

THIRD AMENDATORY AGREEMENT

THIS THIRD AMENDATORY AGREEMENT is made and entered into this ____ day of _____, 2011, by and between the **CITY AND COUNTY OF DENVER UNDERSHERIFF PRISONER PURCHASE, WELFARE AND RECREATION TRUST**, a trust established by ordinance of the City and County of Denver, a municipal corporation of the State of Colorado hereinafter referred to as the "TRUST", the **CITY AND COUNTY OF DENVER**, a Colorado municipal corporation, hereinafter referred to as the "CITY", and **KEEFE COMMISSARY NETWORK, LLC**, a limited liability company, with an address of 10880 Linpage Place, St Louis, MO 63132, hereinafter referred to as "KEEFE" or the "Contractor" collectively referred to as (the "Parties").

06-889-C

WITNESSETH:

WHEREAS, the Parties entered into an Agreement dated October 24, 2006 and amended the Agreement on May 5, 2009 and March 2, 2010, related to providing canteen/commissary services for use by the inmate population at the Denver County Jail locations; and

WHEREAS, the Parties wish to amend the Agreement to extend the term; and

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

1. Article 6 of the Agreement, entitled "**TERM OF AGREEMENT**" is hereby amended to read as follows:

"6. **TERM OF AGREEMENT**: The term of the Agreement shall commence on October 1, 2006 and terminate on December 31, 2011, provided that the Agreement may be renewed, at the sole discretion of the City and the Trust, for up to two (2) additional one year extensions, upon agreement of the City, the Trust and the Contractor as to all terms and conditions of each such extension. In the event if such renewals(s), an amendatory agreement or agreements to this Agreement shall be executed by the parties."

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

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, the Parties hereto have executed this Third Amendatory Agreement as of the day and year first written above.

ATTEST:

CITY AND COUNTY OF DENVER:

By: _____
STEPHANIE Y. O'MALLEY,
Clerk and Recorder, Ex-Officio
Clerk of the City and County of Denver

By: _____
M A Y O R

RECOMMENDED AND APPROVED:

By: _____
Manager of Safety

By: _____
Undersheriff/Director of Corrections

APPROVED AS TO FORM:

DAVID R. FINE, Attorney for the
City and County of Denver

REGISTERED AND COUNTERSIGNED:

By: _____
Assistant City Attorney

By: _____
Manager of Finance
Contract Control No. RC 63008(3)

By: _____
Auditor

"CITY"

**CITY AND COUNTY OF DENVER
UNDERSHERIFF PRISONER
PURCHASE, WELFARE AND
RECREATION TRUST**

By: _____
Undersheriff/Director of Corrections

"TRUST"

KEEFE COMMISSARY NETWORK, LLC
Taxpayer (IRS) I.D. No. 43-1856999

By: _____
Title: VP/EM

"CONTRACTOR"