

FIRST AMENDATORY AGREEMENT

THIS FIRST AMENDATORY AGREEMENT is made and entered into by and between the **CITY AND COUNTY OF DENVER**, a municipal corporation of the State of Colorado (the “City”) and **KEESEN LANDSCAPE MANAGEMENT, INC.**, a Colorado corporation (the “Contractor”), jointly “the Parties.”

RECITALS

A. The Parties entered into an Agreement dated May 2, 2018 (the “Agreement”) for the performance of certain work set forth in that Agreement and Exhibit A thereto; and

B. The Parties wish to amend the Agreement to extend the Term and increase the Amount.

NOW, THEREFORE, the Parties hereby amend the Agreement as follows:

1. Section 3 of the Agreement entitled “**TERM**” is amended to read as follows:

“The term of the Agreement shall start on April 1, 2018 and shall expire on December 31, 2022 (“**Term**”).

2. Section 4 of the Agreement entitled “**COMPENSATION AND PAYMENT**” is amended to read as follows:

“**A. Maximum Contract Amount**: The City agrees to pay the Contractor, and the Contractor agrees to accept, as the total compensation for the Work rendered and costs incurred (including all "out-of-pocket" expenses) during the term of this Agreement a sum not to exceed **ONE MILLION SEVEN HUNDRED FORTY-TWO THOUSAND FIVE HUNDRED EIGHTY DOLLARS AND ZERO CENTS (\$1,742,580.00)**, which amount shall not be exceeded 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. All Work is subject to inspection by the City prior to payment.”

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

4. This First 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: PARKS-201840662-01 / 202055781
Contractor Name: KEESEN LANDSCAPE MANAGEMENT, 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:

PARKS-201840662-01 / 202055781
KEESEN LANDSCAPE MANAGEMENT, INC.

By: DocuSigned by:
Brad Schuster
3A8E4G615A8G400..._____

Name: Brad Schuster
(please print)

Title: Branch Manager
(please print)

ATTEST: [if required]

By: _____

Name: _____
(please print)

Title: _____
(please print)