

COOPERATIVE PURCHASE CONTRACT
Contract No. 2024-75

This Cooperative Purchase Contract is made and entered into this _____ day of _____, 20____ by and between the City of Flagstaff, Arizona, a political subdivision of the State of Arizona (“City”) and Garver, LLC, an Arkansas Limited Liability Partnership (“Contractor”).

RECITALS:

- A. Contractor is a provider as described in the Agency Contract;
- B. The City of Avondale conducted a competitive and open procurement process through Request for Qualification Solicitation No. PW20-051 that resulted in Contract No. 20-204C with Contractor (“Agency Contract”);
- C. The City of Avondale has averred that the Agency Contract is currently active and will be active throughout the term of this cooperative purchase contract; and
- D. 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 the City the materials and or services, as specified in the Scope of Work attached as *Exhibit A*, and in accordance with the Agency Contract. A general description of materials and/or services being purchased is:

Wastewater System Professional Engineering Services

- 2. Specific Requirements of City: Contractor shall comply with all specific purchase and delivery requirements and/or options of City, as specified in the Scope of Work attached as *Exhibit A* and incorporated by reference.
- 3. Payment: Payment to the Contractor for the materials and/or services provided is **six hundred fifty-six thousand sixty-seven dollars and sixty cents (\$656,067.60)**, 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 attached as *Exhibit B*, including any amendments, are incorporated in and shall apply to this Contract as though fully set forth herein. Contractor is responsible for promptly notifying City in writing of any changes to the Agency Contract, including, specifically changes in price for materials and/or services.
- 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 to the City by email as follows:

To the City:

Shannon Jones
City of Flagstaff
Water Services Director
211 W. Aspen Ave.
Flagstaff, AZ 86001
Shannon.Jones@flagstaffaz.gov
Phone: 928-213-2420

To Contractor:

Mary Elizabeth Mach
Garver, LLC
1620 West Fountainhead Parkway Suite 503
Tempe, Arizona 85282
405-269-6884
MEMach@GarverUSA.com

Copy to the City:

Emily Markel
City of Flagstaff
Senior Procurement Specialist
211 W. Aspen Ave.
Flagstaff, AZ 86001
EMarkel@flagstaffaz.gov
Phone: 928-213-2276

9. Authority: Each Party warrants that it has authority to enter into the Contract and perform its obligations hereunder, and that it has taken all actions necessary to enter into the Contract.

(REMAINDER OF PAGE INTENTIONALLY LEFT BLANK)

GARVER, LLC:

By: _____

Title: _____

CITY OF FLAGSTAFF

By: _____

Title: _____

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney's Office

Last Updated July 20,2023

EXHIBIT A
Scope of Work
Wastewater System Professional Engineering Services

(attached)

EXHIBIT B
AGENCY CONTRACT
(attached)

1. PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF AVONDALE AND GARVER, LLC – Contract No. 20-204C.
2. Request for Qualifications Solicitation No. RFQ PW20-051 that resulted in Agency Contract No. 20-204C.