

## FOURTH AMENDATORY AGREEMENT

This **FOURTH AMENDATORY AGREEMENT** is made between the **CITY AND COUNTY OF DENVER**, a municipal corporation of the State of Colorado (the “City”) and **TRI-COUNTY HEALTH DEPARTMENT**, an entity of the State of Colorado, doing business at 6162 S. Willow Drive, Suite 100, Greenwood Village, Colorado 80111 (the “Consultant”), jointly (“the Parties”).

### RECITALS:

**A.** The Parties entered into an Agreement dated January 23, 2019, an Amendatory Agreement dated January 15, 2020, a Second Amendatory Agreement dated November 13, 2020, and a Third Amendatory Agreement dated November 30, 2021 (collectively, the “Agreement”) to provide the services described in the scope of work.

**B.** The Parties wish to amend the Agreement to extend the term, increase the maximum contract amount, and amend the scope of work and budget.

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

1. Section 3 of the Agreement entitled “**TERM**” is hereby deleted in its entirety and replaced with:

“**3. TERM**: The term of this Agreement shall commence on **July 1, 2018**, and shall terminate on **December 31, 2022**, unless extended in accordance with the terms of the Agreement (the “Term”). The term of this Agreement may be extended by the City up to and including five (5) years from the date of final execution under the same terms and conditions by a written amendment to this Agreement. Subject to the Executive Director’s prior written authorization, the Consultant shall complete any work in progress as of the expiration date and the Term of the Agreement will extend until the work is completed or earlier terminated by the Executive Director.”

2. Section 4 of the Agreement entitled “**COMPENSATION AND PAYMENT**” Sub-section d. (1) entitled “**Maximum Contract Amount**” is hereby deleted in its entirety and replaced with:

“**d. Maximum Contract Amount**:

(1) Notwithstanding any other provision of the Agreement, the City's maximum payment obligation will not exceed **EIGHT HUNDRED SIXTY-NINE THOUSAND THREE HUNDRED EIGHTY-FIVE DOLLARS AND NO CENTS (\$869,385.00)** (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 Consultant beyond that specifically described in **Exhibit A**. Any services performed beyond those in **Exhibit A** are performed at Consultant's risk and without authorization under the Agreement."

3. **Exhibit A, Exhibit A-1, Exhibit A-2, and Exhibit A-3** are hereby deleted in their entirety and replaced with **Exhibit A-4 Scope of Work and Budget**, attached and incorporated by reference herein. All references in the original Agreement to **Exhibit A, Exhibit A-1, Exhibit A-2, and Exhibit A-3** are changed to **Exhibit A-4**. As herein amended, the Agreement is affirmed and ratified in each and every particular.

4. This Fourth 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:** ENVHL-202264451-04 / ENVHL-201842560-04  
**Contractor Name:** TRI-COUNTY HEALTH DEPARTMENT

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:

\_\_\_\_\_

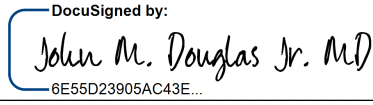
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By:

\_\_\_\_\_

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

ENVHL-202264451-04 / ENVHL-201842560-04  
TRI-COUNTY HEALTH DEPARTMENT

By:  \_\_\_\_\_  
6E55D23905AC43E...

Name: John M. Douglas Jr. MD  
(please print)

Title: Executive Director  
(please print)

ATTEST: [if required]

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

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

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



**COLORADO**  
Department of Public Health & Environment

# EXHIBIT A-4

**PREVENTION SERVICES DIVISION- BUDGET WITH JUSTIFICATION FORM**

**Contract Routing #**

<b>Contractor Name</b>	Tri-County Health Department	<b>Program Contact Name, Title, Phone and Email</b>	Caitlin Matthews Food Systems Coordinator cmatthews@tchd.org 720-616-8161
<b>Budget Period</b>	7/1/22 - 12/31/22	<b>Fiscal Contact Name, Title, Phone and Email</b>	Breanna Paderewski-Vice Director of Administration and Finance bpaderewski@tchd.org 720-200-1462
<b>Project Name</b>	Building Food Systems and Neighborhood Environments to Increase Equitable Access to Healthy, Affordable Foods (known publicly as Food in Communities)		

**Expenditure Categories**

Personal Services Salaried Employees						
Position Title/Employee Name	Description of Work	Corresponding Activity in Project Work/ Implementation Plan	Gross or Annual Salary	Fringe	Percent of Time on Project	Total Amount Requested from CDPHE
Food Systems Coordinator	Food Systems Coordinator will serve as the program manager for the food policy work including developing and managing work plans, facilitating program meetings, conducting program research, compiling reports. This position will support the development of a food policy council, neighborhood assessments, pilot project implementation, policy change initiatives, and grant administration		\$39,028.08	\$ 13,660	100%	\$52,688
Food Systems Coordinator - PTO Payout	Compensation for up to six weeks of PTO at the time that TCHD dissolves.		\$9,000.00			\$9,000
						\$0
						\$0
						\$0
						\$0
						\$0
						\$0
Personal Services Hourly Employees						
Position Title/Employee Name	Description of Work	Corresponding Activity in Project Work/ Implementation Plan	Hourly Wage	Hourly Fringe	Total # of Hours on Project	Total Amount Requested from CDPHE
						\$0
						\$0
						\$0
						\$0

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						\$0
						\$0
						\$0
						\$0
						\$0

<b>Total Personal Services (including fringe benefits)</b>						<b>\$61,688</b>
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<b>Supplies &amp; Operating Expenses</b>					
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Item	Description of Item	Corresponding Activity in Project Work/ Implementation Plan	Rate	Quantity	Total Amount Requested from CDPHE
Meeting Costs	Costs associated with convening community coalition and stakeholder meetings including: facilitation, space rental, local and/or culturally important food, language interpretation/translation, and childcare. (\$65/hr for interpretation; \$40/hour childcare; local food costs; etc.)		200.00	3	\$600
Office supplies	General supplies for one project staff		100.00	1	\$100
Equipment	Cell phone monthly service		45.00	6	\$270
Software	Virtual meeting software		200.00	1	\$200
					\$0
					\$0

<b>Total Supplies &amp; Operating Expenses</b>						<b>\$1,170</b>
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<b>Travel</b>					
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Item	Description of Item	Corresponding Activity in Project Work/ Implementation Plan	Rate	Quantity	Total Amount Requested from CDPHE
Mileage	Mileage or transit fees for travel to meetings for Food Policy, required trainings, and professional development activities related to the work for the project staff		0.625	300	\$188
Travel for professional development	Training for project staff to strengthen knowledge and skills to perform the work. Approximately one multi-day training and 1 single-day training. - registration (\$500) - lodging (2 nights@\$220=440) - per diem (3 days@\$76each = \$228)		1168	1	\$1,168

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					\$0
					\$0
					\$0
					\$0
					\$0
					\$0

<b>Total Travel</b>					<b>\$1,356</b>
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<b>Contractual</b>					
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Subcontractor Name	Description of Item	Corresponding Activity in Project Work/ Implementation Plan	Rate	Quantity	Total Amount Requested from CDPHE
					\$0
					\$0
					\$0
					\$0
					\$0
					\$0
					\$0
					\$0
					\$0

<b>Total Contractual</b>					<b>\$0</b>
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<b>SUB-TOTAL BEFORE INDIRECT</b>					<b>\$64,213</b>
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<b>Indirect</b>					
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Item	Description of Item	Total Amount Requested from CDPHE
Negotiated Indirect cost rate (Federal, State, or CDPHE)	CDPHE Negotiated Rate for 2021: 30.93% of total costs minus items identified as contractual; contractual items incur a 10% rate.	\$19,861
Indirect rate (other):		
Indirect (modified or additional base)		

<b>Total Indirect</b>		<b>\$19,861</b>
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<b>TOTAL</b>		<b>\$84,075</b>
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