



City of Charlotte

Agenda Date: 7/22/2019

Agenda #: 29. File #: 15-11228 Type: Consent Item

Contracts for the Purchase of Vehicles**Action:**

- A. Approve unit price contracts for the purchase of police pursuit and miscellaneous vehicles for one year to the following:**
- Carthage F LLC dba Cooper Ford,
 - Parks Chevrolet, Inc.,
 - Performance Ford, Inc. and
- B. Authorize the City Manager to renew the contracts for up to four, one-year terms with possible price adjustments and to amend the contracts consistent with the purpose for which the contracts were approved.**

Staff Resource(s):

Kay Elmore, General Services
Chris Trull, General Services

Explanation

- The city's annual budget includes funding to replace or add vehicles to the city's fleet based on an assessment of vehicles and equipment conducted by Fleet Management.
 - This assessment uses a rating based on vehicle usage, age, maintenance costs, and condition.
- On May 2, 2019, the city issued an Invitation to Bid on behalf of the Charlotte Cooperative Purchasing Alliance; five bids were received.
- Carthage F LLC dba Cooper Ford, Parks Chevrolet, Inc., and Performance Ford, Inc. were selected as the lowest responsive, responsible bidders.
- Fiscal Year 2020 expenditures for all contracts are estimated to be \$7,734,840.

Charlotte Business INclusion

No subcontracting goal was established because there are no subcontracting opportunities (Part B: Section 2.3 of the Charlotte Business INclusion Policy).

Fiscal Note

Funding: General Capital Equipment Fund and CATS Capital Investment Plan

STATE OF NORTH CAROLINA
COUNTY OF MECKLENBURG

FOURTH AMENDMENT TO THE AGREEMENT TO PROVIDE
INTERCEPTOR AND MISCELLANEOUS VEHICLES

THIS FOURTH AMENDMENT TO THE AGREEMENT TO PROVIDE INTERCEPTOR AND MISCELLANEOUS VEHICLES (this "Fourth Amendment") is made and entered into this 2 of August 2023, by and between Carthage F DBA Cooper Ford, a corporation doing business in North Carolina (the "Company"), and the City of Charlotte, a North Carolina municipal corporation (the "City").

Statement of Background and Intent

- A. The City of Charlotte and the Company entered into an Agreement for Interceptor and Miscellaneous Vehicles dated July 22, 2019 (the "Contract") pursuant to which the Company agreed to provide Interceptor and Miscellaneous Vehicles for the City of Charlotte.
- B. The parties amended the Contract on July 22, 2020, to extend the Term of the Contract by the first of four (4) one-year renewal terms and to incorporate certain other changes.
- C. The parties amended the Contract on July 22, 2021, to extend the Term of the Contract by the second of four (4) one-year renewals.
- D. The parties amended on July 22, 2022, the Contract to extend the Term of the Contract by the third of four (4) one-year renewal terms and make adjustments to unit pricing based on model year price changes.
- E. The parties now desire to amend the Contract to extend the Term of the Contract by the fourth of Four (4) one-year renewal terms.

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein, the parties hereby agree to the following:

AGREEMENT

- 1. The terms of the Contract are restated by and incorporated into this Fourth Amendment by reference.
- 2. Defined terms used in this Fourth Amendment shall have the same meaning as are assigned to such terms in the Contract.
- 3. The parties acknowledge and agree that the Contract has been in effect at all times from July 22, 2019, through the present, and that all purchases made during the period from July 22, 2019, through the date of this Amendment are covered by the Contract.
- 4. This Fourth Amendment extends the Term of the Contract by the fourth of four (4) one-year renewal terms to expire on July 21, 2024.
- 5. Except to the extent specifically provided above, this amendment shall not be interpreted or construed as waiving any rights, obligations, remedies, or claims the parties may otherwise have under the Contract.
- 6. In all other respects and except as modified herein, the terms of the Contract shall remain in force and effect.

[Signature Page Follows]

IN WITNESS WHEREOF, and in acknowledgment that the parties hereto have read and understood each and every provision hereof, the parties have caused this Fourth Amendment to be executed as of the date first written above.

CARTHAGE F DBA COOPER FORD

CITY OF CHARLOTTE:
CITY MANAGER'S OFFICE

BY: Dan Kidd
(Signature)

BY: See Attachment Below
(Signature)

PRINT NAME: Dan Kidd

PRINT NAME: _____

TITLE: Government / Fleet Manager

TITLE: _____

DATE: 07/18/2023

DATE: _____



**Digital Contract Routing Form
Non-Encumbered**

Date Submitted: August 02, 2023

Submitted by: Angelica Witherell

Submitter email: angelica.witherell@charlottenc.gov

Contract #: 2020000106

Amendment #: 4

Contract Name: Interceptor and Miscellaneous Vehicles

Vendor Legal Name: Carthage F LLC dba Cooper Ford

Vendor #: 305152

REQUIRED ATTACHMENT(S):

Use the Paperclip icon to attach a full Contract Document Routing Packet for review by the authorized City individual with signature authority. The Routing Packet **MUST** include all required components per the direction provided at:

The following signatures, once completed, shall be incorporated by reference into the contractual document identified above.

City of Charlotte

eSigned via SeamlessDocs.com
Liz Babson
Key: f08f2b82106208b08804836a6d96b8



CERTIFICATE OF GARAGE INSURANCE

DATE (MM/DD/YYYY)
07/18/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Sentry Insurance 1800 North Point Drive Stevens Point, WI 54481	CONTACT NAME: Sentry Customer Service
	PHONE (A/C, No, Ext): 800-473-6879 FAX (A/C, No): 800-514-7191 EMAIL ADDRESS: businessproducts_direct@sentry.com
INSURER(S) AFFORDING COVERAGE	
INSURER A : Sentry Select Insurance Company	NAIC # 21180
INSURED Carthage F LLC DBA Cooper Ford PO Box 100 Carthage, NC 28327-0100	INSURER B :
	INSURER C :
	INSURER D :
	INSURER E :
	INSURER F :

COVERAGES PROD / CUSTOMER ID: CERTIFICATE #: 1626715 REVISION #:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN. THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSRD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	GARAGE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> Scheduled Autos <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS USED IN GARAGE BUSINESS	X		2568279004	08/31/2023	08/31/2024	AUTO ONLY (Ea accident) \$ 500,000	
							OTHER THAN AUTO ONLY	EA ACCIDENT \$ 500,000
								AGGREGATE \$ 2,500,000
A	GARAGE KEEPERS LIABILITY <input type="checkbox"/> LEGAL LIABILITY <input type="checkbox"/> DIRECT BASIS <input type="checkbox"/> PRIMARY <input type="checkbox"/> EXCESS	X		2568279004	08/31/2023	08/31/2024	<input checked="" type="checkbox"/> COMP / OTC SPECIFIED PERILS LOC 1 \$ 175,000	
							<input type="checkbox"/> COLLISION LOC 1 \$ 175,000	
							<input type="checkbox"/> LOC \$	
	COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC <input type="checkbox"/> OTHER			2568279004	08/31/2023	08/31/2024	EACH OCCURRENCE \$ 500,000	
			DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000					
			MED EXP (Any one person) \$ 1,000					
			PERSONAL & ADV INJURY \$ 500,000					
			GENERAL AGGREGATE \$ 2,500,000					
			PRODUCTS - COM/PO/AGG \$ 2,500,000					
			\$					
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$			2568279005	08/31/2023	08/31/2024	EACH OCCURRENCE \$ 5,000,000	
							AGGREGATE \$ 15,000,000	
							PRODUCTS - COM/PO/AGG \$ 15,000,000	
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? <input type="checkbox"/> Y / <input type="checkbox"/> N (Mandatory in NH) If yes, describe under REMARKS below	N/A					<input type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$	
A		ERRORS & OMISSIONS		2568279007	08/31/2023	08/31/2024	Employee Benefits Occurrence Limit \$ 500,000	
							Errors & Omissions Annual Aggregate Limit \$ 1,000,000	
							Deductible \$ 1,000	
							All Other Errors & Omissions Occurrence Limit \$ 250,000	
							Annual Aggregate Limit \$ 500,000	
							Deductible \$ 1,000	

REMARKS (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
Refer to attached

CERTIFICATE HOLDER

City of Charlotte
Dept of General Services - City Procurement
600 E 4th St 9th Fl Gmcc
Charlotte, NC 28202-2818

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE
John Heyland

ACORD 30 (2016/03)

2568279
Sentry Select Insurance Company

The ACORD name and logo are registered marks of ACORD

07/18/2023

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

**DESIGNATED INSURED - PRIMARY AND
NONCONTRIBUTORY - COVERED AUTOS
LIABILITY COVERAGE**

This endorsement modifies insurance provided under the following:

BUSINESS AUTO COVERAGE FORM
MOTOR CARRIER COVERAGE FORM
AUTO DEALERS COVERAGE FORM

With respect to coverage provided by this endorsement, the provisions of the Coverage Form apply unless modified by this endorsement.

This endorsement identifies person(s) or organization(s) who are "insureds" for Covered Autos Liability Coverage under the Who Is An Insured provision of the Coverage Form.

This endorsement changes the policy effective on the inception date of the policy unless another date is indicated.

Named Insured: Carthage F LLC DBA Cooper Ford
Endorsement Effective Date: 07/18/2023

SCHEDULE

Name Of Person(s) Or Organization(s):
City of Charlotte
Dept of General Services - City Procurement

Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

- A.** Each person or organization shown in the Schedule is an "insured" for **Covered Autos Liability Coverage**, but only to the extent that person or organization qualifies as an "insured" under the **Who Is An Insured** provision contained in:
- (1) Paragraph **A.1.** of **Section II - Covered Autos Liability Coverage** in the Business Auto and Motor Carrier Coverage Forms; or
 - (2) Paragraph **D.2.** of **Section I - Covered Autos Coverages** of the Auto Dealers Coverage Form.

- B. Primary And Noncontributory Insurance**
- This insurance is primary to and will not seek contribution from any other auto insurance issued to the person or organization in the schedule under your policy provided that:
- (1) The person or organization is a Named Insured under such other insurance; and
 - (2) Prior to the "accident" you have agreed in writing in a contract or agreement that this insurance would be primary and would not seek contribution from any other insurance available to the person or organization.

Change effective 07/18/2023

CA 76 01 06 15

2568279

Sentry Select Insurance Company

Includes copyrighted material of Insurance Services Office, Inc.,
with its permission.



AGENCY CUSTOMER ID: XXXXXX3736

LOC #: _____

ADDITIONAL REMARKS SCHEDULEPage 2 of 2

AGENCY Michael Manfreda		NAMED INSURED Carthage F LLC DBA Cooper Ford	
POLICY NUMBER 2568279004			
CARRIER Sentry Select Insurance Company	NAIC CODE 21180	EFFECTIVE DATE: 08/31/2023	

ADDITIONAL REMARKS

THIS ADDITIONAL REMARKS FORM IS A SCHEDULE TO ACORD FORM,

FORM NUMBER: ACORD 30 **FORM TITLE:** Certificate Of Garage Insurance**Auto Dealers**

City of Charlotte is named as Additional Insured. Garage Liability includes General Liability coverage. Contract #2020000106-Amendment 4 Interceptor and Misc Vehicles

Errors and Omissions Liability Coverage:

Policy Number: 2568279007 Effective date: 08/31/2023 Expiration Date: 08/31/2024

Per Occurrence Limit: \$250,000 General Aggregate Limit: \$500,000

Truth-In-Lending and Truth-In-Leasing

Odometer Hour Meter and Prior Damage Disclosure Errors and Omissions

Title Errors and Omissions