

CITY CLERK  
ORIGINAL

C-9284  
10/14/2014

**LINKING AGREEMENT  
BETWEEN  
THE CITY OF GLENDALE, ARIZONA  
AND  
LARRY MILLER TOYOTA**

THIS LINKING AGREEMENT (this "Agreement") is entered into as of October 14, 2014, between the City of Glendale, an Arizona municipal corporation (the "City"), and Larry Miller Toyota, an Arizona corporation ("Contractor"), collectively, the "Parties."

**RECITALS**

A. After a bid solicitation, the State of Arizona entered into Contract Number ADSP012-016665 with Contractor (the "Larry Miller Contract") on January 17, 2012, and the Larry Miller Contract is incorporated by this reference.

B. The City is permitted to purchase the goods and services described in the Larry Miller Contract without further public bidding, and the Larry Miller Contract permits its cooperative use by other governmental agencies including the City.

C. Section 2-149 of the City's Procurement Code permits the Materials Manager to authorize procurement through the use of a contract initiated by another governmental entity when that government entity's procurement actions complied with the intent of the City's purchasing procedures in City Code Sections 2-145 and 2-146 and such purchase is in the best interest of the City. The City believes these conditions are met for purposes of the Larry Miller Contract.

D. The City desires to contract with Contractor for supplies, goods or services identical, or nearly identical, to the supplies, goods or services Contractor is providing the State of Arizona under the Larry Miller Contract, Contractor consents to the City's utilization of the Larry Miller Contract as the basis of this Agreement, and Contractor desires to enter into this Agreement to provide the goods and services set forth in this Agreement.

**AGREEMENT**

NOW, THEREFORE, in consideration of the foregoing recitals, which are incorporated by reference, and the covenants and promises contained in this Linking Agreement, the parties agree as follows:

1. Term of Agreement. This Agreement is effective as of the date first set forth above and expires on September 1, 2016.
2. Scope of Work; Terms, Conditions, and Specifications.

- a) Contractor agrees to comply with all the terms, conditions and specifications of the Larry Miller Contract for the purposes of this Agreement, and the terms, conditions, and specifications of the Larry Miller Contract are incorporated into this Agreement by this reference. The "City of Glendale" is substituted for "State of Arizona" or similar reference to the State of Arizona throughout the Larry Miller Contract, and the City of Glendale will enjoy all the rights the State of Arizona has under the Larry Miller Contract.

3. Compensation.

- a) The total purchase price for the Services as authorized in this Agreement is not to exceed One Hundred Sixty Three Thousand Seven Hundred Forty-Six Dollars and Seventy-Eight Cents (\$163,746.78).

[SIGNATURES ON FOLLOWING PAGE]

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date and year set forth above.

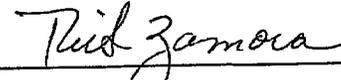
**“City”**

City of Glendale, an Arizona  
municipal corporation

By:   
Brenda S. Fischer, City Manager

**“Contractor”**

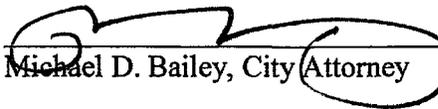
Larry Miller Toyota,  
an Arizona corporation

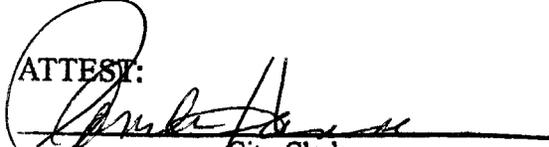
By: 

Name: Rick Zamora

Title: Fleet Manager

Approved as to Form:

  
Michael D. Bailey, City Attorney

ATTEST:  
  
City Clerk