

AMENDATORY AGREEMENT

This **AMENDATORY AGREEMENT** is made between the **CITY AND COUNTY OF DENVER**, a municipal corporation of the State of Colorado (the “City”) and **THK ASSOCIATES, INC.**, a Colorado corporation whose address is 2953 SO PEORIA ST., STE. 101, Aurora, Colorado 80014 (the “Design Consultant”), jointly (“the Parties”).

RECITALS:

A. The Parties entered into Agreement dated April 10, 2019 (the “Agreement”) to provide “readily available” professional landscape architectural planning and design services and related consulting services to support DPR and other divisions as necessary on an as needed basis.

B. The Parties wish to amend the Agreement to extend the term.

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

1. Section 4 of the Agreement entitled **TERM AND TERMINATION** Section 4.01 entitled “**TERM**” is amended to read as follows:

“**4.01 TERM:** The initial term of this Agreement shall commence April 10, 2019 shall end April 10, 2023; 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. The term may be extended, at the sole option of the City by written amendment pursuant to Executive Order 8. In no event, however, shall the Design Consultant’s performance under this Agreement, including any extension, exceed a five (5) year period ending on month and day of the execution of this Agreement. In addition, nothing contained herein shall obligate the City to extend the Agreement beyond the initial term..”

2. As herein amended, the Agreement is affirmed and ratified in each and every particular.

3. 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.

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Contract Control Number: PARKS- 201947693-01
Contractor Name: ALFRESCO-202160689-01
THK Associates, 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:

PARKS- 201947693-01
ALFRESCO-202160689-01
THK Associates, Inc.

DocuSigned by:
Kevin Shanks
By: 76371E2B4D95433...

Name: Kevin Shanks
(please print)

Title: Vice President
(please print)

ATTEST: [if required]

By: _____

Name: _____
(please print)

Title: _____
(please print)