

**ADAMS COUNTY, COLORADO
FIRST AMENDMENT FOR
AN EMPLOYEE FITNESS PROGRAM (BOOT CAMP) 2014.267**

THIS FIRST AMENDMENT TO PURCHASE OF SERVICE AGREEMENT ("FIRST Amendment") is entered into this 29 day of April, 2016, by and between the Board of County Commissioners of Adams County, Colorado, located at 4430 South Adams Parkway, Brighton, Colorado 80601, hereinafter referred to as the "County," and Fit Soldiers, LLC, located at 2100 East 112th Avenue, Suite 2, Northglenn, Colorado 80233, hereinafter referred to as the "Contractor." The County and the Contractor may be collectively referred to herein as the "Parties".

RECITALS

WHEREAS, on May 28, 2015, the County entered into a Purchase of Service Agreement with Fit Soldiers, LLC; and,

WHEREAS, the County and the Contractor mutually desire to amend the Service Agreement to extend the term.

NOW, THEREFORE, for the consideration set forth herein, the sufficiency of which is mutually acknowledged by the parties, the County and the Contractor agree as follows:

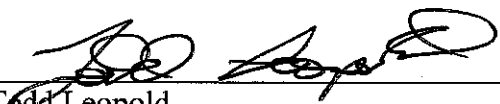
1. The Service Agreement is hereby amended to extend the term of the Agreement for one additional year from June 1, 2016 through May 31, 2017.
2. The fee schedule shall remain \$80 per employee for an amount not to exceed \$29,000.00.
3. The Service Agreement and this First Amendment contain the entire understanding of the parties hereto and neither it, nor the rights and obligations hereunder, may be changed, modified, or waived except by an instrument in writing that is signed by both parties. Any terms, conditions, or provisions of the Service Agreement that are not amended or modified by this First Amendment shall remain in full force and effect. In the event of any conflicts between the terms, conditions, or provisions of the Service Agreement and this First Amendment, the terms, conditions, and provisions of this First Amendment shall control.
4. The Recitals contained in this First Amendment are incorporated into the body hereof and accurately reflect the intent and agreement of the parties.
5. This First Amendment may be executed in multiple counterparts, each of which shall be deemed to be an original and all of which taken together shall constitute one and the same agreement.
6. Nothing expressed or implied in this First Amendment is intended or shall be construed to confer upon or to give to, any person other than the parties, any right, remedy, or claim under or by reason of this First Amendment or any terms, conditions, or provisions

hereof. All terms, conditions, and provisions in this First Amendment by and on behalf of the County and the Contractor shall be for the sole and exclusive benefit of the County and the Contractor.

7. If any provision of this First Amendment is determined to be unenforceable or invalid for any reason, the remainder of the First Amendment shall remain in effect, unless otherwise terminated in accordance with the terms contained in the Service Agreement.
8. Each party represents and warrants that it has the power and ability to enter into this First Amendment, to grant the rights granted herein, and to perform the duties and obligations herein described.

IN WITNESS WHEREOF, the County and the Contractor have caused their names to be affixed.

ADAMS COUNTY, COLORADO
COUNTY MANAGER




Todd Leopold

4/29/16

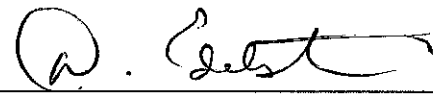
Date

ATTEST: STAN MARTIN
CLERK AND RECORDER



Deputy Clerk

APPROVED AS TO FORM:



County Attorney


FIT SOLDIERS, LLC

David Mura

Print Name

Owner

Print Title



Signature

4/14/16

Date

Anna Forristall

Fit Soldiers
Boot Camp

From: Pauline Hohn
Sent: Tuesday, April 05, 2016 3:57 PM
To: Anna Forristall
Subject: FW: Adams County Fit Soldiers

No increase....see below.

Thanks
Pauline

From: Fit Soldier [mailto:info@fitsoldiers.com]
Sent: Tuesday, April 05, 2016 3:55 PM
To: Pauline Hohn
Subject: Re: Adams County Fit Soldiers

Correct Not at this time, no increase.

On Tue, Apr 5, 2016 at 3:50 PM, Pauline Hohn <PHohn@adcogov.org> wrote:

Should I go with "no increase for 2016-2017 contract year"? June through May

From: Fit Soldier [mailto:info@fitsoldiers.com]
Sent: Tuesday, April 05, 2016 3:44 PM
To: Pauline Hohn
Subject: Re: Adams County Fit Soldiers

Not at this time. When would the next chance be?

Thanks,

Dave

On Tue, Apr 5, 2016 at 3:15 PM, Pauline Hohn <PHohn@adcogov.org> wrote:

Do you have any intent of increasing the fee for participation during this next contract period?

Thanks

Pauline