

**FIFTH MODIFICATION TO
STATE OF MARYLAND HEALTH PLAN ADMINISTRATION AND INSURANCE SERVICES
FUNCTIONAL AREA 2 – SELF-FUNDED EXCLUSIVE PROVIDER ORGANIZATION (EPO-SF)
CONTRACT No. F10B5400002**

THIS FIFTH MODIFICATION (“FIFTH MODIFICATION”) is made as of this 25th day of September, 2023, by and between United HealthCare Services, Inc. (the “Contractor”) and the STATE OF MARYLAND, acting through the Department of Budget and Management, Office of Personnel Services and Benefits (the “Department”).

WHEREAS, on **August 13, 2014**, the Department entered into a contract with the Contractor for **Health Plan Administration and Insurance Services, Project No. F10B5400002**, (the “Contract”) pursuant to the **Request for Proposals for Health Plan Administration and Insurance Services, Project No. F10B5400002** dated **November 26, 2013**, and all amendments thereto issued in writing by the State (the “RFP”); and

WHEREAS, the Contractor agreed to make a good faith effort to meet the 6% Minority Business Enterprises (MBE) participation goal and 0.5% Veteran-Owned Small Business Enterprises (VSBE) participation goal set forth in the RFP; and

WHEREAS, the Department and Contractor modified the Contract on December 30, 2014 (“Modification 1”) to revise its Original MBE Participation Plan (“Revised MBE Plan #1”); and

WHEREAS, the Department and Contractor modified the Contract on August 17, 2016 (“Modification 2”) to revise certain compliance checklist (FA1 Attachment S-9) and performance metrics requirements (FA1 Attachment S-13) on RFP Attachment S Technical Proposal for the EPO-SF Plan; and

WHEREAS, the Department and Contractor modified the Contract on August 8, 2017 (“Modification 3”) to revise additional certain compliance checklist (FA1 Attachment S-9) requirements on RFP Attachment S Technical Proposal for the EPO-SF Plan; and

WHEREAS, the Department and Contractor modified the Contract on June 25, 2018 (“Modification 4”) to revise certain performance guarantee (FA1 Attachment S-12) requirements on RFP Attachment S Technical Proposal for the EPO-SF Plan; and

WHEREAS, the Contractor has requested to replace four MBE subcontractors in its plan in order to meet or exceed the Contract’s MBE participation goal; and

WHEREAS, the Department and Contractor desire to modify the Contract in order to amend the Contractor’s (i) MBE Utilization and Fair Solicitation Affidavit & MBE Participation Schedule and Certified MBE Subcontractor Participation Certification (collectively, as to the amended MBE plan, the “Revised MBE Plan #2”), and (ii) VSBE Utilization Affidavit and

Prime/Subcontractor Participation Schedule and VSBE Subcontractor Participation Statement, in order to reflect the replacement of multiple MBE and VSBE subcontractors.

NOW, THEREFORE, IN CONSIDERATION of the Recitals which are hereby made a substantive part hereof, and the mutual promises and covenants herein contained, the receipt and sufficiency of which are hereby acknowledged, the Department and Contractor hereby mutually agree to the changes below.

1. MBE Participation Plan.

- 1.1 The Revised MBE Plan #1 is hereby replaced in its entirety with the Revised MBE Plan #2, attached hereto and incorporated into the Contract by reference herein.
- 1.2 The Contractor represents and warrants that it will continue to meet its promised obligation to its current MBE subcontractors:

Mary Kraft and Associates, Inc., DBA Mary Kraft Staffing and HR Solutions
Time Printers Inc.
The Well Workplace, LLC, DBA WellAdvantage

Implementation of the corrective plan herein and the replacement of the four MBEs shall not adversely affect the volume, amount, and value of the work provided to the remaining MBEs. The Contractor agrees that the ongoing MBEs will continue to be utilized to the maximum extent possible under the Contract, including the new MBEs, identified below.

- 1.3 The Contractor represents and warrants that it will meet its promised obligation to its new MBE subcontractors:

Art & Negative Graphics, Inc.
Camera Ready, Inc.

- 1.4 The Contractor also represents and warrants that it is unable to continue to meet its promised obligation to the following four MBE subcontractors being replaced, which are:

Medoville, Inc.
NBA Office Products, Inc. (formerly Councell Computer Products, Inc.)
Sheppard Pratt Health System, Inc.
Camco, LLC

The referenced firms are being removed as a result of the following:

- (a) NBA Office Products, Inc. verbally advised UHC in March 2023 that its firm no longer wants to do business with UHC under this contract.
- (b) Medoville, Inc. was acquired by a non-MBE firm, subsequently losing its MBE certification status.
- (c) Sheppard Pratt Health System, Inc. is no longer certified by Maryland Department of Transportation (MDOT) as an MBE.

(d) Camco, LLC is no longer certified by MDOT as an MBE.

2. VSBE Participation Plan.

- 2.1 The Contractor's original VSBE plan is hereby replaced in its entirety with the revised complete VSBE Utilization Affidavit and Prime / Subcontractor Participation Schedule and VSBE Subcontractor Participation Statement (VSBE Attachments E-1 and E-3, respectively) (collectively, the "Revised VSBE Plan"), attached hereto and incorporated into the Contract by reference herein, in order to recognize that the VSBE subcontractor, Air Corps Embroidery, LLC, changed its company name to John J. Hambel DBA No Fear Promotions using the same Federal Employer ID Number.
3. **Scope of Fifth Modification.** This Fifth Modification amends the Contract specifically as described herein. The Revised MBE Plan #2 and Revised VSBE Plan shall be in full force and effect as of the date of this Fifth Modification. Any services provided by, and any compensation paid to Art & Negative Graphics, Inc., Camera Ready, Inc., and John J. Hambel DBA No Fear Promotions, prior to the effective date of this Fifth Modification shall be considered and allowable toward the Contractor meeting its obligations in connection with MBE and VSBE participation under the Contract. Except as specifically revised by the terms of this Fifth Modification, all of the terms of the Contract shall remain in full force and effect and shall apply to this Fifth Modification.

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

CONTRACTOR:

UNITED HEALTHCARE SERVICES, INC.



By: Joseph Ochipinti

Print Name and Title
July 28, 2023

Date

Witness/Attest

STATE OF MARYLAND:

DEPARTMENT OF BUDGET AND MANAGEMENT



By: Helene Grady, Secretary
Or designee:

9-20-2023

Date

Witness

APPROVED FOR FORM AND LEGAL SUFFICIENCY THIS 25th DAY OF September, 2023.

ASSISTANT ATTORNEY GENERAL