

FIRST AMENDATORY AGREEMENT

THIS FIRST AMENDATORY AGREEMENT is made and entered into as of the date indicated on the City's signature page below, by and between the **CITY AND COUNTY OF DENVER**, a municipal corporation of the State of Colorado, for and on behalf of its Department of Aviation ("DIA" or the "City"), and **BROWN AND CALDWELL**, a California corporation authorized to do business in Colorado ("Consultant").

WITNESSETH:

WHEREAS, the parties entered into a written agreement dated February 21, 2013 (the "Existing Agreement"), whereby the Consultant agreed to provide the City with on-call professional environmental, environmental design, and related engineering services; and

WHEREAS, the parties desire to amend the Existing Agreement to increase the maximum contract amount;

NOW, THEREFORE, for and in consideration of the premises and other good and valuable consideration, the parties hereto agree as follows:

1. Section 4.A of the Existing Agreement, under "MAXIMUM CONTRACT AMOUNT; FUNDING", is amended and restated to read as follows:
 - A. Any other provision of this Agreement notwithstanding, in no event shall the City be liable for payment for services rendered and expenses incurred by the Consultant under the terms of this Agreement for any amount in excess of the sum of One Million Four Hundred and Fifty Thousand Dollars (\$1,450,000.00) (the "Maximum Contract Amount"). The Maximum Contract Amount may only be increased by amendment to this Agreement.
2. Except as otherwise provided herein, all of the terms and conditions of the Existing Agreement shall remain in full force and effect, and are hereby ratified and reaffirmed.
3. This First Amendatory Agreement is expressly subject to, and shall not become effective or binding on the City, until it is fully executed by all signatories of the City and County of Denver.

END OF AMENDMENT; SIGNATURES FOLLOW

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: PLANE-201208638-01

Contractor Name: BROWN & CALDWELL

By: Joseph Serouse

Name: Joseph Serouse
(please print)

Title: Vice President
(please print)

ATTEST: [if required]

By: Ashleigh Hajloo

Name: Ashleigh Hajloo
(please print)

Title: Notary / Office Support
(please print)

