

FOURTH AMENDATORY AGREEMENT

THIS FOURTH AMENDATORY AGREEMENT is made _____, 2011 between the **CITY AND COUNTY OF DENVER**, a municipal corporation of the State of Colorado ("City"), and **THE COLORADO NONPROFIT DEVELOPMENT CENTER**, a Colorado nonprofit corporation with its principal place of business at 4130 Tejon Street, Suite A, Denver, Colorado 80211 ("Contractor").

RECITALS:

A. The City and Contractor entered into an Agreement dated June 12, 2007, an amendatory agreement dated April 8, 2008, a second amendatory agreement dated May 19, 2009, and a third amendatory agreement dated May 18, 2010 to assist the Denver Office of HIV Resources in disbursing Ryan White Title I funds to City-approved service providers (together, the "Agreement").

B. The City and Contractor wish to amend the Agreement to extend the term, increase the budget, and revise terms as set forth below.

NOW, THEREFORE, the parties hereby agree as follows:

1. Section 2 of the Agreement, entitled "**TERM**", is amended by deleting it and replacing it as follows:

"**2. TERM.** The term of this Agreement is from March 1, 2007 through February 28, 2012, unless terminated earlier in accordance with the Agreement."

2. Section 3 of the Agreement, entitled "**SERVICES TO BE PROVIDED**", is amended by adding the following sentence to the end of subsection 3(c)(2):

"The Ryan White Title I funds for fiscal year 2011-2012 and CFDA No. 93.914 is hereby incorporated by reference."

3. Section 5 of the Agreement, entitled "**PAYMENT; APPROPRIATIONS**", is amended by deleting the portion that reads:

"...Seventy Thousand Dollars and No Cents (\$70,000.00)...."

and replacing it with:

"...Ninety Thousand Dollars and No Cents (\$90,000.00)...."

4. Except as amended in the Fourth Amendatory Agreement, the Agreement is revived, affirmed, and ratified in each and every particular.

5. The Fourth Amendatory Agreement may be executed in two (2) counterparts, each of which is an original and constitute the same instrument.

D-0112-1-0

6. The Contractor assures and guarantees that it possesses the legal authority, pursuant to any proper, appropriate and official motion, resolution, or action passed or taken, to enter into the Fourth Amendatory Agreement. The person or persons signing and executing the Fourth Amendatory Agreement on behalf of the Contractor hereby warrants and guarantees that the Contractor has fully authorized he or she or them to execute the Fourth Amendatory Agreement on behalf of the Contractor and to validly and legally bind the Contractor to all terms, of the Agreement as amended by the Fourth Amendatory Agreement set forth herein.

[BALANCE OF PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, the parties have executed the Fourth Amendatory Agreement as of the date first written above.

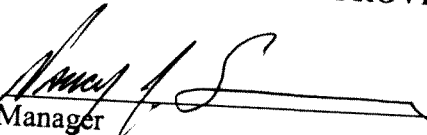
ATTEST:

CITY AND COUNTY OF DENVER:

By: _____
STEPHANIE Y. O'MALLEY, Clerk
and Recorder, Ex-Officio Clerk of the
City and County of Denver

By: _____
MAYOR

RECOMMENDED AND APPROVED:

By: 
Manager
Department of Environmental Health

APPROVED AS TO FORM:

DAVID R. FINE, Attorney for the City and
County of Denver

REGISTERED AND COUNTERSIGNED:

By: _____
Assistant City Attorney

By: _____
Manager of Finance

Contract Control No. GE71149(4)

By: _____
Auditor

"CITY"


ATTEST: [If required by Corporate procedures]

N/A

By: _____

Title: _____

THE COLORADO NONPROFIT
DEVELOPMENT CENTER
Taxpayer (IRS) I.D. No. 84-1493585

By: 

Name: MELINDA A. RIGGS
(please print)

"CONTRACTOR"