

**FOURTH AMENDMENT TO AGREEMENT**

**THIS FOURTH AMENDMENT TO AGREEMENT** is made and entered into this as of the date stated on the City signature page below by and between the **CITY AND COUNTY OF DENVER**, a municipal corporation of the State of Colorado (“**City**”), and **HARRIS MILLER MILLER & HANSON, INC.**, a Massachusetts corporation authorized to do business in Colorado (“**Consultant**”).

**WITNESSETH**

**WHEREAS**, the parties entered into a written agreement dated November 16, 2010, which was amended by a First Amendment to Agreement dated February 21, 2013, a Second Amendment dated November 19, 2014, and a Third Amendment dated February 5, 2018 (the “**Existing Agreement**”), under which the Consultant agreed to provide professional technical services related to the noise monitoring system and operations for Denver International Airport (“**DEN**”), and for other consulting services related to noise studies and planning for **DEN**; and

**WHEREAS**, the parties desire to amend the Existing Agreement as hereinafter provided;

**WHEREAS**, though this is a Fourth Amendment, **this Fourth Amendment to Agreement must have the number designation “CE 13002-05” rather than “-04” due to an uncorrectable error in the City’s contract control system called “Alfresco,”** and the parties understand and accept that **this Fourth Amendment shall have the number “CE 13002-05;”**

**NOW, THEREFORE**, for and in consideration of the premises and other good and valuable consideration, the parties hereto agree as follows:

1. Paragraph 5 of the Existing Agreement, entitled “Term,” is amended and restated as follows:

**5. TERM.** The Term of this Agreement shall commence January 1, 2011, and shall terminate December 31, 2023.

2. Paragraph 3 of the Existing Agreement, entitled “Maximum Contract Liability,” is amended and restated as follows:

3. **MAXIMUM CONTRACT LIABILITY:** Any other provision of this Agreement notwithstanding, in no event shall the City be liable for payment for services rendered and expenses incurred by the Consultant under the terms of this Agreement for any amount in excess of the sum of One Million Three Hundred Thousand Dollars (\$1,300,000.00).

3. Any **Exhibit B** attached to the Existing Agreement or its earlier amendments is hereby replaced by the **Exhibit B-4** attached to this Fourth Amendment; such attachment is incorporated into the Existing Agreement by this reference.

4. Except as otherwise provided herein, all of the terms, provisions, and conditions of the Existing Agreement shall remain in full force and effect as though set out in full herein, and are hereby ratified and reaffirmed.

5. This Amendment shall not be or become effective or binding on the City until approved and fully executed by all signatories of the City and County of Denver and a fully executed Agreement has been delivered to Consultant.

**[END OF AMENDMENT; SIGNATURE PAGES AND EXHIBIT FOLLOW]**

**Contract Control Number:** PLANE-202055428-05 / Alfresco CE 13002-05  
**Contractor Name:** HARRIS MILLER MILLER & HANSON, INC.

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:**

PLANE-202055428-05 / Alfresco CE 13002-05  
HARRIS MILLER MILLER & HANSON, INC.

By:  \_\_\_\_\_  
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Name: Mary Ellen Eagen  
(please print)

Title: President  
(please print)

ATTEST: [if required]

By: \_\_\_\_\_

Name: \_\_\_\_\_  
(please print)

Title: \_\_\_\_\_  
(please print)

<b>EXHIBIT B-4</b> <b>CONTRACT CE 13002-05</b>
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## Commercial Rate List

Monday, October 5, 2020

5:04:15 PM

Harris Miller Miller &amp; Hanson Inc.

Employee Number	Full Name	Commercial Rate
<b>Labor Category: Consultant I</b>		
00305	Hayden T. Jubera	130.00
00306	Scott A. McIntosh	130.00
00348	Tara E. Cruz	130.00
<b>Labor Category: Consultant II</b>		
00312	Dominic M. Scarano	125.00
00334	Mariano Sarrate	125.00
<b>Labor Category: Consultant III</b>		
00338	Vincent Ma	115.00
00343	Emma I. Butterfield	115.00
00352	Christopher P. Emma	115.00
00354	Layheab Ly	115.00
00360	Henry Echeverria	115.00
<b>Labor Category: Principal Consultant I</b>		
00020	Christopher W. Menge	280.00
00326	Joseph J. Czech	280.00
00330	Justin W. Cook	280.00
<b>Labor Category: Principal Consultant II</b>		
00083	Christopher J. Bajdek	210.00
00114	Robert C. Mentzer Jr.	210.00
00176	David A. Crandall	210.00
00270	Philip M. DeVita	210.00
00282	Rhea A. Gundry	210.00
00328	Brandon L. Robinette	210.00
00329	Katherine B. Preston	210.00
00331	Scott R. Noel	210.00
<b>Labor Category: Project Support I</b>		
00346	Nicolette M. Saraceni	135.00
<b>Labor Category: Project Support II</b>		
00185	Kristine J. Collins	100.00
00341	Britany L. Partridge	100.00
00361	Kelsey H. O'Connor	100.00
<b>Labor Category: Senior Consultant I</b>		
00236	Michael J. Hamilton	165.00
00262	Eric Cox	165.00
00349	Irene J. Ramirez	165.00
00350	Timothy P. Middleton	165.00
00351	Doreen R. Stockdale	165.00
00356	Sarah C. Yenson	165.00
<b>Labor Category: Senior Consultant II</b>		
00294	Justin E. Divens	160.00
00301	Adam R. Scholten	160.00
<b>Labor Category: Senior Consultant III</b>		
00078	Katherine M.S. Larson	145.00
00310	Jessica L. Cohen	145.00
00314	Christopher S. Nottoli	145.00
00335	Julia M. Nagy	145.00
00337	Dillon S. Tannler	145.00

*Rates are by category; individuals promoted to new categories will be billed at their new category rate.*

## Commercial Rate List

Monday, October 5, 2020 5:04:15 PM

<b>Employee Number</b>	<b>Full Name</b>	<b>Commercial Rate</b>
<b>Labor Category: Sr. Project Support</b>		
00133	Andrew P. Fansel	190.00
00245	John Y. Wei	190.00
00345	Britt-Anya Bursell-Beaton	190.00
00358	LoAn D. Nguyen	190.00
<b>Labor Category: Supervisory Consultant I</b>		
00031	Mary Ellen Eagan	300.00
00160	Eugene M. Reindel	300.00
00252	Diana B. Wasiuk	300.00
<b>Labor Category: Supervisory Consultant II</b>		
00291	Kurt M. Hellauer	285.00
00327	John C. Weston	285.00

*Rates are by category; individuals promoted to new categories will be billed at their new category rate.*