

FOURTH AMENDATORY AGREEMENT

THIS FOURTH AMENDATORY AGREEMENT is made between the **CITY AND COUNTY OF DENVER**, a home rule and municipal corporation of the State of Colorado (“City”) and **BERG HILL GREENLEAF & RUSCITTI, LLP**, a Colorado limited liability partnership whose address is 1712 Pearl Street, Boulder, Colorado 80302 (“Special Counsel”), collectively “the Parties”.

RECITALS:

A. WHEREAS, the Parties entered into an Agreement executed on March 22, 2019, an Amendatory Agreement executed on May 31, 2022, a Second Amendatory Agreement executed on May 3, 2024, and a Third Amendatory Agreement executed on April 16, 2025 (the “Agreement”) to perform, and complete all the services and produce all the deliverables set forth in the Agreement, to the City’s satisfaction.

B. The Parties wish to amend the Agreement to extend the term and update the Scope of Work.

NOW THEREFORE, in consideration of the premises and the Parties’ mutual covenants and obligations, the Parties agree as follows:

1. Section **3** of the Agreement entitled “**TERM**” is hereby deleted in its entirety and replaced with:

“**3. TERM**: The term of the Agreement is from March 1, 2019, until January 31, 2027 (“Term”). Subject to the City Attorney’s prior written authorization, Special Counsel shall complete any work in progress as of the expiration date and the Term of the Agreement will extend until the work is completed or earlier terminated by the City Attorney.”

2. Exhibits A, A-2, and A-3 are hereby deleted in its entirety and replaced with **Exhibit A-4, Scope of Work/Fee Schedule**, attached and incorporated by reference herein. All references in the original Agreement to **Exhibit A, A-2, and A-3** are changed to **Exhibit A-4**.

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

4. This Fourth Amendatory Agreement will not be effective or binding on the City until it has been fully executed by all required signatories of the City and County of Denver, and if required by Charter, approved by the City Council.

EXHIBITS

Exhibit A-4- Scope of Work/Fee Schedule

**[SIGNATURE PAGES TO FOLLOW]
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Contract Control Number: ATTNY-202582516-04 / 201947987
Contractor Name: BERG HILL GREENLEAF & RUSCITTI LLP

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:

ATTNY-202582516-04 / 201947987
BERG HILL GREENLEAF & RUSCITTI LLP

By: Signed by:
DJ Goldfarb _____
BCA6A2DB425A4A6...

Name: DJ Goldfarb
(please print)

Title: Partner
(please print)

ATTEST: [if required]

By: _____

Name: _____
(please print)

Title: _____
(please print)

EXHIBIT A-4

BERG HILL

Scope of Work and Fee Schedule

Scope of Work:

Professional legal services as legal counsel to the City for conflicts and overflow litigation, and other legal matters and services, as necessary and directed by the City Attorney. Legal services include representation of Denver and/or its employees in lawsuits filed in Colorado state and federal courts.

Fee Schedule:

\$275/hour for Partners

\$245/hour for Associates

\$150/hour for Paralegals