

FOURTH AMENDATORY AGREEMENT

THIS FOURTH AMENDATORY AGREEMENT is made and entered into by and between 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”).

WITNESSETH:

WHEREAS, the Parties entered into an Agreement dated October 24, 2006 and amended the Agreement on May 5, 2009, March 2, 2010 and January 26, 2011, 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 to update other contract language; 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 Agreement shall commence on October 1, 2006 and terminate on December 31, 2012, provided that the Agreement may be renewed, at the sole discretion of the City and the Trust, for one additional one (1) year extension, upon agreement of the City, the Trust and the Contractor as to all terms and conditions of such extension. In the event of such extension, an amendatory agreement to this Agreement shall be executed by the Parties.”

2. A new paragraph numbered 36 is hereby added to the Agreement reading as follows:

36. ELECTRONIC SIGNATURES AND ELECTRONIC RECORDS: Contractor consents to the use of electronic signatures by the City. The Agreement, and any other documents requiring a signature hereunder, may be signed electronically by the City in the manner specified by the City. The Parties agree not to deny the legal effect or enforceability of the Agreement solely because it is in electronic form or because an electronic record was used in its formation. The Parties agree not to object to the admissibility of the Agreement in the form of an electronic record, or a paper copy of an electronic document, or a paper copy of a document bearing an electronic signature, on the ground that it is an electronic record or electronic signature or that it is not in its original form or is not an original.

3. This Fourth Amendatory Agreement may be executed in two (2) counterparts, each of which shall be deemed to be an original, and all of which, taken together, shall constitute one and the same instrument.

4. Except as herein amended, this Fourth Amendatory Agreement affirmed and ratified in each and every particular.

[SIGNATURE PAGES FOLLOW]

Contract Control Number:

Vendor Name:

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 _____

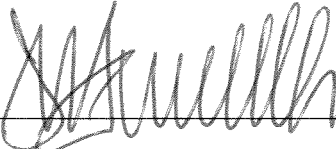
By _____

By _____



Contract Control Number: SHERF-rc63008-04

Vendor Name: Keefe Commissary Network Sales

By: _____


Name: JOHN PURICELLI
(please print)

Title: EXEC VP / GM
(please print)

ATTEST: [if required]

By: _____

Name: _____
(please print)

Title: _____
(please print)

