



City Clerk Document No. \_\_\_\_\_

City Council Meeting Date: August 17, 2023

**AMENDMENT TO CITY OF CHANDLER AGREEMENT  
WATER AND WASTEWATER EQUIPMENT MAINTENANCE AND REPAIR SERVICES  
CITY OF CHANDLER AGREEMENT NO. PW2-936-4357**

THIS AMENDMENT NO. 1 (Amendment No. 1) is made and entered into by and between the City of Chandler, an Arizona municipal corporation (City), and Foster Electric Motor Service, Inc., (Contractor), (City and Contractor may individually be referred to as Party and collectively referred to as Parties) and made \_\_\_\_\_, 2023.

**RECITALS**

WHEREAS, City Council approved the award of multiple Agreements for water and wastewater equipment maintenance and repair services (Agreement); and

WHEREAS, the term of the Agreement was September 1, 2021, through August 31, 2023, with the option of up to two additional two-year extensions; and

WHEREAS, the City wishes to extend the term of the multiple Agreements for water and wastewater equipment maintenance and repair services in an amount not to exceed \$12,570,000 for the extension term; and

WHEREAS, the Parties wish to exercise the first option through this Amendment No. 1 to extend the Agreement for two years.

**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 term of the Agreement is extended for a two-year period September 1, 2023, through August 31, 2025.

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. 1 by this reference. Total payments made to the Contractor during the term of this Amendment No. 1 will not exceed \$12,570,000.
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. 1 and the Agreement, the terms and conditions in this Amendment No. 1 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: Amanda Creuse \_\_\_\_\_

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

**APPROVED AS TO FORM:**

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

City Attorney

*JMB*

**ATTEST:**

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

City Clerk