

**CITY CLERK
ORIGINAL**

**C-9771-1
12/24/2015**

**AMENDMENT NO. 1
TO THE LINKING AGREEMENT WITH
HORIZON DISTRIBUTORS, INC.**

(City of Chandler Contract No. WH4-670-3284, Glendale Contract No. C-9771)

This Amendment No. 1 ("Amendment") to the Linking Agreement with Horizon Distributors, Inc. ("Agreement") is made this 21 day of December, 2015, ("Effective Date"), by and between the City of Glendale, an Arizona municipal corporation ("City") and Horizon Distributors, Inc., a Delaware corporation, authorized to do business in Arizona ("Contractor").

RECITALS

- A. City and Horizon Distributors, Inc., ("Contractor") previously entered into a Linking Agreement, Contract No. C-9771, dated March 24, 2015 ("Agreement") pursuant to City of Chandler Contract No. WH4-670-3284; and
- B. The original City of Chandler, Contract No. WH4-670-3284 had an initial one-year term beginning September 27, 2013 through September 26, 2014 with the option to extend an additional four (4) years in one-year increments; and
- C. The City of Chandler Contract No. WH4-670-3284, as amended, expires on September 26, 2016; and
- D. City and Contractor wish to modify and amend the Agreement subject to and strictly in accordance with the terms of this Amendment.

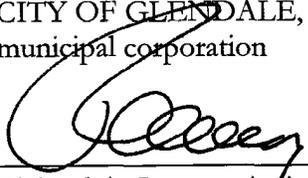
AGREEMENT

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 the Effective Date of this Agreement through September 26, 2016, 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 compensation of the Agreement is unchanged and shall not exceed \$85,000 annually.

5. **Insurance Certificate.** Current certificate will expire on June 1, 2016 and a new certificate applying to the extended term must be provided prior to this date to Materials Management and the Contract Administrator.
6. **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.
7. **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.

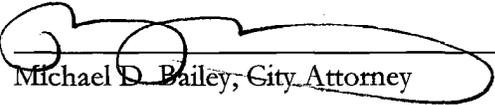
CITY OF GLENDALE, an Arizona
municipal corporation


Richard A. Bowers, Acting City Manager

ATTEST:


Pamela Hanna, City Clerk (SEAL)

APPROVED AS TO FORM:


Michael D. Bailey, City Attorney

Horizon Distributors, Inc.,
a Delaware corporation


By: Kevan D. Lawrence
Its: Sales Representative