

## AMENDATORY AGREEMENT

This **AMENDATORY AGREEMENT** is made between the **CITY AND COUNTY OF DENVER**, a municipal corporation of the State of Colorado (the “City”) and **MENTAL HEALTH CENTER OF DENVER**, whose address is 4141 E Dickenson Place, Denver, Colorado 80222 (the “Contractor”), jointly (“the Parties”).

### RECITALS:

**A.** The Parties entered into Agreement dated April 10, 2022 (the “Agreement”). The Denver Police Department, in partnership with the Mental Health Center of Denver, will expand its Crisis Intervention Response Unit .

**B.** The Parties wish to amend the Agreement to extend the term.

**NOW THEREFORE**, in consideration of the premises and the Parties’ mutual covenants and obligations, the Parties agree as follows:

1. All references to “...Exhibit A...” in the Agreement shall be amended to read: “...Exhibit A and A-1...” as applicable. The scope of work marked as **Exhibit A-1** attached to this Amendatory Agreement is hereby incorporated by reference.

2. Paragraph 3 of the Agreement entitled **TERM** is hereby deleted in its entirety and replaced with:

“**3. TERM:** The Agreement will commence on July 1, 2021, and will expire, unless sooner terminated, on August 31, 2022.”

3. As herein amended, the Agreement is affirmed and ratified in each and every particular.

4. This Amendatory Agreement will not be effective or binding on the City until it has been fully executed by all required signatories of the City and County of Denver, and if required by Charter, approved by the City Council.

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**Contract Control Number:**  
**Contractor Name:**

POLIC-202263196-01 / Parent POLIC-202262299-01  
MENTAL HEALTH CENTER OF DENVER

IN WITNESS WHEREOF, the parties have set their hands and affixed their seals at Denver, Colorado as of:

**SEAL**

**CITY AND COUNTY OF DENVER:**

**ATTEST:**

By:

\_\_\_\_\_

\_\_\_\_\_

**APPROVED AS TO FORM:**

**REGISTERED AND COUNTERSIGNED:**

Attorney for the City and County of Denver

By:

By:

\_\_\_\_\_

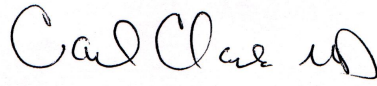
\_\_\_\_\_

By:

\_\_\_\_\_

**Contract Control Number:**  
**Contractor Name:**

POLIC-202263196-01 / Parent POLIC-202262299-01  
MENTAL HEALTH CENTER OF DENVER



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

Name: Carl Clark, MD  
(please print)

Title: President/ CEO of WellPower/ MHCD  
(please print)

ATTEST: [if required]

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

Name: \_\_\_\_\_  
(please print)

Title: \_\_\_\_\_  
(please print)

## Exhibit A-1

### **2021 Caring for Denver Co-Responder Expansion** **Denver Police Department – Mental Health Center of Denver**

#### **Scope of Work**

<b>Grant:</b>	2021 Caring for Denver Grant
<b>Funder:</b>	Caring for Denver Foundation
<b>Total Award Amount:</b>	\$2,380,732
<b>Award Period:</b>	7/1/2021 - 8/31/2022
<b>Award Date:</b>	June 1, 2021
<b>Award Number:</b>	202103-01187
<b>DPD DUNS:</b>	9460596640000
<b>Mental Health Center of Denver DUNS:</b>	182229567
<b>Mental Health Center of Denver Portion of Award:</b>	<b><u>\$1,751,080</u></b>

#### **I. Background**

A ballot measure passed by Denver voters in 2018 has made funding available to the Denver Police Department to fully fund its successful co-responder program. Launched with the Mental Health Center of Denver (MHCD) in 2016, the Crisis Intervention Response Unit (CIRU) pairs mental health clinicians with police officers and focuses on responding to calls for service involving individuals with suspected or known mental health needs.

#### **II. Details**

The Denver Police Department, in partnership with the Mental Health Center of Denver, will expand its Crisis Intervention Response Unit as follows:

- 1 clinician for District 1 (two week rotation - Wed/Thu/Fri first week and Thu/Fri/Sat second week)
- 2 clinicians for District 3 (Coverage Sun-Sat)
- 2 clinicians for District 4 (Coverage Sun-Sat)
- 1 clinician for District 5 (two week rotation - Wed/Thu/Fri first week and Thu/Fri/Sat second week )
- 1 clinician for District 6 (two week rotation - Wed/Thu/Fri first week and Thu/Fri/Sat second week)
- 1 specialty clinician working with Special Victim Unit Detectives, Intel detectives, Internal Affairs, OIM, and other referral-based needs within DPD.
- 1 clinician assigned to the Denver Sheriff Department (DSD).
- 1 Fire based clinician focusing on high callers identified with behavioral health concerns.

Additionally, the program will be expanded to include the addition of 11 case managers, four of whom will be contracted through MHCD.

### III. Tasks and Deliverables

The Crisis Intervention Response Unit (CIRU) will provide the following services:

1. Reinforce, foster, and create effective, collaborative partnerships between police, other first responders, mental health practitioners, Sheriffs, and other community stakeholders.
2. Direct customers to appropriate alternatives and resources to reduce hospitalization and/or jail time.
3. Improve system response and create effective crisis intervention and solutions in order to reduce the need for repeated interventions.
4. Provide training and education for officers and emergency responders to improve officer understanding of mental health, traumatic brain injury, and addiction issues.
5. Provide clinically appropriate interventions.
6. Improve information sharing as appropriate across system and service providers through formalized communication and processes.
7. Expand specialized law enforcement and behavioral health strategies tailored to the needs of those with behavioral/mental health disorders.
8. Evaluate program implementation and customer outcomes.
9. Provide descriptive statistics on encounters as specified in this scope of work.

The objective for the clinician is to assist DPD in determining the best response to persons they encounter who are presenting with possible mental health, brain injury, developmental disability and/or other behaviors that require a behavioral health intervention when a “law enforcement” based intervention is not immediately warranted. Clinicians are to follow the lead from the police officer(s) once the scene is deemed safe and a criminal justice-based assessment has been completed. Clinicians will conduct customer research to best provide a clinical assessment of the customer’s needs and identify the most appropriate response and/or setting for the customer. Clinicians in collaboration with the police and/or other responders, maximize probability that appropriate referrals are made, and services are rendered.

Post initial response, Clinicians will continue to provide clinically appropriate services. As required, Clinicians will provide witness statements to the DPD relating to what they have seen, heard, or done at the scene to the extent consistent with law as well as their independent professional judgment and responsibilities.

### IV. Budget

The \$1,751,080 budgeted for Mental Health Center of Denver is intended to support the following expenses:

<b>Mental Health Center of Denver</b>				
<i>A. Personnel</i>	<b>Rate</b>	<b># of Units</b>	<b># of Personnel</b>	<b>Total</b>
Licensed Clinical Social Workers	32	2080	10	667,472

Licensed Clinical Social Workers (Nightshift)	34	2080	6	424,445
Case Managers	25	2080	4	206,502
Clinical Supervisor	43	2080	1	89,315
Evaluator	32	520	1	16,687
			<i>Total</i>	<b>1,404,421</b>
<b><i>B. Fringe Benefits</i></b>	<b>%</b>	<b>Base</b>	<b># of Personnel</b>	<b>Total</b>
Licensed Clinical Social Workers	21.9%	66,747	10	146,176
Licensed Clinical Social Workers (Nightshift)	21.9%	70,740	6	92,952
Case Managers	21.9%	51,630	4	45,228
Clinical Supervisor	21.9%	89,315	1	19,560
Evaluator	21.9%	16,687	1	3,654
			<i>Total</i>	<b>307,571</b>
<b><i>C. Equipment</i></b>		<b>Cost per Unit</b>	<b>Units</b>	<b>Total</b>
Laptop and carrying case		1,700	7	11,900
Police Radio		4,000	7	28,000
WiFi		672	21	14,112
Cell service/monthly		432	21	9,072
			<i>Total</i>	<b>63,084</b>
<b><i>D. Supplies</i></b>	<b>Cost per Unit</b>	<b>Units</b>	<b># of Personnel</b>	<b>Total</b>
Pants	80	3	21	5,040
Shirts	43	6	21	5,418
Jacket	200	1	21	4,200
Bulletproof Vest	750	1	7	5,250
Business Cards	300	1	21	6,300

		<i>Total</i>	<b>26,208</b>
<b>E. Consultants</b>			
N/A			-
		<i>Total</i>	
<b>Total Direct Costs</b>			<b>1,801,284</b>
<b>F. Indirect Costs</b>			
Indirect Costs @ 20% of Direct Costs		<i>Total</i>	<b>360,257</b>
<b>Total Consultant Costs</b>			<b>2,161,541</b>
<b>H. Less Offsetting Revenue</b>			<b>Total</b>
			(410,461)
<b>Total Costs</b>			<b>1,751,080</b>

**V. Administrative Matters**

**a. DPD acts as oversight agency.**

**Adherence to funder requirements:** Mental Health Center of Denver has been selected as a sole source subcontractor to the Denver Police Department for these services. The project, as funded by the Caring for Denver Foundation grant, requires that Mental Health Center of Denver adhere to grant guidelines and incorporated into this Agreement Appendix I.

The Denver Police Department has been named the recipient of the Caring for Denver grant funds and is therefore responsible for general oversight of the Caring for Denver Co-Responder Expansion and is responsible for reporting progress to the funder. As such, Mental Health Center of Denver agrees to:

- Attend meetings with DPD Staff, as requested.
- Obtain prior approval by DPD to make:
  - Change in budget
  - Change in activities and/or objectives
  - Change in project period
    - Mental Health Center of Denver agrees to notify a DPD Financial Contact 30-60 days prior to making any of the above listed changes. Failure to comply may result in disallowed reimbursement or unallowable cost.
- Retain program and financial records for the duration of the grant, and for six years after final closeout has been completed.
- Ensure grant funds are properly segregated and identifiable as such, within financial records;

- Provide access to these grant fund financial records when requested by DPD, the City and County of Denver external audit firm, or applicable funder auditors,
- Provide documentation of all overtime hourly rates for review and approval.
- If required, most recent Single Audit must be submitted to the Financial Services Division for review.
- Purchase of any and all equipment for this subaward will be completed by the Denver Police Department and title and responsibility for maintenance and disposition remains with DPD.
- Work should be completed within the funding period of the grant.
  - Final report should be completed no later than 9/15/2022
  - Final evaluation activities should be completed no later than 8/31/2022
- Any generated reports or disseminated materials should contain the following language:
  - “This project was supported by the Caring for Denver Foundation. The opinions, findings and conclusions of recommendations expressed in this publication are those of the author(s) and do not necessarily reflect those of the Caring for Denver Foundation.”
- Progress ***Reports Due to DPD:*** will be submitted to the Project Director quarterly within two weeks of the end of the quarter. The updates to the Project Director shall include progress towards the listed objectives and should also summarize:
  - Important successes or challenges encountered.
  - Completion of tasks outlined in the grant proposal.

DPD will provide templates with required metrics no later than 30 days before each quarterly report is due.

**b. The Denver Police Department shall:**

- Assume oversight responsibilities for the overall project as required by the grant contract.
- Submit reports (programmatic and financial) to the funder as required.
- Submit cash drawdown requests to the funder for monthly reimbursement.
- Initiate any modifications to the grant with the funder (e.g. extensions or budget changes).
- Ensure that quarterly program reports are complete and data is accurate.
- Serve as primary point of contact for the funder regarding all compliance matters.
- Serve as primary point of contact for all audit matters.
- Conduct a subrecipient risk assessment and all required subrecipient due diligence prior to initiation of contract negotiations upon award of funding.
- Impose restrictions for non-compliance, including withholding of funds, if necessary.
- Reimburse Mental Health Center of Denver for project expenses after confirming that:
  - Expenses conform to the budget and are allowable within the grant’s parameters.
  - Invoice is complete and responsive.
  - Work is being performed as agreed upon, prior to payment.



## VI. Billing Process

**All financial transactions must conform to the Caring for Denver financial guidelines, as well as the City and County of Denver policies and procedures.**

Mental Health Center of Denver will invoice the Denver Police Department on a **reimbursement basis**. Invoices will be sent on a monthly basis. Invoices must be received no more than twenty-five (25) days after the prior month's end.

The final invoice will be received at DPD by no later than 30 days of this contract's end date in order to be paid. All expenses must be incurred prior to the grant's project end date.

To qualify for grant reimbursement, Mental Health Center of Denver will submit a budget for each project phase in advance to DPD for approval. The proposed work plan for each phase should outline the deliverables for the project phase and the budget broken out by line item. Expenditures on the grant for allocated costs must be supported by an approved cost allocation methodology and submitted through the normal invoicing process. This cost allocation methodology plan must be approved by the Denver Police Department Financial Services Division prior to invoice submission.

Mental Health Center of Denver shall submit monthly, itemized invoices for reimbursement supported by appropriate documentation:

- Expenditures for personnel will be supported by time allocated to the grant with payroll registers or check remittance advice for each individual.
- Timesheets must record the activity and time involved and must be signed by the individual and his/her supervisor.
- Payroll register or check remittance advice for personnel costs with approved rates.
- Documentation of general ledger, indirect costs, all supporting documentation for travel costs, and supporting invoices for all supplies must be submitted.
- Equipment/supply purchases will be supported with copies of invoices.
- Travel expenses will be supported by the internal documentation/forms used by Mental Health Center of Denver to reimburse employee travel costs (note that costs beyond GSA-approved rates will not be reimbursed).

### Revenue Sources

Caring for Denver funds, Medicaid, Medicare, Veterans Administration and other third-party benefit plans and/or programs are revenue sources. Funds provided by Caring for Denver are intended to cover non-Medicaid covered costs associated with the program. Other benefit plans and programs should cover all or a portion of the costs. Caring for Denver is the payer of last resort.

Many of the clinician staff services are eligible for Medicaid, Medicare or other third-party benefit plans. However, some services are non-covered services and therefore are not billable to any third-party payer. MHCD agrees to bill Medicaid, Medicare, or other third-party payer for all eligible services provided. The contract provides for a portion of staff-

related costs for non-covered, non-reimbursable services. All invoices will report total costs, amounts billed and paid by insurance, and amounts billed to Caring for Denver. MHCD will submit receipts and/or appropriate documentation for budget-approved expenses. Payment will be based on monthly invoice and appropriate backup documentation

Unallowable Costs: the following expenses will not be reimbursed through this grant and should not be included in invoices sent to DPD:

- Employee bonuses
- Awards and certificates
- Incentives
- Entertainment charges
- Fees, fines, or penalties
- Sales/use tax
- Food and beverage costs
- Travel expenses (e.g. lodging, meals) that exceed the published GSA rates (<http://www.gsa.gov/travel>) will not be reimbursed by grant funds.

Invoices will be sent to: [dpdfinance@denvergov.org](mailto:dpdfinance@denvergov.org)

Payments will be made to Mental Health Center of Denver once the invoice has been deemed complete and response, checked for accuracy and approved by the Project Director.

- Questions about invoices and supporting documentation should be directed to:  
DPD Financial Services  
720.913.6054  
[dpdfinance@denvergov.org](mailto:dpdfinance@denvergov.org)

The final invoice related to this scope should be received by the Denver Police Department no later than TBD to be reimbursed within the grant liquidation period.

**PROJECT CONTACTS:**

Mental Health Center of Denver Operational -  
Fiscal –

Chris Richardson		<a href="mailto:chris.richardson@mhcd.org">chris.richardson@mhcd.org</a>	970.274.3071
Anna Milevskaya		<a href="mailto:Grants.Accounting@wellpower.org">Grants.Accounting@wellpower.org</a>	303.504.6539
DPD Operational –	Scott Snow	<a href="mailto:scott.snow@denvergov.org">scott.snow@denvergov.org</a>	720.913.6926
DPD Fiscal –	DPD Finance	<a href="mailto:dpdfinance@denvergov.org">dpdfinance@denvergov.org</a>	720.913.6054