

## **SECOND AMENDMENT TO AGREEMENT FOR TOWING AND VEHICLE STORAGE SERVICES BETWEEN CITY OF APACHE JUNCTION AND PHOENIX METRO TOWING**

THIS SECOND AMENDMENT is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2024 ("the Execution Date") by and between the CITY OF APACHE JUNCTION, an Arizona municipal corporation ("City"), and PHOENIX METRO TOWING, an Arizona corporation/limited liability company ("Contractor"), sometimes collectively referred to as the "Parties" or individually as a "Party".

### **RECITALS**

A. On April 19, 2017, the Parties initially entered into the initial towing services agreement ("Agreement").

B. The last day of the Agreement was April 5, 2024.

C. On February 20, 2024, the parties agreed to a First Amendment to the Agreement under which City extended the term through June 30, 2024.

D. City staff is competitively bidding tow services for the next ten years through a Request for Proposals process and the start date for the contract will not be until September 1, 2024.

E. In order not to have a disruption in towing services, the Agreement needs to be further extended through August 31, 2024 by execution of this Second Amendment.

### **AGREEMENT**

NOW, THEREFORE, in consideration of mutual promises contained herein and other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, the Parties agree to amend the Agreement as follows:

A. Section 3. **CONTRACT TERM**: This Agreement shall be effective beginning on July 1, 2024 and shall remain in full force and effect through August 31, 2024.

B. Except as expressly amended herein, all other terms and provisions of the Agreement executed by the Parties shall remain in full force and effect until the Agreement is terminated or all obligations have been performed.

IN WITNESS WHEREOF, the Parties have caused this Second Amendment to be signed by their duly authorized representatives as of the day and year first above written.

**CONTRACTOR:**

**PHOENIX METRO TOWING, an Arizona  
corporation/limited liability company**

  
By: Shawn McGregor

**CITY:**

**CITY OF APACHE JUNCTION, ARIZONA,  
an Arizona municipal corporation**

By: Walter "Chip" Wilson  
Its: Mayor

**ATTEST:**

\_\_\_\_\_  
**Jennifer Pena**  
**City Clerk**

**APPROVED AS TO FORM:**

 6.5.24  
\_\_\_\_\_  
**R. Joel Stern**  
**City Attorney**