

SECOND AMENDMENT TO DATA ACCESS AGREEMENT

THIS SECOND AMENDMENT TO DATA ACCESS AGREEMENT is made between the **CITY AND COUNTY OF DENVER**, a municipal corporation of the State of Colorado (the “City”), and **BACKGROUND INFORMATION SERVICES, INC.**, a Colorado corporation with its principal place of business located at 1800 30th Street, Suite 204, Boulder, Colorado 80301 (the “Customer”), collectively “the parties”.

RECITALS

- A.** The Parties entered into a Data Access Agreement dated April 6, 2016 and amended the agreement on May 12, 2017 (collectively the “Agreement”), relating to, on behalf of the Denver County Court, providing access to the public information on the Database.
- B.** The Parties acknowledge that the City has received \$791,564.00 in total revenues since the Agreement commenced in 2016.
- C.** The parties anticipate that the revenue paid to the City through April 7, 2019 will be \$1,347,476.00.
- D.** The parties anticipate that the revenue paid to the City through April 7, 2020 will be \$1,903,388.00.
- E.** The parties anticipate that the revenue paid to the City through April 7, 2021 will be \$2,459,300.00.
- F.** The parties also acknowledge that under § 3.2.6. of the City’s Charter, all contracts, including amendments, that will require or result in payment by or receipt of \$500,000.00 or more by the City, must be approved by City Council before the City executes the contract.
- G.** The Parties wish to amend the Agreement to extend the term as set forth below.

In consideration of the premises and the mutual covenants and obligations herein set forth, the Parties agree as follows:

- 1.** Article 5(a) of the Agreement entitled “TERM AND TERMINATION”, “Term” is amended to read as follows:

“**5. TERM AND TERMINATION**

- (a) Term:** The term of the Agreement commences upon April 7, 2016 and expires on April 7, 2021, unless extended in accordance with the terms of the

Agreement, or unless earlier terminated upon the first to occur of any of the events listed in the Agreement (“Term”). The events listed in the Agreement are referred to as “Event of Termination.”

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

3. 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.

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 _____

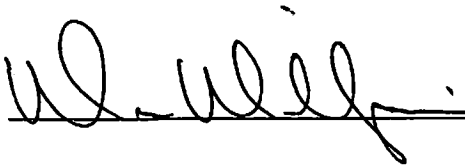
By _____

By _____



Contract Control Number: COURT-201627011-02

Contractor Name: Background Information Services, INC.

By: 

Name: MARC MILLIGAN
(please print)

Title: Pres. / CEO
(please print)

ATTEST: [if required]

By: _____

Name: _____
(please print)

Title: _____
(please print)

