

**ADMINISTRATIVE SERVICES AGREEMENT  
AMENDMENT NO. 4**

**THIS ADMINISTRATIVE SERVICES AGREEMENT AMENDMENT NO. 4**, made in South Dakota and effective February 1, 2008, amends the Administrative Services Agreement of January 1, 1999, and subsequently amended, ("Agreement"), by and between The City of Rapid City ("Self-Insured") and Berkley Risk Administrators Company, LLC ("TPA") as follows:

I. Section 2.01 FEES, paragraph A., of the Agreement is amended and replaced in its entirety by as follows:

**A. New Claims**

All new claims will be handled at the following fee for the life of this agreement:

- Notice Only..... \$20 per claim
- Medical Only..... \$150 per claim
- Indemnity..... \$800 per claim for the first 12 months and \$300 for each additional 12 month period the claim remains open. The \$300 fee will apply to all current, existing, open lost time claims that have been open for more than 12 months as of 2-1-08. The \$300 maintenance fee will go to \$325 on 1-1-09 and to \$350 on 1-1-10. The per claim costs will be reviewed annually and mutually agreed upon by the parties. In the event of termination of this Agreement, the maintenance fee will apply to any run off services provided.

The estimated fee payable monthly is based on the number and type of claims indexed the prior month. If a claim's type changes, any additional amount due will be invoiced on the next monthly billing.

II. The Termination provision of the Agreement is amended such that either party may terminate this Agreement for no reason, and without penalty, by giving ninety (90) days written notice to the other party.

All other terms and conditions of the Agreement remain unchanged.

**BERKLEY RISK ADMINISTRATORS  
COMPANY, LLC**

Dated: 3/7/08

By: *Sarah Dahlgen*

Its: SVP

**THE CITY OF RAPID CITY**

Dated: \_\_\_\_\_

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

Its: \_\_\_\_\_