

ADAMS COUNTY, COLORADO  
SERVICE AGREEMENT

**AMENDMENT ONE**

Boot Camp Style Fitness Classes for County Employees

AMENDMENT ONE ("Amendment One") is made this 5th day of August 2019, by and between the Adams County Board of County Commissioners, located at 4430 South Adams County Parkway, Brighton, Colorado 80601, hereinafter referred to as the "County," and **FIT SOLDIERS LLC**, located at, 2100 East 112<sup>th</sup> 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 10, 2018, the County entered into a Service Agreement #2018.009 with Fit Soldiers LLC, to provide boot camp style fitness classes for county employees, and,

WHEREAS, the County and the Contractor mutually desire to amend the Service Agreement to extend the term for one additional year effective May 10, 2019 pursuant to **Section 3 TERM, Paragraph 3.2 Renewal Option**.

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 County shall pay the Contractor for the services furnished under this Amendment One in accordance with **Section 4 Payment and Fee Schedule** for an additional sum not to exceed fifty thousand dollars and no cents (\$50,000.00) for the first renewal year.
2. The term of the Service Agreement is extended for one (1) additional year effective through May 9, 2020.
3. The Service Agreement, and Amendment One 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 Amendment One shall remain in full force and effect. In the event of any conflicts between the terms, conditions, or provisions of the Service Agreement, and Amendment One the terms, conditions, and provisions of Amendment One shall prevail.
4. The Recitals contained in Amendment One are incorporated into the body hereof, and accurately reflect the intent and agreement of the parties.
5. Amendment One 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 Amendment One 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 Amendment One or any terms, conditions, or provisions hereof. All terms, conditions, and provisions in Amendment One 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 Amendment One is determined to be unenforceable or invalid for any reason, the remainder of Amendment One 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 Amendment One, 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.

**BOARD OF COUNTY COMMISSIONERS  
ADAMS COUNTY, COLORADO**

By:

*for* *Alvika Luis*  
Raymond H. Gonzales, County Manager

*08/05/2019*  
Date

**CONTRACTOR:**

**FIT SOLDIERS LLC**

By:

*David Mura*  
Name (Print or Type)

*7/29/19*  
Date

*D Mura*  
Authorized Signature

*Owner, Founder*  
Title

**ATTEST:**

Josh Zygielbaum  
Clerk and Recorder

*Josh Zygielbaum*

**APPROVED AS TO FORM**

Adams County Attorney's Office

By: *Jennifer M. Kelly*  
Attorney Signature