

FIRST AMENDATORY AGREEMENT

THIS FIRST 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 **BOYS AND GIRLS CLUBS OF METRO DENVER, INC.**, a Colorado non-profit corporation, with an address of 2017 W. 9th Avenue, Denver, Colorado 80204 (the “**Contractor**”), jointly “the Parties.”

RECITALS

A. The Parties entered into an Agreement executed on August 2, 2021 (the “**Agreement**”) for the performance of certain work set forth in that Agreement and Exhibit A thereto; and

B. The Parties wish to amend the Agreement to extend the term date and continue the services.

NOW, THEREFORE, the Parties hereby amend the Agreement as follows:

1. Section 4 of the Agreement entitled “**Confirmation of Lawful Employment**” is hereby rescinded and no longer of any force or effect.

2. Section 6.A. of the Agreement entitled “**Term**” is amended to read as follows:

“The term of this Agreement shall become effective as of April 1, 2021, and shall terminate no later than December 31, 2025, or upon the completion and acceptance of the Programs, if prior to December 31, 2025, except to the extent set forth in this Agreement regarding termination and default, and except for those financial obligations of the Contractor set forth in Paragraph 7 below which shall continue until the City and the Contractor mutually agree that these obligations are satisfied; provided, however, termination of this Agreement may occur as provided in this Paragraph 6.”

3. A Section 12 entitled “**Compliance with Denver Wage Laws**” is hereby added to the Agreement to read as follows:

“To the extent applicable to the Contractor’s provision of Services hereunder, the Contractor shall comply with, and agrees to be bound by, all rules, regulations, requirements, conditions, and City determinations regarding the City’s Minimum Wage and Civil Wage Theft Ordinances, Sections 58-1 through 58-26 D.R.M.C., including, but not limited to, the requirement that every covered worker shall be paid all earned wages under applicable state, federal, and city law in accordance with the foregoing D.R.M.C. Sections. By executing this Agreement, the Contractor expressly acknowledges that the Contractor is aware of the requirements of the City’s Minimum Wage and Civil Wage Theft Ordinances and that any failure by the Contractor, or any other individual or entity acting subject to this Agreement, to strictly comply with the foregoing D.R.M.C. Sections shall result in the penalties and other remedies authorized therein.”

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

5. This First 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: PARKS-202476037-01/ 202158264-01
Contractor Name: BOYS AND GIRLS CLUBS OF METRO DENVER, INC.

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:

PARKS-202476037-01/ 202158264-01
BOYS AND GIRLS CLUBS OF METRO DENVER, INC.

By: Signed by:
Michelle Houlihan
512203D67D6642D...

Name: Michelle Houlihan
(please print)

Title: Chief Development Officer
(please print)

ATTEST: [if required]

By: _____

Name: _____
(please print)

Title: _____
(please print)