

INTERAGENCY CONTRACT AMENDMENT

Amendment #1 C150441A	Original Contract CMS # Routing 09PDA00099	Amendment CMS # 43078
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1) PARTIES

This Amendment to the above-referenced Original Contract (hereinafter called the Contract) is entered into by and between the State of Colorado for the use and benefit of the Department of Natural Resources, Division of Colorado Water Conservation Board (hereinafter referred to as "CWCB"), and the Board of Governors of the Colorado State University System acting by and through Colorado State University on behalf of the Colorado Water Institute (hereinafter called "CSU").

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"), but shall be effective and enforceable thereafter in accordance with its provisions. The State shall not be liable to pay or reimburse 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 Contract for the Data Assessment and Collection in Support of Improved Water Management in the Arkansas River Basin..

4) CONSIDERATION

Consideration for this Amendment consists of the payments to be made hereunder and the obligations, promises, and agreements herein set forth.

5) LIMITS OF EFFECT

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

6) MODIFICATIONS.

The Contract Number C150441 and all prior amendments thereto, if any, are modified as follows:

a. Paragraph 3, Performance Term is amended to read as follows: "This contract shall be effective upon approval by the Colorado State Controller, or designee, (the "Effective Date") and extend through June 30, 2013. Performance of this contract shall commence as soon as practicable after the Effective Date and shall be undertaken and preformed in the sequence and manner set forth in Exhibit A, Scope of Work.

7) EFFECTIVE DATE OF AMENDMENT

The effective date hereof is upon approval of the State Controller or their delegate.

8) ORDER OF PRECEDENCE

In the event of any conflict, inconsistency, variance, or contradiction between the provisions of this Amendment and any of the provisions of the Contract, the provisions of this Amendment shall in all respects supersede, govern, and control.

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.


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.

The Board of Governors of the Colorado State University
System acting by and through Colorado State University

David B. Doty, Associate Director
Sponsored Programs

By: ~~Douglas Leavell~~
Title: ~~Director, Sponsored Programs~~

 4/10/12
*Signature

STATE OF COLORADO
John W. Hickenlooper, GOVERNOR
Colorado Water Conservation Board

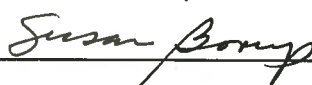
By: Eric Hecox
Title: Chief, Water Supply Planning

 *Signature

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
David J. McDermott, CPA

By: 

Susan Borup, DNR Controller

Date: 4/18/12

Attachment 1 (Revised): Task Schedule

A revised estimated schedule for the completion of the tasks over the 2.5-year project life is illustrated in Figure A1.

Figure A1. Estimated schedule for project tasks.

[illegible]