

## SECOND AMENDATORY AGREEMENT

This **SECOND AMENDATORY AGREEMENT** is made between the **CITY AND COUNTY OF DENVER**, a municipal corporation of the State of Colorado (the “City”) and **J.F. SATO AND ASSOCIATES, INC.**, a Colorado corporation whose address is 5878 South Rapp Street, Littleton, Colorado 80120 (the “Consultant”), jointly (“the Parties”).

### RECITALS:

**A.** The Parties entered into an On-Call Engineering Services Agreement dated June 19, 2015, and a First Amendatory Agreement dated September 3, 2015 (collectively, the “Agreement”);

**B.** The Parties wish to amend the Agreement to increase the maximum contract amount; funding;

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

**1.** Section 3, Paragraph 3.07 of the Agreement is hereby amended to read as follows:

**“3.07. Maximum Contract Amount; Funding.**

(a) It is understood and agreed by the parties hereto that payment or reimbursement of all kinds to the Consultant, for all Work performed under this Agreement, shall not exceed a maximum of **NINE HUNDRED SIXTY THOUSAND DOLLARS AND 00/100 (\$960,000.00)**. In no event shall the maximum payment to the 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.

**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.

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

**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:** PWADM-201522313-02

**Contractor Name:** J.F. SATO AND ASSOCIATES, INC.

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

Name: James F. Sato, PE, SE  
(please print)

Title: President  
(please print)

**ATTEST: [if required]**

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

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

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

