

**AMENDMENT NO. 1 TO THE STATE OF WASHINGTON MPA
FOR MMCAP INFUSE AGREEMENT NO. MMS20000330**

THIS AMENDMENT NO. 1 ("**Amendment**") is entered into on the date all required signatures are obtained for this document ("**Effective Date**") by and between the Washington State Department of Enterprise Services on behalf of the State of Washington ("**Member**") and Comprehensive Drug Testing, Inc., a corporation, with a principal address of 230 Commerce #100, Irvine, California 92620 ("**Vendor**") and MMCAP Infuse, an agency of the State of Minnesota ("**MMCAP Infuse**") regarding the Member Addendum for MMS20000330 ("**MPA**").

RECITALS

WHEREAS, Member and Vendor desire to modify the MPA for MMS20000330;

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.

Beginning as of the Effective Date of this Amendment, the pre-existing MPA will be revised as follows:

Revision 1: The following *Paragraph 7. NONDISCRIMINATION* will be added to *ADDITIONAL TERMS* in Exhibit C of the MPA:

10. NONDISCRIMINATION.

a. Nondiscrimination Requirement. During the term of this MPA, beginning as of the effective date of this Amendment, Vendor, including any subvendor, shall not discriminate on the bases enumerated at RCW 49.60.530(3). In addition, Vendor, including any subvendor, shall give written notice of this nondiscrimination requirement to any labor organizations with which Vendor, or subvendor, has a collective bargaining or other agreement.

b. Obligation to Cooperate. Vendor, including any subvendor, shall cooperate and comply with any Washington state agency investigation regarding any allegation that Vendor, including any subvendor, has engaged in discrimination prohibited by this MPA pursuant to RCW 49.60.530(3).

c. Default. Notwithstanding any provision to the contrary, Member may suspend Vendor, including any subvendor, upon notice of a failure to participate and cooperate with any state agency investigation into alleged discrimination prohibited by this MPA, pursuant to RCW 49.60.530(3). Any such suspension will remain in place until Member receives notification that Vendor, including any subvendor, is cooperating with the investigating state agency. In the event Vendor, or subvendor, is determined to have engaged in discrimination identified at RCW 49.60.530(3), Member may terminate this MPA in whole or in part, and Vendor, subvendor, or both, may be referred for debarment as provided in RCW 39.26.200. Vendor or subvendor may be given a reasonable time in which to cure this noncompliance, including implementing conditions consistent with any court-ordered injunctive relief or settlement agreement.

d. Remedies for Breach. Notwithstanding any provision to the contrary, in the event of MPA termination or suspension for engaging in discrimination, Vendor, subvendor, or both, shall be liable for contract damages as authorized by law including, but not limited to, any cost difference between the original MPA and the replacement or cover contract which damages are distinct from any penalties imposed under Chapter 49.60, RCW. Member and/or Approved Facilities shall have the right to deduct from any monies due to Vendor or subvendor, or that thereafter become due, an amount for damages Vendor or subvendor will owe Member and/or Approved Facilities for default under this provision.

[End of Amendment; Signature Page Follows]

BY AND BETWEEN:

FOR THE MEMBER:

STATE OF WASHINGTON

Department of Enterprise Services:

Signature: Nick Ioanna
Printed: Nicholas Ioanna
Title: Procurement Supervisc
Date: Jan 7, 2025

VENDOR: COMPREHENSIVE DRUG TESTING, INC.

Signature: Richard Reynoza
Printed: Richard Reynoza
Title: Sr. Director of Operations
Date: 1/3/2025

IN AN APPROVAL CAPACITY ONLY:

State of Minnesota for MMCAP Infuse

In accordance with Minn. Stat. § 16C.03, subd. 3

Printed: Nalee Xiong
Signature: Nalee Xiong **Date:** 1/7/2025

Minnesota Commissioner of Administration

In accordance with Minn. Stat. § 16C.05, subd. 2

Printed: Christina Fox
Signature: Christina Fox **Date:** 1/7/2025

[Signature Page]

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Final Audit Report

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Agreement completed.

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