



**PURCHASING ITEM  
FOR  
COUNCIL AGENDA  
ST14-014**

1. Agenda Item Number:

25

2. Council Meeting Date:  
December 12, 2013

TO: MAYOR & COUNCIL

3. Date Prepared: October 30, 2013

THROUGH: CITY MANAGER

4. Requesting Department: Transportation and Development

5. **SUBJECT:** Amendment No. 1 to Agreement No. ST3-745-3186, with Cemex Construction Materials South, LLC, for hot mix asphalt materials

6. **RECOMMENDATION:** Staff recommends approval of Amendment No. 1 to Agreement No. ST3-745-3186, with Cemex Construction Materials South, LLC, for hot mix asphalt materials, in an amount not to exceed \$221,000 for one year.

7. **BACKGROUND/DISCUSSION:** Hot mix asphalt material is used in the repair and maintenance of city streets and is an essential material to have readily available at a reasonable price. The Streets Division has an annual agreement for hot mix material to repair and maintain street defects and condition deficiencies.

Although the Streets Division uses various asphalt sizes for repair and maintenance, eighty-five percent (85%) of the City's previous estimated annual requirements have been for 3/8" hot mix asphalt material for street surface patching. We currently estimate the percentage for 3/8" hot mix material to be closer to fifty percent (50%), forty percent (40%) for 1/2" hot mix, and ten percent (10%) for 3/4" hot mix material. The three principal sizes of hot mix will allow a better representation and cross-section of full depth repairs and surface preservation.

8. **EVALUATION PROCESS:** On December 13, 2012, City Council approved an agreement with Cemex Construction Materials South, LLC, for hot mix asphalt materials for a one-year period with an option to extend for up to two (2) additional one-year periods. Cemex Construction Materials South, LLC, has agreed to extend for one additional year at the same terms, conditions and pricing.

Staff is recommending extension of this agreement for the new term of January 1, 2014, through December 31, 2014.

**9. FINANCIAL IMPLICATIONS:**

Cost: \$221,000

Savings: N/A

Long Term Costs: N/A

| <u>Acct. No.:</u>  | <u>Fund:</u> | <u>Program Name:</u> | <u>CIP Funded:</u> | <u>Funds:</u> |
|--------------------|--------------|----------------------|--------------------|---------------|
| 215.3300.5332.0000 | HURF         | Street Construction  | No                 | \$221,000     |

10. **PROPOSED MOTION:** Move City Council approve Amendment No. 1 to Agreement No. ST3-745-3186, with Cemex Construction Materials South, LLC, for hot mix asphalt materials, in an amount not to exceed \$221,000 for one year.

**Attachments:** Amendment No. 1

**APPROVALS**

**11. Requesting Department**



Daniel W. Cook, Transportation Manager

**12. Department Head**



R.J. Zeder, Transportation & Development Director

**13. Procurement Officer**



Raquel McMahon, CPPB

**14. City Manager**



Rich Dlugas

**AMENDMENT NUMBER ONE  
TO AGREEMENT BETWEEN  
CITY OF CHANDLER & CEMEX CONSTRUCTION MATERIALS SOUTH, LLC  
AGREEMENT NO. ST3-745-3186**

This Amendment No. 1 to that certain Agreement between the City of Chandler and **CEMEX CONSTRUCTION MATERIALS SOUTH, LLC** to provide Hot Mix Asphalt Materials, dated December 14, 2012 is entered into this \_\_\_\_ day of \_\_\_\_\_, 2013.

WHEREAS, the parties have agreed to extend the Contract;

NOW THEREFORE, the parties agree as follows:

1. Section 6 of the Agreement is amended to extend the term of the Agreement for a one year period from January 1, 2014 through December 31, 2014.
2. Per Section 5 of the Agreement, the price is a total amount not to exceed **Two Hundred Twenty One Thousand Dollars (\$221,000)** which shall include all costs or expenses incurred by CONTRACTOR payable as set forth in Exhibit C attached to original agreement and incorporated herein by reference.
3. All other terms and conditions of the above referenced Agreement shall remain unchanged and in full force and effect.

IN WITNESS WHEREOF, the parties have hereunto subscribed their names this \_\_\_\_ day of \_\_\_\_\_, 2013.

CITY OF CHANDLER:

By: \_\_\_\_\_  
Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

ATTEST:

\_\_\_\_\_  
City Clerk

CONTRACTOR

By: \_\_\_\_\_  
Title: SALES

ATTEST: (If corporation)

\_\_\_\_\_  
Secretary

WITNESS: (If individual or Partnership)

\_\_\_\_\_