

## FOURTH AMENDATORY AGREEMENT

**THIS FOURTH AMENDATORY AGREEMENT** is made between the **CITY AND COUNTY OF DENVER**, a municipal corporation of the State of Colorado (the “City”), and **THE REGENTS OF THE UNIVERSITY OF COLORADO**, a body corporate, for and on behalf of the University of Colorado, Denver (the “University”), whose address is University of Colorado Denver, Grants & Contracts, MS F428, Anschutz Medical Campus, Bldg. 500, Rm. W1126, 13001 E. 17<sup>th</sup> Place, Box 6508, Aurora, Colorado 80045-0508.

### WITNESSETH:

**WHEREAS**, the City and the University previously entered into an On-Call Technical and Engineering Services Agreement dated September 29, 2009, an Amendatory Agreement dated August 31, 2010, a Second Amendatory Agreement dated October 5, 2011, and a Third Amendatory Agreement dated October 22, 2012, for on-call technical and professional services (collectively, the “Agreement”); and

**WHEREAS**, Section 4.01 of the Agreement allows the City at its sole option to extend the initial term for up to four (4) consecutive one (1) year renewal terms; and

**WHEREAS**, the City desires to exercise its option to extend the Agreement for an additional one-year renewal term and the parties desire to amend the Agreement to extend the term and otherwise amend the Agreement as set forth below.

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

**1.** Section 4.01 of the Agreement, entitled “**Term**” is hereby amended to read in its entirety as follows:

“**4.01 Term.** The initial term of this Agreement shall commence upon execution and shall end August 28, 2010; provided, however, that any work in progress that was initiated during the term of this Agreement shall continue and be paid for hereunder until the completion thereof. All terms and conditions of the Agreement shall remain in full force and effect until such completion. This initial term may be extended upon the same terms and conditions as set forth herein, at the sole option of the City, for up to **four (4)** consecutive one (1) year renewal terms, upon written notice from the Manager issued prior to expiration of the then current term. In no event, however, shall the University’s performance under this Agreement, including the **four (4)** possible extensions, exceed a **five (5)** year period ending on month and day of the execution of this Agreement. In addition, nothing contained herein shall obligate the City to extend the Agreement beyond the initial term.

The City previously exercised its sole option to extend the term for three additional one year terms ending August 28, 2011, August 28, 2012, and August 23, 2013. The City hereby exercises its sole option to extend the term for a one (1) year renewal term, ending on August 28, 2014.”

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

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**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:** PWADM-OC91217-04

**Contractor Name:** UNIVERSITY OF COLORADO AT DENVER

By: *[Signature]*

Name: *Adelita DeHerrera*  
(please print)

Title: *Contracts Manager, Grants & Contracts*  
(please print)

**ATTEST: [if required]**

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

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

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

