

## **AMENDATORY CONTRACT SERVICES AGREEMENT (On-Call)**

This **AMENDATORY CONTRACT SERVICES AGREEMENT** is made between the **CITY AND COUNTY OF DENVER**, a Colorado municipal corporation of the State of Colorado (the “**City**”) and **SUPERTREES** an Oregon corporation, authorized to do business in Colorado, with an address of 10301 S. Kraxberger Road, Canby, Oregon 97013 (the “**Contractor**”), both of which parties may be individually referred to in this Agreement as a “**Party**” or jointly referred to as the “**Parties**”.

### **RECITALS:**

**A.** The Parties entered into an Agreement dated July 1, 2021, (the “**Agreement**”) to perform, and complete all of the services and produce all the deliverables set forth on **Exhibit A, Statement of Work**, to the City’s satisfaction.

**B.** The Parties wish to amend the Agreement to extend the term, update paragraph 26-No Discrimination in Employment, and remove paragraph 30-Confirmation of Lawful Employment.

**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 term of the Agreement shall commence on **July 1, 2021**, and shall expire on **July 1, 2024**, or until the Maximum Contract Amount specified in subsection 4.A below is expended, whichever is sooner, unless this Agreement is terminated earlier as provided in this Agreement or unless this Agreement is extended as provided in a separate amendment to this Agreement (“**Term**”). If the time needed to complete any Task Notice or amended Task Notice extends beyond the Term specified above, this Agreement shall remain in full force and effect but only as to such Task Notice or amended Task Notice; however, the total amount paid to the Contractor shall not exceed the Maximum Contract Amount specified in subsection 4.A below.”

2. Section 26 of the Agreement entitled “**NO DISCRIMINATION IN EMPLOYMENT**” is hereby deleted in its entirety and replaced with:

“**26. NO DISCRIMINATION IN EMPLOYMENT:** In connection with the performance of work under the Agreement, the Contractor may not refuse to hire, discharge,

promote, demote, or discriminate in matters of compensation against any person otherwise qualified, solely because of race, color, religion, national origin, ethnicity, citizenship, immigration status, gender, age, sexual orientation, gender identity, gender expression, marital status, source of income, military status, protective hairstyle, or disability. The Contractor shall insert the foregoing provision in all subcontracts.”

3. Section 30 of the Agreement entitled “**CONFIRMATION OF LAWFUL EMPLOYMENT**” is hereby deleted in its entirety and replaced with:

**“30. [RESERVED].”**

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

5. This Amendatory Contract Services Agreement (On-Call) 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.

**[THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK.]**

**Contract Control Number:** PARKS-202158448-01 / 202366403  
**Contractor Name:** SuperTrees

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-202158448-01 / 202366403  
SuperTrees

By: DocuSigned by:  
*David Bourscheidt*  
F1A7E74DBBD3412...

Name: David Bourscheidt  
(please print)

Title: Colorado Division Manager  
(please print)

ATTEST: [if required]

By: \_\_\_\_\_

Name: \_\_\_\_\_  
(please print)

Title: \_\_\_\_\_  
(please print)