

AMENDATORY AGREEMENT

THIS AMENDATORY AGREEMENT is made and entered into this ____ day of _____, 2010, by and between the **CITY AND COUNTY OF DENVER**, a municipal corporation of the State of Colorado (the "City"), and **THE REGENTS OF THE UNIVERSITY OF COLORADO**, a body corporate, for and on behalf of the University of Colorado, Denver (the "University"), whose address is University of Colorado Denver, Grants & Contracts, MS F428, Anschutz Medical Campus, Bldg. 500, Rm. W1126, 13001 E. 17th Place, Box 6508, Aurora, Colorado 80045-0508.

WITNESSETH:

WHEREAS, the City and the University previously entered into an On-Call Technical and Engineering Services Agreement dated September 29, 2009, for on-call technical and professional services (the "Agreement"); and

WHEREAS, Section 4.01 of the Agreement allows the City at its sole option to extend the initial term for up to four (4) consecutive one (1) year renewal terms; and

WHEREAS, the City desires to exercise its option to extend the Agreement for an additional one-year renewal term and the parties desire to amend the Agreement to extend the term.

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

1. Section 4.01 of the Agreement, entitled "**Term**" is hereby amended to read in its entirety as follows:

"4.01 Term. The initial term of this Agreement shall commence upon execution and shall end August 28, 2010; provided, however, that any work in progress that was initiated during the term of this Agreement shall continue and be paid for hereunder until the completion thereof. All terms and conditions of the Agreement shall remain in full force and effect until such completion. This initial term may be extended upon the same terms and conditions as set forth herein, at the sole option of the City, for up to **four (4)** consecutive one (1) year renewal terms, upon written notice from the Manager issued prior to expiration of the then current term. In no event, however, shall the University's performance under this Agreement, including the **four (4)** possible extensions, exceed a **five (5)** year period ending on month and day of the execution of this Agreement. In addition, nothing contained herein shall obligate the City to extend the Agreement beyond the initial term. The City hereby exercises its sole option to extend the term for a one (1) year renewal term, ending on August 28, 2011."

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

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IN WITNESS WHEREOF, the parties have executed, through their respective lawfully empowered representatives, this Amendatory Agreement as of the day and year first above written.

ATTEST:

CITY AND COUNTY OF DENVER:

By: _____
STEPHANIE Y. O'MALLEY, Clerk
and Recorder, Ex-Officio Clerk of the
City and County of Denver

By: _____
M A Y O R

RECOMMENDED AND APPROVED:

By: 
Manager of Public Works

APPROVED AS TO FORM:
DAVID R. FINE
CITY ATTORNEY for the City and
County of Denver

REGISTERED AND COUNTERSIGNED:


By: _____
Manager of Finance

By: _____
Assistant City Attorney

Contract Control No. OC91217(1)

By: _____
Auditor
"CITY"

THE REGENTS OF THE UNIVERSITY
OF COLORADO, A BODY
CORPORATE, FOR AND ON BEHALF
OF THE UNIVERSITY OF COLORADO
DENVER

By:  7/19/12

Name: Christine Ahearn
Asst. Director Contracts,
Policy and Education
Title: Office of Grants and Contracts

"UNIVERSITY"