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**C-7968-5
01/05/2016**

AMENDMENT NO. 5

AGREEMENT FOR RECYCLING AND SALES OF APPLIANCES AND SCRAP
METAL SERVICES
(City of Glendale Solicitation RFP 11-35, Contract No. C-7968)

This Amendment No. 5 ("Amendment") to the Agreement for Recycling and Sales of Appliances and Scrap Metals Services ("Agreement") is made this 5 day of January, 2016, by and between the City of Glendale, an Arizona municipal corporation ("City") and SA Recycling of Arizona, LLC, an Arizona limited liability company ("Contractor").

RECITALS

- A. City and Sims Metal Management ("Contractor") previously entered into a Recycling and Sales of Appliances and Scrap Metals Services Agreement, Contract No. C-7968, dated January 23, 2011 ("Agreement"); and
- B. The Agreement had an initial one-year term beginning February 29, 2011 through February 28, 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 from February 29, 2012 through February 28, 2013, and making certain price adjustments; and
- D. City and Contractor previously entered into Amendment No. 2, authorizing Contractor to reassign contract to SA Recycling of Arizona, LLC and extending the term of the Agreement from February 29, 2013 through February 28, 2014; and
- E. City and Contractor previously entered into Amendment No. 3, extending the term of the Agreement from February 29, 2014 through February 28, 2015 and making certain price adjustments; and
- F. City and Contractor previously entered into Amendment No. 4, extending the term of the Agreement from February 16, 2015 through February 15, 2016; 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 February 16, 2016 through February 15, 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.
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.** The current insurance certificate will expire October 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.
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



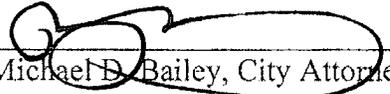
Richard A. Bowers, Acting City Manager

ATTEST:



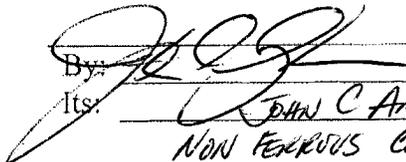
Pamela Hanna, City Clerk (SEAL)

APPROVED AS TO FORM:



Michael D. Bailey, City Attorney

SA Recycling of Arizona, LLC,
a limited liability company,

By: 
Its: JUAN C. ANGELO
NON FERROUS COORDINATOR