

FIRST AMENDMENT TO CONTRACT

THIS FIRST AMENDMENT TO CONTRACT, is made and entered into as of the date stated on the signature page (“Effective Date”), by and between the CITY AND COUNTY OF DENVER, a municipal corporation of the State of Colorado ("City"), Party of the First Part, and CMTS LLC, a Wyoming limited liability company, (“CMTS”), Party of the Second Part:

WITNESSETH:

WHEREAS, the City owns and operates Denver International Airport (“DIA” or the “Airport”); and

WHEREAS, the City and CMTS entered into a written Contract # 201208264 dated February 5, 2013 (“Existing Contract”) wherein CMTS agreed to provide planning and programming support, design management services, construction management, and other support services for the Airport; and

WHEREAS, the City now wishes to add additional funds to the Existing Contract with this First Amendment; and

WHEREAS, CMTS is willing and able to perform the Work;

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

1. Paragraph 4(A), Maximum Contract Liability; Funding, is hereby deleted in its entirety and replaced with the following.

A. In no event shall the City be liable for payment under the terms of this Agreement for any amount in excess of **Six Million Five Hundred Thousand Dollars (\$6,500,000.00)** (“Maximum Contract Liability”). The Maximum Contract Liability may only be increased by amendment to this Agreement.

2. Except as modified by this First Amendment, all of the terms and conditions of the Existing Contract shall remain in full force and effect.

3. This First Amendment to Contract shall not be effective or binding on the City until approved and fully executed by all signatories of the City and County of Denver.

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Contract Control Number: PLANE-201208264-01

Contractor Name: CMTS LLC

By: 

Name: Yvonne McClain
(please print)

Title: Chief Operating Officer
(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 _____

