

**CITY CLERK
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**C-10522-1
12/02/2016**

**AMENDMENT NO. 1
TO
THE LINKING AGREEMENT
WITH ROTATIONAL MOLDING, INC.
(City of Tucson Contract No. 130609, Contract No. C-10522)**

This Amendment No. 1 ("Amendment") to the Linking Agreement with Rotational Molding, Inc. ("Agreement") is made this 2nd day of December 2016, ("Effective Date"), by and between the City of Glendale, an Arizona municipal corporation ("City") and Rotational Molding Inc., a California corporation ("Contractor").

RECITALS

- A. City and Rotational Molding, Inc. ("Contractor") previously entered into Linking Agreement, Contract No. C-10522, dated December 8, 2015 ("Agreement"); and
- B. The original City of Tucson Contract, Contract No. 130609, had an initial one-year term beginning November 20, 2012 through November 19, 2013 with the option to extend an additional four (4) years in one-year increments; and
- C. The City of Tucson Contract No. 130609, as amended, expires on November 19, 2017; and
- D. City and Contractor wish to modify and amend the Agreement subject to and strictly in accordance with the terms of this Amendment.

AGREEMENT

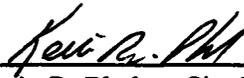
In consideration of the mutual promises set forth herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the City and Contractor hereby agree as follows:

- 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 extended for a one-year period from November 20, 2016 through November 19, 2017, unless otherwise terminated or canceled as provided by the Agreement. All other provisions of the Agreement except as set forth in this Amendment shall remain in their entirety.
- 3. **Scope of Work.** The scope of work will remain the same.
- 4. **Compensation.** The compensation will remain the same at \$130,000 for the full term of the contract. The pricing has increased as specifically detailed in Exhibit A

5. **Insurance Certificate.** Current certificate will expire on November 30, 2016 and 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.** The Parties agree that they are not currently engaged in, and agree that for the duration of the Agreement they will not engage in, a boycott of 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.

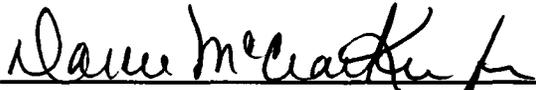
[Signatures on the following page.]

CITY OF GLENDALE, an Arizona
municipal corporation



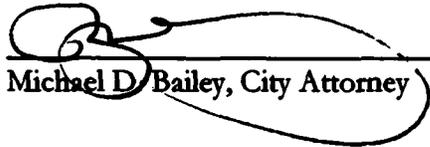
Kevin R. Phelps, City Manager

ATTEST:



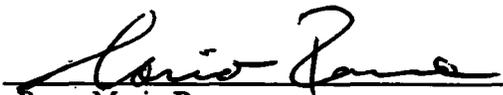
Julie K. Bower, City Clerk (SEAL)

APPROVED AS TO FORM:



Michael D. Bailey, City Attorney

Rotational Molding Inc.,
a California corporation



By: Mario Poma

Its: President/CEO

EXHIBIT A
300 GALLON AUTOMATED REFUSE CONTAINERS

PRICE ADJUSTMENT

(See Attached)

CONTRACT AMENDMENT

CITY OF TUCSON DEPARTMENT OF PROCUREMENT
255 W. ALAMEDA, 6TH FLOOR, TUCSON, AZ 85701
P.O. BOX 27210, TUCSON, AZ 85726
PHONE: (520) 837-4123 / FAX: (520) 791-4735
Jeffrey.Whiting@tucsonaz.gov
ISSUE DATE: OCTOBER 14, 2016

CONTRACT #130609-01
CONTRACT AMENDMENT NUMBER: EIGHT (8)
PAGE 1 of 2
JW/r
CONTRACT OFFICER: JEFFREY WHITING

300 GALLON AUTOMATED REFUSE CONTAINERS

THIS CONTRACT IS AMENDED AS FOLLOWS:

ITEM NO. ONE (1): CONTRACT RENEWAL

Pursuant to Contract No. 130609, Special Term and Conditions, Renewal, The City is hereby exercising its option to renew the Contract for the period of November 20, 2016 Through November 19, 2017.

ITEM NO. TWO (2): PRICE ADJUSTMENT

Pursuant to Contract No. 130609, Special Term and Conditions, Price adjustments, the City is hereby accepting the following price adjustments, effective November 20, 2016

Item#	Description	Current Unit Price	Revised Price - 2.5% Increase Effective 11-20-2016
1	Refuse Containers- 300G XL Black	\$246.42	\$252.58
2	Refuse Container Lids - 300G XL Black	\$79.41	\$81.40
3	Barcode Serial Numbers (Black Containers Only)	\$4.06	\$4.16
4	Refuse Containers- 300G XL Blue	\$286.09	\$303.49
5	Refuse Container Lids - 300G XL Blue	\$141.40	\$144.94
6	Mold in Graphic on Lid	\$11.51	\$11.80
7	Refuse Container XL Blue- Body Only (No Lids)	\$190.64	\$195.41

** END OF AMENDMENT **

CONTRACT AMENDMENT

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P.O. BOX 27210, TUCSON, AZ 85726
PHONE: (520) 837-4123 / FAX: (520) 791-4735
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ALL OTHER PROVISIONS OF THE CONTRACT SHALL REMAIN IN THEIR ENTIRETY.

CONTRACTOR:

CONTRACTOR HEREBY ACKNOWLEDGES RECEIPT OF AND UNDERSTANDING OF THE ABOVE AMENDMENT.

Signature of person authorized to sign Date

Douglas W. Russell, CFO
Name and Title (typed or printed legibly)

ROTATIONAL MOLDING, INC.
Company Name

17022 S. FIGUEROA STREET
Address

DOUG.RUSSELL@ROTATIONALMOLDINGINC.COM
Email Address

GARDENA CA 90248
City State Zip

Contact information for Sales/Account Representative for daily business operations:

DOUGLAS W. RUSSELL, CFO
Name and Title (typed or printed legibly)

(310) 327-5401
Phone Number

DOUG.RUSSELL@ROTATIONALMOLDINGINC.COM
Email Address

CITY OF TUCSON:

THE ABOVE REFERENCED CONTRACT AMENDMENT IS HEREBY EXECUTED THIS 18th DAY OF October, 2016, AT TUCSON, ARIZONA.

for Nathan Daon
Marcheta Gillespie, CPPO, C.P.M., CPPB, CPM
as Director of Procurement and not personally