

CITY CLERK
ORIGINAL

C-9987-1
05/05/2016

AMENDMENT NO. 1
LINKING AGREEMENT WITH TESTAMERICA LABORATORIES, INC.
(City of Chandler Contract MU3-962-3169, Contract No. C-9987)

This Amendment No. 1 ("Amendment") to the Linking Agreement with TestAmerica Laboratories, Inc. ("Agreement") is made this 5 day of May, 2016, ("Effective Date"), by and between the City of Glendale, an Arizona municipal corporation ("City") and TestAmerica Laboratories, Inc., a Delaware corporation authorized to do business in Arizona ("Contractor").

RECITALS

- A. City and TestAmerica Laboratories, Inc. ("Contractor") previously entered into Linking Agreement, Contract No. C-9987, dated May 28, 2015 ("Agreement"); and
- B. The City of Chandler Contract MU3-962-3169 had an initial two-year term beginning February 15, 2013 to February 14, 2015 with the option to extend an additional four (4) years in one-year increments; and
- C. The City of Chandler Contract MU3-962-3169 was extended from February 15, 2015 through February 14, 2016; and
- D. The City of Chandler Contract, as amended, expires on February 13, 2017; and
- E. 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 14, 2016 through February 13, 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.** Total compensation will remain unchanged.

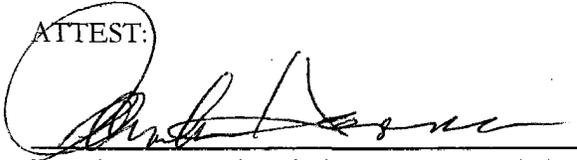
6. **Non-discrimination.** Contractor must not discriminate against any employee or applicant for employment on the basis of race, color, religion, sex, national origin, age, marital status, sexual orientation, gender identity or expression, genetic characteristics, familial status, U.S. military veteran 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.

CITY OF GLENDALE, an Arizona
municipal corporation

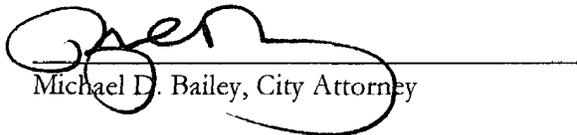


Kevin R. Phelps, City Manager

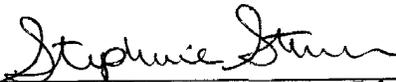
ATTEST:


Pamela Hanna, City Clerk (SEAL)

APPROVED AS TO FORM:


Michael D. Bailey, City Attorney

TestAmerica Laboratories, Inc.,
a Delaware corporation



By: Stephanie Stimson
Its: Laboratory Director

18-3047

AMENDMENT NUMBER TWO
TO AGREEMENT BETWEEN THE CITY OF CHANDLER
AND
TESTAMERICA LABORATORIES, INC.
FOR
AGREEMENT NO. MU3-962-3169

This Amendment No. 2 to that certain Agreement between the City of Chandler (CITY) and TestAmerica Laboratories, Inc. (CONTRACTOR) for lab testing services dated February 19, 2013 and is entered into this 12 day of February, 2016.

WHEREAS, the parties have agreed;

NOW THEREFORE, the parties agree as follows:

1. This Agreement is extended for a one-year period, February 14, 2016 through February 13, 2017.
2. Section 4 Price. The City shall pay to the Contractor an amount not to exceed \$379,000, for this and all combined Agreements, for the completion of all services described herein, payable as set forth in Exhibit B attached to the original agreement as amended and incorporated herein by reference.
3. All other terms and conditions of the above referenced Agreement as amended shall remain unchanged and in full force and effect. All terms and conditions in the original Agreement not specifically amended herein shall be incorporated by reference in its entirety and shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have hereunto subscribed their names this 12 day of February, 2016.

CITY OF CHANDLER:

By: _____

John Lindsay
Mayor

CONSULTANT:

By: _____

Title: _____

Stephanie...
Secretary

APPROVED AS TO FORM:

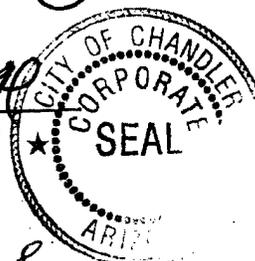
City Attorney

ATTEST:

City Clerk

Laurel...

Maree...



ATTEST: (If corporation)

Secretary

WITNESS: (If individual or Partnership)

[SEAL]

cc 2-11-16