

## **THIRD AMENDATORY NATIONAL WESTERN CENTER HORIZONTAL DESIGN SERVICES ON-CALL AGREEMENT**

**THIS THIRD AMENDATORY NATIONAL WESTERN CENTER HORIZONTAL DESIGN SERVICES ON-CALL 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 **MERRICK & COMPANY** (the “Consultant”), a Colorado corporation registered to do business in Colorado, whose address is 5970 Greenwood Plaza Boulevard, Greenwood Village, Colorado 80111, jointly (the “Parties”).

### **RECITALS:**

**A.** The Parties entered into a Design Services On-Call Agreement dated April 3, 2018, a First Amendatory Design Services On-Call Agreement dated May 5, 2023, and a Second Amendatory Design Services On-Call Agreement dated March 20, 2024, (collectively, the “Agreement”) to support the National Western Center (“NWC”) Phase 1 and Phase 2 capital build phases (“Design Services”) on an “as needed” basis, to the City’s satisfaction.

**B.** The Parties wish to amend the Agreement to extend the term.

**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 “**TERM AND TERMINATION**”, subsection 4.01 “**Term.**” is hereby deleted in its entirety and replaced with:

“**4.01 Term.** The term of this Agreement shall commence on **April 15, 2018**, and shall expire on **April 14, 2026**, unless sooner terminated or extended by written amendment. The Consultant shall complete any task orders in progress as of the expiration date of this agreement and the term will extend until the work is completed or earlier terminated by the Director.”

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

3. This Third Amendatory National Western Center Horizontal Design Services On-Call 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.

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

**[SIGNATURE PAGES FOLLOW]**

**Contract Control Number:** DOTI-202477576-03 [201840729-03]  
**Contractor Name:** MERRICK & COMPANY

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:**

DOTI-202477576-03 [201840729-03]  
MERRICK & COMPANY

By:  Signed by:  
F4G45EB6789F405...

Name: Jason Toth  
(please print)

Title: Business Unit Leader  
(please print)

ATTEST: [if required]

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

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

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