AMENDATORY AGREEMENT

THIS AMENDATORY AGREEMENT, made and entered into between the **CITY AND COUNTY OF DENVER**, a municipal corporation of the State of Colorado (the "City") and **FCI CONSTRUCTORS, INC.,** a Colorado corporation with its principal office address at 4001 North Valley Drive, Longmont, Colorado 80504 (the "Contractor"), collectively ("the parties").

RECITALS:

A.   The City and the Contractor entered into a Contract and Agreement for On-Call Construction Services dated February 25, 2013 (the "Agreement");

B.   The City and the Contractor desire to amend the Agreement to increase the maximum contract capacity;

NOW THEREFORE, in consideration of the premises, and the mutual covenants and obligations herein contained, the parties agree as follows:

1.   Paragraph 16 of the Agreement is hereby amended to read as follows:

"**16.   MAXIMUM CONTRACT AMOUNT:** Each Project will be assigned and authorized separately by Work Order and the maximum liability of the City for any one Project shall not exceed the sum of **Four Hundred Thousand Dollars ($400,000.00)**, including all authorized Work Order changes. The maximum amount to be paid by the City to the Contractor for satisfactory completion of all Work Orders authorized by the City and performed by the Contractor under this Contract shall in no event exceed the sum of **EIGHT MILLION DOLLARS AND NO CENTS ($8,000,000.00)**, unless this Contract is modified to increase said amount by a duly authorized, written contract amendment mutually agreeable to and executed by the parties hereto."

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

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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: PWADM-201208984-01

Contractor Name: F C I CONSTRUCTORS INC

By: _____

Name: __JEFF ERKER_____
    (please print)

Title: __V.P. OPERATIONS_____
    (please print)

ATTEST: [if required]

By: _____

Name: _____
    (please print)

Title: _____
    (please print)