

SECOND AMENDATORY AGREEMENT

THIS SECOND AMENDATORY AGREEMENT, made between the **CITY AND COUNTY OF DENVER**, a municipal corporation of the State of Colorado (the “City”) and **RHINOTRAX CONSTRUCTION, INC.**, (the “Contractor”), a Colorado corporation, whose address is 4161 Mulligan Street, Longmont, Colorado 80504.

WITNESSETH:

WHEREAS, the City and Contractor entered into an on-call Construction Services Agreement dated July 21, 2009 and an Amendatory Agreement dated November 9, 2010, relating to construction services on an "as needed" basis (the “Agreement”); and

WHEREAS, the City and the Contractor desire to amend the Agreement to extend the term for an additional year;

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

1. Paragraph 17 of the Agreement, entitled “**TERM**”, is hereby amended to read in its entirety as follows:

“**17. TERM** The Agreement shall commence on July 21, 2009 and will expire on July 20, 2014 (the “Term”).”

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

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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: PWADM-OC94026-02

Contractor Name: RHINOTRAX CONSTRUCTION INC

By: Michele Noel

Name: Michele Noel
(please print)

Title: President
(please print)

ATTEST: [if required]

By: Bethany J. Sayles

Name: Bethany J. Sayles
(please print)

Title: Office Manager
(please print)

