

CITY CLERK  
ORIGINAL

C-7140-4  
10/28/2014

AMENDMENT NO. 4

REQUEST FOR PROPOSAL (Contract No. C-7140)  
City of Glendale Solicitation No. RFP 09-27

This Amendment to the Request for Proposal is made this 26th day of August, 2014 ("Effective Date"), by and between the City of Glendale, an Arizona municipal corporation ("City") and US Peroxide, a Delaware limited liability company authorized to do business in Arizona ("Contractor").

RECITALS

- A. City and Contractor previously entered into a Request for Proposal, Contract No. C-7140, dated December 8, 2009 ("Agreement"); and
- B. 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 December 8, 2013 through December 7, 2014, unless otherwise terminated or canceled as provided by the Agreement.
- 3. **Compensation.** Contractor's compensation is amended as of the Effective Date of this Amendment and Exhibit B of the original Agreement is amended as set forth in Exhibit B-Amendment No. 4, attached hereto.
- 4. **Insurance Certificate.** The existing insurance certificate is current as of June 27, 2014 and will expire on July 1, 2015.
- 5. **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.

①

CITY OF GLENDALE, an Arizona  
municipal corporation

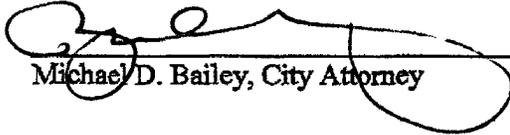


\_\_\_\_\_  
Brenda S. Fischer, City Manager

ATTEST:

  
\_\_\_\_\_  
Pamela Hanna, City Clerk (SEAL)

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Michael D. Bailey, City Attorney

US PEROXIDE, LLC, a Delaware limited  
liability company

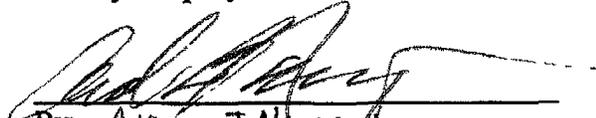
  
\_\_\_\_\_  
By: Andrew J. Newland  
Its: Assistant Secretary US Peroxide, LLC

EXHIBIT B-AMENDMENT NO. 4

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AMENDED COMPENSATION

**METHOD AND AMOUNT OF COMPENSATION**

See attached.

**NOT TO EXCEED AMOUNT**

The total amount of compensation paid to Contractor for full completion of all work required by the Project must not exceed \$1,298,788.

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# EXHIBIT B

 <p>GLENDALE</p>	<p align="center"><b>Contract Amendment No. Four (4)</b> <b>RFP #09-27</b> <b>Hydrogen Peroxide Supply, Service and Maintenance</b></p>	<p>CITY OF GLENDALE Materials Management 5850 West Glendale Avenue, Suite 317 Glendale, Arizona 85301</p>
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In accordance with the Special Terms and Conditions and, the above referenced contract is amended as follows:

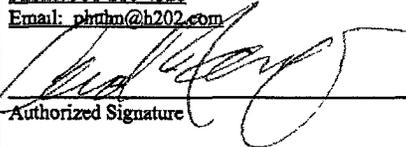
The option to extend the term of the agreement is exercised this 25th day of November 2013. The term of the contract is hereby extended from **December 8, 2013** through **December 7, 2014**, unless terminated, canceled or extended as provided within the contract. All other provisions of the contract shall remain in their entirety.

With the extension of this agreement, a current insurance certificate is required. The certificate and policy shall name the City of Glendale as an additional insured and shall be primary coverage for the activity of the contractor.

The price increase of \$0.04 per gallon of 27% Hydrogen Peroxide shall be implemented beginning with this Agreement. The new price will be \$2.097/gallon.

Please email the signed amendment to Barbara McFarlane, at [bmcfarlane@glendaleaz.com](mailto:bmcfarlane@glendaleaz.com).

In witness whereof, the parties hereto have executed this amendment to be effective the date first written above.

<p>Contractor hereby acknowledges receipt of and is in agreement with the amendment. A signed copy must be filed with the City of Glendale Materials Management office. Please provide current information if the address has changed.</p>	
<p><u>Peter Huhn, Program Manager</u> <u>US Peroxide</u> <u>900 Circle 75 Parkway NW, Suite 1330</u> <u>Atlanta, Georgia 30339</u> <u>Phone: 951-216-4326</u> <u>Email: <a href="mailto:phuhn@h202.com">phuhn@h202.com</a></u></p>	
 Authorized Signature	<u>12/10/2013</u> Date
<p><u>ANDREW NAWBAND</u>      <u>ASSISTANT SECRETARY US Peroxide, LLC</u> Printed Name and Title</p>	



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
06/27/2014

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT** If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> MARSH USA INC 1255 23RD STREET NW, SUITE 400 WASHINGTON 20037 Attn: Danaher certrequest@marsh.com Fax (212) 948-0503  040108-USPER-7/1-14-15      U S P	<b>CONTACT NAME</b> _____	
	<b>PHONE (A/C, No, Ext)</b> _____	<b>FAX (A/C, No)</b> _____
<b>E-MAIL ADDRESS</b> _____		
<b>INSURER(S) AFFORDING COVERAGE</b>		<b>NAIC #</b>
<b>INSURER A</b> ACE American Insurance Company	22667	
<b>INSURER B</b> National Union Fire Ins Co Pittsburgh PA	19445	
<b>INSURER C</b> Indemnity Ins Co Of North America	43575	
<b>INSURER D</b> ACE Fire Underwriters Insurance Company	20702	
<b>INSURER E</b>		
<b>INSURER F</b>		

**COVERAGES**      **CERTIFICATE NUMBER:** CLE-003668887-37      **REVISION NUMBER:** 11

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<b>GENERAL LIABILITY</b> <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> Contractual Liability <input checked="" type="checkbox"/> Broad Form PD GEN'L AGGREGATE LIMIT APPLIES PER <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC			HDOG27334118	07/01/2014	07/01/2015	EACH OCCURRENCE \$ 2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 2,000,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 2,000,000 GENERAL AGGREGATE \$ 5,000,000 PRODUCTS - COMP/OP AGG \$ 5,000,000
A	<b>AUTOMOBILE LIABILITY</b> <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS			ISAH0882096A	07/01/2014	07/01/2015	COMBINED SINGLE LIMIT (Ea accident) \$ 3,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
B	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED \$      RETENTION \$			49131430	07/01/2014	07/01/2015	EACH OCCURRENCE \$ 5,000,000 AGGREGATE \$ 5,000,000
C	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below			WLRC4788875A (AOS) WLRC47888773 (AZ, CA, MA) SCFC47888761 (WI)	07/01/2014 07/01/2014 07/01/2014	07/01/2015 07/01/2015 07/01/2015	<input checked="" type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER E L EACH ACCIDENT \$ 2,000,000 E L DISEASE - EA EMPLOYEE \$ 2,000,000 E L DISEASE - POLICY LIMIT \$ 2,000,000

**DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)**  
 RE HYDROGEN PEROXIDE SUPPLY, SERVICE AND MAINTENANCE, RFP 04-39  
 CITY OF GLENDALE IS INCLUDED AS ADDITIONAL INSURED WHERE REQUIRED BY WRITTEN CONTRACT WITH RESPECT TO THE OPERATIONS OF THE NAMED INSURED

<b>CERTIFICATE HOLDER</b>  CITY OF GLENDALE FIELD OPERATIONS CENTER 6210 W MYRTLE AVE STE 112 GLENDALE, AZ 85301	<b>CANCELLATION</b>  SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.  AUTHORIZED REPRESENTATIVE of Marsh USA Inc Manashi Mukherjee <i>Manashi Mukherjee</i>
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Marsh USA Inc  
11001 Lakeline Blvd  
Bldg 1, Suite 200  
Austin, TX 78717  
866 966 4664 Fax 212 948 0503  
danaher certrequest@marsh.com

## MEMO

**TO** Whom It May Concern  
**DATE** July 1, 2014  
**FROM** Marsh CSS  
**SUBJECT** Danaher Corporation  
Certificates of Insurance  
2014 - 2015 Policy Year

As an Danaher Corporation and its subsidiaries Certificate Holder, please find attached your company's renewal certificate for the 7/1/2014 – 7/1/2015 policy period. If you do not require this Certificate of Insurance, please advise by marking "delete" on the certificate and returning it via email (danaher certrequest@marsh.com) or fax to (212) 948 0503.

Best regards,

Marsh CSS