SECOND AMENDATORY AGREEMENT

This **SECOND AMENDATORY AGREEMENT** is made and entered by and between the **CITY AND COUNTY OF DENVER**, a municipal corporation of the State of Colorado (the "City") and **SOLUTIONS MECHANICAL LLC,** a Colorado limited liability company, whose address is 11801 E 33rd Ave Unit A, Aurora, CO 80010 (the "Contractor"), jointly ("the Parties").

WITNESSETH:

WHEREAS, the Parties entered into an Agreement dated August 14, 2020 and an Amendatory Agreement dated September 19, 2023 (the "Agreement") to provide "on-call" or "as needed" basis maintenance services; and

WHEREAS, the Parties wish to amend the Agreement to increase the Maximum Contract Amount and to make such other amendments as are herein set forth.

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 "**COMPENSATION AND PAYMENT**", Subsection A entitled "**Maximum Contract Amount** ", is amended to read as follows:

> "**A**.   **Maximum Contract Amount:** Each Project will be assigned and authorized separately by Work Order and the maximum liability of the City for any one Work Order shall not exceed the sum of **FIVE HUNDRED THOUSAND No/100 Dollars ($500,000.00)**, including all authorized Work Order changes. The Maximum Contract Amount to be paid by the City to the Contractor for satisfactory completion of all Work Orders authorized by the City and performed by the Contractor under Agreement shall in no event exceed the sum of **FIVE HUNDRED THOUSAND AND NO/100 DOLLARS ($500,000.00)**, unless Agreement is modified to increase said amount by a duly authorized and written amendment to Agreement executed by the Parties in the same manner as Agreement. The Maximum Contract Amount stated herein is not intended, and shall not be construed, as a promise or guarantee to the Contractor that the final price payable to the Contractor for all of the authorized Work will equal the Maximum Contract Amount."

2.   A new section 39 of the Agreement entitled "**COMPLIANCE WITH DENVER WAGE LAWS**", is hereby being added to the Agreement to read as follows:

"**39**.   **COMPLIANCE WITH DENVER WAGE LAWS**: To the extent applicable to the Contractor's provision of Services hereunder, the Contractor shall comply with, and agrees to be bound by, all rules, regulations, requirements, conditions, and City determinations regarding the City's Minimum Wage and Civil Wage Theft Ordinances, Sections 58-1 through 58-26 D.R.M.C., including, but not limited to, the requirement that every covered worker shall be paid all earned wages under applicable state, federal, and city law in accordance with the foregoing D.R.M.C. Sections. By executing this Agreement, the Contractor expressly acknowledges that the Contractor is aware of the requirements of the City's Minimum Wage and Civil Wage Theft Ordinances and that any failure by the Contractor, or any other individual or entity acting subject to this Agreement, to strictly comply with the foregoing D.R.M.C. Sections shall result in the penalties and other remedies authorized therein."

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

4.   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 FOLLOW]

Contract Control Number: GENRL-202474599-02 [GENRL-202054911-02]
Contractor Name: SOLUTIONS MECHANICAL LLC

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: GENRL-202474599-02 [GENRL-202054911-02]
Contractor Name: SOLUTIONS MECHANICAL LLC

By: _RALPH DANIELS_

DocuSigned by:

B56B2F19D2D048B...

Name: RALPH DANIELS
    (please print)

Title: owner
    (please print)

ATTEST: [if required]

By: _____

Name: _____
    (please print)

Title: _____
    (please print)