

## SECOND AMENDATORY AGREEMENT

This **SECOND AMENDATORY AGREEMENT** is made between the **CITY AND COUNTY OF DENVER**, a municipal corporation of the State of Colorado (the “City”), and **BASE TACTICAL DISASTER RECOVERY, INC.**, a Michigan corporation with its principal place of business located at 847 Southfield Road, Birmingham, Michigan 48009 (the “Consultant”), jointly (“the Parties”).

### RECITALS:

**A.** The Parties entered into Agreement dated May 6, 2020, and an Amendatory Agreement dated September 17, 2020 (collectively, the “Agreement”), to provide the services required by the Agreement.

**B.** The Parties wish to amend the Agreement to extend the term and increase the maximum contract amount.

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

**1.** Section 3 of the Agreement entitled **TERM** is amended to read as follows:

“**3. TERM:** This Agreement will commence on April 1, 2020, and will expire on December 31, 2022 (the “Term”). Subject to the Executive Director’s prior written authorization, the Consultant shall complete any work in progress as of the expiration date and the Term will extend until the work is completed or earlier terminated by the Executive Director.”

**2.** In Section 4.d. of the Agreement, entitled **Maximum Contract Amount**, Subsection (1) is amended to read as follows:

“(1) Notwithstanding any other provision of this Agreement, the City’s maximum payment obligation will not exceed **ONE MILLION SIX HUNDRED FOURTEEN THOUSAND FOUR HUNDRED FIFTY-FOUR DOLLARS AND NO CENTS (\$1,614,454.00)** (the “Maximum Contract Amount”). The City is not obligated to execute an Agreement or any amendments for any further services, including any services performed by Consultant beyond that specifically described in Exhibit A. Any services performed beyond those in Exhibit A are performed at Consultant’s risk and without authorization under this Agreement.”

**3.** All references to “**Exhibit B-1**” in the Agreement shall be amended to read: “**Exhibit B-2.**” The Budget marked as **Exhibit B-2** is attached hereto and incorporated herein by this reference.

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

5. 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.

**[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK;  
SIGNATURE PAGES FOLLOW.]**

**Contract Control Number:** FINAN-202158178-02[FINAN-202054195-02]  
**Contractor Name:** BASE TACTICAL DISASTER RECOVERY,  
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:**

FINAN-202158178-02[FINAN-202054195-02]  
BASE TACTICAL DISASTER RECOVERY,  
INC.

By: John Levy

Name: John G. Levy, President  
(please print)

Title: President  
(please print)

ATTEST: [if required]

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

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

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

Base Tactical Disaster Recovery

Fee Schedule – COVID 19 FEMA Consulting Services

Exhibit B-2

Original Term: \$1,120,560

New Term: \$493,894

Total Not to Exceed: \$1,614,454

2021 Projected Consulting Cost Breakdown:

		April 2020 - December 2020 Incurred Costs												
		Apr-20	May-20	Jun-20	Jul-20	Aug-20	Sep-20	Oct-20	Nov-20	Dec-20				
Base Tactical	2020	\$106,457	\$49,376	\$51,779	\$57,614	\$50,470	\$62,222	\$51,491	\$50,725	\$52,320	Incurred			
												\$532,454		
		Projected 2021												
		Jan-21	Feb-21	Mar-21	Apr-21	May-21	Jun-21	Jul-21	Aug-21	Sep-21	Oct-21	Nov-21	Dec-21	Projected
Base Tactical	2021	\$50,000	\$50,000	\$60,000	\$50,000	\$50,000	\$60,000	\$50,000	\$50,000	\$60,000	\$50,000	\$50,000	\$60,000	\$640,000
		Projected 2022												
		Jan-22	Feb-22	Mar-22	Apr-22	May-22	Jun-22	Jul-22	Aug-22	Sep-22	Oct-22	Nov-22	Dec-22	Projected
Base Tactical	2022	\$40,000	\$40,000	\$50,000	\$40,000	\$40,000	\$50,000	\$33,000	\$33,000	\$41,000	\$25,000	\$25,000	\$25,000	\$442,000
Current Agreement value:				\$1,120,560									Incurred & Projected	\$1,614,454