

AMENDATORY AGREEMENT

THIS 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 **SCHOOL DISTRICT NO. 1 IN THE CITY AND COUNTY OF DENVER AND THE STATE OF COLORADO**, a political subdivision of the State of Colorado, whose address is 1860 Lincoln Street, Denver, Colorado 80203 (the “Contractor”), jointly “the parties”.

RECITALS:

A. The parties entered into an Agreement dated June 11, 2019, to provide comprehensive Head Start services for program year 2019-2020 (the “Agreement”).

B. The City and the Contractor wish to amend the Agreement to modify the budget exhibits, the maximum contract amount, and the total amount of non-federal share to be provided by the Contractor.

The Parties agree as follows:

1. Effective July 1, 2019, all references in the Agreement to “Exhibit B” are amended to read as “Exhibits B and B-1.” Exhibit B-1 is attached and incorporated into the Agreement by this reference. Effective as of July 1, 2019, Exhibit B-1 will supersede and replace Exhibit B. All payments and match contributions under Exhibit B-1 are retroactive to July 1, 2019.

2. Subparagraph D. (1) of Article 7, entitled “**Maximum Contract Amount**”, is amended by deleting and replacing it with the following:

“D. Maximum Contract Amount:

(1) Notwithstanding any other provision of the Agreement, the City’s maximum payment obligation will not exceed **One Million Nine Hundred Eighty-One Thousand Seven Hundred Seventeen Dollars and Zero Cents (\$1,981,717.00)** (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. Subparagraph F. of Article 7, entitled “**Non-Federal Share Match**” is amended by deleting and replacing it with the following:

“F. **Non-Federal Share Match**. The Contractor will provide its proportionate share of non-federal funds through cash or in-kind, fairly evaluated, contributions. The phrase “fairly evaluated” referenced in the preceding sentence will be interpreted in accordance with 45 C.F.R. Part 74.23 and/or 45 C.F.R. Part 92.24 as well as any other applicable federal regulations pertaining to match and cost sharing requirements for the Head Start program. Contractor’s contribution under this Agreement will be **Four Hundred Ninety-Five Thousand Four Hundred Twenty-Nine Dollars and Zero Cents (\$495,429.00)** as set forth in more detail in Exhibits B and B-1, as applicable. 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 for 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. The City reserves the right to withhold, adjust and/or reallocate subsequent Grant funds whenever it determines that Contractor’s current spending is inconsistent with amounts and categories listed on Exhibits B and B-1, as applicable, the purposes identified in Exhibit A, or if reports of non-federal share contributions, in whole or in part, are not provided by Contractor on a timely basis.”

4. This Amendatory Agreement is not 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.

5. Except as amended here, the Agreement is affirmed and ratified in each and every particular.

END

Signature pages and Exhibit B-1 follow this page

Contract Control Number: MOEAI-201950748-01/Alfresco: 201948397-01
Contractor Name: SCHOOL DISTRICT NO. 1 IN THE CITY AND COUNTY OF DENVER AND THE STATE OF COLORADO

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: MOEAI-201950748-01/Alfresco: 201948397-01
Contractor Name: SCHOOL DISTRICT NO. 1 IN THE CITY AND
COUNTY OF DENVER AND THE STATE OF COLORADO

By:  _____
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Name: Jose Paz
(please print)

Title: Denver Public School Delegate Director
(please print)

ATTEST: [if required]

By: _____

Name: _____
(please print)

Title: _____
(please print)

Exhibit B-1

BUDGET INFORMATION - Non-Construction Programs

OMB Number: 4040-0006
Expiration Date: 01/31/2019

SECTION A - BUDGET SUMMARY

Grant Program Function or Activity (a)	Catalog of Federal Domestic Assistance Number (b)	Estimated Unobligated Funds		New or Revised Budget		
		Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	Total (g)
1. Program Operations	93.600	\$	\$	\$ 1,969,977	\$ 495,429	\$ 2,465,406
2. TTA	93.600			11,740	0	11,740
3.						
4.						
5. Totals		\$ 0	\$ 0	\$ 1,981,717	\$ 495,429	\$ 2,477,146

SECTION B - BUDGET CATEGORIES

6. Object Class Categories	GRANT PROGRAM, FUNCTION OR ACTIVITY				Total (5)
	(1) Program Operations	(2) TTA	(3)	(4)	
a. Personnel	\$ 1,311,091	\$ 0	\$	\$	\$ 1,311,091
b. Fringe Benefits	379,262	0			379,262
c. Travel	0	0			0
d. Equipment	0	0			0
e. Supplies	46,885	0			46,885
f. Contractual	62,053	0			62,053
g. Construction	0	0			0
h. Other	36,207	11,740			47,947
i. Total Direct Charges (sum of 6a-6h)	1,835,498	11,740			\$ 1,847,238
j. Indirect Charges	134,479	0			\$ 134,479
k. TOTALS (sum of 6i and 6j)	\$ 1,969,977	\$ 11,740	\$	\$	\$ 1,981,717
7. Program Income	\$	\$	\$	\$	\$

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SECTION C - NON-FEDERAL RESOURCES

(a) Grant Program		(b) Applicant	(c) State	(d) Other Sources	(e)TOTALS
8.	Program Operations	\$ 495,429	\$	\$	\$ 495,429
9.	TTA				0
10.					
11.					
12. TOTAL (sum of lines 8-11)		\$ 495,429	\$ 0	\$ 0	\$ 495,429

SECTION D - FORECASTED CASH NEEDS

	Total for 1st Year	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
13. Federal	\$ 1,981,717	\$ 495,572	\$ 495,371	\$ 495,372	\$ 495,402
14. Non-Federal	\$ 495,429	123,893	123,844	123,845	123,847
15. TOTAL (sum of lines 13 and 14)	\$ 2,477,146	\$ 619,465	\$ 619,215	\$ 619,217	\$ 619,249

SECTION E - BUDGET ESTIMATES OF FEDERAL FUNDS NEEDED FOR BALANCE OF THE PROJECT

(a) Grant Program	FUTURE FUNDING PERIODS (YEARS)			
	(b)First	(c) Second	(d) Third	(e) Fourth
16.	\$	\$	\$	\$
17.				
18.				
19.				
20. TOTAL (sum of lines 16 - 19)	\$	\$	\$	\$

SECTION F - OTHER BUDGET INFORMATION

21. Direct Charges:		22. Indirect Charges:	
23. Remarks:			

Denver Public Schools Head Start Budget Narrative 2019-2020 including COLA 2019:

Disclaimer: Because of a recent 4-day strike by teachers and Special Service Providers (SSP), and long-held negotiations between the Denver Public Schools (DPS) and the teacher union, Denver Classroom Teacher Association, which concluded in a tentative contract agreement yet to be approved by the DPS Board of Education, exact pay increases for teachers and SSP's starting in the 2019-20 school year have yet to be established as of February 18, 2019. For this reason, DPS Head Start has projected the following budget narrative with the acknowledgement that it will likely require substantial adjustments once the negotiated agreement is approved and shared. Thank you for your support and understanding during the process. **Note: The COLA increase will represent a permanent increase to the Head Start salary structure of at least the required 1.77 percent.**

A. Personnel is comprised of the following (see the chart below):

- Child Health and Development Services Personnel:
 - 1 Education Coordinator at the Negotiated Contract cost of \$49,773 including extra pay in the amount of \$3,315 totaling \$53,088 (.60 FTE) and non-federal share at \$13,272; Plus COLA 2019 of at least the required 1.77% which is \$1,172 including extra pay of \$59 totaling \$1,231 and non-federal share for COLA2019 at \$308; Total \$53,088 + COLA2019 of \$1,231 = **\$54,319** (total NFS = **\$13,580**)

- 19 Teachers at the Negotiated Contract cost of \$541,372 plus an extra pay and home visit incentive in the amount of \$10,816 totaling \$552,188 (9.0 FTEs) and non-federal share at \$138,047; Plus COLA 2019 of at least the required 1.77% which is \$12,751 plus an extra pay of \$91 totaling \$12,842 and non-federal share for COLA2019 at \$3,214; Total \$552,188 + COLA2019 of \$12,842 = **\$565,030** (total NFS = **\$141,261**)
- 19 Paraprofessionals at the Negotiated Contract cost of \$201,025 including stipend in the amount of \$7,726 totaling \$208,751 (9.0 FTEs) and non-federal share at \$52,185; Plus COLA 2019 of at least the required 1.77% which is \$3,564 and non-federal share for COLA2019 at \$895; Total \$208,751 + COLA2019 of \$3,564 = **\$212,315** (total NFS = **\$53,080**)
- 2 Health Specialists at the Negotiated Contract cost of \$79,986 (1.2 FTEs) and non-federal share at \$19,996; Plus COLA 2019 of at least the required 1.77% which is \$1,883 and non-federal share for COLA2019 at \$471; Total \$79,986 + COLA2019 of \$1,883 = **\$81,869** (total NFS = **\$20,467**)
- 1 Disabilities Coordinator at the Negotiated Contract cost of \$37,226 (.60 FTE) and non-federal share at \$9,306; Plus COLA 2019 of at least the required 1.77% which is \$659 and non-federal share for COLA2019 at \$165; Total \$37,226 + COLA2019 of \$659 = **\$37,885** (total NFS = **\$9,471**)

- 19 Teacher Substitutes at the Negotiated Contract cost of \$15,808 and non-federal share at \$3,952; Plus COLA 2019 of at least the required 1.77% which is \$280 and non-federal share for COLA2019 at \$70; Total \$15,808 + COLA2019 of \$280 = **\$16,088** (total NFS = **\$4,022**)

- Family and Community Partnerships Personnel:
 - 1 FLS Supervisor at the Negotiated Contract cost of \$45,463 (.60 FTE) and non-federal share at \$11,366; Plus COLA 2019 of at least the required 1.77% which is \$805 and non-federal share for COLA2019 at \$201; Total \$45,463 + COLA2019 of \$805 = **\$46,268** (total NFS = **\$11,567**)
 - 7 Family Liaison Specialists at the Negotiated Contract cost of \$176,148 (4.20 FTEs) and non-federal share at \$44,036; Plus COLA 2019 of at least the required 1.77% which is \$3,118 and non-federal share for COLA2019 at \$780; Total \$176,148 + COLA2019 of \$3,118 = **\$179,266** (total NFS = **\$44,816**)

- Program Design and Management Personnel:
 - 1 Head Start Administrative Positions at a cost of \$54,000 (.60 FTEs) and non-federal share at \$13,500; Plus COLA 2019 of at least the required 1.77% which is \$956 and non-federal share for COLA2019 at \$239; Total \$54,000 + COLA2019 of \$956 = **\$54,956** (total NFS = **\$13,739**)

- 2 Office Support Staff at a cost of \$4,999 (.20 FTE) and non-federal share at \$1,250; Plus COLA 2019 of at least the required 1.77% which is \$89 and non-federal share for COLA2019 at \$22; Total \$4,999 + COLA2019 of \$89 = **\$5,088** (total NFS = **\$1,272**)
- 1 Accountant at a cost of \$12,000 (.20 FTE) and non-federal share at \$3,000; Plus COLA 2019 of at least the required 1.77% which is \$212 and non-federal share for COLA2019 at \$53; Total \$12,000 + COLA2019 of \$212 = **\$12,212** (total NFS = **\$3,053**)
- Other Personnel:
 - 2 Other Personnel (Data Support and Head Start Support) at a cost of \$44,998 (1.5 FTE) and non-federal share at \$11,249; Plus COLA 2019 of at least the required 1.77% which is \$797 and non-federal share for COLA2019 at \$199; Total \$44,998 + COLA2019 of \$797 = **\$45,795** (total NFS = **\$11,449**).

Personnel total is \$1,311,091 (please see the below tables) with NFS of \$327,777, totaling \$1,638,868.

Teachers' Salary and Benefits (DCTA)				
School	% of Time Head Start	Initial Award	COLA2019	2019-20 Head Start Salary Forecast
Teacher	50%	\$ 25,951	\$ 611	\$ 26,562
Teacher	50%	\$ 42,982	\$ 1,012	\$ 43,994
Teacher	50%	\$ 24,883	\$ 586	\$ 25,469
Teacher	50%	\$ 32,068	\$ 755	\$ 32,823
Teacher	50%	\$ 26,184	\$ 617	\$ 26,801
Teacher	50%	\$ 24,112	\$ 568	\$ 24,680
Teacher	50%	\$ 40,383	\$ 951	\$ 41,334
Teacher	50%	\$ 27,231	\$ 641	\$ 27,872
Teacher	50%	\$ 30,373	\$ 716	\$ 31,089
Teacher	50%	\$ 25,326	\$ 597	\$ 25,923
Teacher	50%	\$ 40,383	\$ 951	\$ 41,334
Teacher	50%	\$ 30,828	\$ 726	\$ 31,554
Teacher	50%	\$ 24,683	\$ 582	\$ 25,265
Teacher	50%	\$ 35,457	\$ 835	\$ 36,292
Teacher	50%	\$ 31,254	\$ 736	\$ 31,990
Teacher	50%	\$ 22,519	\$ 531	\$ 23,050
Teacher	34%	\$ 18,093	\$ 426	\$ 18,519
Teacher	33%	\$ 15,260	\$ 359	\$ 15,619
Teacher	33%	\$ 23,402	\$ 551	\$ 23,953
Teacher Summer extra pay	N/A	\$ 5,116	\$ 91	\$ 5,207
Teachers Incentive	N/A	\$ 5,700		\$ 5,700
Substitute Teachers	N/A	\$ 15,808	\$ 280	\$ 16,088
Education Coor. Summer ext	N/A	\$ 3,315	\$ 59	\$ 3,374
Education Coordinator	60%	\$ 49,773	\$ 1,172	\$ 50,945
Nurse	60%	\$ 44,314	\$ 1,043	\$ 45,357
Nurse	60%	\$ 35,672	\$ 840	\$ 36,512
TOTAL		\$ 701,070	\$ 16,236	\$ 717,306

Protech Salary and Benefits (non-union)				
	% of Time Head Start	Initial Award	COLA2019	2019-20 Head Start Salary Forecast
FLS Manager	60%	\$ 45,463	\$ 805	\$ 46,268
Disabilities Coordinator	60%	\$ 37,226	\$ 659	\$ 37,885
Admin - Director	60%	\$ 54,000	\$ 956	\$ 54,956
Admin - Clerical	10%	\$ 2,476	\$ 44	\$ 2,520
Data support	50%	\$ 22,288	\$ 395	\$ 22,683
Admin - Clerical	10%	\$ 2,523	\$ 45	\$ 2,568
Other personnel	90%	\$ 22,710	\$ 402	\$ 23,112
FLS	60%	\$ 24,196	\$ 428	\$ 24,624
FLS	60%	\$ 26,653	\$ 472	\$ 27,125
FLS	60%	\$ 24,213	\$ 428	\$ 24,641
FLS	60%	\$ 27,483	\$ 487	\$ 27,970
FLS	60%	\$ 25,702	\$ 455	\$ 26,157
FLS	60%	\$ 24,632	\$ 436	\$ 25,068
FLS	60%	\$ 23,269	\$ 412	\$ 23,681
TOTAL		\$ 362,834	\$ 6,424	\$ 369,258

Clerical Salary and Benefits (DAEOP)				
		Initial Award	COLA2019	2019-20 Head Start Salary Forecast
Sr. Budget Analyst	20%	\$ 12,000	\$ 212	\$ 12,212
Total		\$ 12,000	\$ 212	\$ 12,212

Para Salary and Benefits (PARA)				
	% of Time Head Start	Initial Award	COLA2019	2019-20 Head Start Salary Forecast
Paraprofessional	50%	\$ 10,088	\$ 179	\$ 10,267
Paraprofessional	50%	\$ 13,630	\$ 242	\$ 13,872
Paraprofessional	50%	\$ 10,661	\$ 189	\$ 10,850
Paraprofessional	50%	\$ 10,922	\$ 194	\$ 11,116
Paraprofessional	50%	\$ 13,630	\$ 242	\$ 13,872
Paraprofessional	50%	\$ 10,282	\$ 182	\$ 10,464
Paraprofessional	50%	\$ 9,925	\$ 176	\$ 10,101
Paraprofessional	50%	\$ 13,630	\$ 242	\$ 13,872
Paraprofessional	50%	\$ 9,925	\$ 176	\$ 10,101
Paraprofessional	50%	\$ 9,925	\$ 176	\$ 10,101
Paraprofessional	50%	\$ 10,483	\$ 186	\$ 10,669
Paraprofessional	50%	\$ 9,925	\$ 176	\$ 10,101
Paraprofessional	50%	\$ 11,562	\$ 205	\$ 11,767
Paraprofessional	50%	\$ 10,282	\$ 182	\$ 10,464
Paraprofessional	50%	\$ 13,630	\$ 242	\$ 13,872
Paraprofessional	50%	\$ 10,230	\$ 181	\$ 10,411
Paraprofessional	34%	\$ 6,749	\$ 119	\$ 6,868
Paraprofessional	33%	\$ 8,996	\$ 159	\$ 9,155
Paraprofessional	33%	\$ 6,550	\$ 116	\$ 6,666
Para Stipend (meet requirem	N/A	\$ 7,726		\$ 7,726
TOTAL		\$ 208,751	\$ 3,564	\$ 212,315
GRAND TOTAL		\$ 1,284,655	\$ 26,436	\$ 1,311,091

B. Fringe Benefits is comprised of the following:

- Social Security, State Disability and Unemployment, Worker's Compensation, State Unemployment at the Negotiated Contract cost of \$80,002 and non-federal share at \$20,000; Plus COLA 2019 of \$1,122 and non-federal share for COLA2019 at \$280; Total \$80,002 + COLA2019 of \$1,122 = **\$81,124** (total NFS = **\$20,280**)
- Health/Dental/Life Insurance at the Negotiated Contract cost of \$134,011 and non-federal share at \$33,503; Plus COLA 2019 of \$1,879 and non-federal share for COLA2019 at \$469; Total \$134,011 + COLA2019 of \$1,879 = **\$135,890** (total NFS = **\$33,972**)
- Retirement at the Negotiated Contract cost of \$80,002 and non-federal share at \$20,000; Plus COLA 2019 of \$1,122 and non-federal share for COLA2019 at \$280; Total \$80,002 + COLA2019 of \$1,122 = **\$81,124** (total NFS = **\$20,280**)
- Medicare fringe at the Negotiated Contract cost of \$80,002 and non-federal share at \$20,000; Plus COLA 2019 of \$1,122 and non-federal share for COLA2019 at \$280; Total \$80,002 + COLA2019 of \$1,122 = **\$81,124** (total NFS = **\$20,280**)

Fringe Benefit total is \$379,262 with NFS of \$94,812, totaling \$474,074.

C. Travel is comprised of the following:

- There are no conferences projected in 2019-2020.

D. Equipment is comprised of the following:

- There are no equipment costs projected over the \$5,000 threshold in 2019-2020.

E. Supplies is comprised of the following:

- General office supplies are projected at \$10,496 for administration and program supply costs and non-federal share at \$2,624 including but not limited to office supplies, copying costs, staff development supplies, books, replacement and new technology purchases under \$5,000, etc.
- Program materials and supplies at \$36,201 for classrooms and non-federal share at \$9,050: Plus COLA 2019 of \$188 and non-federal share for COLA 2019 at \$47; Total \$36,201 + COLA2019 of \$188 = **\$36,389** (total NFS = **9,097**) including but not limited to developmentally appropriate toys, books, games, etc., all for student use in the classroom.
- There are no Food Service Supplies costs budgeted for 2019-2020.
- There are no Other Supplies costs budgeted for 2019-2020.

Supplies total is \$46,885 with NFS of \$11,721, totaling \$58,606.

F. Contractual is comprised of the following:

- Nutritional services at \$41,620. All of our Head Start students receive snacks through the DPS Food and Nutrition Department at the cost of \$.75 per student per day. We receive CACFP reimbursement of \$.88. In addition staff members that are required to model family style dining with the students, have meals provided and paid for by the grant. Non-federal share at \$10,405.

- The Colorado Network services at \$17,698. We contract for mentoring and translation services for the 2019-2020 academic year. Non-federal share at \$4,424.
- Multicultural Outreach Office interpreter services at \$2,135. Non-federal share \$534.
- Jocelyn Miller with RAMERC staff development services at \$600. Non-federal share \$150.

Contractual total is \$62,053 with NFS of \$15,513, totaling \$77,566.

G. Construction is comprised of the following:

- There are no construction costs budgeted for 2019-2020.

H. Other is comprised of the following:

- Local travel including (including but not limited to monthly bus passes, RTD ride ticket books and mileage) is projected at \$11,563 and non-federal share of \$2,891 for parents use (for example, homeless families to transport their children to and from school) as determined by the FLS Supervisor. See 45 CFR 1310.10(a); Plus COLA 2019 of \$68 and non-federal share for COLA2019 at \$17; Total \$11,563 + COLA2019 of \$68 = **\$11,631** (total NFS = **\$2,908**)
- Parent Policy Committee budget of \$11,500 (for supplies, travel, conferences, etc.) and non-federal share at \$2,875; and

- Training and Technical Assistance (including but not limited to tuition reimbursement and local conferences and training) of \$13,076 and PA 20 of \$11,740 and non-federal share of \$6,204.

Other total is \$47,947 with NFS of \$11,987, totaling \$59,934.

I. Total In-Kind charges are comprised of fund from the below source:

- Colorado Preschool Program (CPP) and Tuition Supported Programs (TSP) including dollars from Denver Preschool Program funds totaling \$1,206,123 used for personnel salary and benefits to provide the full day Head Start Services.

J. Indirect Costs (payable to Denver Public Schools) is comprised of the following: IDC of 7.28% is calculated from the direct cost.

- \$132,154 and non-federal share of \$33,038; Plus COLA 2019 of \$2,325 and non-federal share for COLA2019 at \$581; Total \$132,154 + COLA2019 of \$2,325 = \$134,479 (total NFS = \$33,619)

Indirect Costs total is \$134,479 with NFS of \$33,619, totaling \$168,099.

K. Totals for all budgeted categories are as follows:

- Costs for Program operations at \$1,969,977.
- Costs for PA 20 Training and Technical Assistance at \$11,740.
- Non-Federal Share at \$495,429.

Total is \$1,981,717 with NFS of \$495,429, totaling \$2,477,146.

None of the funds appropriated in this title for Head Start shall be used to pay the compensation of an individual from Denver Great Kids – Denver Public Schools Head Start, either as a direct cost or any proration as an indirect cost, at a rate in excess of Executive Level II: \$187,000.

Denver Public Schools conducts an annual wage comparability study and the last wage comparability study was conducted for:

- Teachers – 2017
- Paraprofessionals – 2017
- ProTech – 2017
- DAEOP – 2017.

WARNING: “The sum of Personnel and Fringe Benefits is between 60% and 80% of the total budget.” Head Start personnel are employees of Denver Public Schools. Each personnel is a member of a different union, therefore each employee’s wages and benefits are negotiated through these bargaining groups, and it is out of the “hands” of the Early Education Department. The negotiated wages cause this line item to exceed the upper limit of 80% of the budget.