



Request # WCP22-017  
(assigned by OMB)

CITY OF PITTSBURGH  
REQUEST FOR WAIVER OF COMPETITIVE PROCESS

Contract Title: ConnetYourCare, LLC

Contract Description: Flexible Spending Account

Contract Duration: Extend One Year

Requesting Department: HRCS Contract Type: \_\_\_\_\_

Requests for exemption must be based on one or more of the categories listed in City Code 161.02B located here:

Please list all category numbers that apply (see page 2) 3

Justification:

Continuation of services under contract; will result in no interruption of services.  
Due to Covid 19 Relief Law, many employees will continue to use their flexible-spending (FSA) account through 2023.

Signed by: *Janet K. Maxwell*  
Department Director

Date: 5-5-2022

Waiver Request is hereby:  X Granted  Denied

OMB Procurement: *Jennifer Olynger* Date: 5/20/2022

After completion, please email this form, along with any appropriate backup to [procurement@pittsburghpa.gov](mailto:procurement@pittsburghpa.gov)

If a waiver is granted, contract authorization is then required by City Council. Department shall submit appropriate legislation and note the Resolution number on this form and submit a copy along with the contract when submitting to the Controller's Office for signature.

Resolution Number \_\_\_\_\_ Effective Date \_\_\_\_\_

## **First Amendment to Administrative Services Agreement**

This First Amendment ("First Amendment") to that certain Administrative Services Agreement (the "Agreement"), with an Effective Date of January 1, 2020, is made and entered into by and between **CONNECTYOURCARE, LLC**, ("CYC") and **CITY OF PITTSBURGH** ("Employer"). Each of CYC and Employer is a "Party", and collectively, the "Parties". Except as expressly provided herein, all other terms and conditions as set forth in the Agreement shall remain in full force and effect and shall continue to be binding on the Parties hereto. Solely to the extent that the terms of the First Amendment conflict with any terms of the Agreement, this First Amendment supersedes the Agreement. Otherwise, this First Amendment is governed by and subject to the terms of the Agreement.

### **RECITALS**

1. WHEREAS, Employer and CYC entered into an Administrative Services Agreement with an Effective Date of January 1, 2020; and
2. WHEREAS, pursuant to Section 10 of the Agreement, the Parties desire to amend the Agreement and Exhibits attached thereto; and
3. WHEREAS, capitalized terms used herein without definition shall have the meanings ascribed to such terms in the Agreement.

### **AGREEMENT**

NOW, THEREFORE, in consideration of the foregoing and mutual warranties, representations, covenants, and agreements contained in this First Amendment, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

1. Term. Section 8(a) of the Agreement is hereby deleted in its entirety and replaced with the following language:
  - a) Term. The term of this Agreement shall commence on the Effective Date and continue until December 31, 2023 (the "Initial Term"). After the Initial Term, this Agreement shall automatically extend for additional periods of one (1) years each (a "Renewal Term") unless either Party gives the required written notice of termination, with or without cause, at least ninety (90) days prior to the end of the then-current term. CYC shall guarantee the rates stated in the attached fee schedule for three (3) years following the Effective Date.
2. Except as set forth in this First Amendment, the Agreement is unaffected and shall continue in full force and effect in accordance with its terms.

[Signatures located on following page]

INTENDING TO BE LEGALLY BOUND, the Parties have caused this First Amendment to be executed by their duly authorized representatives, and it shall be effective as of May 1, 2022.

**CONNECTYOURCARE, LLC**

**CITY OF PITTSBURGH**

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

By: Janet K Manuel

Name: JANET K MANUEL

Title: Director, HR and Civil Service

Date: May 5, 2022

§ EEO/D § I Officer