

CITY CLERK ORIGINAL

C-9545
12/18/2014

LINKING AGREEMENT BETWEEN THE CITY OF GLENDALE, ARIZONA AND QCM

THIS LINKING AGREEMENT (this "Agreement") is entered into as of December 18, 2014, between the City of Glendale, an Arizona municipal corporation (the "City"), and QCM Technologies, a ARIZONA corporation authorized to do business in Arizona ("Contractor"), collectively, the "Parties."

RECITALS

A. Mohave Educational Services Cooperative ("Mohave") on January 29, 2014 entered into Contract Number 13U-QCM-0129, (the "Mohave Contract"), a copy of which is incorporated into this Agreement by this reference.

B. The City is permitted to purchase the goods and services described in the Mohave Contract without further public bidding, and the Mohave 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 Mohave 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 Mohave under the Mohave Contract, Contractor consents to the City's utilization of the Mohave 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 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 January 29, 2019.
2. Scope of Work; Terms, Conditions, and Specifications.
 - a) Contractor will provide City the supplies, goods or services Contractor provided Mohave under the Mohave Contract, as described in the price

sheet attached as Exhibit "A." The parties agree that the prices contained in Exhibit A may change from time to time pursuant to the Mohave Contract, and that the prices City pays for any supplies, goods or services will match the prices Mohave pays for such items (at the time the City makes any purchases) under the Mohave Contract.

- b) Contractor agrees to comply with all the terms, conditions and specifications of the Mohave Contract for the purposes of this Agreement, and the terms, conditions, and specifications are incorporated in this Linking Agreement by this reference. The "City of Glendale" shall be substituted for "Mohave Educational Services Cooperative" or similar reference to Mohave throughout the Mohave Contract.

3. Compensation.

- a) The total purchase price for the goods and services authorized in this Agreement is not to exceed Six Hundred Thousand Dollars and No Cents (\$600,000)

[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:


City manager

"Contractor"

QCM,
a ARIZONA corporation

By:


Name: Jorge Quintero
Title: President / CEO

ATTEST:


City Clerk

Approved as to form

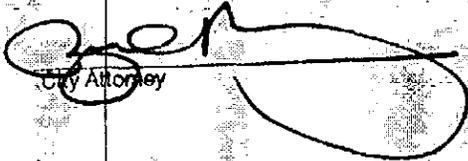

City Attorney

Exhibit A
[Mohave Price Sheet – Updated May 19, 2014]

The Mohave Price Sheet is on file with the City and is available for inspection upon request.