

REVIVAL AND THIRD AMENDATORY AGREEMENT

THIS REVIVAL AND THIRD AMENDATORY AGREEMENT is made between the **CITY AND COUNTY OF DENVER**, a municipal corporation of the State of Colorado (“City”), and **MATRIX DESIGN GROUP, INC.** (the "Design Consultant" or “Consultant”). City and Design Consultant shall be individually referred to herein as a “Party” and jointly as the “Parties.”

RECITALS:

A. The Parties entered into an Agreement executed on or about April 10, 2019; an Amendatory Agreement on August 14, 2020; and a Second Amendatory Agreement on February 3, 2022 (the “Agreement”); and

B. The Agreement expired by its terms under the Second Amendatory Agreement on April 10, 2023; and

C. Rather than execute a new, separate agreement, the Parties wish to revive and reinstate the terms of the prior Agreement, and amend the Agreement to extend the term date.

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

1. The Agreement and its terms and conditions is hereby revived and reinstated, and the expiration under the Agreement is no longer effective.

2. Section 4.01 of the Agreement entitled “Term” is amended by deleting and replacing it with the following:

“4.01. Term: The initial term of this Agreement shall commence upon execution and shall end October 31, 2024; provided, however, that any work in progress that was initiated during the term of this Agreement shall continue and be paid for hereunder until the completion thereof. All terms and conditions of the Agreement shall remain in full force and effect until such completion. In addition, nothing contained herein shall obligate the City to extend the Agreement beyond the initial term.”

3. In accordance with Section 4.01 of the Agreement, this Amendment and the extension of the Term is limited to the purpose of the Design Consultant completing in progress work that cannot be completed prior to the end of the agreed upon Term. The Design Consultant has no authorization to initiate any new work without the express written permission of the Executive Director.

4. Except as herein amended, the Agreement continues in effect, and is affirmed and

ratified in each and every particular.

5. This Revival and Third 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.

[SIGNATURE PAGES FOLLOW]

Contract Control Number: PARKS-202368124-03 /201947691
Contractor Name: MATRIX DESIGN GROUP, 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

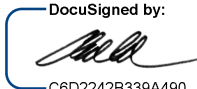
By:

By:

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Contract Control Number:
Contractor Name:

PARKS-202368124-03 /201947691
MATRIX DESIGN GROUP, INC.

By:  C6D2242B339A490...

Chad Herd

Name: _____
(please print)

Title: Associate Vice President
(please print)

ATTEST: [if required]

By: _____

Name: _____
(please print)

Title: _____
(please print)