

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 **KIMLEY-HORN AND ASSOCIATES, INC.** (the “Design Consultant”), jointly “the Parties.”

RECITALS

A. The Parties entered into an Agreement dated April 9, 2019 (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 dates.

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

1. Section 4.01 of the Agreement entitled “Term” is amended to read as follows:

“The initial term of this Agreement shall commence upon execution and shall end April 9, 2023; 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. The term may be extended, at the sole option of the City by written amendment pursuant to Executive Order 8. In no event, however, shall the Design Consultant’s performance under this Agreement, including any extension, 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.”

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

3. 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-201947760-01/202160688
Contractor Name: KIMLEY-HORN AND ASSOCIATES, 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-201947760-01/202160688
KIMLEY-HORN AND ASSOCIATES, INC.

DocuSigned by:
Brian Valentine
By: 5C42CD1DEF9B490...

Name: Brian Valentine
(please print)
Title: Senior Vice President
(please print)

ATTEST: [if required]

By: _____

Name: _____
(please print)

Title: _____
(please print)