

# CITY CLERK ORIGINAL

C-8892-2  
02/18/2015

## AMENDMENT NO. 2

### MOVING SERVICES AGREEMENT (Contract No. C-8892)

This Amendment No. 2 to the Moving Services Agreement ("Amendment") is made effective on the 18 day of February 2015 ("Effective Date"), by and between the City of Glendale, an Arizona municipal corporation ("City") and Berger Transfer & Storage, Inc., a Minnesota corporation authorized to do business in Arizona ("Contractor").

#### RECITALS

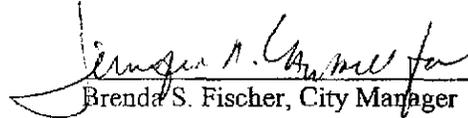
- A. City and Contractor previously entered into Moving Services Agreement, Contract No. C-8892, dated May 13, 2014 ("Agreement");
- B. The Agreement had an initial one-year term beginning May 13, 2014 through May 12, 2015 and provided the option to extend the term for an additional four (4) years in one-year increments;
- C. City and Contractor previously entered into Amendment No. 1, making certain compensation adjustments; 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

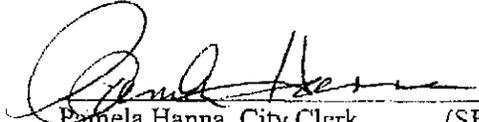
In consideration of the mutual promises set forth herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the City and Contractor hereby agree as follows:

- 1. **Recitals.** The recitals set forth above are not merely recitals, but form an integral part of this Amendment.
- 2. **Compensation.** Contractor's compensation is amended as of the Effective Date of this Amendment by increasing subsection 4.1 of the Agreement by an additional \$15,046.96. As provided in Exhibit A, the Parties therefore agree that the Compensation for the Project has not and will not exceed \$46,831.96. No further change in the scope or cost of the Project is anticipated, as the Contractor has fully performed all work contemplated in the Scope of Work as the date of this Amendment.
- 3. **Ratification of Agreement.** City and Contractor hereby agree that, except as expressly provided herein, the provisions of the Agreement are, and shall remain in full force and effect. In the event any provision of this Amendment conflicts with the Agreement, then the provisions of this Amendment shall prevail.

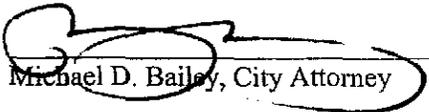
CITY OF GLENDALE,  
an Arizona municipal corporation

  
Brenda S. Fischer, City Manager

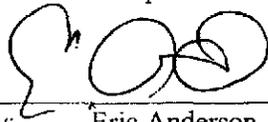
ATTEST:

  
Pamela Hanna, City Clerk (SEAL)

APPROVED AS TO FORM:

  
Michael D. Bailey, City Attorney

Berger Transfer & Storage, Inc.,  
a Minnesota corporation

  
By: Eric Anderson  
Its: General Manager

**EXHIBIT A AMENDMENT NO. 2**  
**MOVING SERVICES AGREEMENT**  
**AMENDED COMPENSATION**

**METHOD AND AMOUNT OF COMPENSATION**

Same as in the original Agreement (C-8892, dated May 13, 2014).

**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 \$46,831.96.

**DETAILED PROJECT COMPENSATION**

Compensation has been increased by \$15,046.96 from the original not-to-exceed amount. No further costs or charges are anticipated or contemplated by the Parties.