

**CITY CLERK
ORIGINAL**

**C-10992-1
09/22/2016**

**AMENDMENT NO. 1
LINKING AGREEMENT**

(State of Arizona Contract No. ADEQ17-143565, Contract No. C-10992)

This Amendment No. 1 ("Amendment") to the Installation, Repair and Maintenance of Petroleum Storage Tank Systems ("Agreement") is made this 22nd day of September 2016, ("Effective Date"), by and between the City of Glendale, an Arizona municipal corporation ("City") and Eaton Sales and Service, LLC, a Colorado limited liability company authorized to do business in Arizona ("Contractor").

RECITALS

- A. City and Eaton Sales and Service, LLC ("Contractor") previously entered into Linking Agreement, Contract No. C-10992, dated July 15, 2016 ("Agreement"); and
- B. The original State of Arizona Contract No. ADSP016-109211, had an initial one-year term effective September 22, 2015 through September 16, 2016 with the option to extend up to a maximum of four (4) years; and
- C. The State of Arizona has transferred original Contract No. ADSP016-109211 to ADEQ as Contract No. ADEQ17-143565; 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

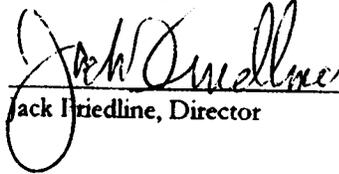
In consideration of the mutual promises set forth herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the City and Contractor hereby agree as follows:

- 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 September 22, 2016 through September 16, 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 is unchanged.
- 4. **Compensation.** The compensation of the Agreement is unchanged and shall not exceed \$45,000 over the entire term of the agreement.
- 5. **Insurance Certificate.** Current certificate will expire on April 1, 2017 and a new certificate applying to the extended term must be provided prior to this date to Materials Management and the Contract Administrator.

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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. **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.

CITY OF GLENDALE, an Arizona
municipal corporation



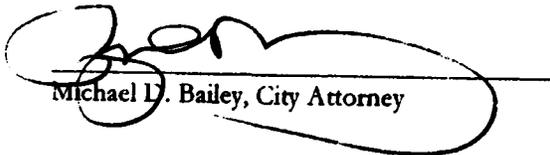
Jack Friedline, Director

ATTEST:



Julie K. Bower, City Clerk (SEAL)

APPROVED AS TO FORM:



Michael D. Bailey, City Attorney

Faton Sales and Service, J.J.C,
a Colorado limited liability company



By: Brian Travis

Its: President

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Master Blanket Purchase Order ADEQ17-143565

Header Information

Purchase Order Number:	ADEQ17-143565	Release Number:	0	Short Description:	Installation, Repair and Maintenance of Petroleum Storage Tank Systems - Statewide
Status:	3PS - Sent	Purchaser:	Daniel D Pinkstaff	Receipt Method:	Dollars
Fiscal Year:	2017	PO Type:	Blanket	Minor Status:	
Organization:	Arizona Department of Environmental Quality				
Department:	WPD - Waste Programs Division	Location:	WPDUS - WPD UST and Division Support	Type Code:	Statewide
Alternate ID:		Entered Date:	08/02/2016 02:27:21 PM	Control Code:	
Days ARO:	0	Retainage %:	0.00%	Discount %:	0.00%
Print Dest Detail:	If Different				
Catalog ID:		Release Type:	Direct Release	Pcard Enabled:	No
Contact Instructions:	Daniel D Pinkstaff - 602-771-4730 - ddp@azdeq.gov	Tax Rate:		Actual Cost:	\$0.00
Master Blanket/Contract End Date (Maximum):	09/16/2020 11:59:59 PM				
Project No.:					
Special Purchase Types:					
PIJ NUMBER:					
Commodity Reference Id:					
PO External Doc Type:	None				
Agency Attachments:	<u>RFP: ADSP015-00004932 PO Terms & Conditions Solicitation File COI ADSP016-109211 COI expires 04.01.2017.pdf</u> <u>Transfer of ADSP016-109211 for Petroleum Storage Tank System to ADEQ.pdf</u>				

Vendor Attachments: [Licenses.pdf](#) [Response Forms Combined Insurance.pdf](#)

Agency Attachment Forms:

Vendor Attachment Forms:

Primary Vendor Information & PO Terms

Vendor: 9000000642 - EATON SALES AND SERVICE LLC
 Kathy Tindell
 3420 W Whitton Avenue
 Phoenix, AZ 85017
 US
 Email: kathyt@eatonmetal.com
 Phone: (602)415-3394
Payment Terms: Net 30
Shipping Method: Best Way
Shipping Terms: Cost, Insurance and Freight
Freight Terms: Freight Prepaid and Charged Back

PO Acknowledgements:

Alt. Reference	Notifications	Acknowledged Date/Time
Purchase Order	Emailed to kathyt@eatonmetal.com at 08/02/2016 03:00:46 PM	08/02/2016 03:02:04 PM
Change Order 1	Emailed to kathyt@eatonmetal.com at 09/13/2016 08:42:19 AM	09/13/2016 08:42:42 AM

Master Blanket/Contract Vendor Distributor List

Vendor ID	Alternative ID	Vendor Name	Preferred Delivery Method	Vendor Distributor Status
9000000642	PZ9000000642	EATON SALES AND SERVICE LLC	Email	Active

Master Blanket/Contract Controls

Master Blanket/Contract Begin Date: 07/01/2016 **Master Blanket/Contract End Date:** 09/16/2017
Cooperative Purchasing Allowed: Yes

Organization	Department	Dollar Limit	Dollars Spent to Date	Minimum Order Amount
ALL ORG - Organization Umbrella Master Control	AGY - Agency Umbrella Master Control	\$0.00	\$7,767.10	\$0.00
ADEQ - Arizona Department of Environmental Quality	WPD - Waste Programs Division	\$0.00	\$0.00	\$0.00

Item Information

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1 2

Print Sequence # 1.0, Item # 1: Labor Rate - Laborer Actual Time on The Job \$57.00 per hour 3PS - Sent

NIGP Code: 929-74
 Tanks: Mobile, Portable, Stationary, Storage, etc., Maintenance and Repair (Includes Retining)

Receipt Method	Qty	Unit Cost	UOM	Discount %	Total Discount Amt.	Tax Rate	Tax Amount	Total Cost
Dollars	1.0	\$0.00	HR - Hour	0.00	\$0.00		\$0.00	\$0.00

Manufacturer: _____ Brand: _____ Model: _____
 Make: _____ Packaging: _____
 Property Number: _____

Douglas A. Ducey
Governor



Craig C. Brown
Director

ARIZONA DEPARTMENT OF ADMINISTRATION

STATE PROCUREMENT OFFICE

100 NORTH FIFTEENTH AVENUE • SUITE 201
PHOENIX, ARIZONA 85007
(602) 542-55110

**TRANSFER OF STATEWIDE CONTRACT
TO ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY**

In accordance with R2-7-202, the State Procurement Administrator (SPA) has delegated "Unlimited Procurement Authority" to the Arizona Department of Environmental Quality (ADEQ). Upon review of Statewide Contracts currently administered by the State Procurement Office (SPO), the SPA has determined that it is in the Best Interest of the State to transfer **Statewide Contract ADSPO16-109211 for Repair and Maintenance of Petroleum Storage Tank Systems** to ADEQ as it has the specialized expertise, knowledge and experience to administer this Statewide contract in the most efficient and effective manner.

The effective date of this transfer is July 15, 2016. However, SPO staff shall provide assistance to ADEQ during and after the transfer to ensure the least disruption during transition.

Handwritten signature of Asoke Seth in black ink.

Asoke Seth, Acting State Procurement Administrator

7/5/16
Date