

CONTRACT MODIFICATION
Maryland State Board of Elections

Modification No.: 2

Contract No.: SBE-2002-01

Date of Modification: July 16, 2003 Contract Dated: BPW 12/12/2001

Between the State of Maryland, Maryland State Board of Elections (“SBE”) (Customer) and Diebold Election Systems, Inc. (“DESI”) (Contractor) to provide Direct Recording Electronic Voting System and Optical Scan Absentee Voting System for nineteen (19) counties. These services and equipment shall be provided in accordance with the Contract and the following exhibits, which are attached and incorporated by reference. If there is any conflict between the contract and the exhibits, the terms of the contract shall govern. If there is any conflict among the exhibits, the following order of precedence shall determine the prevailing provision:

1. By reference, SBE document dated June 27, 2003, titled “Information Technology Contract Modifications” is incorporated into the Contract.
2. By reference, SBE document dated June 19, 2003, titled “Phase II Implementation Plan” is incorporated into the Contract.
3. By reference, DESI document dated June 12, 2003, titled “State of Maryland Hardware and Services by Year” is incorporated into the Contract.
4. By reference, DESI document dated July 1, 2003, titled “AccuVote Touch Screen Voting System Bill of Materials” is incorporated into the contract.

All labor and materials required hereunder shall be provided in accordance with and subject to all of the provisions of the original Contract between the State and Contractor, which Contract remains in full force and effect except as expressly modified herein.

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IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their duly authorized officers, agents or officials.

CONTRACTOR

_____ By: _____(SEAL)
Witness Corporate Officer/Authorized Agent

Title of Officer/Agent Printed Name

STATE OF MARYLAND
State Board of Elections

_____ By: _____(SEAL)
Witness Linda H. Lamone
Administrator

Approved by BPW: _____ Item No. _____

Approved as to form and legal sufficiency

this _____ day of _____, 2003.

Assistant Attorney General