

FIRST AMENDMENT TO CITY OF APACHE JUNCTION AGREEMENT FOR PROSPECTOR PARK DRAINAGE IMPROVEMENTS

THIS AMENDMENT is made and entered into this 15th day of July, 2025, ("the Execution Date") by and between the CITY OF APACHE JUNCTION, ARIZONA, an Arizona municipal corporation ("City"), and PRIMARY CONSTRUCTION INC, an Arizona corporation ("Contractor"), sometimes collectively referred to as the "Parties" or individually as the "Party".

RECITALS

A. On January 30th, 2025 the Parties entered into an Agreement for Prospector Park Drainage Improvements (the "Agreement") under which City hired Contractor to perform the work in accordance with the terms and conditions set forth in the Agreement.

B. Due to required engineering/architectural changes, and material delays, the Contractor will need additional time within the schedule to complete the project.

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 4 – CONTRACT TERM: The Term of this agreement shall be performed from February 19, 2025 through October 31, 2025 and shall follow the Construction Schedule target dates as outlined in Exhibit A

Except as expressly amended herein, all other terms and provisions of the Agreement shall remain in full force and effect until the Agreement is terminated.

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.

CONTRACTOR/CONSULTANT:

PRIMARY CONSTRUCTION INC., an
Arizona corporation


By: Paul Wirth
Its: President

CITY:


CITY OF APACHE JUNCTION, ARIZONA,
an Arizona municipal corporation

By: Walter "Chip" Wilson
Its: Mayor

ATTEST:

Evie McKinney
City Clerk

APPROVED AS TO FORM:

 7.1.25
R. Joel Stern
City Attorney

STATE OF _____)
) ss.
COUNTY OF _____)

The foregoing was subscribed and sworn to before me this _____
day of _____, 2025, by Paul A. Wirth, as President of PRIMARY
CONSTRUCTION INC., an Arizona corporation.

See Attached for
Notarial Seal

Notary Public

My Commission Expires:

STATE OF ARIZONA)
) ss.
COUNTY OF PINAL)

The foregoing was subscribed and sworn to before me this _____
day of _____, 20____, by Walter "Chip" Wilson, as Mayor of the City of
Apache Junction, Arizona, an Arizona municipal corporation.

Notary Public

My Commission Expires:

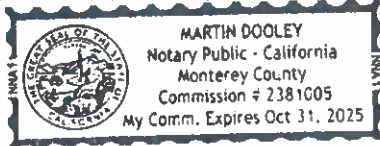
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of MONTEREY

Subscribed and sworn to (or affirmed) before me on this 1ST
day of JULY, 2025, by PAUL A. WERTH

proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.



(Seal)

Signature

M. Dooley

* FIRST AMENDMENT TO CITY OF APACHE
JUNCTION AGREEMENT ...

** AS PRESIDENT OF PRIMARK CONSTRUCTION, INC.

EXHIBIT A

Construction Schedule

The following target dates will insure that the project is completed in a manner consistent with programming at Prospector Park and adhering to the contract timeline.

TASK	PERIOD
Concrete Box Culvert Submittals and Procurement	7/1/25-8/1/25
Culvert #1 – Demo of existing site, excavation and install of new culvert, channel/sidewalk/railings restoration	7/14/25-8/15/25
Culvert #2 – Demo of existing site, excavation and install of new culvert, channel/sidewalk/railings restoration	7/28/25-8/29/25
Additional excavation, rip-rap placement on wash bank	8/18/25-9/12/25
Completion of any Punch List items	9/8/25-10/31/25