ORDINANCE NO. _____                    COUNCIL BILL NO. CB13-0023

SERIES OF 2013                                COMMITTEE OF REFERENCE:

                                             BUSINESS, WORKFORCE, & SUSTAINABILITY

**A BILL**

**For an ordinance approving a proposed First Amendment to Contract between the City and County of Denver and John Rohrer Contracting Company, Inc. related to on-call construction services at Denver International Airport.**

**BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:**

**Section 1.** The proposed First Amendment to Contract between the City and County of Denver and John Rohrer Contracting Company, Inc., in the words and figures contained and set forth in that form in the above-named Contract available in the office and on the web page of City Council, and to be filed in the office of the Clerk and Recorder, Ex-Officio Clerk of the City and County of Denver, under City Clerk's Filing No. 2011-1018-A is hereby approved.

COMMITTEE APPROVAL DATE: January 24, 2013

MAYOR-COUNCIL DATE: January 29, 2013

PASSED BY THE COUNCIL: _____, 2013

_____ - PRESIDENT

APPROVED: _____ - MAYOR _____, 2013

ATTEST: _____ - CLERK AND RECORDER,
                                             EX-OFFICIO CLERK OF THE
                                             CITY AND COUNTY OF DENVER

NOTICE PUBLISHED IN THE DAILY JOURNAL: _____, 2013; _____, 2013

PREPARED BY: Deanne Durfee, Assistant City Attorney          DATE: January 31, 2013

Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed ordinance. The proposed ordinance is submitted to the City Council for approval pursuant to § 3.2.6 of the Charter.

Douglas J. Friednash, City Attorney for the City and County of Denver

BY: _____, Assistant City Attorney          DATE: January 31, 2013

# FIRST AMENDMENT TO CONTRACT

**THIS FIRST AMENDMENT TO CONTRACT** is made and entered into by and between the **CITY AND COUNTY OF DENVER**, a municipal corporation of the State of Colorado ("City"), and **JOHN ROHRER CONTRACTING COMPANY, INC.,** a Missouri corporation ("Contractor") (jointly, the "Parties").

## WITNESSETH:

**WHEREAS,** the Parties entered into a Contract dated January 31, 2012 for on call construction services (the "Contract") at Denver International Airport; and

**WHEREAS,** the parties desire to amend the Contract to extend the term, as hereinafter set forth;

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

1.      Article III, **"TERMS OF PERFORMANCE"** is hereby amended to read in its entirety as follows:

> **ARTICLE III – TERMS OF PERFORMANCE**: The Contractor agrees to begin the performance of the work required under this Contract within ten (10) days after being notified to commence work by the Deputy Manager of Aviation – Planning and Development and agrees to fully complete the Work in its entirety within the time frame established for each Task. The entire contract shall be complete by March 4, 2015. This period of performance is also referred to as Contract Time. The contractor is not authorized to commence work prior to its receipt of the Notice to Proceed.

2.      Except as provided herein, all provisions, terms and conditions of the Contract shall remain in full force and effect as if fully set forth herein.

[END OF PAGE]

**Contract Control Number:**    PLANE-201102006-01

**Contractor Name:**    JOHN ROHRER CONTRACTING COMPANY 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:

DOUGLAS J. FRIEDNASH, Attorney
for the City and County of Denver

By_____

By_____


By_____

**Contract Control Number:**     PLANE-201102006-01

**Contractor Name:**     JOHN ROHRER CONTRACTING COMPANY INC

By: _____

Name: _____ Kirt Courkamp _____
    (please print)

Title: _____ Branch Manager _____
    (please print)

**ATTEST: [if required]**

By: _____

Name: _____
    (please print)

Title: _____
    (please print)