

**SECOND MODIFICATION TO BEHAVIORAL HEALTH AND EMPLOYEE ASSISTANCE
PROGRAM PLAN (EAP) BENEFITS ADMINISTRATION SERVICES CONTRACT
F10B0400011**

THIS SECOND MODIFICATION AGREEMENT (the “Modification”) is made this 27th day of April, 2012 by and between APS Healthcare Bethesda, Inc. (“Contractor”) and the State of Maryland, acting through the Department of Budget and Management (the “State”).

WHEREAS, the Contractor, and the State executed a contract dated April 5, 2011 for Behavioral Health and EAP Benefits Administration Services (the “Contract”) which was amended by a First Modification dated June 9, 2011, relating to Request for Proposals Project No. F10B0400011 issued April 29, 2010, as amended.

NOW THEREFORE, IN CONSIDERATION of the promises and the covenants herein contained, the parties agree to modify the Contract as follows:

1. (a) The Quarterly Performance Guarantee for PG-11 as identified in both RFP Attachments J-14 (Performance Guarantees) and P-14 (Performance Report Card) is revised as follows:

PG-11	Standard Reports	Standard monthly management and utilization reports will be delivered to the State by close of business within the time specified.	Monthly	within 10 business days following the end of the period	\$50 per business day of delay
		Standard quarterly management and utilization reports will be delivered to the State by close of business within the time specified.	Quarterly	within <u>30</u> calendar days following the end of the period	Performance Guarantee Report Card \$50 per calendar day of delay All Others \$200 per calendar day of delay
		Standard annual reports will be delivered to the State by close of business within the time specified.	Annually	within 90 calendar days following the end of the period	10 business days or less \$200 per calendar day of delay More than 10 days \$300 per calendar day of delay

2. This Modification amends the Contract specifically as described herein. Except as specifically revised by the terms of the First Modification, all of the terms of the Contract shall remain in full force and effect and shall apply to this Modification.

IN WITNESS THEREOF, the parties have executed this Second Modification.

CONTRACTOR
APS HEALTHCARE BETHESDA, INC.

STATE OF MARYLAND
DEPARTMENT OF BUDGET AND
MANAGEMENT


By: *John McDonough*
CFO


By: T. Eloise Foster
Secretary


Witness/Attest


Witness

Approved for form and legal
sufficiency this 17th day of April, 2012.


Assistant Attorney General