

SECOND AMENDATORY AGREEMENT

THIS SECOND AMENDATORY AGREEMENT is made by and between the **CITY AND COUNTY OF DENVER**, a municipal corporation of the State of Colorado (the “City”), and **KG CLEAN, INC.**, a Colorado Corporation whose address is 11005 Dover Street, Unit 200, Westminster, CO 80021 organized and existing under and by virtue of the laws of the State of Colorado (“Contractor”), Party of the Second Part.

WITNESSETH:

WHEREAS, the Parties entered into an Agreement dated March 25, 2021, and an Amendatory Agreement dated May 9, 2024 (collectively, the “Agreement”), to perform janitorial services (the “Services”); and

WHEREAS, the Parties now wish to amend the Agreement to increase the Maximum Contract Liability, and make such other amendments as are set forth below.

NOW THEREFORE, in consideration of the premises and the Parties’ mutual covenants and obligations, the Parties agree as follows:

1. Section 4 of the Agreement, entitled “COMPENSATION AND PAYMENT”, Subsection 4.03, entitled “MAXIMUM LIABILITY”, Subparagraph A is hereby amended to read as follows:

“4.03 MAXIMUM LIABILITY

“A. Any other provision in this Agreement notwithstanding, in no event shall the City be liable for payment under this Agreement for any amount in excess of **FIVE MILLION TWO HUNDRED TWENTY-FIVE THOUSAND DOLLARS AND 00/100 (\$5,225,000.00)** (the “Maximum Contract Liability”). The Maximum Contract Liability may only be increased by written amendment to this Agreement. Any services performed beyond those set forth therein are performed at Contractor’s risk and without authorization under the Agreement.”

2. 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: GENRL-202475640-02 [GENRL-202157441-02]
Contractor Name: KG CLEAN, 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

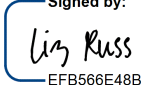
By:

By:

By:

Contract Control Number:
Contractor Name:

GENRL-202475640-02 [GENRL-202157441-02]
KG CLEAN, INC.

Signed by:

By: _____
EFB566E48B7142E...

Name: _____
Liz Russ
(please print)

Title: _____
COO
(please print)

ATTEST: [if required]

By: _____

Name: _____
(please print)

Title: _____
(please print)