



## FIRST AMENDMENT

### Lone Tree Overpass Project Design-Build Agreement

#### Design Phase Services

Project No. 03-19004  
Contract No. 2021-23

This First Amendment ("First Amendment") to the fully executed Design-Build Services Agreement No. 2021-23 dated 2/26/2021 (the "Agreement") for the City of Flagstaff Lone Tree Overpass Project (the "Project") is made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2021, by and between the City of Flagstaff, an Arizona municipal corporation, with offices at 211 West Aspen Avenue, Flagstaff, Arizona 86001, and Ames Construction, with offices at 8333 E. Hartford Drive, Scottsdale, Arizona 85255.

The parties to the Agreement for the Project, the City of Flagstaff and Ames Construction, hereby agree to the following First Amendment; all other provisions of the Agreement shall remain unchanged in full force and effect. New text is underlined.

#### ARTICLE 5 – CONTRACT PRICE

##### 5.2.2 – DESIGN

Design-Builder's First Amendment for additional design phase services shall be **eight hundred ninety-three thousand, two hundred and sixty-eight dollars and forty-six cents (\$893,268.46)**. The First Amendment shall be for the complete performance of the additional portion of work in accordance with the contract documents and exhibits listed below, which are part of this First Amendment, and which shall be incorporated into the Agreement by this First Amendment as if fully set forth therein.

EXHIBIT A – Ames Construction/City of Flagstaff Lone Tree Overpass Design-Build Design; Design Services - Amendment #1 R1 and Attachments.

The total Contract Price under the Agreement, as amended by this First Amendment, shall be **three million, three hundred and sixty-nine thousand, six hundred and six dollars and seventy-three cents (\$3,369,606.73)**.

IN WITNESS WHEREOF, the parties have caused this First Amendment to be executed by their duly authorized representatives as of the date first written above. This First Amendment will be in full force and effect only when it has been approved and executed by the duly authorized City officials.

*(Please sign in blue ink. Submit original signatures – photocopies not accepted)*

**City of Flagstaff**

**Ames Construction**

By: \_\_\_\_\_  
Greg Clifton, City Manager

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

Title: \_\_\_\_\_

Dated: \_\_\_\_\_

Dated: \_\_\_\_\_

Attest:

\_\_\_\_\_  
City Clerk

Approved as to form:

\_\_\_\_\_  
City Attorney