

AMENDMENT NO. 1
ROOF AND ROOFING SYSTEMS - INSTALLATION, PRODUCTS, AND SERVICES
CONTRACT

(Jim Brown & Sons Roofing Co Inc. dba JBS Roofing, Contract No. C20-0935)

This Amendment No. 1 (“Amendment”) to the Linking Agreement (“Agreement”) is made this _____ day of _____, 2022, (“Effective Date”), by and between the City of Glendale, an Arizona municipal corporation (“City”) and JBS Roofing, an Arizona corporation authorized to do business in Arizona (“Contractor”).

RECITALS

- A. On October 13, 2022, City and JBS Roofing (“Contractor”) entered into Linking Agreement for roof and roofing systems - installation, products, and services, Contract No. C20-0935, (“Agreement”); and
- B. The original Mohave Contract, Contract No. 18R-JBSR1-0418 had an initial term beginning March 20, 2019 through March 20, 2021, with the option to extend the Agreement to two (2) one-year periods; and
- C. On March 11, 2021, the City and Contractor entered into Contract Extension No. 1 extending the term of the Agreement through March 20, 2022; and
- D. On April 25, 2022, the City and Contractor entered into Contract Extension No. 2 extending the term of the Agreement through April 17, 2023; and
- E. City and Contractor wish to modify and amend the Agreement subject to and strictly in accordance with the terms of this Amendment.

AGREEMENT

In consideration of the mutual promises set forth herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the City and Contractor hereby agree as follows:

- 1. **Recitals.** The recitals set forth above are not merely recitals, but form an integral part of this Amendment.
- 2. **Term.** The term of the Agreement is unchanged.
- 3. **Scope of Work.** The Scope of Work is unchanged.
- 4. **Compensation.** The Compensation is hereby modified and amended by an additional amount of \$600,000 for a new not-to-exceed amount of \$1,200,000.

5. **Insurance Certificate.** Current certificate will expire on January 1, 2023. A new certificate applying to the extended term must be provided prior to this date to Materials Management and the Contract Administrator.
6. **Non-discrimination.** Contractor must not discriminate against any employee or applicant for employment on the basis of race, color, religion, sex, national origin, age, marital status, sexual orientation, gender identity or expression, genetic characteristics, familial status, U.S. military veteran status or any disability. Contractor will require any Sub-contractor to be bound to the same requirements as stated within this section. Contractor, and on behalf of any subcontractors, warrants compliance with this section.
7. **No Boycott of Israel.** To the extent A.R.S § 35-393 through § 35-393.03 are applicable, the parties hereby certify that they are not currently engaged in, and agree for the duration of the Agreement to not engage in, a boycott of goods or services from Israel, as that term is defined in A.R.S § 35-393.
8. **Attestation of PCI Compliance.** When applicable, the Contractor will provide the City annually with a Payment Card Industry Data Security Standard (PCI DSS) attestation of compliance certificate signed by an officer of Contractor with oversight responsibility.
9. **Ratification of Agreement.** City and Contractor hereby agree that except as expressly provided herein, the provisions of the Agreement shall be, and remain in full force and effect and that if any provision of this Amendment conflicts with the Agreement, then the provisions of this Amendment shall prevail.

[Signatures on the following page.]

CITY OF GLENDALE, an Arizona
municipal corporation

Kevin R. Phelps, City Manager

ATTEST:

Julie K. Bower, City Clerk (SEAL)

APPROVED AS TO FORM:

Michael D. Bailey, City Attorney

Jim Brown and Sons Roofing Co Inc.,
dba JBS Roofing
an Arizona corporation

By: Jessica Rudd
Its: CFO
