

FIRST AMENDATORY AGREEMENT

THIS FIRST AMENDATORY AGREEMENT is entered into as of the date indicated on the City signature page below, by and between the **CITY AND COUNTY OF DENVER**, a municipal corporation of the State of Colorado, through and on behalf of its Department of Aviation (the "City"), and **THE NORTH HIGHLAND COMPANY**, a Georgia corporation authorized to do business in Colorado ("Consultant").

WITNESSETH

WHEREAS, the parties entered into an Agreement dated August 23, 2013 ("Existing Agreement") wherein the Consultant agreed to provide certain professional services to the City's Department of Aviation; and

WHEREAS, the parties desire to amend the Existing Agreement to reduce the Maximum Contract Amount and the Term;

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

1. **Section 3.A** of the Existing Agreement, under "**Compensation And Payment; Maximum Agreement Amount**," is hereby amended and restated to read as follows:
 - A. Notwithstanding any other provision of the Agreement, the City's maximum payment obligation will not exceed Eight Hundred Fifty Six Thousand six Hundred Forty Five Dollars and Seventy Nine Cents (\$856,645.79) (the "Maximum Contract Amount"). The City is not obligated to execute an Agreement or any amendments for any further services, including any services performed by Consultant beyond that specifically described in Exhibit A. Any services performed beyond those in Exhibit A are performed at Consultant's risk and without authorization under the Agreement.
2. **Section 4** of the Existing Agreement, entitled "**Term**," is hereby amended and restated to read as follows:

The term of this Agreement shall commence on August 12, 2013, and shall terminate on December 31, 2014, unless terminated earlier in accordance with this Agreement.

3. Except as otherwise provided herein, all of the terms, provisions, and conditions of the Existing Agreement shall remain in full force and effect as though set out in full here, and are hereby ratified and reaffirmed.
4. This First Amendatory Agreement shall not be effective or binding on the City until fully executed by all signatories of the City.

[END OF AGREEMENT]
[SIGNATURE PAGE FOLLOWS]

Contract Control Number: PLANE-201208555-01

Contractor Name: THE NORTH HIGHLAND COMPANY

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:

D. Scott Martinez, Attorney for the
City and County of Denver

By _____

By _____

By _____



Contract Control Number: PLANE-201208555-01

Contractor Name: THE NORTH HIGHLAND COMPANY

By: 

Name: Brian C. Simmons
(please print)

Title: Vice President
(please print)

ATTEST: [if required]

By: _____

Name: _____
(please print)

Title: _____
(please print)

