



AMENDMENT NO.: 3
Contract No.: 42150000-17-ACS
Contract Title: Dental Supplies

This Amendment (“Amendment”), effective as of September 1, 2019 to the Dental Supplies Contract No. 42150000-17-ACS (“Contract”), between the State of Florida, Department of Management Services (“Department”) and Darby Dental Supply, LLC (“Contractor”) are collectively referred to herein as the “Parties.” All capitalized terms used herein shall have the meaning assigned to them in the Contract unless otherwise defined herein.

WHEREAS the Department entered into the above referenced Contract with Darby Dental Supply, LLC pursuant to Minnesota Multistate Contract Alliance for Pharmacy (MMCAP) for the provision of Dental Supplies; and,

WHEREAS the Parties agree the termination date of this Contract will be amended to reflect the new termination date of August 31, 2020, set forth in Exhibit 1, which shall be effective September 1, 2019; and,

THEREFORE, in consideration of the mutual promises contained below, and other good and valuable consideration, receipt, and sufficiency of which are hereby acknowledged, the Parties agree to the following;

I. Contract Amendment. Alternate Contract Source No. 42150000-17-ACS has a new contract expiration date of August 31, 2020, pursuant to the terms of MMCAP contract MMS 14030.

II. Conflict. To the extent any of the terms of this Amendment conflict with the terms of the Contract, the terms of this Amendment shall control.

III. Warranty of Authority. Each person signing this Amendment warrants that he or she is duly authorized to do so and to bind the respective party.

IV. Effect. Unless otherwise modified by this Amendment, all terms and conditions contained in the Contract shall continue in full force and effect.

State of Florida:
Department of Management Services

Contractor:
Darby Dental Supply, LLC

By: _____
Name: Rosalyn Ingram
Title: Director of State Purchasing
Date:

By: _____
Name:
Title:
Date:

Department of
**MANAGEMENT
SERVICES**

☛ We serve those who serve Florida



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IV. Effect. Unless otherwise modified by this Amendment, all terms and conditions contained in the Contract shall continue in full force and effect.

State of Florida:
Department of Management Services

By: 
Name: Rosalyn Ingram
Title: Director of State Purchasing
Date: 8/28/19

Contractor:
Darby Dental Supply, LLC

By: 
Name: John Stano
Title: EMP S. CFO
Date: 8/28/19

Dental Supplies
Alternate Contract Source No.: 42150000-17-ACS

EXHIBIT 1

MMS14030
Amendment #12
May 30, 2019

AMENDMENT NO. 12 TO MMCAP INFUSE CONTRACT NO. 14030

THIS AMENDMENT NO. 12 ("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, (formerly Minnesota Multistate Contracting Alliance for Pharmacy) ("MMCAP Infuse") and Darby Dental Supply, LLC, a limited liability company with an address of 300 Jericho Quadrangle, Jericho, NY 11753 ("Vendor").

RECITALS

WHEREAS, MMCAP Infuse and Vendor entered into MMS14030 on September 15, 2014 ("Original Contract");

WHEREAS, MMCAP Infuse and Vendor amended certain terms and conditions of the Original Contract by the way of Amendment 4 on June 12, 2015; Amendment 6 on August 4, 2016; Amendment 10 on December 6, 2017; and Amendment 11 on July 19, 2018; together, Original Contract and Amendment 4, 6, 10, and 11 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 Amendments 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.

Clause Modifications

Revision 1: On the Effective Date, all references to the Expiration Date of the Agreement will be deleted in its entirety and replaced with:

Expiration Date: August 31, 2020 or as cancelled pursuant to Section 42 of the Original Contract; MMCAP Infuse may immediately terminate the Agreement upon written notice to Vendor, provided MMCAP Infuse and Vendor have fully executed a new master agreement before the Expiration Date.

[Intentionally left blank]

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

VENDOR: DARBY DENTAL SUPPLY, LLC

The Vendor certifies 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: John Stancio
Signature: [Signature]
Title: VP - CFO
Date: 6/10/19

**STATE OF MINNESOTA FOR MMCAP
INFUSE**

In accordance with Minn. Stat. 16C.03, Subd.3

Name: James P. Losinski
Signature: [Signature]
Date: 6/13/2019

COMMISSIONER OF ADMINISTRATION

In accordance with Minn. Stat. 16C, Subd. 2

Name: Jennifer VanderPlaat
Signature: [Signature]
Date: 6/17/2019