

ADAMS COUNTY, COLORADO
AMENDMENT THREE 2018.238 FOR ENGINEERING SERVICES

THIS AMENDMENT THREE TO PROFESSIONAL SERVICE AGREEMENT 2014.372 is entered into this 21 day of August, 2018, by and between the Board of County Commissioners of Adams County, Colorado, located at 4430 South Adams County Parkway, Brighton, Colorado 80601, hereinafter referred to as the "County," and Drexel Barrell & Co., located at 1800 38th Street, Boulder, Colorado 80301, hereinafter referred to as the "Contractor." The County and the Contractor may be collectively referred to herein as the "Parties".

RECITALS

WHEREAS, on January 13, 2015, the County entered into a Professional of Service Agreement 2014.372 with Contractor; and,

WHEREAS, on January 12, 2016, the County entered into Amendment One 2015.487 to extend the date of the agreement and add additional services; and,

WHEREAS, on December 13, 2016, the County entered into Amendment Two 2016.442 to extend the date of the agreement and add additional services; and,

WHEREAS, the County and the Contractor mutually desire to amend the Service Agreement to extend the term and add environmental and hydraulic analysis, corridor street lighting, and additional engineering design services to complete the design work of the York Street Improvement Project.

NOW, THEREFORE, for the consideration set forth herein, the sufficiency of which is mutually acknowledged by the parties, the County and the Contractor agree as follows:

1. The Service Agreement is hereby amended to extend the term of the Agreement until December 31, 2019.
2. The fee schedule shall be in the not to exceed amount of eighty thousand dollars (\$80,000.00) for a total agreement price of four hundred ninety-nine thousand eight hundred seventy-eight dollars and zero cents (\$499,878.00).
3. The Service Agreement and this Amendment Three contain the entire understanding of the parties hereto and neither it, nor the rights and obligations hereunder, may be changed, modified, or waived except by an instrument in writing that is signed by both parties. Except as amended by this Amendment, and any prior amendment(s), the terms and conditions of the Agreement remain in full force and effect. In the event of any conflicts between the terms, conditions, or provisions of the Service Agreement and this Amendment Three, the terms, conditions, and provisions of this Amendment Three shall control.

4. The Recitals contained in this Amendment Three are incorporated into the body hereof and accurately reflect the intent and agreement of the parties.
5. This Amendment Three may be executed in multiple counterparts, each of which shall be deemed to be an original and all of which taken together shall constitute one and the same agreement.
6. Nothing expressed or implied in this Amendment Three is intended or shall be construed to confer upon or to give to, any person other than the parties, any right, remedy, or claim under or by reason of this Amendment Three or any terms, conditions, or provisions hereof. All terms, conditions, and provisions in this Amendment Three by and on behalf of the County and the Contractor shall be for the sole and exclusive benefit of the County and the Contractor.
7. If any provision of this Amendment Three is determined to be unenforceable or invalid for any reason, the remainder of the Amendment Three shall remain in effect, unless otherwise terminated in accordance with the terms contained in the Service Agreement.
8. Each party represents and warrants that it has the power and ability to enter into this Amendment Three, to grant the rights granted herein, and to perform the duties and obligations herein described.

IN WITNESS WHEREOF, the County and the Contractor have caused their names to be affixed.

ADAMS COUNTY, COLORADO
BOARD OF COUNTY COMMISSIONERS



Mary Hodge

8/21/18
Date

DREXEL BARELL & CO.

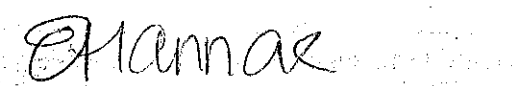
Michael D. Middleton
Print Name

Principal
Print Title


Signature

8/9/2018
Date

ATTEST: STAN MARTIN
CLERK AND RECORDER


Deputy Clerk

APPROVED AS TO FORM:


County Attorney