

## 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 **PROFESSIONAL SERVICE INDUSTRIES, INC.**, a corporation authorized to transact business in the State of Colorado, with an address of 7192 Solutions Center, Chicago, Illinois 60677 (the “Consultant”).

### RECITALS:

**A.** The City and the Consultant, collectively the (“Parties) previously entered into an Agreement dated December 14, 2010, as amended on November 3, 2011, as amended on October 17, 2012 and as amended on September 17, 2013, relating to construction material testing and inspections on an “as needed” basis (the “Agreement”); and

**B.** The City and the Consultant wish to amend the Agreement to extend the term and increase contract amount, as otherwise 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.** Subparagraph 5g. of the Agreement, entitled “**Maximum Contract Amount**”, is hereby deleted in its entirety and replaced with:

“**5g. Maximum Contract Amount:** It is understood and agreed by the parties hereto that payment or reimbursement of all kinds to the Consultant, for all work performed under this Agreement, shall not exceed a maximum of **NINE HUNDRED SIXTY THOUSAND DOLLARS AND NO/100 (\$960,000.00)**.”

**2.** Paragraph 11 of the Agreement, entitled “**TERM**”, is hereby deleted in its entirety and replaced with:

“**11. TERM:** The term of this Agreement shall commence on October 1, 2010, and shall expire on September 30, 2015, unless sooner terminated or extended by written amendment. Subject to the Manager’s prior written authorization, the Consultant shall complete any work in progress as of the expiration date and the term will extend until the work is completed or earlier terminated by the Manager.”

**3.** As herein amended, the Agreement is affirmed and ratified in each and every particular.

[SIGNATURE PAGE TO FOLLOW]

**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-OC01283-05

Contractor Name: PROFESSIONAL SERVICE INDUSTRIES, INC.

By: Kyle R. Dutschman

Name: KYLE DUTSCHMAN  
(please print)

Title: BRANCH MANAGER  
(please print)

Notary Public in and for the county of Adams,  
~~ATTEST: [if required]~~ State of Colorado

By: Danielle Lampp com exp 6/24/15

Name: Danielle Lampp  
(please print)

Title: Business Development Associate  
(please print)

