

COOPERATIVE PURCHASE CONTRACT

Contract No. CO-2023-31

This Cooperative Purchase Contract is made and entered into this _____ day of _____, 2022 by and between the City of Flagstaff, Arizona, a political subdivision of the State of Arizona ("City") and Aspen Communications, LLC, an Arizona corporation ("Contractor").

RECITALS:

- A. Contractor has a Government Purchasing Cooperative Contract P19DC001 with the Arizona Board of Regents for and on behalf of Northern Arizona University (NAU) to supply materials and/or services ("Agency Contract"), which was awarded through a competitive and open procurement process;
- B. The City has authority to enter into a cooperative purchase contract with Contractor utilizing the Agency Contract.

AGREEMENT:

NOW THEREFORE, in consideration for the mutual promises contained herein, the parties agree as follows:

1. Materials and or Services Purchased: Contractor shall provide to City the materials and or services, as specified in the Purchase Order(s) submitted by the City in accordance with the Agency Contract. General description of materials and or services being purchased:

Audiovisual, Electronics and Telecommunication Installation Services – City Hall to Butler Avenue Vault OSP Fiber Optic Cabling/Pathways Project and Chamber of Commerce to Visitors Center OSP Fiber Optic Cabling/Pathway Project
2. Specific Requirements of City: Contractor shall comply with all specific purchase and delivery requirements and/or options of City, as specified in the Purchase Order(s) submitted to Contractor or Exhibit A attached hereto and incorporated by reference.
3. Payment: Payment to the Contractor for the materials and or services provided shall be **five hundred ninety-three thousand and five hundred ninety-three hundred dollars and twenty cents (\$593,593.20), in addition to taxes and other charges**; made in accordance with the price list and terms set forth in the Agency Contract.
4. Terms and Conditions of Agency Contract Apply: All provisions of the Agency Contract documents, including any amendments, are incorporated in and shall apply to this Contract as though fully set forth herein. The Agency Contract documents are set forth in Exhibit B attached hereto and incorporated by reference. Contractor is responsible for promptly notifying City in writing of any changes to the Agency Contract.
5. Certificates of Insurance: All insurance provisions of the Agency Contract shall apply, including any requirement to name the City as an additional insured. Prior to commencing performance under this Contract, Contractor shall furnish City with a copy of the current Certificate of Insurance required by the Agency Contract.

6. Term: This Cooperative Purchase Contract shall commence upon execution by the parties and shall continue until expiration or termination of the underlying Agency Contract, unless sooner terminated by City in writing.
7. Renewal: This Cooperative Purchase Contract shall be automatically renewed if the underlying Agency Contract is renewed, for the same renewal period, unless City provides advance written notice to Contractor of its intention to non-renew.
8. Notice: Any formal notice required under this Contract shall be in writing and sent by certified mail and email as follows:

To the City:

CJ Perry
IT Director-Information Technology
City of Flagstaff
211 W. Aspen Ave.
Flagstaff, AZ 86001
cperry@flagstaffaz.gov
Phone: 928-213-2821

To Contractor:

Eric Bedell
BICSI Technician
Vice President/COO
Aspen Communications
Phone: 928-774-0992
ebedell@aspentelco.com

With a copy to:

Liane Garcia
Buyer
City of Flagstaff
211 W. Aspen Ave.
Flagstaff, AZ 86001
lgarcia@flagstaffaz.gov
Phone: 928-213-2279

With a copy to:

Nick Roach
RCDD
Network Designer
Aspen Communications
Phone: 928-774-0992
nroach@aspentelco.com

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CONTRACTOR:

By: _____

Title: _____

CITY OF FLAGSTAFF

By: _____

Title: _____

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney's Office

Notice to Proceed issued: _____, 20__

**EXHIBIT A
SCOPE OF WORK**

1. COF Pricing Proposal (5 pages)

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**EXHIBIT B
AGENCY CONTRACT**

1. Arizona Board of Regents Contract dated 11/8/2019
2. Exhibit A (NAU Request for Proposals)
3. Exhibit B (Aspen Response)
4. Amendment Three – Renewal Letter

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