

**FIRST MODIFICATION TO
AUDIT SERVICES FOR STATE EMPLOYEE AND RETIREE HEALTH AND WELFARE
BENEFITS PROGRAM FOR SERVICE CATEGORIES:
2 (DENTAL PLANS) AND 4 (FLEXIBLE SPENDING ACCOUNTS)**

THIS FIRST MODIFICATION is made as of this 26th day of May, 2021 by and between TMDG, LLC PBMares, LLP (Guarantor)" (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 August 7, 2016, the Department entered into a contract with the Contractor for the Audit Services for State Employee and Retiree Health and Welfare Benefits Program, Contract No. F10B6400003, (the "Contract") pursuant to the Request for Proposals for the Audit Services for State Employee and Retiree Health and Welfare Benefits Program, Project No. F10B6400003 dated January 28, 2016, and all amendments thereto issued in writing by the State (the "RFP").

WHEREAS, the parties desire to extend the Contract, while the Department conducts a new procurement for services and awards a new contract, to ensure continuity of the Audit Services for State Employee and Retiree Health and Welfare Benefits Program.

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. **Duration of Contract.** The Contract term under Contract § 3, Time for Performance, is hereby extended one (1) year, from January 1, 2022 through December 31, 2022, unless terminated earlier as provided in the Contract.
3. **Consideration and Payment.** Payment to the Contractor for the services under the Contract shall remain the same as stated in Audit Cycle 5 - January 1, 2021 to December 31, 2021 of its 1st BAFO (\$64,000.00 for Service Category 2 and \$37,000.00 for Service Category 4), dated June 14, 2016, and shall not exceed \$64,000.00 for Service Category 2 and \$37,000.00 for Service Category 4 for the Contract Extension.
4. **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.

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

CONTRACTOR:

TMDG, LLC

[Redacted Signature]

By:
Harvey L. Johnson, CEO Elect

Print Name and Title

November 11, 2020

Date

[Redacted Date]

Witness/Attest

STATE OF MARYLAND:

DEPARTMENT OF BUDGET AND MANAGEMENT

[Redacted Signature]

By: Marc Nicole, Deputy Secretary

Or designee:

5/26/21

Date

[Redacted Date]

Witness

Approved for form and legal sufficiency

this 18th day of November, 2020.

[Redacted Signature]

Assistant Attorney General