

CITY CLERK ORIGINAL

C-7122-4
11/24/2014

AMENDMENT NO. 4

INDUSTRIAL BUS LINES SERVICE AGREEMENT (Solicitation No. RFP 10-13 Contract No. C-7122)

This Amendment No. 4 to the Industrial Bus Lines Service Agreement ("Amendment") is made to be effective the 24th day of November, 2014 ("Effective Date"), by and between the City of Glendale, an Arizona municipal corporation ("City") and Industrial Bus Lines Inc., a New Mexico corporation, dba All Aboard America authorized to do business in Arizona ("Contractor").

RECITALS

- A. City and Contractor previously entered into the Industrial Bus Lines Service Agreement, Contract No. C-7122, with a two-year initial term beginning November 24, 2009 ("Agreement"); and
- B. The Agreement provided an option to extend the term an additional four (4) years in one-year increments; and
- C. City and Contractor previously entered into Contract Amendment No. 1, effective September 29, 2011 extending the term from November 24, 2011 through November 23, 2012; and
- D. City and Contractor previously entered into Amendment No. Two (2), extending the term from November 24, 2012 through November 23, 2013; and
- E. City and Contractor previously amended the Agreement, extending the term from November 24, 2013 through November 23, 2014.
- F. City and Contractor wish to modify and amend the Agreement subject to and strictly in accordance with the terms of this Amendment.

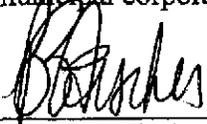
AGREEMENT

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 24, 2014 through November 23, 2015, unless terminated or canceled as provided within the Agreement. In no event shall the term of this Agreement extend beyond November 23, 2015. All other provisions of the Agreement shall remain in their entirety.
3. **Scope of Work.** The scope of work is revised to exclude Chocolate Affair in 2015. All other services shall remain the same.
4. **Insurance Certificate.** The existing insurance certificate is expiring and a new certificate applying to the extended term is required and must be received by the Contract Specialist prior to execution of this Amendment.
5. **Compensation.** The compensation of the Agreement is unchanged and not to exceed \$50,000.00 for the new term.
6. **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



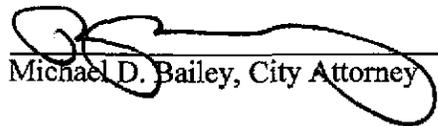
Brenda S. Fischer, City Manager

ATTEST:



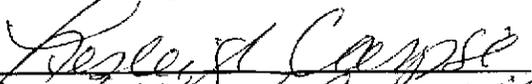
Pamela Hanna, City Clerk (SEAL)

APPROVED AS TO FORM:



Michael D. Bailey, City Attorney

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By: Lesleigh Campbell
Its: Sales Mgr