

FIRST AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT

THIS FIRST AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT ("Amendment") is made and entered into effective this 23rd day of April, 2017 (the "Effective Date"), by and between the CITY OF COMMERCE CITY ("City") and ATKINS NORTH AMERICA, INC. ("Contractor") to extend the term of the Professional Services Agreement dated December 12, 2016 ("Agreement"). In consideration of the mutual covenants and agreements contained in this Amendment, the sufficiency of which is acknowledged, the parties agree as follows:

1. Term: The Term of the Agreement is extended through November 30, 2018.
2. Remainder of Agreement in Full Force and Effect. Except as otherwise provided by this Amendment, all other terms and conditions of the Agreement shall remain unchanged and in full force and effect and shall apply to this Amendment.
3. Authority. The parties represent and warrant that they have taken all actions necessary to legally authorize the undersigned signatories to execute this Amendment on behalf of the parties and to bind the parties to its terms.
4. Counterparts: Execution. This Amendment may be executed in any number of counterparts, each deemed to be an original, and, taken together will constitute one and the same instrument. Signature pages may be executed via "wet" signature or electronic mark and the executed signature pages may be delivered using pdf or similar file type transmitted via electronic mail, cloud based server, e-signature technology or other similar electronic means.
5. Headings. Paragraph headings used in this Amendment are for convenience of reference and shall in no way control or affect the meaning or interpretation of any provision of this Amendment.

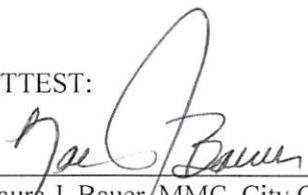
IN WITNESS WHEREOF, the parties have executed this Amendment as of the Effective Date.

CITY OF COMMERCE CITY



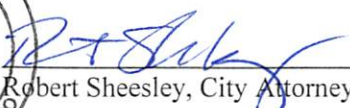
Brian K. McBroom, City Manager
City Manager's Office

ATTEST:



Laura J. Bauer, MMC, City Clerk



APPROVED AS TO FORM:


Robert Sheesley, City Attorney

Recommended for approval:


Maria D'Andrea, Director
Public Works

ATKINS NORTH AMERICA, INC.



David Nemovitz, PE, Division Manager