

FOURTH AMENDATORY AGREEMENT

THIS FOURTH AMENDATORY AGREEMENT is made and entered into this _____ day of _____, 2010, by and between the **CITY AND COUNTY OF DENVER**, a municipal corporation of the State of Colorado (the "City"), and **MATRIX DESIGN GROUP, INC.**, a Colorado corporation, whose address is 1601 Blake Street, Suite 200, Denver, Colorado 80202 (the "Consultant").

WITNESSETH:

WHEREAS, the City identified a need for a qualified contactor to secure the "readily available" professional planning and related consulting services for Projects assigned on as "as-needed" basis; and

WHEREAS, the City and the Consultant previously entered into an Agreement dated October 23, 2007 and as amended April 29, 2008, June 2, 2009, and April 6, 2010 (collectively the "Agreement"); and

WHEREAS, the City and the Consultant mutually desire to amend the Agreement to extend the term;

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

1. That Subparagraph 1 of Paragraph D of Article VI of the Agreement, entitled "TERM AND TERMINATION," is amended to read as follows:

"D. TERM AND TERMINATION.

1. The term of this Agreement shall commence October 1, 2007 and end December 31, 2010. However, nothing contained herein shall preclude the Consultant from completing any task order authorized prior to the expiration of this Agreement and the Agreement shall be extended until the completion and payment for all such authorized tasks."

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

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

IN WITNESS WHEREOF, the parties hereto have executed this Fourth Amendatory Agreement as of the day and year first written above.

ATTEST:

CITY AND COUNTY OF DENVER:

By: _____
STEPHANIE Y. O'MALLEY,
Clerk and Recorder, Ex-Officio
Clerk of the City and County of Denver

By: _____
MAYOR

RECOMMENDED AND APPROVED:

By: _____
Manager of Parks and Recreation

APPROVED AS TO FORM:

DAVID R. FINE, Attorney for the
City and County of Denver

By: _____
Assistant City Attorney

REGISTERED AND COUNTERSIGNED:

By: _____
Manager of Finance
Contract Control No. OC71233(4)

By: _____
Auditor

“CITY”

ATTEST:

By: Carol R. Needham
Title: Project Coordinator

MATRIX DESIGN GROUP, INC.,
a Colorado corporation
Taxpayer (IRS) I.D. No. 84-1515767

By: Robert D. Krenbiel
Name: ROBERT D. KRENBIEL

Title: VICE PRESIDENT

“CONSULTANT”

