



City Clerk Document No. _____

City Council Meeting Date: December 9, 2021

**AMENDMENT TO CITY OF CHANDLER AGREEMENT
ASPHALT RUBBER CRACK SEAL SERVICES
CITY OF CHANDLER AGREEMENT NO. PW0-745-4121**

THIS AMENDMENT NO. 2 (Amendment No. 2) is made and entered into by and between the City of Chandler, an Arizona municipal corporation (City), and Choice Maintenance & Asphalt Services, LLC, (Contractor), (City and Contractor may individually be referred to as Party and collectively referred to as Parties) and made _____, 2021 (Effective Date),

RECITALS

WHEREAS, the Parties entered into an agreement for asphalt rubber crack seal services (Agreement); and

WHEREAS, the term of the Agreement was January 1, 2020, through December 31, 2020, with the option of up to four one-year extensions; and

WHEREAS, the Parties wish to exercise the second option through this Amendment to extend the Agreement for one year.

AGREEMENT

NOW THEREFORE, the Parties agree as follows:

1. The recitals are accurate and are incorporated and made a part of the Agreement by this reference.
2. Section III, Period of Service is amended to read as follows: The Agreement is extended for a one-year period January 1, 2022, through December 31, 2022.
3. Section IV, Payment of Compensation and Fees is amended to read as follows: The City will pay the Contractor the per unit cost set forth in Revised Exhibit A of the original Agreement, attached to and made a part of this Amendment No. 2. Total payments made to the Contractor during the term of this Amendment No. 2 will not exceed \$450,000.

4. All other terms and conditions of the Agreement remain unchanged and in full force and effect. If a conflict or ambiguity arises between this Amendment No. 2 and the Agreement, the terms and conditions in this Amendment No. 2 prevail and control.

IN WITNESS WHEREOF, the Parties have entered into this Amendment on the Effective Date.

FOR THE CITY

By: _____

Its: Mayor _____

FOR THE CONTRACTOR

By: Tony Deimling _____

Its: owner/member _____

APPROVED AS TO FORM:

By: _____
City Attorney *nm*

ATTEST:

By: _____
City Clerk

**EXHIBIT B
REVISED PRICING**

QUANTITY AND UNIT	UNIT BID PRICE PER L.F.
Approximately 830,000 L.F. on arterial roads.	\$ <u>.14</u> per L.F.
Approximately 1,670,000 L.F. on collectors & residential streets.	\$ <u>.11</u> per L.F.