

**AMENDATORY FUNDING AGREEMENT
MONTBELLO FAMILY HEALTH CLINIC**

THIS AMENDMENT is made and entered into by and between the **CITY AND COUNTY OF DENVER**, a municipal corporation of the State of Colorado (“**City**”), and the **DENVER HEALTH AND HOSPITAL AUTHORITY**, a body corporate and political subdivision of the State of Colorado (“**Denver Health**”), together the “Parties”.

A. Denver Health has constructed and replaced the Montbello Family Health Center (the “Facility”) to expand space and improve design in order to increase capacity and better serve the Montbello neighborhood’s health needs (the Project”).

B. In order to assist Denver Health in carrying out its mission, the City committed to partially fund the Project and has already provided substantial funding for the Project.

C. Denver Health also obtained other funding for the Project.

D. Denver Health has satisfactorily completed and is operating the Project for the use and benefit of the citizens of the City, as specified herein.

E. The Parties now wish in this Amendment to ratify, identify the sources of funding, state the full amount of funds the City provided for the Project in connection with this Funding Agreement, and modify the term.

NOW, THEREFORE, the parties agree as follows:

1. Paragraphs 3B and E in **CITY PAYMENT AND RELATED RESPONSIBILITIES** are amended to read:

3. CITY PAYMENT AND RELATED RESPONSIBILITIES

B. As additional consideration for the performance of Denver Health’s statutory mission on behalf of the citizens of the City and in order to enhance the ability of Denver Health to perform the functions and services set forth in the Act, and in this Funding Agreement, the City has paid the following amount towards the cost of the

Project, not to exceed **Two Million, Five Hundred Fifty Nine Thousand Dollars (\$2,559,000.00)**.

E. The City's total payment obligation, whether direct or indirect, under this Funding Agreement, is expressly limited to a maximum amount of **Two Million, Five Hundred Fifty Nine Thousand Dollars (\$2,559,000.00)**. As such, all other expenditures required to complete the Project or other costs associated with the Project are solely the responsibility of Denver Health, and shall be paid by Denver Health.

2. Paragraph 7, **TERM** is amended to read:

7. TERM: The term of this Agreement shall commence on January 1, 2010 and end on December 31, 2013.

3. All references to "...Exhibit A..." in the existing Funding Agreement shall be amended to read: "...Exhibit A and A-1, as applicable..." The scope of work/budget marked as Exhibit A-1 is attached and incorporated by reference.

4. Except as herein amended, the Funding Agreement is affirmed and ratified in each and every particular.¹

[Remainder of this page intentionally left blank]

¹ By a separate funding agreement (#GE02157), the City paid \$500,000 in CDBG funds to Denver Health for architectural and other professional costs of this project.

Contract Control Number:

By: _____

Name: _____
(please print)

Title: _____
(please print)

ATTEST: [if required]

By: _____

Name: _____
(please print)

Title: _____
(please print)



Contract Control Number:

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:

By _____

By _____

By _____



EXHIBIT A-1

PROJECT DESCRIPTION

Montbello Family Health Center

DHHA constructed the Montbello Family Health Center (19,800 square feet) to provide a permanent neighborhood clinic.

A. In connection with this Funding Agreement, the City & County of Denver made the following payments to offset the costs of the clinic.

1. In 2010, Denver Health was allowed to retain the \$1,290,000 surplus from the Operating Agreement for 2009 to be applied to the cost of this project.
2. In each year for three years (2011, 2012, and 2013), the City paid \$423,000, for a total of \$1,269,000 in CIP funds for this project.¹

Total \$2,559,000

B. These funds have been used for the following clinic purposes:

1. Design \$32,452
2. Construction \$2,240,195
3. Furnishing/Fixtures/Equipment \$233,015
4. Project management/Other \$53,338

Total \$2,559,000

¹ By a separate funding agreement (#GE02157), the City paid \$500,000 in CDBG funds to Denver Health for architectural and other professional costs of this project.