

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 **BISHOP AND LAYTON DESIGN, INC.**, a Colorado corporation, whose address is 211 North Public Road, Suite 200, Lafayette, Colorado 80026 (the "Design Consultant").

WITNESSETH:

WHEREAS, the City and the Design Consultant previously entered into an Agreement dated October 23, 2007 and as amended March 18, 2008, June 9, 2009, and April 14, 2010 (collectively the "Agreement"); and

WHEREAS, the City and the Design 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 Design 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 February 28, 2012. However, nothing contained herein shall preclude the Design 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.

07-905-D

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: _____
M A Y O R

RECOMMENDED AND APPROVED:

By: [Signature]
Manager of Parks and Recreation

APPROVED AS TO FORM:

REGISTERED AND COUNTERSIGNED:

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

By: _____
Manager of Finance
Contract Control No. OC71239(4)

By: _____
Assistant City Attorney

By: _____
Auditor

“CITY”

ATTEST:

BISHOP AND LAYTON DESIGN, INC.,
a Colorado corporation
Taxpayer (IRS) I.D. No. 84-1165999

By: [Signature]
Title: VICE PRESIDENT

By: [Signature]
Name: Carol Henry
Title: President

“DESIGN CONSULTANT”



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

9/1/2010

PRODUCER Phone: 303-837-8500 Fax: 303-831-5295

Van Gilder Insurance Corp.
1515 Wynkoop, Suite 200
Denver CO 80202**THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.****INSURERS AFFORDING COVERAGE**

NAIC #

INSUREDDesign Concepts CLA, Inc.
Bishop & Layton Design, Inc. dba:
211 N. Public Rd., Suite 200
Lafayette CO 80026INSURER A: Hartford Insurance Company 0
INSURER B: Hartford Insurance (Service C 0
INSURER C: Colony Specialty Insurance Co
INSURER D:
INSURER E:**COVERAGES**

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

| INSR ADD'L LTR INSRD | TYPE OF INSURANCE | POLICY NUMBER | POLICY EFFECTIVE DATE (MM/DD/YYYY) | POLICY EXPIRATION DATE (MM/DD/YYYY) | LIMITS |
|----------------------|---|---------------|------------------------------------|-------------------------------------|--|
| A | GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC | 34SBANO0643 | 9/11/2009 | 9/11/2010 | EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMPI/OP AGG \$ 2,000,000 |
| A | AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS | 34SBANO0643 | 9/11/2009 | 9/11/2010 | COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ GARAGE LIABILITY <input type="checkbox"/> ANY AUTO AUTO ONLY - EA ACCIDENT \$ OTHER THAN EA ACC AGG \$ |
| A | EXCESS / UMBRELLA LIABILITY <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> DEDUCTIBLE <input checked="" type="checkbox"/> RETENTION \$10000 | 34SBANO0643 | 9/11/2009 | 9/11/2010 | EACH OCCURRENCE \$ 1,000,000 AGGREGATE \$ 1,000,000 \$ \$ \$ |
| B | WORKERS COMPENSATION AND EMPLOYERS' LIABILITY Y/N ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under SPECIAL PROVISIONS below | 34WEGRO2711 | 9/11/2009 | 9/11/2010 | <input checked="" type="checkbox"/> WC STATU-TORY LIMITS <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000 |
| C | OTHER Professional Liability Claims Made | IAE110700 | 9/11/2009 | 9/11/2010 | Per Claim \$1,000,000 Annual Aggregate \$2,000,000 |

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS

The City and County of Denver, its elected and appointed officials, employees and volunteers are named as additional insured with regards to the Commercial General Liability policy and Business Automobile Liability policy.

CERTIFICATE HOLDERCity and Count of Denver - Dept of Parks & Rec
Division of Planning, Design & Const.
201 W. Colfax Ave.
Denver CO 80202**CANCELLATION**

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES. 10 DAYS NOTICE FOR NON-PAYMENT OF PREMIUM.

AUTHORIZED REPRESENTATIVE

IMPORTANT

If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

DISCLAIMER

This Certificate of Insurance does not constitute a contract between the issuing insurer(s), authorized representative or producer, and the certificate holder, nor does it affirmatively or negatively amend, extend or alter the coverage afforded by the policies listed thereon.