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C-8817-1
02/10/2015

AGREEMENT FOR (WSD) GENERATOR MAINTENANCE
City of Glendale Solicitation No. IFB 13-55

AMENDMENT NO. 1

This Amendment to the Agreement C-8817 is made the 25th day of February, 2015 ("Effective Date"), by and between the City of Glendale, an Arizona municipal corporation ("City") and Cummins Rocky Mountain, LLC, a Colorado corporation, authorized to do business in Arizona (the "Contractor").

RECITALS

- A. City and Contractor previously entered into agreement, Contract No. C-8817, dated February 25, 2014 ("Agreement"); and
- B. 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 25, 2015 through February 24, 2016, unless otherwise terminated or canceled as provided by the Agreement.
- 3. **Compensation.** Contractor's compensation is amended as of the Effective Date of this Amendment and Exhibit B of the original Agreement is amended as set forth in Exhibit A -Amendment No. 1, attached hereto.
- 4. **Insurance Certificate.** An updated certificate has been received which expires on December 1, 2015.
- 5. **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.

CITY OF GLENDALE,
an Arizona municipal corporation



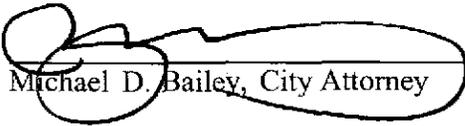
Brenda S. Fischer, City Manager

ATTEST:



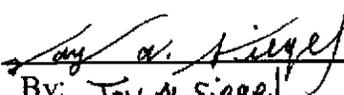
Pamela Hanna, City Clerk (SEAL)

APPROVED AS TO FORM:



Michael D. Bailey, City Attorney

Cummins Rocky Mountain, LLC,
a Limited Liability Corporation
651 N. 101st Ave.
Avondale, AZ 85323
Phone: (800) 800-2345



By: Jay A. Siegel

Its: General Manager, Contract Maintenance

EXHIBIT A
AMENDMENT NO. 1
AGREEMENT FOR (WSD) GENERATOR MAINTENANCE
City of Glendale Solicitation No. IFB 13-55

AMENDED COMPENSATION

METHOD AND AMOUNT OF COMPENSATION

Regular maintenance including parts and labor per unit during the months of June, September, December, and March.

Emergency repairs on an as needed basis during business hours of Monday through Friday, 6:00 am to 6:00 pm.

Emergency repairs on an as needed basis during City holidays and after business hours of any time other than Monday through Friday, 6:00 am to 6:00 pm.

NOT TO EXCEED AMOUNT

The total amount of compensation paid to Contractor for full completion of all work required by the Project must not exceed \$105,004 for the term of the Amendment.