

CITY CLERK
ORIGINAL

C-10250-1
04/04/2016

AMENDMENT NO. 1
TO
THE LINKING AGREEMENT
WITH
KBAK DBA AIRE FILTER PRODUCTS
(State of Arizona Contract No. ADSPO14-064765, Contract No. C-10250)

This Amendment No. 1 ("Amendment") to the Linking Agreement ("Agreement") is made this 25 day of March, 2016, ("Effective Date"), by and between the City of Glendale, an Arizona municipal corporation ("City") and KBAK an Arizona corporation dba Aire Filter Products authorized to do business in Arizona ("Contractor").

RECITALS

- A. City and KBAK dba Aire Filter Products ("Contractor") previously entered into a Linking Agreement, Contract No. C-10250, dated September 2, 2015 ("Agreement"); and
- B. The original State of Arizona Contract, Contract No. ADSPO14-064765, had an initial term beginning February 1, 2014 through January 31, 2015 with the option to extend an additional four (4) years in one-year increments; and
- C. The State of Arizona Contract, Contract No. ADSPO14-064765, as amended expires on January 31, 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 February 1, 2016 through January 31, 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 is unchanged.

5. **Insurance Certificate.** Current certificate will expire on March 1, 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. **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



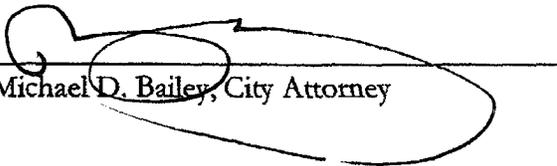
Kevin R. Phelps, City Manager

ATTEST:



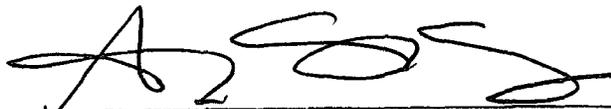
Pamela Hanna, City Clerk (SEAL)

APPROVED AS TO FORM:



Michael D. Bailey, City Attorney

KBAK an Arizona corporation dba Aire
Filter Products



By: Alison Sparks
Its: Controller



Contract Change Order Summary

Contract No.: ADSPO14-064765

Change Order No.: 02

Date: November 10, 2015

State of Arizona
State Procurement Office
100 N. 15TH Avenue, Suite 201
Phoenix, AZ 85007

The above-mentioned contract is hereby amended as follows:

- A. In accordance with Special Terms and Conditions Section 1.3, Contract Extension, the contract is hereby extended through January 31, 2017.

**ALL OTHER REQUIREMENTS, SPECIFICATIONS, TERMS AND CONDITIONS REMAIN UNCHANGED
ACKNOWLEDGEMENT AND AUTHORIZATION**

This change order shall be fully executed upon the approval electronically in ProcureAZ by an authorized representative of the Contractor and applied to the contract by the Procurement Officer or delegate.

January 21, 2016

Ron Gouger
City of Glendale
6210 W. Myrtle Ave. Suite 111
Glendale, AZ 85301

Re: Request for renewal of Linking Agreement

Dear Mr. Gouger:

Pursuant to your request, KBAK (dba) Aire Filter Products would like to renew Linking Agreement, C-10250, with the City of Glendale, dated September 2, 2015.

The Linking Agreement is based on our State of Arizona Contract No. ADSPC14-064765, which has been extended through January 31, 2017.

Please feel free to contact me with any questions, concerns, or if you require additional information.

Sincerely,



Branden Sparks
KBAK (dba) Aire Filter Products