

AMENDMENT NO. 4

REQUEST FOR PROPOSAL (Contract No. C-7140)  
City of Glendale Solicitation No. RFP 09-27

This Amendment to the Request for Proposal is made this 26th day of August, 2014 ("Effective Date"), by and between the City of Glendale, an Arizona municipal corporation ("City") and US Peroxide, a Delaware limited liability company authorized to do business in Arizona ("Contractor").

RECITALS

- A. City and Contractor previously entered into a Request for Proposal, Contract No. C-7140, dated December 8, 2009 ("Agreement"); and
- B. 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 December 8, 2013 through December 7, 2014, unless otherwise terminated or canceled as provided by the Agreement.
3. **Compensation.** Contractor's compensation is amended as of the Effective Date of this Amendment and Exhibit B of the original Agreement is amended as set forth in Exhibit B-Amendment No. 4, attached hereto.
4. **Insurance Certificate.** The existing insurance certificate is current as of June 27, 2014 and will expire on July 1, 2015.
5. **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.

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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

US PEROXIDE, LLC, a Delaware limited  
liability company

  
\_\_\_\_\_  
By: Andrew J. Howard  
Its: Assistant Secretary US Peroxide, LLC.

**EXHIBIT B-AMENDMENT NO. 4**

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**AMENDED COMPENSATION**

**METHOD AND AMOUNT OF COMPENSATION**

See attached.


**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 \$1,298,788.

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# EXHIBIT B

 <p>GLENDALÉ</p>	<p><b>Contract Amendment No. Four (4)</b> <b>RFP #09-27</b> <b>Hydrogen Peroxide Supply, Service and Maintenance</b></p>	<p>CITY OF GLENDALE Materials Management 5850 West Glendale Avenue, Suite 317 Glendale, Arizona 85301</p>
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In accordance with the Special Terms and Conditions and, the above referenced contract is amended as follows:

The option to extend the term of the agreement is exercised this 25th day of November 2013. The term of the contract is hereby extended from **December 8, 2013** through **December 7, 2014**, unless terminated, canceled or extended as provided within the contract. All other provisions of the contract shall remain in their entirety.

With the extension of this agreement, a current insurance certificate is required. The certificate and policy shall name the City of Glendale as an additional insured and shall be primary coverage for the activity of the contractor.

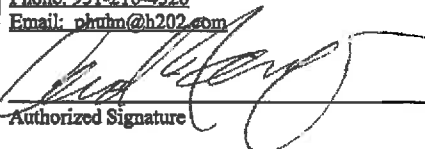
The price increase of \$0.04 per gallon of 27% Hydrogen Peroxide shall be implemented beginning with this Agreement. The new price will be \$2.097/gallon.

Please email the signed amendment to Barbara McFarlane, at [bmcfarlane@glendaleaz.com](mailto:bmcfarlane@glendaleaz.com).

In witness whereof, the parties hereto have executed this amendment to be effective the date first written above.

Contractor hereby acknowledges receipt of and is in agreement with the amendment. A signed copy must be filed with the City of Glendale Materials Management office. Please provide current information if the address has changed.

Peter Huhn, Program Manager  
US Peroxide  
900 Circle 75 Parkway NW, Suite 1330  
Atlanta, Georgia 30339  
Phone: 951-216-4326  
Email: [phuhn@h202.com](mailto:phuhn@h202.com)

  
Authorized Signature

12/10/2013  
Date

ANDREW NARBAND ASSISTANT SECRETARY US PEROXIDE, LLC  
Printed Name and Title