

AGREEMENT TO PROVIDE SERVICES/SUPPLIES
PURSUANT TO A
COOPERATIVE PURCHASING CONTRACT
(Bridging Agreement)

This Agreement is made and entered into by and between the Town of Wickenburg, Arizona, a municipal corporation (“Wickenburg”) and Cactus Transport II, LLC an Arizona corporation, dba Cactus Asphalt hereinafter as the (“Contractor”).

Recitals:

- A. Contractor has contracted with Pinal County to provide services, materials and/or equipment pursuant to Contract No. 234128ROQ (the “Cooperative Purchasing Contract”); and
- B. Pursuant to A.R.S. § 41-2631 *et seq.* and Wickenburg Code § 4-4-11, Wickenburg has authority to utilize cooperative purchasing contracts and engage contractors under the Cooperative Purchasing Contract’s terms.

CONTRACTOR AND WICKENBURG, FOR THE CONSIDERATION SET FORTH IN THIS AGREEMENT, PROMISE, COVENANT AND AGREE AS FOLLOWS:

1. Scope of Work.

- 1.1 Contractor shall provide the following services, materials and/or equipment:

Crack seal, chip seal coat the Fisher addition, Palo Verde, Camino Dr., Cactus Dr., and Loma Linda.

as described in the Cooperative Purchasing Contract documents attached as **Exhibit A**. As used in this Contract, all references to Pinal County shall mean Wickenburg.

- 1.2 Contractor shall comply with all specific requirements and/or options of Wickenburg, as specified in **Exhibit B**, which shall include the Scope of Work, as applicable.

2. Completion of Work. The Contractor shall complete all work set forth in the Scope of Work on or before June 30, 2026.

3. Payment. The Contract Fee is \$427,786.31 plus possible additional work for a total not to exceed \$500,000. Payment to the Contractor for the services, materials and/or equipment provided, shall be made in accordance with the price list and terms set forth in the Cooperative Purchasing Contract.

4. Terms of Cooperative Purchasing Contract Apply. All provisions of the Cooperative Purchasing Contract documents are incorporated in and shall apply to this Agreement, except as otherwise provided for in this Agreement.

5. Contract Term and Renewal. The term of this Agreement shall commence upon approval and continue through June 30, 2026.

6. Certificates of Insurance. All insurance provisions of the Cooperative Purchasing Contract shall apply, including without limitation, the requirement to name Wickenburg as an additional insured. Prior to commencing work under this Contract, Contractor shall furnish Wickenburg with Certificates of Insurance, or formal endorsements as required by the Contract, issued by the Contractor's insurer(s) as evidence that policies providing the required coverages, conditions and limits required by this Contract are in full force and effect.

7. Israel. To the extent A.R.S. § 35-393 through § 35-393.03 is applicable, Contractor certifies that it is not currently engaged in, and agrees for the duration of Contract that it will not engage in, a boycott of Israel, as that term is defined in A.R.S. § 35-393.

8. China. Pursuant to and in compliance with A.R.S. § 35-394, Contractor hereby agrees and certifies that it does not currently, and agrees for the duration of this Agreement that Contractor will not, use: (i) the forced labor of ethnic Uyghurs in the People's Republic of China; (ii) any goods or services produced by the forced labor of ethnic Uyghurs in the People's Republic of China; or (iii) any contractors, subcontractors or suppliers that use the forced labor or any goods or services produced by the forced labor of ethnic Uyghurs in the People's Republic of China.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment as of the date and year last set forth below.

"Wickenburg"
TOWN OF WICKENBURG, ARIZONA,
a municipal corporation

BG Bratcher, Mayor

Date

ATTEST:

Amy Brown, Town Clerk

APPROVED AS TO FORM:

Trish Stuhan, Town Attorney
Pierce Coleman PLLC

“Contractor”

a _____ corporation,

Sign: _____

Name: _____

Title: _____

Date

EXHIBIT A
COOPERATIVE PURCHASE AGREEMENT

EXHIBIT B
SPECIFIC REQUIREMENTS/OPTIONS OF TOWN

Attached: Quote and Specifications.

Notices: All notices required under the Contract shall be sent to:

Town Manager
Town of Wickenburg
155 N. Tegner Street, Suite A
Wickenburg, Arizona 85390

Other Requirements Specific to Town:

- Certificate of Insurance
- W-9
- Town of Wickenburg Business License