

SECOND AMENDATORY AGREEMENT

THIS SECOND 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 **ARVADA PUMP CO.**, a Colorado corporation (the “Contractor”), jointly “the Parties.”

RECITALS

A. The Parties entered into an Agreement dated April 6, 2020; and a First Amendatory Agreement dated April 17, 2022 (the “Agreement”) for the performance of certain work set forth in that Agreement and the exhibits thereto; and

B. The Parties now wish to amend the Agreement to increase the maximum contract amount under the Agreement.

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

1. Paragraph 4.A. of the Agreement entitled “Maximum Contract Amount” is amended to read as follows:

“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 **Seven Hundred Sixty-Four Thousand Dollars and No Cents (\$764,000.00)** 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. Issued Work Orders or Work Order Changes shall not, individually or cumulatively, authorize the performance of Work for which the Work Project Amount(s) exceed the Maximum Contract Amount. It shall be the responsibility of the Contractor to verify that the total Work Project Amount(s) do not exceed the Maximum Contract Amount of this Agreement. All Work is subject to inspection by the City prior to payment.”

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

3. This Second 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-202262246-02 / 202053800-02
Contractor Name: ARVADA PUMP CO.

IN WITNESS WHEREOF, the parties have set their hands and affixed their seals at
Denver, Colorado as of:

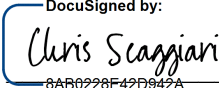
SEAL **CITY AND COUNTY OF DENVER:**

ATTEST: By: _____

APPROVED AS TO FORM: **REGISTERED AND COUNTERSIGNED:**
Attorney for the City and County of Denver
By: _____ By: _____

By: _____

Contract Control Number: PARKS-202262246-02 / 202053800-02
Contractor Name: ARVADA PUMP CO.

By:  8AB0228E42D942A...

Name: Chris Scaggiari
(please print)

Title: vice President of Operations
(please print)

ATTEST: [if required]

By: _____

Name: _____
(please print)

Title: _____
(please print)