

THIRD AMENDATORY AGREEMENT

This **THIRD AMENDATORY AGREEMENT** is made by and between the **CITY AND COUNTY OF DENVER**, a municipal corporation of the State of Colorado (the “City”), and **JOURNAL TECHNOLOGIES, INC., f/k/a NEW DAWN TECHNOLOGIES, INC.**, a Utah corporation, registered to do business in Colorado, whose address is 843 South 100 West, Logan, UT 84321 (“Vendor”) collectively referred to as the “Parties”.

WITNESSETH:

WHEREAS, the Parties entered into an Agreement dated November 13, 2012, an Amendatory Agreement dated October 8, 2013, and a Second Amendatory Agreement dated February 11, 2015 (the “Agreement”), to provide software support and maintenance for the JustWare Application; and

WHEREAS, the Parties wish to amend the Agreement to extend the term and increase the compensation to the Vendor as follows; and

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

1. Article 3 of the Agreement entitled “Term” is amended to read as follows:

“**3. TERM:** The term of the Agreement is from October 1, 2012 through December 31, 2020.”

2. Article 4(D)(i) of the Agreement entitled “Maximum Contract Liability” is amended to read as follows:

“**4. COMPENSATION AND PAYMENT:**

D. Maximum Contract Liability:

(i) Any other provision of this Agreement notwithstanding, in no event shall the City be liable for payment for services rendered and expenses incurred by Vendor under the terms of this Agreement for any amount in excess of the sum of **FIVE HUNDRED NINETY-NINE THOUSAND THREE HUNDRED SEVENTY-NINE DOLLARS AND ZERO CENTS (\$599,379.00)**. Vendor acknowledges that any work performed by Vendor beyond that specifically authorized by the City is performed at Vendor’s risk and without authorization under this Agreement.”

3. Except 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: TECHS-201208070-03

Contractor Name: JOURNAL TECHNOLOGIES, INC.

By: Jon Peek

Name: Jon Peek
(please print)

Title: CDD
(please print)

ATTEST: [if required]

By: Donna Green

Name: Donna Green
(please print)

Title: Office Assistant
(please print)

