

AMENDATORY AGREEMENT

This **AMENDATORY AGREEMENT** is made and entered into by and between the **CITY AND COUNTY OF DENVER**, a municipal corporation of the State of Colorado (the “City”), and **BURST COMMUNICATIONS, INC.**, a Colorado corporation, registered to do business in Colorado, whose address is 8200 S. Akron Suite 108, Englewood, CO 80112 (“Contractor”) collectively, the “Parties”.

WITNESSETH:

WHEREAS, the Parties entered into an Agreement dated April 24, 2012 (the “Agreement”), to install new systems migrating Denver 8 television production systems from analog infrastructure to a digital television (HDTV) environment; and

WHEREAS, the Parties wish to amend the Agreement to extend the warranty provisions and extend the term as follows; and

NOW, THEREFORE, in consideration of the premises and the mutual covenants and obligations herein set forth, the Parties agree as follows:

1. All references to “...Exhibit A...” in the existing Agreement shall be amended to read: “...Exhibit A and A-1 as applicable...” The extended warranty provisions are attached and marked as Exhibits A and C and incorporated by reference.

2. Article 3 of the Agreement entitled “TERM” is amended to read as follows:

“3. **TERM**: The term of the Agreement is from January 31, 2012 through June 6, 2017.”

3. This Amendatory Agreement may be executed in counterparts, each of which shall be deemed to be an original, and all of which, taken together, shall constitute one and the same instrument.

4. Except as herein amended, the Agreement is affirmed and ratified in each and every particular.

EXHIBIT LIST:

EXHIBIT A, A-1 and C

[SIGNATURE PAGES FOLLOW]



EXHIBIT A-1

6800 - DENVER 8 TV SYSTEM ACQUISITION/ENGINEERING/ INTEGRATION Burst Project # 3386

Extended Warranty Description of Services EW Denver 8TV - 20170605

Burst Communications, Inc. will provide an Extended Warranty for the complete Denver 8 TV System as provided by Burst Communication, Inc. and completed June 5, 2013 per attached project equipment list (Exhibit B).

Contract period: June 6, 2014 to June 5, 2017

The extended warranty support includes:

- The extension of Burst's original one (1) year warranty (June 6, 2013 to June 5, 2014).
- The extension of the manufacturers' warranties' in their exact and original form. The list of manufactures is attached (Exhibit C) and their warranty documentation (Exhibit D).
- Telephone support, during normal business hours (Monday to Friday and 8 a.m. to 5 p.m.):
 - Normal service calls and requests for information will be answered within eight (8) hours.
 - Emergency service calls and requests for information will be answered within two (2) hours.
 - Burst will make every effort to respond promptly in all cases during nonbusiness hours.
- Service issues will be addressed within three business days.
- Ground shipping costs to and from Denver 8 TV.
- One (1) one (1) day annual maintenance visit per year of the warranty period.
- Eight (8) hours per year of engineering or operational assistance as required.

Issues that are outside of the warranty scope will be billed at \$90.00 per hour for the term of this agreement. This includes items that are determined to be operator error or misuse.

Burst may employ service technicians directly or on a subcontracted basis at its discretion to complete support duties. Burst may also contract with manufacturers as required to provide services not available elsewhere.

Burst liability does not extend to any special, incidental or consequential damages incurred as a result of any warranty issues.

Equipment Manufactures

Index #	Mfr.	Warranty Statement
349.10	ADC	Exhibit D
120.44	AJA	Exhibit D
371.10	Alesis	Exhibit D
499.20	Anton Bauer	Exhibit D
370.00	Apple	Exhibit D
352.00	Audio Acc	Exhibit D
195.40	Avocent	Exhibit D
416.10	Barbizon	Exhibit D
275.00	Beyer	Exhibit D
360.10	Chief	Exhibit D
518.00	Cisco	Exhibit D
48.00	Compusat (PCMiroSystems)	Exhibit D
590.00	Comrex	Exhibit D
599.00	Cordtec	Exhibit D
577.00	Cyber Power Systems	Exhibit D
191.10	Dell	Exhibit D
533.00	DVI Gear	Exhibit D
583.00	Ensemble	Exhibit D
506.00	Evertz	Exhibit D
576.00	Fostex	Exhibit D
534.00	Gefen	Exhibit D
328.10	Grass Valley	Exhibit D
318.20	Harris	Exhibit D
368.00	Henry Engineering	Exhibit D
234.00	JVC	Exhibit D
545.00	Marshall	Exhibit D
218.10	Middle Atlantic	Exhibit D
568.00	NetGear	Exhibit D
408.05	NEUTRIK	Exhibit D
26.00	Nverzion	Exhibit D
549.00	Omni Mount	Exhibit D
393.00	Panasonic	Exhibit D
535.00	Phoenix Contact	Exhibit D
256.10	Pioneer	Exhibit D
578.00	Presonus	Exhibit D
579.00	RDL	Exhibit D
342.10	Ross	Exhibit D
546.00	RTS	Exhibit D
253.10	Samsung	Exhibit D
528.00	Smart-AVI	Exhibit D
190.00	Stealth	Exhibit D
528.00	SurgeX	Exhibit D
597.00	SurgeX	Exhibit D
597.00	Tektronix	Exhibit D
485.00	Telecast	Exhibit D
523.00	Telex	Exhibit D
580.00	Tiffen	Exhibit D
287.00	US Rack	Exhibit D
132.10	Viewsonic	Exhibit D
14.80	Winsted	Exhibit D
519.00	Wohler	Exhibit D
251.10	Yamaha	Exhibit D

Contract Control Number:

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:

By _____


By _____

By _____



Contract Control Number: TECHS-201204498-01

Contractor Name: BURST COMMUNICATIONS INC

By:  _____

Name: Mike Bassett
(please print)

Title: Vice President
(please print)

ATTEST: [if required]

By:  _____

Name: John Swift
(please print)

Title: Vice President
(please print)

