

SECOND AMENDATORY AGREEMENT

THIS SECOND AMENDATORY AGREEMENT is made between the **CITY AND COUNTY OF DENVER**, a municipal corporation of the State of Colorado (“City”), and **MATRIX DESIGN GROUP, INC.** (the "Design Consultant" or “Consultant”). City and Design Consultant shall be individually referred to herein as a “Party” and jointly as the “Parties.”

RECITALS:

A. The Parties entered into an Agreement executed on or about April 10, 2019, and an Amendatory Agreement on August 14, 2020 (the “Agreement”).

B. Rather than enter into a new contract, the Parties desire to revise the term of the Agreement as they previously existed.

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

1. Section 4 of the Agreement entitled “**TERM AND TERMINATION**” is amended by deleting and replacing it with the following:

“4.01. Term: The initial term of this Agreement shall commence upon execution and shall end April 10, 2023; provided, however, that any work in progress that was initiated during the term of this Agreement shall continue and be paid for hereunder until the completion thereof. All terms and conditions of the Agreement shall remain in full force and effect until such completion. The term may be extended, at the sole option of the City by written amendment pursuant to Executive Order 8. In no event, however, shall the Design Consultant’s performance under this Agreement, including any extension, exceed a five (5) year period ending on month and day of the execution of this Agreement. In addition, nothing contained herein shall obligate the City to extend the Agreement beyond the initial term.”

2. Except as herein amended, the Agreement continues in effect, and is affirmed and ratified in each and every particular.

3. This Second 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.

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[SIGNATURE PAGES TO FOLLOW]

Contract Control Number: PARKS-201947691-02/202160659
Contractor Name: MATRIX DESIGN GROUP, INC.

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:

PARKS-201947691-02/202160659
MATRIX DESIGN GROUP, INC.

By:  81A1A83F01CG49D... _____

Name: Jason Rutt
(please print)

Title: Vice President
(please print)

ATTEST: [if required]

By: _____

Name: _____
(please print)

Title: _____
(please print)