

AMENDMENT NO. 1 TO AGREEMENT FOR SERVICES

Project Name: Developmental Disabilities Mill Levy

This Amendment No. 1 to the Agreement for Services (the "Amendment") made this 23rd day of March 2021 by and between Arapahoe County, Colorado, hereinafter called the "County" and Developmental Pathways, Inc., the Community Centered Board serving the County, hereinafter called "DP" and collectively referred to as the "Parties".

WHEREAS, in 2001, the citizens of the County passed a one mill property tax to be used for the benefit of County citizens with developmental disabilities and their families, hereinafter referred to as the "DD Mill Levy;" and

WHEREAS, the County and DP entered into an agreement effective March 2002 for DP to administer the DD Mill Levy funds for the benefit of County citizens with developmental disabilities and their families, and to do so in a manner consistent with the terms of the ballot issue as approved by County voters (the "2002 Agreement"); and

WHEREAS, effective April 14, 2020, the Parties terminated the 2002 Agreement and entered into an Agreement for Services (the "2020 Agreement"); and

WHEREAS, the 2020 Agreement was based on an agreement for DP to provide similar services to Douglas County; and

WHEREAS, the 2020 Agreement included references to the year 2018, not 2020: and

WHEREAS, the Parties desire to correct the 2020 Agreement to reference the year 2020 and provide for automatic renewals.

NOW, THEREFORE, the Parties agree as follows:

1. Section 4. Maximum Contract Expenditure of the 2020 Agreement is hereby amended to refer to the calendar fiscal year 2020 replacing the reference to 2018.

2. Section 5. Term of the 2020 Agreement is hereby amended in its entirety to read as follows:

5. TERM: It is mutually agreed by the parties that the term of this Agreement shall commence as of 12:01 a.m. on January 1, 2020 and be effective for a period of twelve months, terminating at 12:00 a.m. on December 31, 2020. This Agreement shall renew automatically on December 31st of each year for an additional one-year term unless amended or terminated by the County as provided in Section 16. This Agreement and/or any extension of its original term shall be contingent upon annual funding being appropriated, budgeted, and otherwise made available for such purposes and subject to the County's satisfaction with all products and services received during the preceding term.

3. Exhibit A Scope of Services is hereby amended to add the following language:

13. DP agrees to engage their auditors to conduct an annual Agreed-Upon Procedures Audit as part of their annual audit process. DP will provide the County a copy of this annual audit.

14. Any Mill Levy money that flows from DP to any of their affiliated entities/organizations must adhere to the terms of this Agreement.

4. Except as specifically amended herein, all provisions of the 2020 Agreement shall remain in full force and effect.

5. This Amendment shall take effect immediately upon execution by the Parties.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment.

ARAPAHOE COUNTY

By: Nancy Jackson
Chair, Board of County Commissioners
(Or representative authorized by resolution)

Date: 3/29/21

DEVELOPMENTAL PATHWAYS, INC.

Matt VanAuken
By: Matt VanAuken
Title: Executive Director and CEO
Date: 3/9/21