

**CITY CLERK  
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**C-9666-1  
02/09/2016**

AMENDMENT NO. 1  
TO  
THE LINKING AGREEMENT  
WITH  
DIVERSIFIED FLOORING SERVICES-PHOENIX, LLC  
(State of Arizona Contract No. ADSP013-04053, Contract No. C-9666)

This Amendment No. 1 ("Amendment") to the Linking Agreement ("Agreement") is made this 9 day of ~~February~~, 2016, ("Effective Date"), by and between the City of Glendale, an Arizona municipal corporation ("City") and Diversified Flooring Services-Phoenix, LLC, an Arizona limited liability company authorized to do business in Arizona ("Contractor").

RECITALS

- A. City and Diversified Flooring Services-Phoenix, LLC ("Contractor") previously entered into a Linking Agreement, Contract No. C-9666, dated January 27, 2015 ("Agreement") pursuant to the State of Arizona Contract No. ADSP013-04053; and
- B. The original State of Arizona Contract, Contract No. ADSP013-04053 had an initial one-year term beginning January 31, 2013 through January 30, 2014 with the option to extend an additional four (4) years in one-year increments; and
- C. The State of Arizona Contract, Contract No. ADSP013-040453, as amended, expires on January 31, 2017; and
- D. 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 31, 2016 through January 31, 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.** Section 3 of the Linking Agreement is hereby modified and amended as follows:

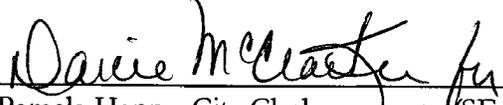
- B. The total purchase price for the supplies and/or services purchased under this Agreement shall not exceed three hundred and forty thousand dollars (\$340,000) for the entire term of the Agreement.
5. **Insurance Certificate.** Current certificate will expire on November 1, 2016 and a new certificate applying to the extended term must be provided prior to this date to Materials Management and the Contract Administrator.
  6. **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.
  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 on the following page.]

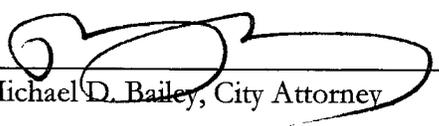
CITY OF GLENDALE, an Arizona  
municipal corporation

  
\_\_\_\_\_  
Kevin R. Phelps, City Manager

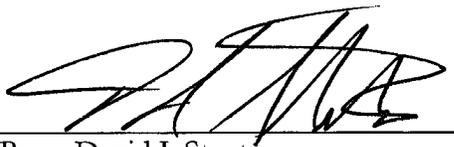
ATTEST:

  
\_\_\_\_\_  
Pamela Hanna, City Clerk (SEAL)

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Michael D. Bailey, City Attorney

Diversified Flooring Services-Phoenix, LLC,  
an Arizona limited liability company

  
\_\_\_\_\_  
By: David J. Stanton  
\_\_\_\_\_  
Its: Partner  
\_\_\_\_\_



## Contract Change Order Summary

Contract No.: ADSP013-040453

Change Order No.: 08

Date: November 6, 2015

State of Arizona  
State Procurement Office  
100 N. 15<sup>TH</sup> Avenue, Suite 201  
Phoenix, AZ 85007

The above-mentioned contract is hereby amended as follows:

- A. In accordance with Special Terms and Conditions Section 6, Contract Renewal, the contract is hereby extended through January 31, 2017.

**ALL OTHER REQUIREMENTS, SPECIFICATIONS, TERMS AND CONDITIONS REMAIN UNCHANGED**

### **ACKNOWLEDGEMENT AND AUTHORIZATION**

**This change order shall be fully executed upon the approval electronically in ProcureAZ by an authorized representative of the Contractor and applied to the contract by the Procurement Officer or delegate.**



Diversified Flooring Services – Phoenix LLC  
7898 E. Acoma Suite 107  
Scottsdale, AZ 85260  
Office: 480-967-7600  
Fax: 480-967-4700  
Floor Covering License: K-08 ROC 206271  
Ceramic Tile License: K-48 ROC 206270  
SBE

December 23, 2015

Mr. Ross Coffey  
City of Glendale  
6210 W. Myrtle Ave. Suite 111  
Glendale, AZ 85301

sent via fax or email:  
rcoffey@glendaleaz.com

Re: Request for renewal of Linking Agreement

Dear Mr. Coffey:

Pursuant to your request, Diversified Flooring Services – Phoenix LLC, would like to renew the Linking Agreement with the City of Glendale dated January 27, 2015.

The Linking Agreement was based on our State of Arizona Contract No. ADSPO13-04053 which has been extended through January 31, 2017 and will most likely be extended through 2018.

Thank you very much for allowing us to be of service to you this past year and in previous years. We look forward to the opportunity of working with the City of Glendale for many years to come.

Sincerely,

Diversified Flooring Services – Phoenix LLC

David J. Stanton  
Partner