

SECOND AMENDATORY AGREEMENT

THIS SECOND AMENDATORY AGREEMENT is made and entered into, effective as of the date set forth on the City's signature page ("**Effective Date**"), by and between the **CITY AND COUNTY OF DENVER**, a municipal corporation of the State of Colorado ("**City**"), and **HITACHI VANTARA CORPORATION**, a Delaware corporation, with a principal place of business as 2845 Lafayette Street, Santa Clara, California 95050 ("**Contractor**"), and collectively referred to as the "**Parties.**"

WITNESSETH:

WHEREAS, the Parties entered into an agreement dated December 19, 2014, and an Amendatory Agreement dated March 29, 2018, to perform maintenance, repair, service and support to the Denver Police High Activity Location Observation (HALO) Video and Surveillance System ("**Agreement**"); and

WHEREAS, the Parties desire to increase compensation to the contractor.

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

1. Article 3. A. of the Agreement entitled "**COMPENSATION AND PAYMENT,**" "**Maximum Contract Amount**" is hereby amended as follows:

3. COMPENSATION AND PAYMENT:

A. Maximum Contract Amount: The Maximum Contract Amount to be paid by the City to the Contractor for the performance of the work set out in **Exhibit A** shall in no event exceed the sum of **ONE MILLION SEVEN HUNDRED SEVENTY-NINE THOUSAND THREE HUNDRED SIXTY-NINE DOLLARS AND ZERO CENTS (\$1,779,369.00)**, unless this Agreement is modified to increase said amount by a duly authorized and written amendment to this Agreement executed by the Parties in the same manner as this Agreement."

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

3. This Second 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.

[SIGNATURE PAGES FOLLOW]

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: POLIC-201417115-02

Contractor Name: HITACHI VANTARA CORPORATION

By: *K. L. Barnes* 9-18-2018

Name: K. L. Barnes
 Division Sales Controller
 (please print)

Title: _____
 (please print)

ATTEST: [if required]

By: _____

Name: _____
 (please print)

Title: _____
 (please print)

