

THIRD AMENDATORY AGREEMENT

THIS THIRD AMENDATORY AGREEMENT is made between the **CITY AND COUNTY OF DENVER**, a municipal corporation of the State of Colorado (the “City”), and **SAFEbuilt Colorado, LLC**, whose address is 3755 Precision Drive, Suite 140, Loveland, Colorado 80538 (the “Consultant” or, in the Scope of Work, “Vendor”), collectively referred to as the Parties.

WITNESSETH:

WHEREAS, the City and the Consultant entered into an Agreement dated May 29, 2015, as amended by the Amendatory Agreement dated March 2, 2016, and a Second Amendatory Agreement dated May 5, 2016 for an on-call agreement related to the provision by the Consultant of on-call residential building and zoning plan review for one- and two-family review (collectively the “Agreement”); and

WHEREAS, the City and the Consultant wish to amend the Agreement, to increase the value of the contract by adding Three Million Dollars (\$3,000,000.00) for a new total contract amount of Five Million Dollars (\$5,000,000.00) to provide funding for additional plan review and inspection services;

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

1. That Section 3, subparagraph c, “**COMPENSATION AND PAYMENT, Maximum Contract Amount**,” of the Agreement is amended by deleting the portion which reads:

“for any amount in excess of Two Million Dollars (\$2,000,000.00).”

And replacing that portion with the following:

“for any amount in excess of Five Million Dollars (\$5,000,000.00).”

2. Consultant consents to the use of electronic signatures by the City. The Agreement, and any other documents requiring a signature under the Agreement, may be signed electronically by the City in the manner specified by the City. The Parties agree not to deny the legal effect or enforceability of the Agreement solely because it is in electronic form or because an electronic record was used in its formation. The Parties agree not to object to the admissibility of the Agreement in the form of an electronic record, or a paper copy of an electronic document, or a paper copy of a

document bearing an electronic signature, on the ground that it is an electronic record or electronic signature or that it is not in its original form or is not an original.

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

4. This Third 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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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 _____

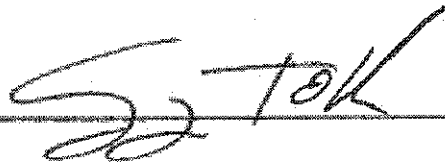
By _____

By _____



Contract Control Number: CPLAN-201522027-03

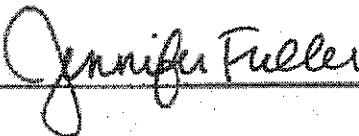
Contractor Name: Safebuilt Colorado , LLC

By: 

Name: Gregory Tath
(please print)

Title: CRO
(please print)

ATTEST: [if required]

By: 

Name: Jennifer Fuller
(please print)

Title: Executive Assistant
(please print)

