

SECOND AMENDATORY AGREEMENT

This **SECOND AMENDATORY AGREEMENT** is made and entered into, effective as of the date set forth on the City's signature page ("Effective Date"), by and between the CITY AND COUNTY OF DENVER, a municipal corporation of the State of Colorado ("City") and **BRANDEBERRY - MCKENNA PUBLIC AFFAIRS**, which is authorized to conduct business in the State of Colorado, whose address is 1410 Grant Street, Suite C 307, Denver, Colorado, 80203 ("Consultant"), who shall be individually referred to herein as a "Party" and jointly as the "Parties".

WITNESSETH:

A. The Parties entered into Professional Services Agreement dated May 1, 2020, and an Amendatory Agreement dated April 22, 2021 (the "Agreement") for the provision of State Lobbying and Intergovernmental services and production of all deliverables described in the Scope of Work.

B. The Parties wish to amend the Agreement to increase the term and the maximum contract amount.

NOW THEREFORE, in consideration of the premises and the Parties' mutual covenants and obligations, the Parties agree as follows:

1. Paragraph 2 of the Agreement entitled "**TERM**" is amended to read as follows:

"**2. TERM:** The term of the Agreement is from January 1, 2020 until December 31, 2023, or until the Maximum Contract Amount specified in subsection 3.A. below is expended and all of the tasks have been satisfactorily performed, whichever is sooner, unless this Agreement is terminated earlier as provided in this Agreement or is extended as provided in a separate amendment to this Agreement ("**Term**"). The Agreement may be renewed for up to one (1) additional one (1) year extension, upon the mutual agreement of the Parties and execution of one or more amendatory agreement(s) to this Agreement. Subject to the City Representative's prior written authorization, the Consultant 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 City Representative."

2. Paragraph 3 of the Agreement entitled "**COMPENSATION AND PAYMENT**" Sub-paragraph A. entitled "**Maximum Contract Amount**" is amended to read as follows:

MAYOR-202262728 [202157927-01] [202054067-00]
BRANDEBERRY-MCKENNA PUBLIC AFFAIRS

“3. **COMPENSATION AND PAYMENT:**

A. **Maximum Contract Amount:** The Maximum Contract Amount to be paid by the City to the Consultant for the performance of the work shall in no event exceed the sum of **Seven Hundred Forty Thousand and 00/100 Dollars (\$740,000.00)** unless this Agreement is modified to increase said amount by a duly authorized and written amendment to this Agreement executed by the Parties in the same manner as this Agreement.”

3. As herein amended, the Agreement 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.

[THE BALANCE OF THIS PAGE IS INTENTIONALLY LEFT BLANK.]

Contract Control Number: MAYOR-202262728-01
Contractor Name: Brandeberry Public Affairs, Inc

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:

MAYOR-202262728-01
Brandeberry Public Affairs, Inc

By:  _____
E6AA744349C1491...

Name: Julie McKenna
(please print)

Title: owner
(please print)

ATTEST: [if required]

By: _____

Name: _____
(please print)

Title: _____
(please print)