

CITY CLERK
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C-7675-5
10/23/2015

AMENDMENT NO. 5

AGREEMENT FOR BUS SHELTER INSTALLATION AND REPAIR SERVICES
(City of Glendale Solicitation No. IFB 11-46, Contract No. C-7675)

This Amendment No. 5 ("Amendment") to the Agreement for Bus Shelter Installation and Repair Services ("Agreement") is made this 23 day of October, 2015, ("Effective Date"), by and between the City of Glendale, an Arizona municipal corporation ("City") and Southwest Fabrication, LLC, an Arizona limited liability company ("Contractor").

RECITALS

- A. City and Southwest Fabrication, LLC, ("Contractor") previously entered into an Agreement for Bus Shelter Installation and Repair Services, Contract No. C-7675, dated May 31, 2011 ("Agreement"); and
- B. The Agreement had an initial one-year term beginning May 31, 2011 through May 30, 2012 and provided the option to extend for an additional five (5) years in one-year increments; and
- C. City and Contractor previously entered into Agreement Amendment No. 1, extending the term of the Agreement extending the term from an additional four (4) years to an additional five (5) years; and
- D. City and Contractor previously entered into Agreement Amendment No. 2, extending the term of the Agreement from May 31, 2012 through May 30, 2013; and
- E. City and Contractor previously entered into Agreement Amendment No. 3, extending the term of the Agreement from January 1, 2014 through December 31, 2014 and increasing the compensation to \$255,000 annually; and
- F. City and Contractor previously entered into Agreement Amendment No. 4, extending the term of the Agreement from January 1, 2015 through December 31, 2015; and
- G. City and Contractor wish to modify and amend the Agreement subject to and strictly in accordance with the terms of this Amendment.

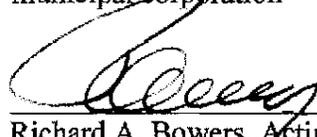
AGREEMENT

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 January 1, 2016 through December 31, 2016, 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 \$255,000 annually.
5. **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.
6. **Insurance Certificate.** Current certificate will expire on November 19, 2015 and a new certificate applying to the extended term must be provided prior to this date to *Materials Management and the Contract Administrator*.
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.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE.]

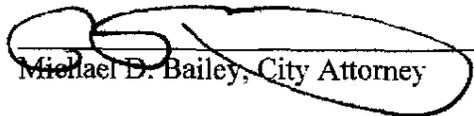
CITY OF GLENDALE, an Arizona
municipal corporation


Richard A. Bowers, Acting City Manager

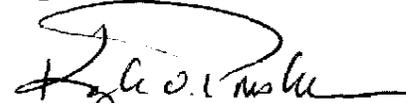
ATTEST:


Pamela Hanna, City Clerk (SEAL)

APPROVED AS TO FORM:


Michael D. Bailey, City Attorney

Southwest Fabrication, LLC,
an Arizona limited liability company
623-587-4648 x109
kyle@sw-fab.com


By: KYLE J. PRESLER
Its: CONTROLLER