



City Clerk Document No. _____

City Council Meeting Date: February 25, 2022

**AMENDMENT TO CITY OF CHANDLER AGREEMENT
STREET MAINTENANCE REPAVING, SURFACE SEAL AND REPAIR SERVICES
CITY OF CHANDLER AGREEMENT NO. PW0-745-4183**

THIS AMENDMENT NO. 2 is made and entered into by and between the City of Chandler, an Arizona municipal corporation (City), and M.R. Tanner Development & Construction, Inc., (Contractor), (City and Contractor may individually be referred to as Party and collectively referred to as Parties) and made _____, 2022 (Effective Date).

RECITALS

WHEREAS, the Parties entered into an agreement for street maintenance, repaving, surface seal and repair services (Agreement); and

WHEREAS, the term of the Agreement was May 1, 2020, through April 30, 2021, with the option of up to four one-year extensions; and

WHEREAS, the Parties entered into Amendment No. 1 to extend the Agreement term for one-year for the period of May 1, 2021 through April 30, 2022; and

WHEREAS, the Parties wish to exercise the second option through this Amendment No. 2 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 May 1, 2022, through April 30, 2023.

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 Exhibit B of the original Agreement, which is incorporated into and made a part of this Amendment No. 2 by this reference. Total payments made to the Contractor during the term of this Amendment No. 2 will not exceed \$7,241,860.75.
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, Amendment No. 1 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: Alan Evans _____

President

Its: _____

APPROVED AS TO FORM:

By: _____

City Attorney

JMB

ATTEST:

By: _____

City Clerk