0.00
			<b>Total</b>	<b>\$477,403.15</b>	<b>\$491,725.24</b>	<b>\$506,477.00</b>

#### **B. Terms**

1. The Initial Term of this Order Form shall be as specified in the Product and Services Pricing Summary above.
2. Unless otherwise specified in the Product or Service Description above, this Order Form shall be renewed automatically for successive periods of one (1) year (each a "Renewal Term") after the expiration of the Initial Term and any subsequent Renewal Term, unless Customer provides Blackboard, or Blackboard provides Customer, with a written notice to the contrary thirty (30) days prior to the end of the Initial Term or Renewal Term, as applicable.
3. Effective Date: 09-01-2018

#### **C. Payment Terms**

1. All initial and subsequent payments shall be due Net 30. Unless otherwise stated, all prices are in United States currency.
2. Blackboard shall invoice Customer the for amounts due in respect of the first year of the Initial Term on or about 09-01-2018.
3. Sales Tax: If applicable, a copy of your Sales Tax Direct Pay Certificate or your Sales Tax Exemption Certificate must be returned with this Order Form.

#### **D. Special Provisions**

1. The Parties agree that as of the Effective Date and upon execution of this Order Form, the Blackboard Learn™ Software Schedule dated June 29, 2012 shall be terminated in its entirety.
2. All terms and conditions set forth at the Blackboard Learning Essential Bundle License Software Schedule effectively dated December 31, 2015 shall be incorporated herein. .
3. All terms and conditions set forth at Blackboard Managed Hosting Schedule effectively dated December 31, 2015 shall be incorporated herein.

Sales Approved:

Initial:

Customer: Texas A & M University - College Station

Signature:

Name:

Dean K. Endler

Title:

University Contracts Officer

Date:

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Attach PO :

Attach Tax Exemption: see attached

Blackboard Inc.

Signature:

Name: Bill Jones

Title: Deputy General Counsel

Date: January 10, 2018