

THIRD AMENDMENT TO AGREEMENT

This Third Amendment to Agreement, made and entered into by and between the **LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT**, acting by and through its **LOUISVILLE METRO DEPARTMENT OF PUBLIC HEALTH AND WELLNESS**, hereinafter referred to as "**METRO GOVERNMENT**" or "**METRO**" and **VITALITY DX, LLC d/b/a SPHERE DX** with offices located at 4203 Springhurst Boulevard, Suite 101, Louisville, Kentucky 40241, herein referred to as "**CONTRACTOR**",

W I T N E S S E T H:

WHEREAS, Contractor and the Metro Government entered into a Contract concerning laboratory testing for COVID19; and

WHEREAS, the parties wish to amend the Agreement by increasing its not-to-exceed amount;

NOW, THEREFORE, it is agreed by and between the parties hereto as follows:

Section I. That Agreement Section II, Fees and Compensation, Subsection A, is hereby deleted in its entirety and shall now read as follows:

- A. Contractor shall be reimbursed for professional services rendered according to the terms of this Agreement as described on Attachment A. Total compensation payable to Contractor for services rendered pursuant to this Agreement, including out-of-pocket expenses, shall not exceed **SIX HUNDRED FIFTY THOUSAND DOLLARS (\$650,000.00)**.

Section II. All other terms and conditions as set forth in the Agreement and the Amendments thereto shall remain in full force and effect as if fully set out herein.

**APPROVED AS TO FORM
AND LEGALITY PENDING METRO
COUNCIL APPROVAL OF THE
APPROPRIATION TO FUND
THIS CONTRACT:**

DocuSigned by:
Paul Rutherford
MICHAEL J. O'CONNELL
JEFFERSON COUNTY ATTORNEY

Date: 9/23/2021

**LOUISVILLE/JEFFERSON COUNTY
METRO GOVERNMENT**

DocuSigned by:
Sarah Moyer
DR. SARAH S. MOYER
M.D., MPH, DIRECTOR,
DEPARTMENT OF
PUBLIC HEALTH AND WELLNESS

Date: 9/23/2021

VITALITY DX LLC d/b/a SPHERE DX

DocuSigned by:
Bobby Sturgeon
By: _____
Title: CEO
Date: 9/23/2021

**Taxpayer Identification No.
(TIN):** _____

**Louisville/Jefferson County
Revenue Commission Account
No.:** _____