

SECOND AMENDATORY AGREEMENT

THIS SECOND AMENDATORY AGREEMENT is made and entered into this _____ day of _____, 2010, by and between the **CITY AND COUNTY OF DENVER**, a municipal corporation of the State of Colorado (the "City"), and **SLATERPAULL ARCHITECTS, INC.**, (the "Design Consultant"), a Colorado corporation, whose address is One Park Central, 1515 Arapahoe Street, Suite 400, Denver, Colorado 80202.

WITNESSETH:

WHEREAS, the City and the Design Consultant entered into a Design Services Agreement dated May 20, 2008, and an Amendatory Agreement dated September 1, 2009, relating to professional architecture services and related technical services on an "as needed" basis (the "Agreement"); and

WHEREAS, the City and the Design Consultant wish to amend the Agreement, to increase the contract amount;

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

1. Paragraph 3.07 (a) of the Agreement, entitled "**Maximum Contract Amount; Funding**," is hereby amended to read as follows:

(a) It is understood and agreed by the parties hereto that payment or reimbursement of all kinds to the Design Consultant, for all Work performed under this Agreement, shall not exceed a maximum of **ONE MILLION, FOUR HUNDRED FORTY THOUSAND DOLLARS AND 00/100 (\$1,440,000.00)**. In no event shall the maximum payment to the Design Consultant, for all work and services performed throughout the entire term of this Agreement exceed the contract maximum amount set forth above.

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

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IN WITNESS WHEREOF, the parties have executed, through their respective lawfully empowered representatives, this Second Amendatory Agreement as of the day and year first above written.

ATTEST:

CITY AND COUNTY OF DENVER

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

By: _____
Mayor

RECOMMENDED AND APPROVED:

APPROVED AS TO FORM:
City Attorney for the
City and County of Denver

By: *Kesley B. Thomas*
Manager of Public Works

By: _____
Assistant City Attorney

REGISTERED AND COUNTERSIGNED:

By: _____
Manager of Finance
Contract Control No. OC85012(2)

By: _____
Auditor

“CITY”

SLATERPAULL ARCHITECTS, INC.,

I.R.S. Identification No. 84-0626074

By *Jamm C. Paul*

Title PRESIDENT

“DESIGN CONSULTANT”