

## FIRST AMENDATORY AGREEMENT

**THIS FIRST AMENDATORY AGREEMENT** is entered into as of the date indicated on the signature page, by and between the **CITY AND COUNTY OF DENVER**, a Colorado municipal corporation ("City"), Party of the First Part, and **ET TECHNOLOGIES INC.**, a Colorado corporation (the "Contractor"), Party of the Second Part;

### WITNESSETH

**WHEREAS**, the parties entered into an Agreement dated October 16, 2015 (the "Existing Agreement") in which the Contractor agreed to perform maintenance activities on City and County of Denver Department of Aviation grease lines and sand pretreatment devices; and

**WHEREAS**, the parties desire to amend the Existing Agreement by increasing the Term of the Agreement while a competitive procurement process is currently underway for these same services; and

**NOW, THEREFORE**, for and in consideration of the premises and other good and valuable consideration, the parties hereto agree as follows:

1. **SECTION 3.01 TERM** is hereby amended by deleting **SECTION 3.01** in its entirety and replacing it with the following:

#### **"3.01 TERM**

The term of this Contract shall commence on January 1, 2016 and shall terminate July 1, 2019, unless terminated earlier in accordance with this Contract. In addition, the term of this Contract may be extended in the CEO's discretion, by written notice from the City to the Contractor, to allow the completion of any work which has been commenced prior to the date upon which this Agreement otherwise would terminate. However, no extension of the Contract Term shall increase the Maximum Contract Amount stated herein; such amount may be changed only by a duly executed written amendment to this Contract."

2. Except as otherwise provided herein, all of the terms and conditions of the Existing Agreement shall remain in full force and effect as though set out in full herein.

3. This First Amendatory Agreement shall not be effective or binding on the City until fully executed by all signatories of the City and County of Denver.

[END OF PAGE]

Contract Control Number: PLANE-201523024-01

Contractor Name: ET TECHNOLOGIES INC

By: Clellan Pearce

Name: Clellan Pearce  
(please print)

Title: President  
(please print)

ATTEST: [if required]

By: Kay Smith

Name: Kay Smith  
(please print)

Title: Office Manager  
(please print)



**Contract Control Number:**

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:

By \_\_\_\_\_

By \_\_\_\_\_

By \_\_\_\_\_

