

CONTRACT AMENDMENT

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| Amendment #1 | Original Contract/CMS # #2015-0000-0000-0220 / CMS #74705 | Amendment CMS # 112786 |
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1) PARTIES

This **Amendment** to the above-referenced **Price Agreement** (hereinafter called the **Agreement**) is entered into by and between **Western Paper Distributors, Inc** (hereinafter called "Contractor"), and the STATE OF COLORADO (hereinafter called the "State") acting by and through the **Department of Personnel and Administration, State Purchasing Office** (hereinafter called the "SPO").

2) EFFECTIVE DATE AND ENFORCEABILITY

This **Amendment** shall not be effective or enforceable until it is approved and signed by the Colorado State Controller or designee (hereinafter called the "Effective Date"). The State shall not be liable to pay or reimburse Contractor for any performance hereunder including, but not limited to, costs or expenses incurred, or be bound by any provision hereof prior to the Effective Date.

3) FACTUAL RECITALS

The Parties entered into the **Agreement** to provide janitorial supplies and services to Colorado State Agencies, local governments, and specifically approved non-profit organizations.

Participating Addendum #2015-0000-0000-220 dated 02/26/2015 and all its modifications is amended by this **Amendment #1**.

4) CONSIDERATION-COLORADO SPECIAL PROVISIONS

The Parties acknowledge that the mutual promises and covenants contained herein and other good and valuable consideration are sufficient and adequate to support this **Amendment**. The Parties agree to replacing the Colorado Special Provisions with the most recent version (if such have been updated since the **Agreement** and any modification thereto were effective) as part consideration for this **Amendment**. The Special Provisions are attached and incorporated herein.

5) LIMITS OF EFFECT

This **Amendment** is incorporated by reference into the **Agreement**, and the **Agreement** and all prior Amendments thereto, if any, remain in full force and effect except as specifically modified herein.

6) MODIFICATIONS.

This Amendment #1 shall modify the addendum as following:

a. Pricing

Per Paragraph 6. Statement of Work, Item C, the pricing for products and services has been modified. The current pricing is stated in **Exhibit B, Maintenance, Repairs and Operations (MRO) – Facilities Supplies and Equipment, Category Group Pricing - Discounts** to this Agreement and incorporated herein and becomes effective upon signature by the Colorado State Controller or designee.

7) START DATE

This Amendment shall take effect on its Effective Date.

8) ORDER OF PRECEDENCE

Except for the Special Provisions, in the event of any conflict, inconsistency, variance, or contradiction between the provisions of this **Agreement** and any of the provisions of the **Agreement** the provisions

of this **Amendment** shall in all respects supersede, govern, and control. The most recent version of the Special Provisions incorporated into the **Agreement** or any amendment shall always control other provisions in the **Agreement** or any amendments.

9) AVAILABLE FUNDS

Financial obligations of the State payable after the current fiscal year are contingent upon funds for that purpose being appropriated, budgeted, or otherwise made available.

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THE PARTIES HERETO HAVE EXECUTED THIS AMENDMENT

* Persons signing for Contractor hereby swear and affirm that they are authorized to act on Contractor's behalf and acknowledge that the State is relying on their representations to that effect.

CONTRACTOR
Western Paper Distributors, Inc.

By: Karen Dike
Title: Special Projects manager

Karen Dike
*Signature

Date: 08/15/2018

STATE OF COLORADO
John W. Hickenlooper, GOVERNOR

Department of Personnel and Administration
Division of Finance and Procurement
State Purchasing Office
June Taylor, Executive Director

By: John Chapman
or John Chapman, State Purchasing Manager

Date: 8/17/18

ALL CONTRACTS REQUIRE APPROVAL BY THE STATE CONTROLLER

CRS §24-30-202 requires the State Controller to approve all State Contracts. This Contract is not valid until signed and dated below by the State Controller or delegate. Contractor is not authorized to begin performance until such time. If Contractor begins performing prior thereto, the State of Colorado is not obligated to pay Contractor for such performance or for any goods and/or services provided hereunder.

STATE CONTROLLER
Robert Jaros, CPA, MBA, JD

By: Clark Bolser Date: 8/28/18
Clark Bolser, Controller Delegate