

## REVIVAL AND AMENDATORY AGREEMENT

**THIS REVIVAL AND AMENDATORY AGREEMENT** is by and between the **CITY AND COUNTY OF DENVER**, a municipal corporation of the State of Colorado (the “City”), and **NETWORK INFRASTRUCTURE CONSTRUCTION COMPANY**, a Colorado Corporation, whose address is 12835 US Highway 285, Conifer, Colorado 80433 (the “Contractor”).

### RECITALS

**WHEREAS**, the Parties entered into an Emergency and On-Call Repair & Maintenance Contract dated June 9, 2022 (the “Agreement”) to perform, as assigned, routine and emergency services as directed by the City on an “on-call” or “as needed” basis (the “Program”); and

**WHEREAS**, the Agreement expired by its terms on or about June 9, 2023; and

**WHEREAS**, the Parties wish to revive and reinstate all of the terms and conditions of the agreement and to amend the Agreement to extend the Term and to make such other amendments as are herein set forth.

**NOW THEREFORE**, in consideration of the mutual covenants and agreements hereinafter set forth and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties incorporate the recitals set forth above and revive and amend the Agreement as follows:

1. The Agreement is hereby revived and affirmed in its entirety.
2. Section 3 of the Agreement, entitled “**TERM**.”, is amended to read as follows:

“**3. TERM**. The term of this Agreement shall commence on the “Effective Date” of this Agreement and shall expire at 11:59:59 p.m. on June 9, 2024 (the “Term”). The effective date shall commence upon the date set out on the signature page below. The Term may be extended by the City under the same terms and conditions for up to one (1) additional one (1) year renewal term by a written amendment to this Agreement. The Contractor agrees to comply with all applicable Contract close-out procedures and requirements set forth in the Contract and as otherwise directed by the Director.”

3. Section 27 of the Agreement, entitled “**NO EMPLOYMENT OF A WORKER WITHOUT AUTHORIZATION TO PERFORM WORK UNDER THE AGREEMENT.**”, is hereby deleted in its entirety.

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

5. This Revival and 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.

**[THE BALANCE OF THIS PAGE IS INTENTIONALLY LEFT BLANK.]**

**Contract Control Number:** GENRL-202368681-01 [GENRL-202262099-01]  
**Contractor Name:** NETWORK INFRASTRUCTURE CONSTRUCTION COMPANY

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:

\_\_\_\_\_

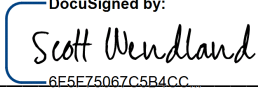
\_\_\_\_\_

By:

\_\_\_\_\_

**Contract Control Number:**  
**Contractor Name:**

GENRL-202368681-01 [GENRL-202262099-01]  
NETWORK INFRASTRUCTURE CONSTRUCTION  
COMPANY

By:  \_\_\_\_\_

Name: Scott wendland  
(please print)  
Title: President, NICX  
(please print)

ATTEST: [if required]

By: \_\_\_\_\_

Name: \_\_\_\_\_  
(please print)

Title: \_\_\_\_\_  
(please print)