

## SECOND AMENDATORY AGREEMENT

**THIS SECOND AMENDATORY AGREEMENT** is made and entered into by and between the **CITY AND COUNTY OF DENVER**, a municipal corporation of the State of Colorado (the “City”) and **CATHOLIC CHARITIES AND COMMUNITY SERVICES OF THE ARCHDIOCESE OF DENVER, INC.**, a Colorado not-for-profit corporation, with an address of 6240 Smith Road, Denver, Colorado, 80216 (the “Contractor”), jointly “the parties.”

### RECITALS

**A.** The Parties entered into an Agreement dated May 21, 2020, and a subsequent First Amendatory Agreement (collectively the “Agreement”) for the performance of certain work set forth in the Agreement and the exhibits thereto; and

**B.** The Parties wish to amend the Agreement to increase the Amount.

**NOW, THEREFORE**, the parties hereby amend the Agreement as follows:

**1.** All references to “Exhibit A” and “Exhibit B” in the existing Agreement shall be amended to read: “Exhibit A, Exhibit A-1, and Exhibit A-2, as applicable.” The Scope of Work marked as Exhibit A-2 is attached hereto and incorporated herein by this reference.

**2.** Section 7.D. of the Agreement entitled “**Maximum Contract Amount**” is amended to read as follows:

“(1) Notwithstanding any other provision of the Agreement, the City’s maximum payment obligation will not exceed **ONE MILLION NINE HUNDRED FORTY-FOUR THOUSAND EIGHT HUNDRED SEVEN DOLLARS AND SEVENTY-THREE CENTS (\$1,944,807.73)** (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 and Exhibit A-1, as applicable**. Any services performed beyond those in **Exhibit A and Exhibit A-1, as applicable** are performed at Contractor’s risk and without authorization under the Agreement.”

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

“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 **FOUR HUNDRED FIFTY-EIGHT THOUSAND NINE HUNDRED FORTY-FIVE DOLLARS AND TWENTY CENTS (\$458,945.20)** as set forth in more detail in **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.”

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

4. This Second 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.

**[SIGNATURE PAGES FOLLOW]**

**Contract Control Number:** MOEAI-202056349-02 Legacy: 202054132  
**Contractor Name:** CATHOLIC CHARITIES AND COMMUNITY SERVICES OF THE ARCHDIOCESE 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:

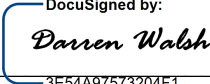
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By:

\_\_\_\_\_

**Contract Control Number:** MOEAI-202056349-02 Legacy: 202054132  
**Contractor Name:** CATHOLIC CHARITIES AND COMMUNITY SERVICES OF THE ARCHDIOCESE OF DENVER

By:  \_\_\_\_\_  
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Name:           Darren walsh            
(please print)

Title:           President & CEO            
(please print)

ATTEST: [if required]

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

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

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

Exhibit A-2

**Catholic Charities Head Start Program Narrative**

**COLA Funds / Quality Improvement Funds / COVID-19 Funds - 2020**

**Budget Justification COLA Funds:**

Catholic Charities Head Start places a major focus on the recruitment and retention of high quality staff to provide services to the children and families we serve. We will utilize awarded COLA funds to provide a minimum of a 2% pay increase for all current Head Start employees. In addition, we will adjust the pay scale for all personnel positions in our Head Start programs to reflect a permanent, 2% increase for future employees. The Early Head Start COLA funds will be utilized to provide the permanent 2% increase to new staff at Quigg Newton serving the new EHS classroom.

We are using the remaining funds to increase the minimum wage for all current staff who are receiving compensation below the City of Denver minimum wage increase for January 2021. In Colorado, there is a shortage of ECE workers; filling open positions in the ECE field is an ongoing challenge felt by all childcare programs. The traditional low pay results in high turnover. To address this issue, the state of Colorado developed and is implementing an Early Childhood Workforce Plan that specifically addresses the need for more qualified applicants to fill these essential positions. This workforce group surveyed childcare directors and found that 70% report it is difficult to fill vacant positions. This is a perennial problem; we feel that the new minimum wage will push all ECE programs towards providing a more fair and adequate entry level compensation for applicants entering the field of Early Childhood Education. We support this change; we recognize that a livable wage will increase stability, result in better health and mental well-being, and decrease stress levels for our employees. Entry level employees will be better able to afford to stay in ECE with the new minimum wage which should increase the number of applicants who will consider a position in ECE. With this increase, Catholic Charities will remain competitive in

## Exhibit A-2

hiring staff needed to fill the entry level positions at our childcare centers and with a more stable workforce, we will decrease turnover costs and invest more in our classrooms.

**Budget Justification Quality Improvement Funds:**

Catholic Charities Head Start is requesting Quality Improvement Funds in the amount of \$49,338.83.

This will be used to increase the compensation of Head Start education, family service, and mental health personnel. According to the Bell Policy Center, high quality ECE programs are characterized by smaller class sizes, a focus on the development of the whole child, access to children and families who face disadvantages, and an adequately paid skilled workforce that remains consistent. Of these, the center identifies the workforce as the most important factor. Catholic Charities places a major focus on the recruitment and retention of first-rate staff to provide high quality services to the children and families. We recognize that compensation links to work related satisfaction and impacts our staff's ability to provide excellent care and education to the vulnerable populations that we serve. Colorado's Early Childhood Workforce 2020 Plan identified that equitable wages not only engage but retain qualified effective educators. Our goal is the same, we invest in staff, work to grow them to meet the education and experience requirements necessary to promote within our ECE organization and we strive to retain these staff to assure consistent, stable services to children and their families.

Our program staff and administration are dedicated to improving the lives of the families we serve, and we understand the growing need to alleviate the negative impact of staff turnover. We realize the worst cost of staff turnover is borne by children. Children thrive under stability and consistency. Secure attached relationships within the ECE program are a key component to delivery of high quality care, crucial to social interaction, help children gain social, cognitive, and life skills linked to further success in life. Children need stability to achieve these positive outcomes. In Colorado, there is a 30% average turnover rate in ECE programs. Addressing the

Exhibit A-2

compensation of our seasoned, experienced staff will reduce the staff turnover and promote consistent, stable staff for our Head Start centers.

**Budget Justification COVID-19 Funds:**

Catholic Charities Head Start has been responsive in terms of the COVID-19 crisis in order to maintain support and services to our families during this period of uncertainty. As Catholic Charities looks to the future, considers ongoing support to children and their families, and contemplates returning to full classroom services, it has become clear to our team that there will need to be significant modifications in order to ensure the safety of our children, their families, and our staff. Our team also has concluded that there will need to be a comprehensive plan in place to serve our children and their families remotely as needed. In order for these plans to be realized, Catholic Charities is seeking the Head Start Supplemental - One-Time Activities in Response to COVID-19 funding. The Early Head Start COVID-19 funding will be used to support families and staff specifically at Quigg Newton.

Catholic Charities plans on utilizing the supplemental funds in the following categories:

Mental Health Services

- a. Family & staff support
- b. Crisis response
- c. Intervention services

Provision of meals and snacks not reimbursed by the USDA.

Training and professional development.

Supplies and Contractual Services

Other action necessary to maintain and resume the operations of the program.

- a. Hiring substitute staff.
- b. Investing in technology infrastructure.
- c. Facility Improvements.
- d. Emergency Assistance.
- e. Individual Personal Protective Equipment
- f. Consumable supplies for families

## Exhibit A-2

<b>Head Start Catholic Charities COVID-19 Supplemental Grant Budget Narrative 2020-2021</b>		
<b>Description</b>	<b>Amount</b>	<b>Category</b>
Salaries – Catholic Charities will provide a minimum of 2% Cost of living adjustment (COLA) for Head Start staff.  (2%) COLA Increase included in the Head Start Funding Increase and funds from Catholic Charities. This will be a permanent increase in staff compensation.	<b>\$31,158.00</b>	Personnel
Early Head Start COLA to be used at Quigg Newton for new EHS Staff	<b>\$2,400</b>	Personnel
Quality Improvement total to be used to address wage gap	<b>\$49,338.83</b>	Personnel
<b>Covid-19 Funds</b>	<b>Amount</b>	<b>Category</b>
Mental Health Services  a. Family & staff support  b. Crisis response  c. Intervention services	\$3,000.00	Mental Health
Provision of meals and snacks not reimbursed by the USDA.	\$3,000.00	Nutrition
Training and professional development.	\$4,762.00	Training
Supplies and Contractual Services	\$15,000.00	Supplies
Other action necessary to maintain and resume the operations of the program.  a. Hiring substitute staff.	\$70,899.57	Personnel Technology



## Exhibit A-2

<ul style="list-style-type: none"> <li>b. Investing in technology infrastructure.</li> <li>c. Facility Improvements.</li> <li>d. Emergency Assistance.</li> <li>e. Individual Personal Protective Equipment</li> <li>f. Consumable supplies for families</li> </ul>		Family Engagement
<p>Other action necessary to maintain and resume the operations of the program for EHS staff and families at Quigg Newton</p> <ul style="list-style-type: none"> <li>g. Hiring substitute staff.</li> <li>h. Investing in technology infrastructure.</li> <li>i. Facility Improvements.</li> <li>j. Emergency Assistance.</li> <li>k. Individual Personal Protective Equipment</li> </ul> <p>Consumable supplies for families</p>	\$12,366.33	
<b>Total COVID-19 Supplemental Grant Funds</b>	<b>\$109,027.90</b>	
<b>TOTAL COLA / QI / COVID-19 Funds</b>	<b>\$191,924.73</b>	
<b>Non Federal Share</b>	<b>\$20,724.20</b>	