

**FIRST AMENDMENT
TO
COOPERATIVE PURCHASING AGREEMENT
BETWEEN
THE TOWN OF FOUNTAIN HILLS
AND
ZUMAR INDUSTRIES, INC.**

THIS FIRST AMENDMENT TO COOPERATIVE PURCHASING AGREEMENT (this "First Amendment") is entered into as of March 21, 2016, between the Town of Fountain Hills, an Arizona municipal corporation (the "Town"), and Zumar Industries, Inc., a Washington corporation (the "Vendor").

RECITALS

A. After a competitive procurement process, Maricopa County, Arizona (the "County") entered into Serial Contract No. 10026-C, dated September 1, 2010, and extended on August 22, 2013, with the Vendor for the Vendor to provide traffic signing materials (the "County Contract").

B. The Town and the Vendor entered into a Cooperative Purchasing Agreement dated August 19, 2015 (the "Agreement"), based upon the County Contract, for the Vendor to provide the Town with signs and sign hardware (the "Materials"). All capitalized terms not otherwise defined in this First Amendment have the same meanings as contained in the Agreement.

C. The Town has determined that additional Materials by the Vendor are necessary (the "Additional Materials").

D. The Town and the Vendor desire to enter into this First Amendment to provide for the cost of and purchase the Additional Materials.

AGREEMENT

NOW, THEREFORE, in consideration of the foregoing introduction and recitals, which are incorporated herein by reference, the following mutual covenants and conditions, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Town and the Vendor hereby agree as follows:

1. Compensation. The Town shall increase the compensation to Vendor by \$2,000.00 for the Additional Materials at the rates set forth ~~in the County Contract and the Change Orders, attached hereto as Exhibit 1 and incorporated herein by reference, resulting in an increase of the total compensation from \$15,000.00 to an amount not to exceed \$17,000.00.~~

2. Effect of Amendment. In all other respects, the Agreement is affirmed and ratified and, except as expressly modified herein, all terms and conditions of the Agreement shall remain in full force and effect.

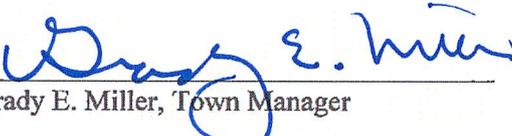
3. Non-Default. By executing this First Amendment, the Vendor affirmatively asserts that (i) the Town is not currently in default, nor has been in default at any time prior to this First Amendment, under any of the terms or conditions of the Agreement and (ii) any and all claims, known and unknown, relating to the Agreement and existing on or before the date of this First Amendment are forever waived.

4. Conflict of Interest. This First Amendment and the Agreement may be canceled by the Town pursuant to ARIZ. REV. STAT. § 38-511.

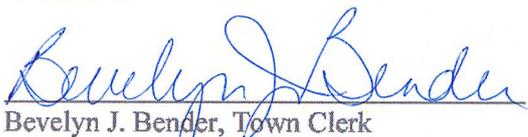
IN WITNESS WHEREOF, the parties hereto have executed this instrument as of the date and year first set forth above.

“Town”

TOWN OF FOUNTAIN HILLS,
an Arizona municipal corporation


Grady E. Miller, Town Manager

ATTEST:


Bevelyn J. Bender, Town Clerk

(ACKNOWLEDGMENT)

STATE OF ARIZONA)
) ss.
COUNTY OF MARICOPA)

On March 31st, 2016, before me personally appeared Grady E. Miller, the Town Manager of the TOWN OF FOUNTAIN HILLS, an Arizona municipal corporation, whose identity was proven to me on the basis of satisfactory evidence to be the person who he claims to be, and acknowledged that he signed the above document, on behalf of the Town of Fountain Hills.




Notary Public

(Affix notary seal here)

“Vendor”

ZUMAR INDUSTRIES, INC.,
a Washington corporation

By: Jody Case

Name: Jody Case

Title: Sales Manager

(ACKNOWLEDGMENT)

STATE OF Arizona
COUNTY OF Maricopa) ss.

On March 29, 2016, before me personally appeared Jody Case, the Sales manager of ZUMAR INDUSTRIES, INC., a Washington corporation, whose identity was proven to me on the basis of satisfactory evidence to be the person who he/she claims to be, and acknowledged that he/she signed the above document on behalf of the corporation.



(Affix notary seal here)

Kelly Rae Porter
Notary Public

EXHIBIT 1
TO
FIRST AMENDMENT
TO
COOPERATIVE PURCHASING AGREEMENT
BETWEEN
THE TOWN OF FOUNTAIN HILLS
AND
ZUMAR INDUSTRIES, INC.

[Change Orders]

See following pages.



Town of Fountain Hills
 18708 E Avenue of the Fountains
 Fountain Hills, AZ 85288
 Phone: 480-618-5190
 Fax: 480-637-3145

Contact:

E-mail:

Change Order No.: One (1)
 Date: January 4, 2016

Vendor #: 678
 Vendor Name: Zumar
 Phone: 823-831-7446
 Fax: 823-877-7446
 Contact: Jody Case

Name of Project/Contract:

Contract #: C2015-163 Contract Effective Date: September 18, 2015 Contract Expiration Date: August 18, 2018

Description of Proposed Change Order:

Signs and hardware for the Andrew Kinsey Trail, Town Parks and Trails

Summary of Change Orders:

Amount		Contract Time
<u>\$15,000.00</u>	Original Contract	
<u>\$1,500.00</u>	Change Order #	Original Contract: _____ days
_____	Change Order #	Previous C.O.s: _____ days
_____	Change Order #	This Change Order: _____ days
_____	Change Order #	Total All C.O.s: _____ days
_____	Change Order #	Revised Contract: _____ days
<u>\$1,500.00</u>	Total of All Change Orders	
<u>\$16,500.00</u>	Revised Total Contract	

IT IS AGREED BY THE VENDOR that this Change Order includes any and all costs associated with or resulting from the change order herein, including all impact, delay and acceleration costs. Other than the dollar amount and time allowance listed above, there shall be no further time or dollar compensation as a result of this Change Order. This document shall become an amendment to the initial contract listed above and all conditions, stipulations and covenants of the initial contract shall apply hereto and shall remain in full force and effect.

Town:

TOWN OF FOUNTAIN HILLS

By:

[Signature]
 Town Manager or Deputy Town Manager

ATTEST:

[Signature]
 Bevelyn J. Bender, Town Clerk

Vendor:

ZUMAR

By:

[Signature]
 Name: Jody Case
 Title: Sales Manager

FOR FOUNTAIN HILLS USE ONLY

Gen. Code:	_____	Object	_____	Proj#	_____	\$	_____
	_____	Object	_____	Proj#	_____	\$	_____
	_____	Object	_____	Proj#	_____	\$	_____



Town of Fountain Hills
 18705 E Avenue of the Fountains
 Fountain Hills, AZ 85258
 Phone: 480-816-5100
 Fax: 480-837-3146

Contact: Mark Mayer

E-mail: mmsvsn@fh.az.gov

Change Order No.: One (2)

Vendor #: 878

Date: February 28, 2016

Vendor Name: Zumar

Phone: 823-931-7446

Fax: 623-877-7446

Contact: Jody Case

Name of Project/Contract:

Contract #: C2015-163 Contract Effective Date: September 18, 2015 Contract Expiration Date: August 18, 2016

Description of Proposed Change Order:
Signs and hardware for Town Parks and Trails.

Summary of Change Orders:

Amount		Contract Time	
<u>\$15,000.00</u>	Original Contract		
<u>\$1,600.00</u>	Change Order #	Original Contract:	_____ days
<u>\$900.00</u>	Change Order #	Previous C.O.s:	_____ days
	Change Order #	This Change Order:	_____ days
	Change Order #	Total All C.O.s:	_____ days
	Change Order #	Revised Contract:	_____ days
	Change Order #		
<u>\$2,000.00</u>	Total of All Change Orders		
<u>\$17,000.00</u>	Revised Total Contract		

IT IS AGREED BY THE VENDOR that this Change Order includes any and all costs associated with or resulting from the change order herein, including all impact, delay and acceleration costs. Other than the dollar amount and time allowance listed above, there shall be no further time or dollar compensation as a result of this Change Order. This document shall become an amendment to the initial contract listed above and all conditions, stipulations and covenants of the initial contract shall apply hereto and shall remain in full force and effect.

Town:

TOWN OF FOUNTAIN HILLS

By: [Signature]
 Town Manager or Deputy Town Manager

Vendor:

Zumar Industries

By: [Signature]
 Name: Jody Case

ATTEST: [Signature]
 Bevelyn J. Bender, Town Clerk

Title: Sales Manager

FOR FOUNTAIN HILLS USE ONLY

GL Code:	_____	_____	_____	\$ _____
	Org	Object	Proj#	
	_____	_____	_____	\$ _____
	Org	Object	Proj#	
	_____	_____	_____	\$ _____
	Org	Object	Proj#	



Zumar Industries, INC - Arizona QUOTATION
 7833 N. 106th Avenue
 Glendale, AZ 85307
 623-931-7446 Fax:623-877-7446

REPRINT

Order #	0026812
Order Date	02/24/16
Est Ship Date	02/24/16

Customer: 000020	TOWN OF FOUNTAIN HILLS ATTN: ACCTS PAYABLES 16705 E. AVE OF FOUNTAIN FOUNTAIN HILLS AZ 85268	Ship To:	***** CLOSED FRIDAYS TOWN OF FOUNTAIN HILLS 17137 E. FALCON DRIVE FOUNTAIN HILLS AZ 85268	Tele: (480)-816-5161 Fax: (480)-837-3145
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Customer P.O.	TC	Salesperson	Ship Via	Estimated Ship Date	Terms	FOB	Entered By
EMAIL JENNIFE R		JODY CASE		02/24/16	NET 30	D	Int

Line	Order	Item Number/Description	Print	Sheet	Price	Extension
010	3	Ship:02/24/16 PT1341112 1-3/4" X 1-3/4" X 11' 12GA PERF SIGN POST			30.00	90.00
020	12	Ship:02/24/16 TL3806 TL-3806 3/8" STEEL DRIVE RIVET			2.14	25.68
030	3	Ship:02/24/16 SPECIAL 24S 8P54 R SPECIAL 24X24 SQU 080 PREFAB 3930 W			49.00	147.00
040		NO TRESPASSING:SEE ATTACHED SPEC				
Total:						262.68
Freight:						.00
Tax:						24.17
Order Total:						286.85

THANK YOU FOR YOUR ORDER. WE APPRECIATE
 YOUR BUSINESS. PLEASE VISIT US ONLINE
 AT www.zumar.com

Original

Order Layout Form

Date: 2/25/16

Customer name: _____

Salesperson: _____

Work order #: _____ Account #: _____



Customer approval: _____ (any changes once approved may incur additional charges)

Sheeting type: _____

Product type: Custom sign Sign face

Substrate: _____

Street name sign Stencil Standard

Overlay: _____

Face appearance

Production notes

Font: _____

Single faced

Face print

Fabrication

Standard highway color

Double faced

Silk screen

Router

Custom color (required below)

Logo (below)

Digital print

Metal fab

P MS color: _____

Type: _____

EC film

Pre fab

P MS color: _____

Paint

**All colors are standard traffic colors unless requested otherwise*



INFO@ZUMAR.COM | ZUMAR.COM

ARIZON A | 7833 N. 106th Avenue | Glendale, AZ 85307 | 623-931-7446

C A LIFORNI A | 9719 Santa Fe Springs Road | Santa Fe Springs, CA 90670 | 562-941-4633

W A SHINGTON | 12015 Steele Street South | Tacoma, WA 98444 | 253-536-7740