

FOURTH AMENDATORY AGREEMENT

THIS FOURTH AMENDATORY AGREEMENT is made between the **CITY AND COUNTY OF DENVER**, a municipal corporation of the State of Colorado (“City”), and **SCHOOL DISTRICT NO. 1 IN THE CITY AND COUNTY OF DENVER AND THE STATE OF COLORADO** (the “School District”).

RECITALS:

A. The Parties entered into an Agreement executed on or about October 19, 2017, an Amendatory Agreement dated December 08, 2017, a second Amendatory Agreement dated July 5, 2018 and a third Amendatory Agreement dated August 9, 2019 (collectively, the “Agreement”) for the performance of certain work set forth in that Agreement; and

B. Rather than enter into a new contract, the Parties desire to revise the terms and conditions of the Agreement as they previously existed and the Parties further desire to amend the Agreement to update the scope of work and increase the rates.

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 amended to read as follows:

“3. The Agreement will commence on July 1, 2017 and will expire on June 30, 2020 (the “Term”). Subject to the Director’s prior written authorization, the School District 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 Director.

2. Section 4 (d) of the Agreement entitled “**MAXIMUM CONTRACT AMOUNT**” is amended to read as follows:

“d. Maximum Contract Amount: Notwithstanding any other provision of the Agreement, the City’s maximum payment obligation will not exceed **FIVE HUNDRED FIFTY-NINE THOUSAND EIGHTEEN DOLLARS AND SEVENTY TWO CENTS (\$559,018.72)** (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 School District beyond that specifically described in Exhibit A. Any services performed beyond those in Exhibit A are performed at School District’s risk and without authorization under the Agreement.

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

4. This 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 TO FOLLOW]

Contract Control Number: MOEAI-201952054-04 Alfresco: 201737051
Contractor Name: SCHOOL DISTRICT NO. 1

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

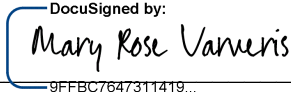
By:

By:

By:

Contract Control Number:
Contractor Name:

MOEAI-201952054-04 Alfresco: 201737051
SCHOOL DISTRICT NO. 1

By:  _____
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Name: Mary Rose Varveris
(please print)

Title: Director, Extended Learning and Community Schools
(please print)

ATTEST: [if required]

By: _____

Name: _____
(please print)

Title: _____
(please print)