

AMENDMENT NO. 4

AGREEMENT FOR STREETLIGHT MAINTENANCE SERVICES
(City of Glendale IFB No. 12-41, Contract No. C-8180)

This Amendment No. 4 ("Amendment") to the Professional Services Agreement with Fluoresco Services, LLC is made this _____ day of _____, 2016, ("Effective Date"), by and between the City of Glendale, an Arizona municipal corporation ("City") and Fluoresco Services, LLC, an Arizona corporation authorized to do business in Arizona ("Contractor").

RECITALS

- A. City and Fluoresco Services, LLC ("Contractor") previously entered into a Professional Service Agreement, Contract No. C-8180, dated September 25, 2012 ("Agreement"); and
- B. The Agreement had an initial one-year term beginning September 25, 2012 through September 24, 2013 and provided the option to extend for an additional four (4) years in one-year increments; and
- C. City and Contractor previously entered in Amendment No. 1, extending the term of the Agreement from September 25, 2013 through September 24, 2014; and
- D. City and Contractor previously entered into Amendment No. 2, extending the term of the Agreement from September 25, 2014 through September 24, 2015; and
- E. City and Contractor previously entered into Amendment No. 3, extending the term of the Agreement from September 25, 2015 through September 24, 2016; and
- F. 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. **Compensation.** Section 4.1 of the Agreement is hereby modified and amended to read as follows:
4.1 Compensation. Contractor's compensation for the Project, including those furnished by its Subcontractors will not exceed \$733,702 over the entire term of the Agreement (initial plus any extensions).

3. **Insurance Certificate.** Current certificate will expire on March 31, 2017 and a new certificate applying to the extended term must be provided prior to this date to Materials Management and the Contract Administrator.
4. **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.
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.

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

Fluoresco Services, LLC,
an Arizona corporation


By: Gary Gryder
Its: Vice-President