

AGREEMENT AMENDMENT NO. 6

Original Agreement Routing Number 2015CMIP007

1. PARTIES

This Amendment to the above-referenced Original Agreement (hereinafter called the "Agreement") is entered into by and between the STATE OF COLORADO, acting by and through the Department of Health Care Policy and Financing, 1570 Grant Street, Denver, Colorado 80203 (hereinafter called "Department" or "State."), and Archuleta County (hereinafter called "Contractor").

2. EFFECTIVE DATE AND ENFORCEABILITY

This Amendment shall not be effective or enforceable until it is approved and signed by the Colorado State Controller or designee (hereinafter called the "Effective Date"). The Department shall not be liable to pay or reimburse for any performance hereunder, including, but not limited to, costs or expenses incurred, or be bound by any provision hereof prior to the Effective Date.

3. FACTUAL RECITALS

The Parties entered into the Agreement to create performance-related benchmarks for county departments of human/social services that achieve certain Performance Incentive Standards related to determining and redetermining Medicaid eligibility, those populations currently enrolled in Medicaid and cooperation with other Medicaid-related entities.

The Parties entered into Amendment 5 to add funding for State Fiscal Year (SFY) 2019-2020 and update the Performance Incentives Standards for SFY 2019-1020. In doing so, it was the intent of the Parties to extend the Agreement through June 30, 2020 as evidenced by the addition of SFY 2019-2020 funding, but due to a Scrivener's Error, the Parties did not clearly document this extension.

The purpose of Amendment 6 is to document the intended extension and document the end the performance period as June 30, 2020.

4. CONSIDERATION

The Parties acknowledge that the mutual promises and covenants contained herein and other good and valuable consideration are sufficient and adequate to support this Amendment.

5. LIMITS OF EFFECT

This Amendment is incorporated by reference into the Agreement, and the Agreement and all prior amendments thereto, if any, remain in full force and effect except as specifically modified herein.

6. MODIFICATIONS

The Agreement and all prior amendments thereto, if any, are modified as follows:

- A. Section 5, Term, Subsection A, Initial Term, is hereby deleted in its entirety and replaced with the following:

- A. Initial Term

- The Parties' respective performances under this Contract shall commence on the later of the Effective Date or January 1, 2015. This Contract shall expire June 30, 2020, unless sooner terminated or further extended as specified elsewhere herein.

7. START DATE

This Amendment shall take effect on its Effective Date.

8. ORDER OF PRECEDENCE

In the event of any conflict, inconsistency, variance, or contradiction between the provisions of this Amendment and any of the provisions of the Agreement, the provisions of this Amendment shall in all respects supersede, govern, and control.

9. AVAILABLE FUNDS

Financial obligations of the state payable after the current fiscal year are contingent upon funds for that purpose being appropriated, budgeted, or otherwise made available to the Department by the federal government, the Colorado General Assembly and/or grantor.

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THE PARTIES HERETO HAVE EXECUTED THIS INTERAGENCY AGREEMENT

Persons signing for Parties hereby swear and affirm that they are authorized to act on behalf of their respective Party and acknowledge that the other Party is relying on their representations to that effect.

STATE OF COLORADO

Jared S. Polis, Governor

Archuleta County

Department of Health Care Policy and
Financing

By: _____

Ronnie Maez, Chairman
Board of County Commissioners

By: _____

Kim Bimestefer
Executive Director

Date: 7-22-19

Date: _____

ALL AGREEMENTS REQUIRE APPROVAL BY THE STATE CONTROLLER

STATE CONTROLLER

Robert Jaros, CPA, MBA, JD

By: _____
Department of Health Care Policy and Financing

Date: _____