

FIFTH AMENDATORY AGREEMENT

This **FIFTH AMENDATORY AGREEMENT** is made between the **CITY AND COUNTY OF DENVER**, a municipal corporation of the State of Colorado (the “City”) and **WASTE MANAGEMENT OF COLORADO, INC.**, a Colorado corporation, with an address of P.O. Box 78251, Phoenix, Arizona 85062-8251 (the “Contractor”), jointly (“the Parties”).

RECITALS:

A. The Parties entered into an Agreement dated August 7, 2018, an Amendatory Agreement dated December 17, 2020, a Second Amendatory Agreement dated September 10, 2021, a Third Amendatory Agreement dated July 27, 2022, and a Fourth Amendatory Agreement dated August 22, 2023 (collectively, the “Agreement”) to support Trash collection services Citywide, excluding DEN.

B. The Parties wish to amend the Agreement to extend the Term, and rescind section 19-No Employment of Workers without Authorization.

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

1. Section 3 of the Agreement entitled “**TERM**” is hereby deleted in its entirety and replaced with:

“**3. TERM**: The Agreement will commence on **August 1, 2018** and shall expire on **November 30, 2023** (the “Term”). In addition, nothing contained herein shall obligate the City to extend the Agreement beyond the initial term.”

2. Section 19 of the Agreement entitled “**NO EMPLOYMENT OF ILLEGAL ALIENS TO PERFORM WORK UNDER THE AGREEMENT**” is hereby deleted in its entirety and replaced with:

“**19. [RESCINDED.]**”

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

4. This Fifth 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: GENRL-202370376-05 [GENRL-201842725-05]
Contractor Name: WASTE MANAGEMENT OF COLORADO, 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:

GENRL-202370376-05 [GENRL-201842725-05]
WASTE MANAGEMENT OF COLORADO, INC.

By: DocuSigned by:
Tanya Stewart
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Name: Tanya Stewart
(please print)

Title: Area Sales Director
(please print)

ATTEST: [if required]

By: _____

Name: _____
(please print)

Title: _____
(please print)