

AMENDATORY AGREEMENT

This **AMENDATORY AGREEMENT** is made and entered into between the **CITY AND COUNTY OF DENVER**, a municipal corporation of the State of Colorado (the “City”) and **McKINSTRY ESSENTION, LLC**, a Washington foreign limited liability company, whose address is 5005 3rd Avenue South, Seattle, Washington 98134 (the “Consultant”), jointly (“the Parties”).

RECITALS:

1. The City and the Consultant previously entered into an On-Call Professional Services Agreement dated January 27, 2014, (collectively, the “Agreement”) for energy management services.

2. The City and the Consultant wish to amend the Agreement to extend the term.

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

1. Paragraph 2. of the Agreement, entitled “**TERM**” is hereby deleted in its entirety and replaced with:

“2. **TERM**: The term of the Agreement runs from the Effective Date of **January 27, 2014** through **January 27, 2019** for a period of five years or until the Maximum Contract Amount specified in subsection 3.A below is expended, whichever is sooner, unless this Agreement is terminated earlier as provided in this Agreement or unless this Agreement is extended as provided in a separate amendment to this Agreement (“**Term**”). If the term of any Work Order or Work Order Change extends beyond the Term specified above, this Agreement shall remain in full force and effect but only as to such Work Order or Work Order Change; however, the total amount paid to the Consultant shall not exceed the Maximum Contract Amount specified in sub-section 3.A below.”

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

3. This 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.

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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: GENRL-201313745-01

Contractor Name: MCKINSTRY ESSENTION LLC

By: Leslie Larocque

Name: Leslie Larocque
(please print)

Title: Regional Director
(please print)

ATTEST: [if required]

By: _____

Name: _____
(please print)

Title: _____
(please print)

