

AMENDMENT NO. 39 TO MMCAP INFUSE CONTRACT NO. MMS18000

THIS AMENDMENT NO. 39 ("**Amendment**") is entered into on the date all required signatures are obtained for this document ("**Effective Date**") by and between the State of Minnesota acting through its Commissioner of Administration ("**Minnesota**") on behalf of MMCAP Infuse ("**MMCAP Infuse**") and McKesson Medical-Surgical Inc., a corporation located at 9954 Mayland Drive, Suite 4000, Richmond, VA 23233; McKesson Medical-Surgical Minnesota Supply Inc., a corporation located at 9954 Mayland Drive, Suite 5176, Henrico, VA 23233; and McKesson Medical-Surgical Government Solutions LLC, a limited liability company located at 9954 Mayland Drive, Suite 5176 Henrico, VA 23233 (collectively "**Vendor**").

RECITALS

WHEREAS, MMCAP Infuse and Vendor entered into MMS18000 on March 1, 2018 ("**Original Contract**");

WHEREAS, MMCAP Infuse and Vendor amended certain terms and conditions of the Original Contract by the way of the MMS18000 Amendment 1 on May 21, 2018; Amendment 16 on December 21, 2018; Amendment 17 on November 28, 2018; Amendment 20 on March 25, 2019; Amendment 26 on April 8, 2020; Amendment 28 on October 30, 2020; Amendment 29 on November 9, 2020; Amendment 31 on March 30, 2021; Amendment 32 on August 31, 2021; Amendment 33 on October 1, 2021; Amendment 34 on October 26, 2021; Amendment 35 on December 31, 2021; Amendment 36 on April 5, 2022; Amendment 37 on December 14, 2022; and Amendment 38 on January 25, 2023; together, Original Contract and Amendments 1, 16, 17, 20, 26, 28, 29, and 31-38 will be referred to as "**Agreement**";

WHEREAS, MMCAP Infuse and Vendor 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 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: *ARTICLE 4: CONTRACT TERMS AND CONDITIONS, Paragraph 2. Contract Expiration Date* in the Agreement will be revised as follows:

2. Contract Expiration Date

May ~~March~~ 1, 2023, the Contract may be extended upon execution of a written amendment and acceptance of both parties.

Except as herein amended, the provisions of the Agreement between the parties are hereby expressly reaffirmed and remain in full force and effect.

[End of Amendment; Signature Page Follows]

VENDOR:**McKesson Medical-Surgical Inc.****McKesson Medical-Surgical Minnesota Supply Inc.****McKesson Medical –Surgical Government Solutions 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: Deborah Haywood
Signature: *Deborah Haywood*
Title: Vice President, General Manager
Date: 2/9/2023

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STATE OF MINNESOTA FOR MMCAP INFUSE

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

Name: James Babbitt
Signature: *James Babbitt*
Date: 2/10/2023

DocuSigned by:

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COMMISSIONER OF ADMINISTRATION

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

Name: Christina Fox
Signature: *Christina Fox*
Date: 2/10/2023

DocuSigned by:

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[Signature Page]