

FIRST AMENDATORY AGREEMENT

THIS FIRST AMENDATORY AGREEMENT is entered into as of the date indicated on the signature page, by and between the **CITY AND COUNTY OF DENVER**, a Colorado municipal corporation ("City"), Party of the First Part, and **JOHNSON CONTROLS, INC.**, a corporation formed under the laws of the State of Wisconsin and authorized to do business in Colorado (the "Contractor" or "Johnson Controls"), Party of the Second Part;

WITNESSETH

WHEREAS, the parties entered into an Agreement dated December 8, 2014 (the "Existing Agreement") in which the Contractor agreed to provide maintenance and emergency repair services for chillers, boilers, and associated equipment at Denver International Airport; and

WHEREAS, the parties desire to amend the Existing Agreement by increasing the maximum contract amount to allow the Contractor to continue providing these services for another year; and

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

1. **ARTICLE 4 MAXIMUM CONTRACT LIABILITY; FUNDING** Section A is hereby amended and restated to read as follows:

"A. Any other provision of this Agreement notwithstanding, in no event shall City be liable for payment for services rendered and expenses incurred by Contractor under the terms of this Agreement for any amount in excess of the sum of One Million Six Hundred Thousand Dollars and Zero Cents (\$1,600,000.00). The Maximum Contract Liability may only be increased by amendment to this Agreement."

2. All references in the Existing Agreement to "Manager" or "Manager of Aviation" are hereby deleted and replaced with "Chief Executive Officer" or "CEO" as the context may require. "Chief Executive Officer" or "CEO" means the Chief Executive Officer of the City's Department of Aviation having jurisdiction over the management, operation, and control of DEN.

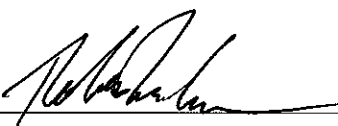
3. Except as otherwise provided herein, all of the terms and conditions of the Existing Agreement shall remain in full force and effect as though set out in full herein.

4. This First Amendatory Agreement shall not be effective or binding on the City until fully executed by all signatories of the City and County of Denver.

[END OF PAGE]

Contract Control Number: PLANE-201417438-01

Contractor Name: JOHNSON CONTROLS INC

By: 

Name: Rob Gorman
(please print)

Title: Branch Service Manager
(please print)

ATTEST: [if required]

By: _____

Name: _____
(please print)

Title: _____
(please print)



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 _____

