

FIRST AMENDMENT
Contract No. 2024-106

This First Amendment by and between the City of Flagstaff, a political subdivision of the State of Arizona, and Empire Pump Corp., an Arizona corporation (“Contractor”) shall be effective as of the date of the last signature below. The City and Contractor may be referred to as “Party” or jointly as “Parties.”

RECITALS

WHEREAS, on July 12, 2024, the City and Contractor entered a Contract for Purchase of Materials/Services related to Utilities Well and Pump Maintenance for \$650,000, annually ("Initial Contract"); and

WHEREAS, the Parties desire to amend the Initial Contract to add \$300,000, annually, by entering into this First Amendment.

AGREEMENT

NOW, THEREFORE, effective on the last date of execution, and in consideration for the mutual promises contained herein, the Parties agree as follows.

1. Amendments

Take original contract and copy the exact language.

1.1 Amendment of Compensation

The parties hereby amend and restate Paragraph 2.0: Compensation in its entirety to read as follows:

City will pay Contractor for satisfactory performance of the Contract in an amount not to exceed **nine hundred fifty thousand dollars and no cents (\$950,000), annually for the term of the Contract**, including fees and taxes, made in accordance with the Bid Schedule attached hereto as Exhibit A.2. 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 total amount of the contract, as amended, is less than \$100,000; otherwise, City Council approval is required.

2. General Terms

2.1 All other terms and conditions of the Initial Contract, except to the extent amended herein, remain in full force and effect.

2.2 The Recitals included in this First Amendment are incorporated herein.

IN WITNESS WHEREOF, the Parties hereto have executed this First Amendment as of the date hereinbefore indicated.

CONTRACTOR

CITY OF FLAGSTAFF

SIGNATURE

SIGNATURE

FULL NAME

FULL NAME

TITLE

TITLE

DATED SIGNED

DATED SIGNED

ATTEST:

SIGNATURE

Stacy Saltzburg

FULL NAME

City Clerk

TITLE

DATED SIGNED

APPROVED AS TO FORM:

SIGNATURE

FULL NAME

City Attorney's Office

TITLE

DATE SIGNED