

## COOPERATIVE PURCHASE CONTRACT

Contract No. 2024-179

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 Motorola Solutions, Inc., a Delaware Corporation ("Contractor").

### RECITALS:

- A. Contractor is a fully authorized vendor of Motorola Radios and Accessories;
- B. The State of Arizona, Procurement Department, Public Sector conducted a competitive and open procurement process through Request for Proposal Solicitation No. ADSP019-00008376 that resulted in Contract No. CTR046830 with Contractor ("Agency Contract"); and
- 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 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:

#### **TWENTY (20) MOTOROLA RADIOS AND ACCESSORIES**

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 Contractor for the materials and or services provided for **ONE HUNDRED, EIGHTY-THREE THOUSAND, SEVENTY-TWO DOLLARS AND SIXTY-EIGHT CENTS (\$183,072.68)**; 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 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. Upon request, 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 the Contract shall be in writing and sent by certified mail and email as follows:

To the City:

Kristen Decker  
City of Flagstaff  
211 W. Aspen Ave.  
Flagstaff, AZ 86001  
[Kdecker@flagstaffaz.gov](mailto:Kdecker@flagstaffaz.gov)  
Phone: 928-679-4050

To Contractor:

Doug Buxbaum  
Motorola Solutions, Inc.  
4051 E Huntington Dr.  
Flagstaff, AZ 86004  
[Doug.buxbaum@motorolasolutions.com](mailto:Doug.buxbaum@motorolasolutions.com)  
Phone: 602-358-4155

With a copy to:

Emily Markel  
City of Flagstaff  
211 W. Aspen Ave.  
Flagstaff, AZ 86001  
[EMarkel@flagstaffaz.gov](mailto: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.

MOTOROLA SOLUTIONS, INC.:

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

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

CITY OF FLAGSTAFF

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

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

ATTEST:

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

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney's Office

Notice to Proceed issued: \_\_\_\_\_, 20\_\_

Last Updated October 30, 2023

**EXHIBIT A**  
**SCOPE OF WORK**  
(attached)

1. 20 Motorola Radios and Accessories 4 Pages

**EXHIBIT B**  
**AGENCY CONTRACT**  
(attached)

1. State of Arizona Contract # CTR046830 140 Pages
2. Price Sheet 2 Pages