

**AMENDMENT NO. 1 TO THE STATE OF WASHINGTON MPA
FOR MMCAP INFUSE AGREEMENT NO. MMS1900158**

THIS AMENDMENT NO. 1 ("**Amendment**") is entered into on the date all required signatures are obtained for this document by and between the Washington State Department of Enterprise Services on behalf of the State of Washington ("**Member**") and Darby Dental Supply, LLC., a limited liability corporation, with a principal address of 300 Jericho Quadrangle, Jericho, New York 11753 ("**Vendor**") and MMCAP Infuse, an agency of the State of Minnesota ("**MMCAP Infuse**") regarding the Member Addendum for MMS1900158 ("**MPA**").

RECITALS

WHEREAS, Member and Vendor desire to modify the MPA for MMS1900158;

WHEREAS, Member, MMCAP Infuse, and Vendor do not intend to alter, amend, interfere, modify, or adjust the contractual relationship of MMCAP Infuse and Vendor;

THEREFORE, the parties agree as follows:

Modifications


In this Amendment, changes to pre-existing MPA language will use ~~strike through~~ for deletions and underlining for insertions.

Revision 1: The following *Subparagraph C. WASHINGTON STATE PAY EQUALITY FOR 'SIMILARLY EMPLOYED' INDIVIDUALS* will be added to *Paragraph 7. VENDOR REPRESENTATIONS AND WARRANTIES* in Exhibit C of the MPA:

- C. WASHINGTON STATE PAY EQUALITY FOR 'SIMILARLY EMPLOYED' INDIVIDUALS. Vendor represents and warrants that, as required by Washington state law ([Laws of 2023, ch. 475](#), § 919), during the term of this MPA, among Vendor's employees, 'similarly employed' individuals are compensated as equals. For purposes of this provision, employees are similarly employed if the individuals work for the same employer, the performance of the job requires comparable skill, effort, and responsibility, and the jobs are performed under similar working conditions. Job titles alone are not determinative of whether employees are similarly employed. Vendor may allow differentials in compensation for its workers based in good faith on any of the following: a seniority system; a merit system; a system that measures earnings by quantity or quality of production; a bona fide job-related factor or factors; or a bona fide regional difference in compensation levels. A bona fide job-related factor or factors may include, but is not limited to, education, training, or experience that is: consistent with business necessity; not based on or derived from a gender-based differential; and accounts for the entire differential. A bona fide regional difference in compensation level must be consistent with business necessity; not based on or derived from a gender-based differential; and account for the entire differential. Notwithstanding any provision to the contrary, upon breach of warranty and Vendor's failure to provide satisfactory evidence of compliance within thirty (30) days, Member may suspend or terminate this MPA and any Approved Facilities hereunder similarly may suspend or terminate its use of the Agreement and/or any agreement entered into pursuant to this MPA.

[End of Amendment; Signature Page Follows]

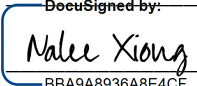
BY AND BETWEEN:

FOR THE MEMBER:	VENDOR: DARBY DENTAL SUPPLY, LLC
STATE OF WASHINGTON	
Department of Enterprise Services:	
Signature: <u>Nick Ioanna</u>	Signature: <u></u>
Printed: <u>Nicholas Ioanna</u>	Printed: <u>John Stanco</u>
Title: <u>Procurement Supervisc</u>	Title: <u>EVP, CFO & Secretary</u>
Date: <u>28/10/24</u>	Date: <u>10/25/2024</u>

IN AN APPROVAL CAPACITY ONLY:

State of Minnesota for MMCAP Infuse
In accordance with Minn. Stat. § 16C.03, subd. 3

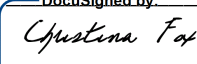
Printed: Nalee Xiong

Signature:  Date: 10/29/2024

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Minnesota Commissioner of Administration
In accordance with Minn. Stat. § 16C.05, subd. 2

Printed: Christina Fox

Signature:  Date: 10/29/2024

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[Signature Page]






Darby Dental Supply AMD #1 (vendor signed)

Final Audit Report

2024-10-28

Created:	2024-10-26
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"Darby Dental Supply AMD #1 (vendor signed)" History

-  Document created by Samantha Johnson (samantha.johnson@des.wa.gov)
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