

**FIRST AMENDATORY AGREEMENT TO
ON-CALL CONCRETE REPAIR**

THIS FIRST AMENDATORY AGREEMENT is made and entered into by and between the **CITY AND COUNTY OF DENVER**, a municipal corporation of the State of Colorado (“**City**”), and **KEENE CONCRETE, INC.**, a Colorado corporation, with an address of 30263 WCR 8, Keenesburg, CO 80643, (the “**Contractor**”). City and Contractor shall be individually referred to herein as a “**Party**” and jointly as the “**Parties**”.

WITNESSETH:

WHEREAS, Contractor and the City entered into an agreement dated November 9, 2016 (“**Agreement**”); and

WHEREAS, the Parties desire to amend the Agreement to modify the term of the Agreement.

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

1. Section 16 of the Agreement entitled “**MAXIMUM CONTRACT AMOUNT AND TERM**” is amended to read as follows:

“MAXIMUM CONTRACT AMOUNT AND TERM

The maximum Contract Amount to be paid by the City to the Contractor for all Work performed under this Contract shall in no event exceed the sum of **Four Million Dollars and No Cents (\$4,000,000.00)** unless this Contract is modified to increase said amount by a duly authorized, written contract amendment mutually agreeable to and executed by the parties hereto. The term of this agreement shall be four (4) years from the date of execution of this Contract. Any work order issued prior to the expiration of the term shall be performed to completion, even if such performance extends beyond the expiration date and the term of the contract shall be extended to accommodate completion of all outstanding work orders. Additionally, the contract may be extended by a mutually agreeable contract amendment initiated at the sole discretion of the City. Each project will be assigned and authorized separately, and no authorized Project cost will exceed **Four Hundred Fifty Thousand Dollars and No Cents (\$450,000.00).**”

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

[SIGNATURE PAGES FOLLOW]

Contract Control Number: PWADM-201951885-01 [201629825-01]
Contractor Name: KEENE CONCRETE, INC.

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:

Contract Control Number:
Contractor Name:

PWADM-201951885-01 [201629825-01]
KEENE CONCRETE, INC.

DocuSigned by:
By: Tyler Vanderpool
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Name: tyler vanderpool
(please print)

Title: controller
(please print)

ATTEST: [if required]

By: _____

Name: _____
(please print)

Title: _____
(please print)