

MARICOPA COUNTY Agreement Number G-30176

AMENDMENT NO. 1

To

INTERGOVERNMENTAL AGREEMENT

Between

MARICOPA COUNTY  
And  
TOWN OF PARADISE VALLEY

FOR

COST SHARING

OF

THE PARADISE VALLEY PUBLIC SAFETY RADIO COMMUNICATIONS FACILITY

C-94-15-003-3-01

This Amendment No. 1 ("Amendment") to Intergovernmental Agreement ("IGA" or "Agreement") is between the County of Maricopa, a political subdivision of the State of Arizona, ("County") and the Town of Paradise Valley, an Arizona municipal corporation ("Paradise Valley"). County and Paradise Valley are collectively referred to as the "Parties" or individually a "Party."

This Amendment shall become effective as of the latter date it is executed by the Maricopa County Board of Supervisors and the Town Council of Paradise Valley.

**RECITALS**

WHEREAS, the Parties entered into an IGA G-30176 with an effective date of August 1, 2014; and

WHEREAS, the Parties now desire to terminate the IGA; and

WHEREAS, Paradise Valley desires to have access to the County's contract with Motorola; and

WHEREAS, County is authorized to enter into this Amendment pursuant to Arizona Revised Statutes (A.R.S.) §11-952 et. seq. and as authorized by the Maricopa County Board of Supervisors; and

WHEREAS, Paradise Valley is authorized to enter into this Amendment pursuant to A.R.S. § 11-952 et. seq. and as authorized by the Paradise Valley Town Council.

### TERMS OF AMENDMENT NO. 1 TO AGREEMENT

NOW THEREFORE, in consideration of the mutual promises and undertakings of the Parties hereinafter set forth, it is hereby agreed as follows:

1. Recitals. The Recitals, by this reference, shall be incorporated herein and are made a part of this Amendment No. 1 to the Agreement.
2. Termination. The Agreement shall terminate as of the latter date Amendment No. 1 is executed by either of the Parties.
3. Motorola Contract. Paradise Valley, through a separate purchase order (or work order) directly between Paradise Valley and Motorola Solutions, Inc., may use County's existing Amendment No. 1 to Contract 12030-RFP P25 Radio Communications System with Motorola Solutions, Inc., as shown in Exhibit "C" of the Agreement, for the purchase of the design and engineering services, as well as to purchase, install, start-up, and set up the initial operation services needed for the Town Radio Equipment, as provided for herein, or procure the Town Radio Equipment through other means. This Section 3 of Amendment No. 1 to the Agreement shall survive the termination of the Agreement, so long as Contract 12030-RFP with Motorola Solutions, Inc. is an active contract.
4. No Cost. Each Party indemnifies and holds harmless the other Party with regards to any and all costs incurred under this Agreement including but not limited to any and all costs associated with processing, planning, designing, acquisition, testing, modeling, researching, programming, procuring, surveying, filing, and insuring, the Paradise Valley Site and/or the Paradise Valley Facility as contemplated under this Agreement. The Parties further agree that Paradise Valley owes County no amount of funds for the costs incurred by County as part of the Agreement. Further, the Parties agree that County owes Paradise Valley no amount of funds for the costs incurred by Paradise Valley as part of the Agreement.
5. Conflicts. This Agreement shall be subject to the provisions of A.R.S. § 38-511.
6. Extent of Agreement. The foregoing paragraphs contain all the changes by this Amendment No. 1 to the Agreement.

IN WITNESS WHEREOF, the parties hereto agree to carry out the terms of this Agreement and have executed this Agreement the day and year first written above.

**MARICOPA COUNTY**, a political subdivision of the State of Arizona

**TOWN OF PARADISE VALLEY**, an Arizona municipal corporation

By: \_\_\_\_\_  
Steve Chucri

By: \_\_\_\_\_  
Kevin Burke

Title: Chairman of the Board of Supervisors

Title: Paradise Valley Town Manager

Attest:

Attest:

\_\_\_\_\_  
Clerk of the Board of Supervisors      Date

\_\_\_\_\_  
Town Clerk      Date

I hereby state that I have reviewed the proposed Amendment No. 1 to Intergovernmental Agreement, between Maricopa County and the Town of Paradise Valley, pursuant to A.R.S. §11-952, and declare the Agreement to be in proper form and within the powers and authority granted to the Town of Paradise Valley under the laws of the State of Arizona.

\_\_\_\_\_  
Andrew M. Miller, Town Attorney      Date

I hereby state that I have reviewed the proposed Amendment No. 1 to Intergovernmental Agreement, between the Maricopa County and the Town of Paradise Valley, pursuant to A.R.S. § 11-952, and declare the Agreement to be in proper form and within the powers and authority granted to Maricopa County under the laws of the State of Arizona.

By: \_\_\_\_\_  
Deputy County Attorney      Date