

AMENDATORY AGREEMENT

THIS AMENDATORY AGREEMENT is made and entered by and between the **CITY AND COUNTY OF DENVER**, a municipal corporation organized and existing under the Constitution of the State of Colorado (“City”); and **DENVER BIKE SHARING**, a Colorado nonprofit corporation (“DBS”) whose address is 2737 Larimer Street, Unit A, Denver, Colorado 80205.

WITNESSETH:

WHEREAS, the City and DBS entered into an Agreement dated January 28, 2013, to provide DBS with funding to expand its network and to assign operational responsibility for purchase, installation, and maintenance of bicycles and stations as part of DBS’s network (the “Agreement”); and

WHEREAS, the City and Contractor wish to amend the Agreement to correct language dealing with reimbursement requests.

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

1. Subparagraph d of Paragraph 1 of the Agreement, entitled “**Reimbursement Requests**”, is hereby amended to read in its entirety as follows:

“d. Reimbursement Requests: DBS shall provide the City with separate reimbursement requests for 80% of the costs and expenses incurred on Task 1 Bicycles and 92% of the costs and expenses incurred on Task 2 Bike Stations. The reimbursement requests will be provided monthly in a format and with a level of detail acceptable to the City including all supporting documentation required by the City. The City’s Prompt Payment Ordinance, §§ 20-107 to 20-118, D.R.M.C., applies to invoicing and payment under this Agreement. Amounts reimbursed will not exceed the budget set forth in **Exhibit 3**.

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

[SIGNATURE PAGE FOLLOWS]

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-201209075-01

Contractor Name: DENVER BIKE SHARING

By: *Parry W. Burnap*

Name: Parry W. Burnap
(please print)

Title: Executive Director
(please print)

ATTEST: [if required]

By: _____

Name: _____
(please print)

Title: _____
(please print)

