

THIRD AMENDATORY AGREEMENT

THIS THIRD AMENDATORY AGREEMENT is made between the **CITY AND COUNTY OF DENVER**, a municipal corporation of the State of Colorado (hereinafter referred to as the “City”), and **HITACHI VANTARA CORPORATION**, a Delaware corporation, with a principal place of business as 2535 Augustine Drive, Santa Clara, CA 95054 (“Contractor”), and collectively referred to as the “Parties.”

The City and Contractor entered into an Agreement dated December 19, 2014, an Amendatory Agreement dated March 29, 2018, and a Second Amendatory Agreement on September 25, 2018 to perform maintenance, repair, service and support to the Denver Police High Activity Location Observation (HALO) Video and Surveillance System (“Agreement”);

The Parties agree as follows:

1. Article 3. A. of the Agreement entitled “**COMPENSATION AND PAYMENT**,” “Maximum Contract Amount” is hereby amended as follows:

“**3. COMPENSATION AND PAYMENT**: A. Maximum Contract Amount: The Maximum Contract Amount to be paid by the City to the Contractor for the performance of the work set out in Exhibit A shall in no event exceed the sum of **TWO MILLION THREE HUNDRED AND THREE THOUSAND THREE HUNDRED SIXTY NINE DOLLARS AND ZERO CENTS (\$2,303,369.00)**, unless this Agreement is modified to increase said amount by a duly authorized and written amendment to this Agreement executed by the Parties in the same manner as this Agreement.”

2. Article 2 of the Agreement entitled “**TERM**” is hereby amended as follows:

“**2. TERM**: The term of the Agreement is from **October 1, 2014** until **December 31, 2020**, or until the Maximum Contract Amount specified in sub-section 3.A, below is expended and all of the Services specified in Exhibit A has been satisfactorily performed, whichever is sooner, unless this Agreement is terminated earlier as provided in this Agreement or is extended as provided in separate amendment to this Agreement (“Term”). Subject to the City Representative’s prior written authorization, the Contractor shall complete any work in progress as of the expiration date and the Term of this Agreement will extend until the work is completed or earlier terminated by the City Representative.”

3. Except as amended here, the Agreement is affirmed and ratified in each and every particular.

4. This Amendatory Agreement is not 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.

Hitachi Vantara Corporation.
Jaggaer CCN: POLIC-201951565
Alfresco CCN: 201417115

End.
Signature pages and Exhibits follow this page.

Contract Control Number: POLIC-201951565-03 / ALF-201417115-03
Contractor Name: HITACHI VANTARA CORPORATION

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:
