

FIFTH AMENDATORY AGREEMENT

THIS FIFTH AMENDATORY AGREEMENT is made and entered into by and between the **CITY AND COUNTY OF DENVER**, a municipal corporation of the State of Colorado (the “City”), and **COMPASS GROUP USA, INC.**, a Delaware corporation, doing business at 123 Yuma Street, Denver, Colorado 80223 (the “Vendor” or “Contractor”), collectively the “Parties”.

WITNESSETH:

WHEREAS, the City and VendOne, Inc., entered into an agreement dated May 18, 2010 and amended the agreement on May 16, 2011, September 18, 2012, August 7, 2013 and July 29, 2014 to provide beverage vending machines at the Denver County Jail and the Downtown Detention Center (collectively the “Agreement”);

WHEREAS, Compass Group USA, Inc, is the successor to VendOne, Inc;

WHEREAS, the Agreement, expired by its terms on March 31, 2015; and

WHEREAS, rather than enter into a new contract the Parties desire to revive, and reinstate all of the terms and conditions of the Agreement as they existed prior to the expiration of the term and to amend the Agreement to extend the term.

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

1. Article 3 of the Agreement entitled “**TERM**” is hereby amended to read as follows:

“3. **TERM**: The Agreement will commence on April 1, 2010 and will expire December 31, 2016 (the “Term”).”

2. Except as herein amended, the Agreement is revived, affirmed and ratified in each and every particular and the Vendor assumes all of the obligations of the Agreement.

[SIGNATURE PAGES FOLLOW]

Contract Control Number: SHERF-RC01013-05

Contractor Name: Compass Group USA, Inc.

By: Chris Hulick

Name: Chris Hulick
(please print)

Title: Division President
(please print)

ATTEST: [if required]

By: _____

Name: _____
(please print)

Title: _____
(please print)



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 _____

