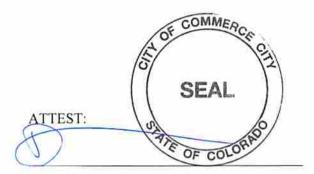
## FIRST AMENDMENT TO MASTER SERVICES AGREEMENT

THIS FIRST AMENDMENT TO MASTER SERVICES AGREEMENT ("Amendment") is made and entered into effective this 8 day of 5, 2019 (the "Effective Date"), by and between the CITY OF COMMERCE CITY, a Colorado home rule municipality whose address is 7887 East 60th Avenue, Commerce City, Colorado (the "City"), and TWA, INC d/b/a SIERRA LANDSCAPING AND MAINTENANCE, a Colorado corporation whose principal business address is 1205 Boston Avenue, Longmont, CO 80501 ("Contractor"), to amend the Master Services Agreement dated April 26, 2019 ("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 December 31, 2020.
- 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.
- 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. <u>Counterparts</u>; <u>Execution</u>. This Agreement 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.
- 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.

[Remainder of this page intentionally blank. Signature page(s) follow(s)]

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



Dylan A. Gibson, Deputy City Clerk

Recommended for approval:

Joe Wilson, Director Public Works CITY OF COMMERCE CITY

Brian McBroom, City Manager City Manager's Office

APPROVED AS TO FORM:

Brian Swann, Assistant City Attorney

TWA, INC.

Signature

Kimm Ingino Operations Manago



## **Procurement and Contract Cover Sheet**

For Goods and Services

Description:	Rig	ht of Way Contract M	aintenance -	· 1st Amendm	ent	
		Public Works		Division:	Maintenance	
		illis Waterhouse, Parks aintenance Supervisor		Phone:	303-289-8111	
OLICITATION IN	FORMATION	l				***************************************
Solicitation type: Formal (over \$50,000)				Date Submitted for Approval:		11/27/2019
Must have City Atto	prior to formal solicito	ition.	Coun	cil Approval (+\$250k):	Select Date	
					Resolution No.:	Type Number
Attach applicable sele	ection form: Pro	curement Justification;	Collaborative	Purchasing Do	cumentation; Quotes Do	cumentation.
Comments: ROW an	d General Ma	intenance				-
					***	***************************************
ONTRACT/PROC	UREMENT A	APPROVAL (Obtain a	fter selection	of vendor using	required solicitation met	hod.)
Contractor Name: TWA Inc, d/b/a Sierra Landscaping and Maintenance				Contract Term		Single Use
Type of contract: Master Services Agreement				Renewals:		N/A
Selected by 5% ☐ Yes ☒ No ☐ N/A ocal preference:				Termination Date:		12/31/2020
Dollar Amount (All Years): \$ 195,000				Renewal Increase:		Enter, if any.
Vendor verified with State (SOS)?		⊠Yes □No □N/A	Date:	4/4/2019	Federal funding? If yes, attach EPLS	□ Yes ⊠ No
Verify funding availa	ible:	⊠Yes □No □N/A	Date:	4/4/2019	Grant Funding?	☐ Yes 🛛 No
Funding Source: (inc	lude account num	ber, if available) 010-16-	552-731-167	,		
		\$50,000.01-\$250k - Ci	ty Mgr.	Signature:		
(Signature required pr		•				
Contract Signature Required: +\$50,000.01 - City Mgr. (If contract required.)				Name: Brian McBroom, City Manager		er
leviewers:						
Vendor/Contractor:		Risk Manager:		City Attorney:		
(By Contract Admin)	Initials/Date		Initials/Date		Initials/Date	
	he following	order for signature	(as require	d):		
loute contract in t			☐3. City Attorney		☐5. City Clerk	
Route contract in t  ☐ 1. Vendor / Contr	actor	☐3. City	Attorney		ES. City cicik	