



## FIRST AMENDMENT

### Cinder Lake Landfill Construction Manager at Risk Phase 2-Cell D

#### Construction Services Agreement - GMP 2

Project No. #2021-74  
Agreement No. 2021-74

This First Amendment ("First Amendment") to the fully executed Cinder Lake Landfill Construction Manager at Risk Phase 2-Cell D Construction Services Agreement No. 2021-74 dated June 6, 2023 ("Agreement") is made and entered into this \_\_\_\_ day of \_\_\_\_, 2024, by and between the City of Flagstaff, an Arizona municipal corporation ("City"), and Rummel Construction, Inc., an Arizona corporation ("Construction Manager at Risk" or "CMAR").

The Parties to the Agreement, hereby agree to the following First Amendment:

- A. Pursuant to Article 5 – Contract Price, Section 5.2, Exhibit B – is amended to include GMP 2 – Cover Letter and Contract Summary, dated March 22, 2024, 36 pages (attached hereto).
- B. CMAR's GMP 2 is for additional construction services to install lining components and LCRS system of Module D1 (approximately 1/3 of overall footprint) to Cell D and shall total **two million, three hundred forty-four thousand, eight hundred ninety-one dollars and sixty-six cents (\$2,344,891.66)** plus and approximately **2.84%** Owners Contingency of **fifty-five thousand one hundred eight dollars and thirty-four cents (\$55,108.34)** which combined equals the total First Amendment amount of **seven million, six hundred fourteen thousand, one hundred forty-nine dollars and six cents (\$2,400,000.00)**.
- C. The total Contract Price for the complete performance of work under the Agreement, as amended by this First Amendment, shall be **six million, seven hundred thousand dollars and zero cents (\$6,700,000.00)**.
- D. All other provisions of the Agreement shall remain unchanged in full force and effect.

*(Signatures on Following Page)*

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.

**City of Flagstaff**

**Rummel Construction, Inc.**

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

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

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

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

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

Attest:

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

Approved as to form:

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