

MIDWAY CHEV
CITY CLERK
ORIGINAL

C-9285
10/14/2014

LINKING AGREEMENT
BETWEEN
THE CITY OF GLENDALE, ARIZONA
AND
MIDWAY CHEVROLET

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 Midway Chevrolet, Nissan, Isuzu Truck, an Arizona corporation ("Contractor"), collectively, the "Parties."

RECITALS

A. After a bid solicitation, the State of Arizona entered into Contract Number ADSP012-016669 with Contractor (the "Midway Contract") on January 16, 2012, and the Midway Contract is incorporated by this reference.

B. The City is permitted to purchase the goods and services described in the Midway Contract without further public bidding, and the Midway 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 Midway 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 Midway Contract, Contractor consents to the City's utilization of the Midway 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 Midway Contract for the purposes of this Agreement, and the terms, conditions, and specifications of the Midway 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 Midway Contract, and the City of Glendale will enjoy all the rights the State of Arizona has under the Midway Contract.

3. Compensation.

- a) The total purchase price for the Services as authorized in this Agreement is not to exceed One Hundred Sixteen Thousand Four Hundred Ninety-One Dollars and Forty-Six Cents (\$116,491.46).

[SIGNATURES ON FOLLOWING PAGE]

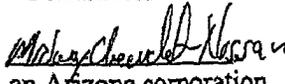
IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date and year set forth above.

"City"

City of Glendale, an Arizona municipal corporation

By: 
Brenda S. Fischer, City Manager

"Contractor"

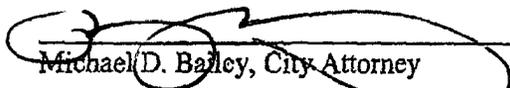

an Arizona corporation

By: 

Name: Greg Ball

Title: Fleet Manager

Approved as to Form:


Michael D. Bailey, City Attorney

ATTEST:

City Clerk