

**CITY CLERK
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**C-9768-1
09/22/2015**

AMENDMENT NO. 1
TO
LINKING AGREEMENT BETWEEN
THE CITY OF GLENDALE, ARIZONA
AND
GOODMAN'S, INC.
(CONTRACT NO. C-9768)

This Amendment No. 1 ("Amendment") to the Linking Agreement ("Agreement") by and between the City of Glendale, an Arizona municipal corporation ("City") and Goodman's, Inc. ("Contractor"), an Arizona corporation, is made this 22 day of ~~September~~ 2015 ("Effective Date").

RECITALS

- A. City and Contractor previously entered into a Linking Agreement, Contract No. C-9768, dated March 19, 2015.
- B. The Agreement utilized the State of Arizona Department of Administration's Cooperative Purchasing Agreement for Furniture Products and Services, Contract No. ADSPO13-040689, to cooperatively purchase office furniture, supplies and/or services.
- C. The Agreement provided that the City could not purchase supplies and services in excess of forty-nine thousand nine hundred ninety-nine dollars (\$49,999.00) during the term of the Agreement.
- D. The City wishes to purchase, and the Contractor agrees to provide, certain office furniture, supplies and/or services in an amount greater than the amount originally authorized in the Agreement. The parties also wish to provide for the purchase of additional services and/or supplies should the State renew and extend the term of the Cooperative Purchasing Agreement until February 28, 2018.
- E. The City and Contractor therefore wish to modify and amend the Agreement subject to and strictly in accordance with the terms of this Amendment.

AMENDMENT

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.** Section 4 of the Agreement is hereby modified and amended as follows:

- a) City shall increase the amount of office furniture, supplies and/or services it may purchase during the initial term of the Cooperative Purchasing Agreement, which expires on February 28, 2016, to an amount not to exceed **\$100,000.00**. Such not-to-exceed amount shall include all amounts already incurred and spent from March 19, 2015 to the Effective Date of this Amendment.
- b) Should the State exercise its option to renew and extend the Cooperative Purchasing Agreement for one or both of the two one-year renewals, the City is hereby authorized to purchase office furniture, supplies and/or services in an amount not-to-exceed \$100,000.00 per year for each year such extension occurs.
- c) The total purchase price for the goods, supplies and/or services purchased under this Agreement for the period from March 19, 2015 through February 28, 2018 (if all renewal options are exercised by the State) shall not exceed the total purchase price of **\$300,000.00**, including applicable sales tax.

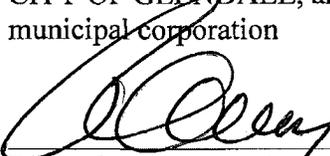
3. **Non-discrimination:**

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 warrants compliance with this section.

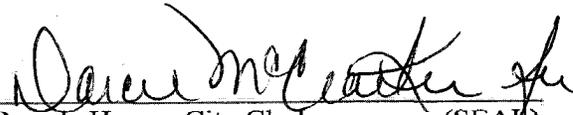
4. **Ratification of Agreement.** All other provisions of the Agreement and any Amendment thereto shall remain in effect in their entirety. If any provision of this Amendment conflicts with the Agreement, then the provision of this Amendment shall prevail and control.

[Remainder of page left intentionally blank.]

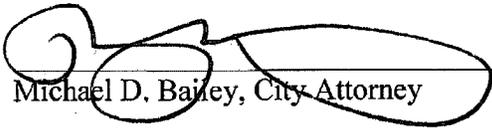
CITY OF GLENDALE, an Arizona
municipal corporation


Richard A. Bowers, Acting City Manager

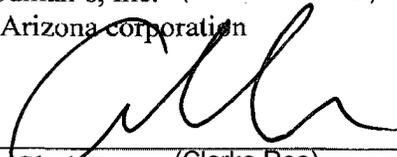
ATTEST:


Pamela Hanna, City Clerk (SEAL)

APPROVED AS TO FORM:


Michael D. Bailey, City Attorney

Goodman's, Inc. (Goodmans Inc.)
An Arizona corporation


By: Clark Rea (Clarke Rea)
Its: Chief Financial Officer