

**SECOND 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 SECOND MODIFICATION is made as of this 3rd day of November, 2022 by and between TMDG, LLC PBMares, LLP (Guarantor) (the “Contractor”), and the State of Maryland, acting through the Department of Budget & Management (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 (the “Contract”) pursuant to the Request for Proposals for the Audit Services for State Employee and Retiree Health and Welfare Benefits Program, Project No. F10B7400032 and F10B7400034 dated January 28, 2016, and all amendments thereto issued in writing by the State (the “RFP”).

WHEREAS, on May 26, 2021, the parties extended the Contract’s term for one year in order for the Department to conduct a new procurement for audit services;

WHEREAS, the parties desire to further extend the Contract, while the Department completes its 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 Second 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, 2023 through December 31, 2023, 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 Second Modification.** This Second Modification amends the Contract specifically as described herein. Except as specifically revised by the terms of this Second Modification, all of the terms of the Contract 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:

TMDG, LLC PBMares, LLP

[Redacted Signature]

By: Harvey L. Johnson, CEO

September 23, 2022

Date

[Redacted Date]

Witness/Attest

STATE OF MARYLAND:

DEPARTMENT OF BUDGET AND MANAGEMENT

[Redacted Signature]

11/3/2022 | 6:27:26 AM PDT

By: Marc Nicole, Deputy Secretary

Or designee:

11/7/2022 | 3:32:22 AM PST

Date

[Redacted Date]

Witness

Approved for form and legal sufficiency

this 23rd day of September 2022

[Redacted Signature]

Assistant Attorney General