

COOPERATIVE PURCHASE
CONTRACT Contract No. CO-2024-81

This Cooperative Purchase Contract is made and entered into this _____ day of _____, 2023 by and between the City of Flagstaff, Arizona, a political subdivision of the State of Arizona ("City") and JE Fuller/Hydrology and Geomorphology Inc., an Arizona corporation ("Contractor").

RECITALS:

- A. Contractor is a fully authorized vender of water monitoring services;
- B. Contractor has a Government Purchasing Cooperative Contract 205526R0Q with Pinal County to supply materials and/or services ("Agency Contract"), which was awarded through a competitive and open procurement process;
- C. 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 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:

Lake Mary Water Monitoring 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 shall be **two hundred fifty-seven thousand four hundred eighty-nine dollars and no cents (\$257,489.00), in addition to taxes and other charges**; made in accordance with the price list and terms set forth in the Agency Contract. Any price adjustment must be approved by mutual written consent of the parties through a formal amendment. The City Manager or his/her designee (the Purchasing Director) may approve an amendment if the amendment price increase is less than \$50,000; otherwise, City Council approval is required.
- 4. Terms and Conditions of Agency Contract Apply: All provisions of the Agency Contract documents attached as Exhibit B, including any amendmen, 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.
- 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:

Erin Young
Water Services Manager
City of Flagstaff
211 W. Aspen Ave.
Flagstaff, AZ 86001
eyoung@flagstaffaz.gov
Phone: 928-213-2405

To Contractor:

Cory Helton, PE, MS
JE Fuller Hydrology Geomorphology
3111 North Caden Court, Suite 180
Flagstaff, AZ. 86004
Phone: 928-214-0887

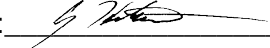
With a copy to:

Teddy Callan
Procurement Specialist
City of Flagstaff
211 W. Aspen Ave.
Flagstaff, AZ 86001
Teddy.Callan@flagstaffaz.gov
Phone: 928-213-2275

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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.

CONTRACTOR:

By:  _____

Title: CFO _____

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
(Attached)**

1. Scope of Work-Proposal from JE Fuller –4 pages

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**EXHIBIT B
AGENCY CONTRACT
(Attached)**

1. Pinal County Contract 205526ROQ – 52 pages
2. Contract Amendment No. 1 – 1 page
3. Contract Amendment No. 2 – 1 page

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