

**FIRST MODIFICATION TO
EMPLOYEE ASSISTANCE PROGRAM CONTRACT 2021**

THIS FIRST MODIFICATION (“FIRST MODIFICATION”) is made as of this 7th day of _____September_____, 2021 by and between Janus Associates, Inc., dba “BHS” (the “Contractor”), and the State of Maryland, acting through the Department of Budget & Management, Office of Personnel Service and Benefits, Employee and Labor Relations Division (the “Department”).

WHEREAS, on May 5, 2021 the Department entered into a contract with the Contractor for the Employee Assistance Program, Project No. F10B0600055, (the “Contract”) pursuant to the Request for Proposals for the Employee Assistance Program, Project No. F10B0600055 dated May 22, 2020, and all amendments thereto issued in writing by the State (the “RFP”).

WHEREAS, the Department and the Contractor desire to modify the Contract to change the Contractor’s response time upon submission of an EAP Supervisory Referral Form by the State EAP Coordinator to the Contractor Account Executive.

NOW THEREFORE, IN CONSIDERATION of the promises and the covenants herein contained, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. Defined Terms. All capitalized terms used in this First Modification shall have the same meaning as provided in the Contract.

2. RFP. Section 2.3.5.5(a)(i) of the RFP is hereby deleted in its entirety and replaced as follows:

The Contractor shall schedule an EAP assessment appointment within two (2) Business days after the email submission of an EAP Supervisory Referral Form by the State EAP Coordinator to the Contractor Account Executive.

3. Technical Proposal Attachment T-6. Technical Proposal Attachment T-6 Compliance Checklist CC-63 is hereby deleted in its entirety and replaced as follows:

The Contractor shall schedule an EAP assessment appointment within two (2) Business days after the email submission of an EAP Supervisory Referral Form by the State EAP Coordinator to the Contractor Account Executive.

4. Technical Proposal Attachment T-9. Technical Proposal Attachment T-9 Performance Guarantees PG-14 is hereby deleted in its entirety and replaced as follows:

PG-14	Timely EAP Services (Supervisory Referral)	99% of initial supervisory referred appointments are scheduled within two (2) Business days from the email submission date of the EAP Supervisory Referral Form By the State EAP Coordinator to the Contractor Account Executive	Report Card and supporting documentation to be submitted by Offeror. Frequency of report: Quarterly	1,000 for each percent under 100% for the quarter under review.	Choose
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5. Consideration and Payment. Payment to the Contractor for the services under the Contract shall remain the same as stated in the Contractor’s Financial Proposal, RFP Attachment B, dated February 10, 2021, and shall not exceed \$3,098,038.00.

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

[signature page follows]

IN WITNESS THEREOF, the parties have executed this First Modification as of the date hereinabove set forth.

CONTRACTOR:

JANUS ASSOCIATES, INC., DBA "BHS"

Dawn Motovidlak

By: Dawn Motovidlak, President and CEO

Print Name and Title

August 24, 2021

Date

Krista Collier

Witness/Attest

Approved for form and legal sufficiency

this 1st day of September, 2021.

Damon A. Brown

Assistant Attorney General

STATE OF MARYLAND:

DEPARTMENT OF BUDGET AND
MANAGEMENT

Marc Nicole

By: Marc Nicole, Deputy Secretary

Or designee:

9/7/21

Date

Witness