

FOURTH AMENDATORY AGREEMENT

THIS FOURTH AMENDATORY AGREEMENT is made and entered into, effective as of the date set forth on the City’s signature page (“Effective Date”), by and between the **CITY AND COUNTY OF DENVER**, a municipal corporation of the State of Colorado (“City”) and **BETTENBERG MAGUIRE & ASSOCIATES, LLC** (formerly known as BETTENBERG, SHARSHEL & MAGUIRE, LLC), a Colorado limited liability company, whose mailing address is 7009 South Potomac Street, Suite 220, Centennial, CO 80112 (“Contractor”), who shall be individually referred to herein as a “Party” and jointly as the “Parties.”

WITNESSETH:

WHEREAS, the Parties entered into an agreement dated June 14, 2018, an amendatory agreement dated November 7, 2018, a second amendatory agreement dated December 16, 2019, and a third amendatory agreement dated November 18, 2020, to provide attorney coverage for the City’s Office of the Municipal Public Defender (collectively, “Agreement”); and

WHEREAS, the Parties desire to amend the Agreement to increase compensation to the Contractor and extend the term.

NOW, THEREFORE, in consideration of the premises, the mutual agreements herein contained, and subject to the terms and conditions hereinafter stated, the Parties agree as follows:

1. Article 2 of the Agreement entitled “**TERM:**” is hereby amended to read as follows:

“2. **TERM:** The term of the Agreement is from **January 1, 2018** until **June 30, 2022**, or until the Maximum Contract Amount specified in subsection 3.A. below is expended and all of the tasks have been satisfactorily performed, whichever is sooner, unless this Agreement is terminated earlier as provided in this Agreement or is extended as provided in a separate amendment to this Agreement (“**Term**”). Subject to the Chief Municipal Public Defender’s prior written authorization, the Contractor shall complete any work in progress as of the expiration date and the Term of the Agreement will extend until the work is completed or earlier terminated by the Chief Municipal Public Defender.”

2. Article 3 of the Agreement entitled “**COMPENSATION AND PAYMENT:**” Subsection A. entitled “**Maximum Contract Amount:**” is hereby amended to read as follows:

“3. **COMPENSATION AND PAYMENT:**

A. Maximum Contract Amount: The Maximum Contract Amount to be paid by the City to the Contractor for the performance of the work shall in no event exceed the sum of **SIX HUNDRED THIRTY-TWO THOUSAND EIGHT HUNDRED FORTY DOLLARS AND 00/100 CENTS (\$632,840.00)**, unless this Agreement is modified to increase said amount by a duly authorized and written amendment to this Agreement executed by the Parties in the same manner as this Agreement.”

3. As herein amended, the Agreement is affirmed, revived, and ratified in each and every particular.

4. This Fourth Amendatory Agreement will not be effective or binding on the City until it has been fully executed by all required signatories of the City and County of Denver, and if required by Charter, approved by the City Council.

[SIGNATURE PAGES FOLLOW]

Contract Control Number: DOMPD-202159513-04/ALF: 201841740-04
Contractor Name: BETTENBERG MAGUIRE & ASSOCIATES LLC

IN WITNESS WHEREOF, the parties have set their hands and affixed their seals at Denver, Colorado as of:

SEAL

CITY AND COUNTY OF DENVER:

ATTEST:

By:

APPROVED AS TO FORM:

REGISTERED AND COUNTERSIGNED:

Attorney for the City and County of Denver

By:

By:

By:

Contract Control Number:
Contractor Name:

DOMPD-202159513-04/ALF: 201841740-04
BETTENBERG MAGUIRE & ASSOCIATES LLC

By: DocuSigned by:
Alison Bettenberg
6F8A963EC2C9403... _____

Name: Alison Bettenberg
(please print)

Title: Managing Partner
(please print)

ATTEST: [if required]

By: _____

Name: _____
(please print)

Title: _____
(please print)