

## 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 **MILE HIGH MONTESSORI EARLY LEARNING CENTERS**, a Colorado Non-Profit Corporation whose address is 616 East Speer Boulevard Denver, Colorado 80203 (the “Contractor”), jointly (“the Parties”).

### WITNESSETH:

**A.** The Parties entered into an Agreement dated May 26, 2021 (the “Agreement”) to provide the Services required by the Agreement.

**B.** The Parties wish to amend the Agreement to increase the maximum contract amount.

**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. Section 7 of the Agreement entitled **COMPENSATION** Sub-paragraph D.(1) entitled “**Maximum Contract Amount**” is amended to read as follows:

**D. Maximum Contract Amount:**

**(1)** Notwithstanding any other provision of the Agreement, the City’s maximum payment obligation will not exceed **TWO MILLION TWO HUNDRED FORTY-NINE THOUSAND FOUR HUNDRED DOLLARS AND ZERO CENTS (\$2,249,400.00)** (the “Maximum Contract Amount”). The City is not obligated to execute an Agreement or any amendments for any further services, including any services performed by Contractor beyond that specifically described in Exhibit A. Any services performed beyond those in Exhibit A are performed at Contractor’s risk and without authorization under the Agreement.”

3. Section 7 of the Agreement entitled **COMPENSATION** Sub-paragraph F. entitled “**Non-Federal Share Match**” is amended to read as follows:

**F. Non-Federal Share Match:** The Contractor will contribute a match of at least Twenty percent (20%) of the Maximum Contract Amount from non-federal funds through cash or in-kind contributions of services or

property. Values for non-federal in-kind contributions of services and property will be established in accordance with applicable federal law, regulations, cost principles, or as otherwise determined by an appropriate federal agency. Contractor's total non-federal match contribution (cash and in-kind services or property) under this Agreement will be at least **Five Hundred Sixty-Two Thousand Three Hundred Fifty Dollars and Zero Cents (\$562,350.00)** as set forth in more detail in **Exhibit B and Exhibit A-1**. The Contractor will report in writing to the City, within thirty (30) calendar days from the date of receipt thereof, any cash or other funds to be applied toward the non-federal match that Contractor receives. Contractor will be responsible for documenting and maintaining accurate records to the reasonable satisfaction of the City of both Contractors' non-federal share contributions and the contributions of Subdelegates and any Vendor designated by the Director. Such contributions will be recorded on each expenditure variance report and in written reports forwarded to the City on a monthly basis. Each monthly report will list all contributions provided by Contractor and/or its Subdelegates and/or any Vendor for each respective quarter and will list the total amount of contributions made as of the date of the monthly report.

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

5. 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.

**[THE BALANCE OF THIS PAGE IS INTENTIONALLY LEFT BLANK.]**

**Contract Control Number:** FINAN-202160158-01[MOEAI-202158317-01]  
**Contractor Name:** MILE HIGH MONTESSORI EARLY LEARNING CENTERS

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:**  
CENTERS

FINAN-202160158-01[MOEAI-202158317-01]  
MILE HIGH MONTESSORI EARLY LEARNING

By:  \_\_\_\_\_  
F4962B71E30E40E...

Name: Lolita Ray  
(please print)

Title: Chief Program Officer  
(please print)

ATTEST: [if required]

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

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

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

**EXHIBIT A-1**

**Mile High Early Learning  
2021-2022 Head Start Delegate Agency  
Amendment 1: Supplement – COLA  
Grant Budget Narrative**

**Summary**

Total grant funds applied for by Mile High Early Learning (MHEL) from Denver Great Kids Head Start (DGKHS) is \$33,447 and the non-federal share requirement is \$8,361.75. The source of funds is as follows:

\$33,447	COLA
<b>\$33,447</b>	<b>Total Grant Funds Requested</b>
<b>\$8,361.75</b>	<b>Non-Federal Share</b>

**Budget Detail**

**Personnel** **COLA Grant Funds Requested: \$30,726**

**Total: \$30,726**

**COLA**

MHEL increased all staff compensation by 1.52% effective July 1, 2020 and the salary schedule for all Head Start employees was permanently adjusted to reflect this increase.

**Fringe Benefits** **COLA Grant Funds Requested: \$2,721.00**

**Total: \$2,721.00**

The proposed budget consists of the following: employer Social Security Medicare tax in the amount of \$1,759, health, dental and Life & Disability insurance premiums in the amount of \$194 and employer 401K match in the amount of \$768.

**Travel** **Grant Funds Requested: \$0**

**Equipment Purchases** **Grant Funds Requested: \$0**

**Supplies** **Grant Funds Requested: \$0**

**Contractual** **Grant Funds Requested: \$0**

**Construction and Renovations** **Grant Funds Requested: \$0**

**Other** **Grant Funds Requested: \$0**

**Non-Federal Share** **MHEL Required Share: \$8,361.75**

**Non-federal Share**

The Non-Federal Share to be matched against the COLA funds will include the following resources:

1. Fringe benefit expense not covered by COLA funding
2. Occupancy costs not paid by Head Start
3. Family literacy sheets
4. Painting and maintenance of the facilities
5. Amortized depreciation for Space
6. Denver Preschool Program funding