

Fourth Amendment to Agreement for Professional Services

This Fourth Amendment to Agreement for Professional Services (the "Fourth Amendment") is made and entered into this ____ day of _____, 2025 (the "Effective Date"), by and between the Town of Erie, a Colorado municipal corporation with an address of 645 Holbrook Street, P.O. Box 750, Erie, CO 80516 (the "Town"), and Baseline Engineering Corporation, an independent contractor with a principal place of business at 112 North Ruby Drive., Suite 210 Golden, CO 80403 ("Contractor") (each a "Party" and collectively the "Parties").

Whereas, on April 7, 2021, the Parties entered into an Agreement for Professional Services (the "Agreement");

Whereas, on June 3, 2022, the Parties amended the Agreement to add additional services and change the amount of compensation (the "First Amendment");

Whereas, on March 28, 2023, the Parties amended the Agreement to add additional services and change the amount of compensation (the "Second Amendment"); and

Whereas, on June 13, 2023, the Parties amended the Agreement to add additional services and change the amount of compensation (the "Third Amendment"); and

Whereas, the Parties wish to amend the Agreement again as set forth herein.

Now Therefore, for the consideration hereinafter set forth, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. Scope of Work. Exhibit A to the Agreement is hereby amended by the inclusion of the following additional items in the Scope of Work.

Contractor shall design a water quality bioswale measures, irrigation design and revised landscape design. Contractor will also provide as-built drawings and construction phase services.

2. Compensation. Exhibit B to the Agreement is hereby amended to increase the maximum amount of compensation to \$764,287, allocated as follows

Original Contract Amount:	\$ 448,449
1st Amendment:	\$ 38,000
2nd Amendment:	\$ 8,197
3rd Amendment:	\$ 237,341
4th Amendment:	\$ 32,300

Total New Contract Amount	\$ 764,287
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3. Term. The term of the Agreement is hereby extended through May 15, 2026.

4. **Illegal Aliens.** Section IX of the Agreement is hereby deleted in its entirety.

5. The following new subsections are added to the Section X of the Agreement:

M. *Accessibility.* Licensee shall comply with the accessibility standards for an individual with a disability adopted by the State Office of Information Technology pursuant to C.R.S. § 24-85-103, and shall indemnify, hold harmless and assume liability on behalf of the Town and its officers, employees, agents and attorneys for all costs, expenses, claims, damages, liabilities, court awards, attorney fees and related costs, and any other amounts incurred by the Town in relation to Licensee's noncompliance with such accessibility standards.

N. *Electronic Signatures.* The Parties intend that this Agreement be governed by the Uniform Electronic Transactions Act, C.R.S. § 24-71.3-101, *et seq.*

6. Remainder of Agreement. Except as expressly modified herein, the Agreement, as amended by the First Amendment, Second Amendment and Third Amendment, shall remain in full force and effect.

In Witness Whereof, the Parties have executed this Fourth Amendment as of the Effective Date.

Town of Erie, Colorado

Andrew J. Moore, Mayor

Attest:

Debbie Stamp, Town Clerk

Baseline Engineering Corporation

Signed by:

John McLain

-AFF295AEF19A470...

John McLain, Managing Partner

State of Colorado)
) ss.
County of _____)

The foregoing instrument was subscribed, sworn to and acknowledged before me
this ____ day of _____, 2025, by _____ as
_____ of Baseline Engineering Corporation.

My commission expires:

(Seal)

Notary Public

Exhibit A

Scope of Services – South Roundabout Redesign

Contractor's Duties

During the term of this Agreement, Contractor shall perform the following duties, as directed by the Town:

- A. **Utility Coordination for Excel and Lumen** – Contractor shall
- B. **Construction Phase Services** – Contractor shall
- C. **As-Built Drawings** – Contractor shall
- D. **Revised Landscape Plans** – Contractor shall
- E. **Field Stake Easements for St Lukes Church** – Contractor shall
- F. **Water Quality / Bioswale** – Contractor shall
- G. **Irrigation Planning** – Contractor shall

Contractor's Schedule

Contractor shall complete the scope of work within 319 work days from the Town's execution of this Fourth Amendment.

Certificate Of Completion

Envelope Id: 510F7150-53EE-4870-B2EA-0B415FA6A879

Status: Completed

Subject: Complete with Docusign: Fourth Amendment to PSA.pdf

Source Envelope:

Document Pages: 5

Signatures: 1

Envelope Originator:

Certificate Pages: 4

Initials: 0

Kris McDaniel

AutoNav: Enabled

645 Holbrook Street

Envelopeld Stamping: Enabled

P.O. Box 750

Time Zone: (UTC-07:00) Mountain Time (US & Canada)

Erie, CO 80516

krismc@erieco.gov

IP Address: 73.34.182.144

Record Tracking

Status: Original

Holder: Kris McDaniel

Location: DocuSign

6/5/2025 12:06:56 PM

krismc@erieco.gov

Signer Events

John McLain

john@baselinecorp.com

JMc

Baseline Engineering Corp

Security Level: Email, Account Authentication
(None)

Signature

Signed by:


AFF295AEF19A470...

Signature Adoption: Pre-selected Style

Using IP Address: 208.46.81.26

Timestamp

Sent: 6/5/2025 12:09:29 PM

Viewed: 6/5/2025 1:04:52 PM

Signed: 6/5/2025 1:05:19 PM

Electronic Record and Signature Disclosure:

Accepted: 6/5/2025 1:04:52 PM

ID: dc406527-bcc5-4e24-a2c5-1f266e7e1069

In Person Signer Events

Signature

Timestamp

Editor Delivery Events

Status

Timestamp

Agent Delivery Events

Status

Timestamp

Intermediary Delivery Events

Status

Timestamp

Certified Delivery Events

Status

Timestamp

Carbon Copy Events

Status

Timestamp

Witness Events

Signature

Timestamp

Notary Events

Signature

Timestamp

Envelope Summary Events

Status

Timestamps

Envelope Sent

Hashed/Encrypted

6/5/2025 12:09:29 PM

Certified Delivered

Security Checked

6/5/2025 1:04:52 PM

Signing Complete

Security Checked

6/5/2025 1:05:19 PM

Completed

Security Checked

6/5/2025 1:05:19 PM

Payment Events

Status

Timestamps

Electronic Record and Signature Disclosure

ELECTRONIC RECORD AND SIGNATURE DISCLOSURE

From time to time, Town of Erie (we, us or Company) may be required by law to provide to you certain written notices or disclosures. Described below are the terms and conditions for providing to you such notices and disclosures electronically through the DocuSign system. Please read the information below carefully and thoroughly, and if you can access this information electronically to your satisfaction and agree to this Electronic Record and Signature Disclosure (ERSD), please confirm your agreement by selecting the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

Getting paper copies

At any time, you may request from us a paper copy of any record provided or made available electronically to you by us. You will have the ability to download and print documents we send to you through the DocuSign system during and immediately after the signing session and, if you elect to create a DocuSign account, you may access the documents for a limited period of time (usually 30 days) after such documents are first sent to you. After such time, if you wish for us to send you paper copies of any such documents from our office to you, you will be charged a \$0.00 per-page fee. You may request delivery of such paper copies from us by following the procedure described below.

Withdrawing your consent

If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

Consequences of changing your mind

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. Further, you will no longer be able to use the DocuSign system to receive required notices and consents electronically from us or to sign electronically documents from us.

All notices and disclosures will be sent to you electronically

Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through the DocuSign system all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

How to contact Town of Erie:

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by email send messages to: docusign@erieco.gov

To advise Town of Erie of your new email address

To let us know of a change in your email address where we should send notices and disclosures electronically to you, you must send an email message to us at docusign@erieco.gov and in the body of such request you must state: your previous email address, your new email address. We do not require any other information from you to change your email address.

If you created a DocuSign account, you may update it with your new email address through your account preferences.

To request paper copies from Town of Erie

To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an email to townclerk@erieco.gov and in the body of such request you must state your email address, full name, mailing address, and telephone number. We will bill you for any fees at that time, if any.

To withdraw your consent with Town of Erie

To inform us that you no longer wish to receive future notices and disclosures in electronic format you may:

- i. decline to sign a document from within your signing session, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;
- ii. send us an email to docusign@erieco.gov and in the body of such request you must state your email, full name, mailing address, and telephone number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

Required hardware and software

The minimum system requirements for using the DocuSign system may change over time. The current system requirements are found here: <https://support.docusign.com/guides/signer-guide-signing-system-requirements>.

Acknowledging your access and consent to receive and sign documents electronically

To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please confirm that you have read this ERSD, and (i) that you are able to print on paper or electronically save this ERSD for your future reference and access; or (ii) that you are able to email this ERSD to an email address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format as described herein, then select the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

By selecting the check-box next to 'I agree to use electronic records and signatures', you confirm that:

- You can access and read this Electronic Record and Signature Disclosure; and
- You can print on paper this Electronic Record and Signature Disclosure, or save or send this Electronic Record and Disclosure to a location where you can print it, for future reference and access; and
- Until or unless you notify Town of Erie as described above, you consent to receive exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you by Town of Erie during the course of your relationship with Town of Erie.