

AMENDATORY AGREEMENT

This **AMENDATORY AGREEMENT** is made between the **CITY AND COUNTY OF DENVER**, a municipal corporation of the State of Colorado (the “City”) and **TRIUNITY, INC. (formerly known as TRIUNITY ENGINEERING & MANAGEMENT, INC.)**, a Colorado corporation whose address is 633 17th Street, Suite 1500, Denver, Colorado 80202 (the “Consultant”), jointly (“the Parties”).

RECITALS:

A. The Parties entered into an On-Call Project Management Agreement SBE dated March 2, 2018 (the “Agreement”) to perform professional Project Management and related services for the City, on an "as needed" basis.

B. The Parties wish to amend the Agreement to increase the maximum contract amount and extend the term.

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

1. Section 3 of the Agreement entitled **COMPENSATION, PAYMENT, AND FUNDING** Sub-paragraph 3.05(a) entitled “**Maximum Contract Amount**” is amended to read as follows:

“**3. COMPENSATION, PAYMENT, AND FUNDING:**

3.05 Maximum Contract Amount:

(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 **FIVE MILLION DOLLARS AND NO CENTS (\$5,000,000.00)**. 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. Paragraph 4 of the Agreement entitled **TERM AND TERMINATION** Sub-paragraph 4.01 entitled “**Term**” is amended to read as follows:

“**4. TERM AND TERMINATION:**

4.01 Term: The term of this Agreement commenced on March 2, 2018, and shall expire March 1, 2023, unless sooner terminated or extended by written amendment. The Consultant shall complete any Task Orders in progress as of the expiration date of this agreement and the term will extend until the work is completed or earlier terminated by the Manager. The City may in its sole discretion decide to extend this Agreement by written amendment.”

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

4. This 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: DOTI-202057028-01[201739243-01]
Contractor Name: TRIUNITY ENGINEERING & MANAGEMENT, 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:

DOTI-202057028-01[201739243-01]
TRIUNITY ENGINEERING & MANAGEMENT, INC.

By:  DocuSigned by:
Michael Peek
F5A18D928E10474...

Name: Michael Peek
(please print)

Title: Principal
(please print)

ATTEST: [if required]

By: _____

Name: _____
(please print)

Title: _____
(please print)