

AMENDMENT NO. 1
TO
AGREEMENT TO PROVIDE SERVICES/SUPPLIES PURSUANT TO A
COOPERATIVE PURCHASING CONTRACT

This AMENDMENT No. 1 to Agreement to Provide Services/Supplies Pursuant to a Cooperative Purchasing Contract (Contract No. CON-17-025-TMG), hereinafter “Amendment No. 1,” is made and entered into on this ____ day of _____, 2016 (“Effective Date”), by and between the Town of Paradise Valley, Arizona, a municipal corporation, hereinafter designated as the “**Town**” and EPS Group, Inc. Engineers, Planners & Surveyors, an Arizona corporation hereinafter designated as the “**Contractor**.”

Recitals:

- A. Contractor contracted with the City of Litchfield Park to provide contract city engineering services pursuant to the cooperative purchasing terms in the Agreement for Engineering Services (City Engineer), hereinafter the “Cooperative Purchasing Contract;”
- B. Pursuant to A.R.S. § 41-2631 et seq. and Town of Paradise Valley Resolution No. 1205, the Town has authority to utilize cooperative purchasing contracts of State of Arizona public agencies and public procurement units, including Mohave Educational Services Cooperative, Inc., and engage contractors under the terms thereof;
- C. The Town and Contractor previously entered into an Agreement to Provide Services/Supplies Pursuant to Cooperative Purchasing Contract, Contract No. CON-17-025-TMG, dated August 3, 2016 (“**Town Contract**”), attached hereto as Attachment 1, to provide engineering services for a limited time to the Town of Paradise Valley after the resignation of the Town Engineer; and
- D. The Town and Contractor wish to amend the Town Contract to allow Contractor to provide engineering services until the Town fills its Town Engineer position.

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 Town 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 No. 1.

2. Term. The term of the Town Contract shall be for the period from August 3, 2016 until the Town fills its Town Engineer position or the Town provides notice that the Scope of Work is complete, whichever earlier occurs.

3. Payment. Payment to the Contractor for the services, materials and/or equipment provided, shall be made in accordance with the price list and terms set forth in Exhibit C (Compensation Schedule for Services) to the Cooperative Purchasing Contract, which is part of and incorporated into the Town Contract, attached as Attachment 1 to this Amendment No. 1.

4. Ratification of Terms of Town Contract. Town and Contractor hereby agree that except as expressly provided herein, the provisions of the Town Contract shall be and remain in full force and effect and that if any provision of this Amendment No. 1 conflicts with the Town Contract, then the provisions of this Amendment No. 1 shall prevail.

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

TOWN OF PARADISE VALLEY:

EPS GROUP, INC. ENGINEERS,
PLANNERS & SURVEYORS:

By: _____
Kevin Burke
Town Manager

By: _____
Name: _____

Its: _____

ATTEST:

APPROVED AS TO FORM

Town Clerk

Andrew Miller
Town Attorney

**ATTACHMENT 1
to
AMENDMENT NO. 1
TO
COOPERATIVE PURCHASING CONTRACT, No. CON--17-025-TMG**

See attached, Town Contract (Agreement to Provide Services/Supplies Pursuant to a Cooperative Purchasing Contract (Contract No. CON-17-025-TMG))