

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

THIS 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 this agreement (“Agreement”) under which City hired Contractor to provide towing and vehicle storage services.

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

C. City staff will be competitively bidding tow services for the next ten years through a Request for Proposals process and the selection of the tow providers will likely not occur until after April 5, 2024.

D. City staff desires to begin the next ten-year cycle of towing services on July 1, 2024.

E. In order not to have a disruption in towing services, this Agreement needs to be extended until the beginning of the 2024-2025 fiscal year.

F. The extension is further warranted by fiscal year budgeting efficiency and software functionality.

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 April 6, 2024 and shall remain in full force and effect through June 30, 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 Amendment to be signed by their duly authorized representatives as of the day and year first above written.

CONTACTOR:

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

By: Shannon M. M. Greg.

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:

R 2024
**R. Joel Stern
City Attorney**