

SAP Document #

4100077277

PENNSYLVANIA DEPARTMENT OF HUMAN SERVICES

Bureau of Procurement and Contract Management

GRANT AMENDMENT #2

Medical Assistance Transportation Program in Philadelphia

Modivcare Solutions, LLC
6900 E. Layton Avenue, Suite 2100
Denver, CO 80237-3656
Kirk.Gonzales@modivcare.com

Vendor #: 201968

Office of Medical Assistance/Bureau of Managed Care Operations
Tamara Carter
tacarter@pa.gov
717-346-3937

AMENDMENT #2
GRANT AGREEMENT NO. 4100077277

This Amendment No. 2 to Grant Agreement No. 4100077277 is made between the Commonwealth of Pennsylvania, Department of Human Services (“Department”), and ModivCare Solutions, LLC (formerly LogistiCare Solutions, LLC) (“Grantee”).

WHEREAS, the Department and Grantee are parties to Grant Agreement No. 4100077277 (“Agreement”), effective March 1, 2017;

WHEREAS, pursuant to the Agreement, Grantee provides Medical Assistance Transportation Program (“MATP”) services to Medical Assistance beneficiaries residing in Philadelphia County;

WHEREAS, the term of the original grant was March 1, 2017, to February 29, 2020, with the discretion to extend for one additional two-year period. The Department exercised its one additional two-year period option which extended the grant term to February 28, 2022;

WHEREAS, the Department opted to extend for 90 days through May 29, 2022, and then executed Amendment #1 to the Agreement on May 10, 2022, which extended the term for nine months to February 28, 2023, with the option to extend for two additional three-month periods;

WHEREAS, the Department exercised both optional extensions to make the grant term effective through August 31, 2023;

WHEREAS, the Department has exercised its option to extend the grant for an additional 90 days after the end of the grant term pursuant to the terms and conditions of the Agreement in order to prevent a lapse in services; and

WHEREAS, the parties have identified the need to further amend the Grant Agreement to prevent a lapse in MATP services until a new grant agreement for such services is in place.

NOW, THEREFORE, the parties, intending to be legally bound, agree as follows:

Paragraph 1 of the Agreement is DELETED and REPLACED with the following:

1. The term of this grant shall be from December 1, 2023, through August 31, 2024. The Department, in its sole discretion, may extend the Agreement on the same terms and conditions for three additional six-month periods. The Department will notify the Grantee of its election to exercise its renewal option in writing at least 15 calendar days prior to the expiration of the term. The Department’s right to exercise any such option shall not expire unless and until the Grantee has given the Department written notice of the Department’s failure to timely exercise its option and has provided the Department with ten calendar days opportunity from the Department’s receipt of such notice to cure the failure.

2. Rider 1 Payment Provisions Section B is amended with the following:

For the period covered by Amendment #2 (December 1, 2023, through August 31, 2024), the Per Member Per Month rate is 6.35 (\$5.65 + \$0.70 driver bonus).

3. This Amendment #2 will be effective once all approvals are obtained, and the amendment has received all signatures required by Commonwealth contracting procedures. This Amendment # 2 shall continue in effect for the entire Agreement term.
4. Except as expressly modified by this Amendment #2, all other terms and conditions of the Agreement shall remain in full force and effect.

[SIGNATURE PAGE FOLLOWS]


Document No.: 4100077277

SAP Vendor No.: 201968

Document Type: Amendment #2

The parties have caused this Grant Agreement to be executed by their duly authorized officials.

GRANTEE

 VP of Contracts and Pricing 10/19/2023
Signature / Title Date
PRINT OR TYPE NAME AND TITLE

Signature / Title Date
PRINT OR TYPE NAME AND TITLE

**COMMONWEALTH OF PENNSYLVANIA DEPARTMENT
OF HUMAN SERVICES**

SECRETARY OR DESIGNEE

Signature Date

COMPTROLLER OPERATIONS

Signature Date

Approved as to Legality and Form:

**OFFICE OF GENERAL COUNSEL
DEPARTMENT OF
HUMAN SERVICES**

**DEPUTY ATTORNEY GENERAL
OFFICE OF ATTORNEY GENERAL**

**DEPUTY GENERAL COUNSEL
OFFICE OF GENERAL COUNSEL**

	DRIVER BONUS	2023M12	2024M01	2024M02	2024M03	2024M04	2024M05	2024M06	2024M07	2024M08	TOTAL FOR AMENDMENT	
MATP Eligible Consumers		753,223.15	749,794.68	747,034.50	744,740.29	741,555.12	742,060.05	749,196.20	756,419.76	754,151.07		
PMPM		5.65	5.65	5.65	5.65	5.65	5.65	5.65	5.65	5.65		
	\$	12,150,710.60	\$ 4,255,710.81	\$ 4,236,339.92	\$ 4,220,744.91	\$ 4,207,782.64	\$ 4,189,786.44	\$ 4,192,639.27	\$ 4,232,958.54	\$ 4,273,771.62	\$ 4,260,953.56	\$ 50,221,398.30



WORKER PROTECTION AND INVESTMENT CERTIFICATION FORM


A. Pursuant to Executive Order 2021-06, *Worker Protection and Investment* (October 21, 2021), the Commonwealth is responsible for ensuring that every worker in Pennsylvania has a safe and healthy work environment and the protections afforded them through labor laws. To that end, contractors and grantees of the Commonwealth must certify that they are in compliance with Pennsylvania's Unemployment Compensation Law, Workers' Compensation Law, and all applicable Pennsylvania state labor and workforce safety laws including, but not limited to:

1. Construction Workplace Misclassification Act
2. Employment of Minors Child Labor Act
3. Minimum Wage Act
4. Prevailing Wage Act
5. Equal Pay Law
6. Employer to Pay Employment Medical Examination Fee Act
7. Seasonal Farm Labor Act
8. Wage Payment and Collection Law
9. Industrial Homework Law
10. Construction Industry Employee Verification Act
11. Act 102: Prohibition on Excessive Overtime in Healthcare
12. Apprenticeship and Training Act
13. Inspection of Employment Records Law

B. Pennsylvania law establishes penalties for providing false certifications, including contract termination; and three-year ineligibility to bid on contracts under 62 Pa. C.S. § 531 (Debarment or suspension).

CERTIFICATION

I, the official named below, certify I am duly authorized to execute this certification on behalf of the contractor/grantee identified below, and certify that the contractor/grantee identified below is compliant with applicable Pennsylvania state labor and workplace safety laws, including, but not limited to, those listed in Paragraph A, above. I understand that I must report any change in the contractor/grantee's compliance status to the Purchasing Agency immediately. I further confirm and understand that this Certification is subject to the provisions and penalties of 18 Pa. C.S. § 4904 (Unsworn falsification to authorities).

<i>Signature</i>	<i>Date</i>
	10/19/2023
<i>Name (Printed)</i>	
Marvin Lewis	
<i>Title of Certifying Official (Printed)</i>	
VP of Contracts and Pricing	
<i>Contractor/Grantee Name (Printed)</i>	