



City Clerk Document No. _____

City Council Meeting Date: February 22, 2024

**AMENDMENT TO CITY OF CHANDLER AGREEMENT
SOLAR INSTALLATIONS AT VARIOUS CITY FACILITIES
CITY OF CHANDLER AGREEMENT NO. NO. CM3-290-4552**

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 Ameresco, Inc. (Contractor), (City and Contractor may individually be referred to as Party and collectively referred to as Parties) and made _____, 2024 (Effective Date).

RECITALS

WHEREAS, the Parties entered into an agreement for solar installations at various City facilities (Agreement); and

WHEREAS, the services of Milestone 1 (Initial Development) of the Scope of Services has been completed; and

WHEREAS, the City has selected a final portfolio to be engineered; and

WHEREAS, the Parties wish to exercise the option through this Amendment to proceed with Milestone 2 (100% Development).

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. The Contractor will perform the services of Milestone 2, described in Exhibit A of the original Agreement, which is incorporated into and made a part of this Amendment No. 1 by this reference.
3. The Parties agree that the cost of the services of Milestone 2 is \$1,820,507. In the event that the

City decides not to proceed with the portfolio construction, the City will pay the Contractor the cost of the services of Milestone 2 in the amount of \$1,820,507.

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: Jay Fleishman

Its: Senior Vice President - Engineering

APPROVED AS TO FORM:

By: _____
City Attorney

ATTEST:

By: _____
City Clerk

JMB