

**THIRD AMENDMENT TO
AGREEMENT FOR DEMAND RESPONSE SERVICES**

THIS THIRD AMENDMENT TO SERVICES AGREEMENT FOR DEMAND RESPONSE SERVICES ("Third Amendment") is made and entered into this 19th day of September, 2017, by and between the City of Maricopa, Arizona, an Arizona municipal corporation ("City"), and Total Transit Enterprises, LLC, an Arizona Limited Liability Company ("Company").

RECITALS

A. WHEREAS, on September 2, 2014, the Maricopa City Council approved a Services Agreement for Demand Response Transit Services with Total Transit, Inc., an Arizona corporation ("Agreement") to provide City Transit Services.

B. WHEREAS, on October 21, 2014, the City Council approved a Consent to Assignment of Services Agreement for Demand Response Transit Services ("Consent"), which assigned the Agreement to ValuTrans Holding, LLC, an Arizona limited liability company, for insurance purposes;

C. WHEREAS, on September 1, 2015, the Maricopa City Council approved the First Amendment to the Agreement to extend the Original Term of the Agreement for two (2) additional one (1) year terms ("First Amendment");

D. WHEREAS, on June 7, 2016, the City Council approved a Consent to Assignment of Services Agreement for Demand Response Transit Services, which assigned the Agreement, as amended by the First Amendment, to Company due to a company restructuring ("Second Consent");

E. WHEREAS, on September 20, 2016 the Maricopa City Council approved the Second Amendment to the Agreement to include route deviation service for six (6) hours per day and to set the compensation for 2016-2017; and,

F. WHEREAS, the City and Company desire to amend the Agreement, First Amendment, and the Second Amendment to extend the agreement for a period lasting until the City enters into an agreement with a different Company but not to exceed sixty (60) days.

AGREEMENT

NOW, THEREFORE, the parties specifically agree to amend the Agreement approved on September 2, 2014, the Consent approved on October 21, 2014, the First Amendment approved on September 1, 2015, the Second Consent approved on June 7, 2016, and the Second Amendment approved on September 20, 2016 as follows:

1. Section 2 of the Agreement shall be amended reflect that the term shall be extended for one (1) additional sixty (60) day or shorter term, beginning October 1, 2017, and terminating on March 31, 2017 or at the time that the City enters into an agreement with a different Company for the services covered by this Agreement and its Consents and

Amendments; whichever occurs first (“Renewal Term”), upon the same terms and conditions set forth in the Agreement approved on September 2, 2014, the Consent approved on October 21, 2014, the First Amendment approved on September 1, 2015, the Second Consent approved on June 7, 2016, the Second Amendment approved on September 20, 2016, and this Third Amendment.

2. All other terms and conditions of the Agreement are to continue in full force and effect as stated and agreed to in the Agreement approved on September 2, 2014, the Consent approved on October 21, 2014, the First Amendment approved on September 1, 2015, the Second Consent approved on June 7, 2016, the Second Amendment approved on September 20, 2016, and this Third Amendment.

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

COMPANY

Total Transit Enterprises, LLC, an
Arizona Limited Liability Company

By: _____

Its: _____

CITY OF MARICOPA

an Arizona municipal corporation

Christian Price, Mayor

ATTEST:

Vanessa Bueras, City Clerk

APPROVED AS TO FORM:

City Attorney