



City Clerk Document No. _____

City Council Meeting Date: April 18, 2024

**AMENDMENT TO CITY OF CHANDLER AGREEMENT
ELECTRICAL MAINTENANCE, REPAIR AND INSTALLATION
CITY OF CHANDLER AGREEMENT NO. BF2-910-4446**

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 Swain Electric Inc., an Arizona corporation, (Contractor), (City and Contractor may individually be referred to as Party and collectively referred to as Parties) and made _____, 20____ (Effective Date).

RECITALS

WHEREAS, City Council approved the award of multiple Agreements for electrical maintenance, repair and installation services (Agreement); and

WHEREAS, the term of the Agreement was April 1, 2022 through March 31, 2023, with the option of up to four one-year extensions; and

WHEREAS, the Parties wish to add funds to the multiple Agreements for electrical maintenance, repair and installation services to increase the amount not to exceed \$1,800,000 to the current term. Amendment 1; and

WHEREAS, the Parties extended the Agreement for the period of April 1, 2023, through March 31, 2024 through Amendment No. 2; and

WHEREAS, the Parties extended the term of the multiple Agreements for electrical maintenance, repair and installation services in an amount not to exceed \$2,275,000 for the extension term; 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 term of the Agreement is extended for a six-month period April 1, 2024 through September 30, 2024.
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. 3 by this reference. Total payments made to the Contractor during the term of this Amendment No. 3 will not exceed \$1,260,000.
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: _____

FOR THE CONTRACTOR

By: Brian Swain

Its: Vice President

APPROVED AS TO FORM:

By: _____

City Attorney

JNB

ATTEST:

By: _____

City Clerk