

**THIRD CONTRACT MODIFICATION
MAINTENANCE, REPAIR AND ACCIDENT MANAGEMENT PROGRAM FOR STATE-OWNED
VEHICLES
CONTRACT NO. 050B6400003**

This Third Contract Modification (the "Third Modification") is made this 1st day of September, 2021, by and between Element Fleet Corporation (the "Contractor") and the State of Maryland (the "State") acting through the Department of Budget and Management (the "Department").

WHEREAS, on September 14, 2016, the Department entered into a contract with Element Vehicle Management Services, LLC to provide a Maintenance, Repair and Accident Management Program for State-Owned Vehicles (the "Contract") pursuant to Request for Proposals for Maintenance, Repair and Accident Management Program for State Owned Vehicles, Solicitation No. 05086400003 issued January 15, 2016, and all amendments thereto issued in writing by the State (the "RFP"); and

WHEREAS, the Department and Element Vehicle Management Services, LLC modified the Contract on September 12, 2017 to clarify the scope of work ("Modification 1"); and

WHEREAS, the Department, Element Vehicle Management Services, LLC and the Contractor again modified the Contract on June 7, 2018 to reflect the assignment and novation of the Contract from Element Vehicle Management Services, LLC to the Contractor ("Modification 2"); and

WHEREAS, the Department and Contractor desire to extend the Contract while the State conducts a new procurement for the services and awards a new contract, to ensure continuing of maintenance, repair, and accident management for State-owned vehicles.

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 Third Modification shall have the same meaning as provided in the Contract.
2. **Duration of Contract.** The Contract term under Section 3 of the Contract, Period of Performance, is hereby extended for one (1) year, from October 1, 2021 through September 30, 2022, unless terminated earlier as provided in the Contract.
3. **Consideration and Payment.** Payment to the Contractor for the services rendered during the Contract extension period from October 1, 2021 through September 30, 2022 (the "Contract Extension Period") shall be in accordance with Section 4 of the Contract and at the prices quoted in the Financial Proposal, and shall not exceed Fifteen Million Dollars (\$15,000,000.00) for the Contract Extension Period. The terms and conditions of Section 4 of the Contract remain unchanged.
4. **Scope of Third Modification.** This Third Modification amends the Contract specifically as described herein. Except as specifically revised by the terms of this Third Modification, all of the terms of the Contract shall remain in full force and effect and shall apply to this Third Modification.

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

ELEMENT FLEET CORPORATION____

DocuSigned by:
By: _____ (SEAL)
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Date: 7/29/2021 _____

Nancy Rooney Authorized Signatory 
Print Name and Title of Authorized Officer _____

Witness/Attest: _____

DocuSigned by:
By: _____
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Approved for form and legal sufficiency
this 30th day of July, 2021.____

Assistant Attorney General____

STATE OF MARYLAND____
DEPARTMENT OF BUDGET AND
MANAGEMENT____

By: _____
Marc Nicole, Deputy Secretary

Date: 9/2/21 _____

Witness: _____

By: _____