COOPERATIVE PURCHASE AGREEMENT

THIS AGREEMENT is made and entered into EFFECTIVE THE	DAY OF
2019, by and between CITY OF FRESNO, a California	municipa
corporation (CITY), and Metals Treatment Technologies, LLC a Colorad	do Limited
Labiality Company (SERVICE PROVIDER).	

AGREEMENT

NOW, THEREFORE, in consideration of the foregoing and of the covenants, conditions, and promises hereinafter contained to be kept and performed by the respective parties, it is mutually agreed as follows:

- The Charter for the CITY allows for cooperative purchase agreements for work of public improvement. The CITY is allowed to piggyback an existing government agency's agreement, under Fresno City Charter 1208. The parties agree the VENDOR was the lowest responsive and responsible bidder for Solicitation Number FCO00CORP0000C issued by Federal Acquisition Service (GSA) The Solicitation is attached hereto as Exhibit A and is incorporated herein by reference. The Parties agree that the SERVICE PROVIDER has entered a Cooperative Purchase Contract with Federal Acquisition Service (GSA) (Original Government Contract).
- SERVICE PROVIDER Obligation. SERVICE PROVIDER shall provide those services and carry out that work described in the Original Government Contract. which is attached hereto as Exhibit B and is incorporated herein by reference, subject to all the terms and conditions contained or incorporated herein.
- CITY's Obligation. City shall make to the SERVICE PROVIDER those payments described in Exhibits A and B, subject to all the terms and condition contained or incorporated herein
- Notwithstanding the requirements that the Original Government Contract is fully binding on the Parties, the parties have agreed to modify certain non-material provisions of the Original Government Contract as applied to this Agreement between the VENDOR and the CITY, as follows:
 - CITY's Insurance and Indemnity provisions attached as Exhibit C. a)
- Address change for the CITY: Notwithstanding the address and contract information for the government entity as set out in Exhibit B, the VENDOR agrees that notices and invoices will be sent to:

City of Fresno Attention: Tom Rowe 6375 West Central Avenue Fresno CA 93706

Phone: 559-621-2169

- c) Notwithstanding anything in **Exhibits A** and **B** to the contrary, this Agreement shall be governed by, and construed and enforced in accordance with , the laws of the State of California, excluding however, any conflict of laws rule which would apply the law of another jurisdiction. Venue for purposes of the filing of any action regarding the enforcement or interpretation of this Agreement and any rights and dut8ies hereunder shall be Fresno County, California.
- d) All other provisions in the Original Government Contract are fully binding on the parties and will represent the agreement between the CITY and the SERVICE PROVIDER.

[Signatures follow on the next page.]

IN WITNESS WHEREOF, the parties have executed this Agreement at Fresno, California, the day and year first above written.

CITY OF FRESNO, a California municipal corporation	Metals Treatment Technologies, a
By: Patrick Farmer Deputy Chief	By:Bush Barthel
No signature of City Attorney required. Standard Document #FIN-S 11.0 has been used without modification, as certified by the undersigned. By:	Title: President/CEO (If corporation or LLC., Board Chair, Pres. or Vice/Pres.) By:
By:Date	
Deputy	
Addresses: CITY: City of Fresno Regional Training Center Attention: Marty True 6375 West Central Avenue Fresno CA 93706	VENDOR: Metals Treatment Technologies Attention: James M. Barthel 14045 W 66 th Avenue
Phone: 559-621-2876	∆ryada CO 80004

Attachments: Exhibit A- Solicitation

Exhibit B- Original Government Contract Exhibit C- CITY's Insurance and Indemnity

Phone: 303-456-6977 FAX: 303-456-6998

Standard Form 1449

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File Name: csp.pdf Created: 7/19/2018 7:11:57 PM

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File Name: Exhibit F_PSS Refresh 29_Significant Changes.pdf Created: 7/19/2018 1:23:18

File Label: Final PPL
File Name: Exhibit B_PPL_MTZ_71006.xlsx Created: 7/13/2018 6:16:24 PM

File Label: Final Commercial Price List
File Name: Exhibit B_Commercial Price List
File Name: Exhibit B_Commercial Price List
File Name: Exhibit C_Labor Category Descriptions
File Name: Exhibit C_Labor Category Descriptions
File Name: Exhibit C_Labor Category Descriptions_MTZ_71006.pdf Created: 7/13/2018 6:17

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File Label: Sig Changes Ref 30
File Name: Exhibit G_PSS Refresh 30_Significant Changes.pdf Created: 7/19/2018 1:23:49

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File Name: Exhibit D_Signed_PPR_MTZ_71006.pdf Created: 7/13/2018 6:14:42 PM
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