

**SECOND MODIFICATION TO
SLEOLA MEDICAL PLAN ADMINISTRATION AND SERVICES
FOR
FUNCTIONAL AREA 3: POINT OF SERVICE PLAN, SELF-FUNDED (POS-SF)
CONTRACT NO. F10B4400011**

THIS SECOND MODIFICATION ("SECOND MODIFICATION") is made as of this 21st day of September, 2022 by and between CareFirst of Maryland, Inc. ("CareFirst" or "the Contractor") and the STATE OF MARYLAND, acting through the Department of Budget and Management, Office of Personnel Service and Benefits (the "Department").

WHEREAS, on August 13, 2014, the Department entered into a contract with the Contractor for SLEOLA Medical Plan Administration and Services, Project No. F10B4400011, (the "Contract") pursuant to the Request for Proposals for SLEOLA Medical Plan Administration and Services, Project No. F10B4400011 dated April 1, 2014, and all amendments thereto issued in writing by the State (the "RFP"); and

WHEREAS, the Contractor agreed to make good faith efforts to meet the 4% Minority Business Enterprise (MBE) participation goal set forth in the RFP; and

WHEREAS, the Department and Contractor modified the Contract on September 25, 2019 ("Modification 1") to revise Contract Provision #3, Period of Performance, to extend the contract through December 31, 2020 and provide for two additional successive two-year option terms; and

WHEREAS, the Contractor has requested to add additional MBE subcontractors to its plan 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 MBE Utilization and Fair Solicitation Affidavit & MBE Participation Schedule and Certified MBE Subcontractor Participation Certification.

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 Minority Business Enterprise (MBE) Utilization and Fair Solicitation Affidavit & MBE Participation Schedule and Certified MBE Subcontractor Participation Certification for the Contract submitted by the Contractor, dated April 18, 2014 (collectively, the "Original MBE Plan") are hereby replaced in their entirety with the attached revised complete MBE Utilization and Fair Solicitation Affidavit & MBE Participation Schedule and Certified MBE

Subcontractor Participation Certifications (MBE Attachments D-1A and D-3A, respectively) (collectively, the "Revised MBE Plan").

1.2 The Contractor represents and warrants that it is unable to continue to meet its promised obligation to its Current MBE subcontractor(s) due to a loss of their MBE status:

Altek Information, Inc. and Attronica.

Implementation of the Revised MBE Plan shall not adversely affect the volume, amount, and value of the work provided to the MBE(s) identified in the Original MBE Plan. Contractor agrees that each such MBE will continue to be utilized to the maximum extent possible under the Contract.

2. Attachment S Technical Proposal Requirements.

The Department and Contractor agree to amend certain performance guarantee requirements (Performance Indicator PG-16) as expressly set forth in the RFP SLEOLA Medical FA1 PPO-SF Attachment S Technical Proposal Modification #2, which is attached hereto and incorporated by reference. The Contractor will meet these revised performance guarantee requirements. The Contractor's obligations hereunder are effective upon Contractor's execution of this Second Modification Agreement.

	Performance Indicator	Standard/Goal	Reporting Measurement (subject to audit by State and/or contract auditors)	Liquidated Damages	Willing to Comply
PG-16	DBM Claims Eligibility Audits	Plan will provide response files to Department's Audit Unit within 14 <u>25</u> business days of receipt of error report from Department.	Receipt date as documented by vendor and confirmed by State.	\$500 per calendar day for the first three days the document is not received. \$1,000 per calendar day for each day the document is not received for the fourth day and beyond.	YesYes

3. Scope of Second Modification. This Second Modification amends the Contract specifically as described herein. The Revised MBE Plan shall be in full force and effect as of the date of this Second Modification. Services provided by and any compensation paid to Rudolph Office & Computer Supply, Inc., Cypress Benefits, Janus Associates OBA Business Health Services (BHS), Promotions Unlimited, Inc., Lumen Solutions Inc., Corporate Exposure Advertising Specialties, LLC, KMM Technologies Inc., R/O Resource Solutions, and NTech Solutions prior to the effective date of this Second Modification shall be considered and allowable toward the Contractor meeting its obligations in connection with MBE participation under the Contract. Except as specifically revised by the terms of this Second Modification, all of the terms of the Contract and Modification 1 shall remain in full force and effect and shall apply to this Second Modification.

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

CONTRACTOR:

CAREFIRST OF MARYLAND, INC.

[Redacted Signature]

By: Joe Scibilia, VP Commercial Sales

07/01/22

Date

[Redacted Signature]

Witness/Attest

STATE OF MARYLAND:

DEPARTMENT OF BUDGET AND MANAGEMENT

[Redacted Signature]

9/21/2022 | 9:47:42 AM PDT

By: Marc Nicole, DBM Deputy Secretary

Or designee:

9/21/2022 | 10:09:26 AM PDT

Date

[Redacted Signature]

Witness

APPROVED FOR FORM AND LEGAL SUFFICIENCY THIS 17TH DAY OF August, 2022.

[Redacted Signature]

ASSISTANT ATTORNEY GENERAL

Revised MBE Plan