

AMENDATORY AGREEMENT

THIS AMENDATORY AGREEMENT, made and entered into between the **CITY AND COUNTY OF DENVER**, a municipal corporation of the State of Colorado (the “City”) and **BARKER RINKER SEACAT ARCHITECTURE, P.C.**, a Colorado corporation with its address at 3457 Ringsby Court, Unit 200, Denver, Colorado 80216 (the “Design Consultant”), collectively (“the parties”).

RECITALS:

A. The City and the Design Consultant entered into a Design Services Agreement dated September 24, 2014 (the “Agreement”);

B. The City and the Design Consultant desire to amend the Agreement to increase the additional services allowance and the maximum contract capacity;

NOW THEREFORE, in consideration of the premises, and the mutual covenants and obligations herein contained, the parties agree as follows:

- 1.** Section 3, Paragraph 3.03 of the Agreement is hereby amended to read as follows:
“**3.03 Additional Services.** If pre-approved additional services are performed by the Design Consultant, the City agrees to pay the Design Consultant for such additional services in accordance with Section 2.08. The maximum amount to be paid by the City for all additional services under this contract is **Two Hundred Seventy-Five Thousand and 00/100 Cents (\$275,000.00).**”

- 2.** Section 3, Paragraph 3.05(a) of the Agreement is hereby amended to read as follows:
“**3.05 Maximum Contract Amount.**
(a) Notwithstanding any other provision of the Agreement, the City’s maximum payment obligation will not exceed **One Million Seven Hundred Eighty-Four Thousand Thirty-Two Dollars and 50/100 Cents (\$1,784,032.50)** (the “Maximum Contract Amount”). The City is not obligated to execute an Agreement or any amendments for any further services, including any services performed by Design Consultant beyond that specifically described in **Exhibit A**. Any services performed beyond those set forth therein are performed at Design Consultant’s risk and without authorization under the Agreement.”

- 3.** The term of the Agreement does not change pursuant to this amendment.

- 4.** As herein amended, the Agreement is affirmed and ratified in each and every particular.

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: PWADM-201417595-01

Contractor Name: BARKER RINKER SEACAT ARCHITECTURE,
P.C.



By: *C Bouck*

Name: CRAIG BOUCK
(please print)

Title: CEO / PRINCIPAL
(please print)

ATTEST: [if required]

By: _____

Name: _____
(please print)

Title: _____
(please print)

