

AMENDMENT NO. 1  
INTERGOVERNMENTAL AGREEMENT  
BETWEEN THE CITY OF PEORIA  
AND  
THE CITY OF GLENDALE FOR  
LANDFILL DISPOSAL SERVICES  
(Contract No. C-9157)

This Amendment No. 1 (“Amendment”) to the INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF PEORIA AND THE CITY OF GLENDALE FOR LANDFILL DISPOSAL SERVICES (“IGA”) is made this \_\_\_\_\_ day of \_\_\_\_\_, 2017, (“Effective Date”), by and between the City of Glendale, an Arizona municipal corporation (“Glendale”) and the City of Peoria, an Arizona municipal corporation, authorized to do business in Arizona (“Peoria”).

RECITALS

- A. Glendale and Peoria previously entered into an INTERGOVERNMENTAL AGREEMENT FOR LANDFILL DISPOSAL SERVICES, Contract No. C-9157, dated September 17, 2014 (“IGA”); and
- B. Under Section 4.1 of the original IGA, the Agreement remained in effect until June 30, 2017. The IGA could be extended on terms and conditions acceptable to both Glendale and Peoria for one additional term of three years, if the extension was contained in a written agreement signed by both of the parties.
- C. The parties wish to extend the term of the original IGA and make a few other changes, as provided in 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, Glendale and Peoria 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 three-year period beginning July 1, 2017 and concluding on June 30, 2020, 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.** The Tipping Fees contained in Section 3.3 of the original IGA are amended as follows:

**3.3 Tipping Fees.**

A. The Tipping Fee for disposal services at the Glendale Landfill shall be as follows:

Tipping Fee	Applicable Term
\$25.00	July 1, 2017 through June 30, 2018
\$25.00	July 1, 2018 through June 30, 2019
\$27.00	July 1, 2019 through June 30, 2020

This Tipping Fee includes the current \$0.25 per ton Arizona Department of Environmental Quality tax.

All loads delivered after 4:05 p.m. (AZ time) will be assessed an additional \$7.00 per ton.

The rates are based on a minimum annual of 25,000 tons annually brought by the City of Peoria Solid Waste vehicles. If the minimum annual tonnage is not met, the following year rate will be increased by \$2 per ton.

5. **Non-discrimination.** Peoria 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. Peoria will require any Contractor or Sub-contractor to be bound to the same requirements as stated within this section. Peoria warrants compliance with this section.
6. **No Boycott of Israel.** The Parties agree that they are not currently engaged in, and agree that for the duration of the Agreement they will not engage in, a boycott of Israel, as that term is defined in A.R.S. §35-393.
7. **Attestation of PCI Compliance.** When applicable, Peoria will provide Glendale annually with a Payment Card Industry Data Security Standard (PCI DSS) attestation of compliance certificate signed by an officer of Peoria with oversight responsibility.
8. **Ratification of Agreement.** Glendale and Peoria hereby agree that except as expressly provided herein, the provisions of the original Intergovernmental 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.

[Signatures on the following page.]

CITY OF GLENDALE, an Arizona  
municipal corporation

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Kevin R. Phelps, City Manager

ATTEST:

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Julie K. Bower, City Clerk (SEAL)

APPROVED AS TO FORM:

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Michael D. Bailey, City Attorney

CITY OF PEORIA, an Arizona  
municipal corporation

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By: Cathy Carlat

Its: Mayor

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