



City Clerk Document No. _____

City Council Meeting Date: October 27, 2022

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

THIS AMENDMENT NO. 3 (Amendment No. 3) 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 _____, 2022_ (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 third 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 is amended to read as follows: The Agreement is extended for a one-year period January 1, 2023, through December 31, 2023.
3. Section IV, Price is amended to read as follows: The City will pay the Contractor the per unit cost set forth in Revised Exhibit B of the original Agreement, attached to and made a part of this Amendment No. 3. Total payments made to the Contractor during the term of this Amendment No. 3 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. 3 and the Agreement, the terms and conditions in this Amendment No. 3 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

Owner/Member
Its: _____

APPROVED AS TO FORM:

By: _____
City Attorney 

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> .15 </u> per L.F.
Approximately 1,670,000 L.F. on collectors & residential streets.	\$ <u> .12 </u> per L.F.

Clarification to agreement Traffic Control clause No. 6 to the scope of work, the following requirements are hereby incorporated into the agreement:

The use of on-duty Chandler police officers, Police Aides or Park Rangers is limited to short-term assistance during emergency situations. Contractors, utilities and other agencies shall use uniformed extra-duty police officers, Police Aides or Park Rangers to provide traffic control and/or monitor barricade sites within the City of Chandler.

Chandler police officers, Police Aides or Park Rangers are to have first priority for above described positions. Job requests for personnel should be submitted at: <https://odm.officertrak.com/Chandler-AZ-PD>

If Off Duty Management is unable to fill the job requirement, the vendor/contractor will be notified 24 hours prior to the start of the job to allow the use of another agency to fill the request of extra duty officers.