

## FIRST AMENDMENT TO AGREEMENT

**THIS FIRST AMENDMENT TO AGREEMENT** is made and entered into by and between the **CITY AND COUNTY OF DENVER**, a municipal corporation of the State of Colorado (“City”), and **MCKINSEY & COMPANY, INC. WASHINGTON D.C.**, a corporation organized under the laws of the state of Delaware and authorized to do business in Colorado (“Consultant”) (jointly, the “Parties”).

### WITNESSETH:

**WHEREAS**, the Parties entered into an Agreement for professional, aviation-related consulting services dated April 19, 2017; and

**WHEREAS**, the Parties desire to amend the Agreement in order to increase the maximum contract liability, as hereinafter set forth;

**NOW, THEREFORE**, for and in consideration of the premises and other good and valuable consideration, the parties hereto agree as follows:

1. Paragraph 4.A., “**Maximum Contract Liability**”, is amended to read as follows:

**4.A. Maximum Contract Liability.** Notwithstanding any other provision of this Agreement, in no event shall City be liable for payment for services rendered and expenses incurred by Consultant under the terms of this Agreement for any amount in excess of the sum of Nine Hundred and Forty Thousand dollars (\$940,000) (“Maximum Contract Liability”). Consultant will be performing the services on a fixed-price basis up to the Maximum Contract Amount. Consultant’s fee is based on the firm-fixed price per project or order as agreed upon between the parties complete the services. The rates that will be used as the basis to price firm-fixed projects are set forth in *Exhibit B* and vary according to the experience and skill required. In the sole discretion of the EVP, hourly rates may be revised on an annual basis throughout the term of the agreement.

2. Except as provided herein, all provisions, terms and conditions of the Agreement shall remain in full force and effect as if fully set forth herein.

3. This First Amendment to Agreement shall not be effective or binding on the City until approved and fully executed by all signatories of the City and County of Denver.

**[END OF AGREEMENT; 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:** PLANE-201630656-01

**Contractor Name:** McKinsey & Company, Inc. Washington D.C.

By:                     *T Duvall*                    

Name:                     *Tyler Duvall*                      
(please print)

Title:                     *Principal*                      
(please print)

**ATTEST: [if required]** \_\_\_\_\_

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

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

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

