

## AMENDATORY AGREEMENT

**THIS AMENDATORY AGREEMENT** is made and entered into by and between the **CITY AND COUNTY OF DENVER**, a municipal corporation of the State of Colorado (the “City”), and **ADS DENVER, LLC**, a Colorado limited liability company, doing business at P.O. BOX 33561, Northglenn, CO 80233 (the “Contractor”), collectively “the Parties.”

### WITNESSETH:

**WHEREAS**, the Parties entered into an Agreement dated November 14, 2011 (the “Agreement”), to provide telecommunication cabling and services technicians for the City’s Technology Services Department; and

**WHEREAS**, the Parties wish to amend the Agreement to extend the term and increase the compensation to the Contractor as follows; and

**NOW, THEREFORE**, in consideration of the premises and the mutual covenants and obligations herein set forth, the Parties agree as follows:

1. Article 3 of the Agreement entitled “**TERM**” is amended to read as follows:

“3. **TERM**: The Agreement will commence on September 1, 2011 and will expire on October 1, 2015 (the “Term”).

2. Article 4(d)(1) of the Agreement entitled “**Maximum Contract Amount**” is amended to read as follows:

“**4. COMPENSATION AND PAYMENT:**

**d. Maximum Contract Amount:**

(1) Notwithstanding any other provision of the Agreement, the City’s maximum payment obligation will not exceed **ONE MILLION TWO HUNDRED THOUSAND DOLLARS (\$1,200,000.00)**, the (“Maximum Contract Amount”). The City is not obligated to execute an Agreement or any amendments for any further services, including any services performed by Contractor beyond that specifically described in **Exhibit A**. Any services performed beyond those in **Exhibit A** are performed at Contractor’s risk and without authorization under the Agreement.”

3. This Amendatory Agreement may be executed in counterparts, each of which shall be deemed to be an original, and all of which, taken together, shall constitute one and the same instrument.

4. Except as herein amended, the Agreement is affirmed and ratified in each and every particular.

**[SIGNATURE PAGES FOLLOW]**

**Contract Control Number:**

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:

By \_\_\_\_\_

By \_\_\_\_\_

By \_\_\_\_\_



Contract Control Number: TECHS-201102401-01

Contractor Name: ADS DENVER LLC

By: 

Name: Russell Stewart  
(please print)

Title: VP - CEO  
(please print)

**ATTEST: [if required]**

By: \_\_\_\_\_

Name: \_\_\_\_\_  
(please print)

Title: \_\_\_\_\_  
(please print)

