

**AMENDMENT NO. 5 TO MMCAP INFUSE AGREEMENT NO. MMS1900115**

THIS AMENDMENT NO. 5 ("**Amendment**") is entered into on the date all required signatures are obtained for this document and is by and between the State of Minnesota acting through its Commissioner of Administration ("**Minnesota**") on behalf of MMCAP Infuse ("**MMCAP Infuse**") and Morris & Dickson, Co., LLC a limited liability company with the designated business address 410 Kay Lane, Shreveport, Louisiana 71115 ("**Wholesaler**").

**RECITALS**

WHEREAS, MMCAP Infuse and Wholesaler entered into MMS1900115 on November 1, 2019 ("**Original Contract**");

WHEREAS, MMCAP Infuse and Wholesaler amended certain terms and conditions of the Original Contract by the way of Amendment 1 on October 21, 2019; Amendment 2 on January 27, 2020; Amendment 3 on March 10, 2021; and Amendment 4 on May 23, 2022; together, Original Contract and Amendments 1- 4 will be referred to as "**Agreement**";

WHEREAS, MMCAP Infuse and Wholesaler have agreed to certain changes in the terms and conditions set forth in the Agreement and have agreed to amend the Agreement to reflect said changes;

WHEREAS, besides the terms and conditions of the Agreement amended in this Amendment, the Agreement remains in full force and effect; and

NOW, THEREFORE, the parties acknowledge and hereby agree that the Agreement shall be amended as follows:

**Capitalized Terms; Definitions; Conditions.** The Agreement and Amendment shall be read together as one document. Any capitalized terms used in the Amendment that are defined in the Agreement will have the same meaning(s) when used herein, unless the context clearly requires otherwise. To the extent there shall exist a conflict between the Agreement and this Amendment, the terms of this Amendment will control. Unless otherwise clearly altered, modified, deleted, or amended otherwise, the terms of the Agreement will continue in their entirety and govern the contractual relationship between Vendor and MMCAP Infuse.

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

**Modifications:**

**Revision 1:** Paragraph 1.2 of the Agreement will be revised as follows:

1.2 **Expiration date:** October 31, ~~2023~~ 2024, or until all obligations have been satisfactorily fulfilled, whichever occurs first. The Contract may be extended ~~for up to an additional two (2) one (1) years, at increments determined by MMCAP Infuse, on written acceptance by both parties, for a total term not to exceed five (5) years upon mutual agreement of MMCAP Infuse and WHOLESALER in accordance with Minn. Stat. § 16C.06, Subd. 3b.~~

**WHOLESALER: MORRIS & DICKSON CO., LLC**

The Vendor certified that the appropriate person(s) have executed this Amendment on behalf of the Vendor as required and by applicable articles, bylaws, resolutions, or ordinances.

Name: \_\_\_\_\_  
Signature: Mike Casida  
Title: Sr. Director, Health Systems  
Date: 5/12/2023

**STATE OF MINNESOTA FOR MMCAP INFUSE**

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

Name: \_\_\_\_\_  
Signature: Krista McQuaid  
Date: 5/12/2023

**COMMISSIONER OF ADMINISTRATION**

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

Name: \_\_\_\_\_  
Signature: Michelle Korpela  
Date: 5/12/2023