



## City of Charlotte

Agenda Date: 7/22/2019

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

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**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

**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:** 07/12/2021

### **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 07/12/2021**

**CA 76 01 06 15**  
2568279

Sentry Select Insurance Company

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STATE OF NORTH CAROLINA  
COUNTY OF MECKLENBURG

SECONDDAMENDMENT TO THE AGREEMENT TO PROVIDE  
INTERCEPTOR AND MISCELLANEOUS VEHICLES

**THIS SECOND AMENDMENT TO THE AGREEMENT TO PROVIDE INTERCEPTOR AND MISCELLANEOUS VEHICLES** (this "Second Amendment") is made and entered into this 22nd of July 2021, by and between Carthage F LLC 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 now desire to amend the Contract to extend the Term of the Contract by the second 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 Second Amendment by reference.
- 2. Defined terms used in this Second Amendment shall have the same meaning as are assigned to such terms in the Contract.
- 3. This Second Amendment extends the Term of the Contract by the second of four (4) one-year renewal terms to expire on July 21, 2022.
- 4. 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.
- 5. 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 acknowledgement that the parties hereto have read and understood each and every provision hereof, the parties have caused this Second Amendment to be executed as of the date first written above.

COOPER FORD:

CITY OF CHARLOTTE:  
CITY MANAGER'S OFFICE

BY: Daniel Kidd  
(signature)

BY: \_\_\_\_\_  
(signature)

PRINT NAME: Daniel Kidd

PRINT NAME: \_\_\_\_\_

TITLE: Government / Fleet Manager

TITLE: \_\_\_\_\_

DATE: 07/13/2021

DATE: \_\_\_\_\_



**Digital Contract Routing Form  
Non-Encumbered**

Date Submitted: July 28, 2021

Submitted by: David Tate

Submitter email: dtate@charlottenc.gov

Contract #: 2020000106

Amendment #: 2

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  
*Brent Cagle*  
Key: f69f2b821 06208b09804836a5d96b831

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**EXHIBIT A  
PRICING SHEET**

Contract#: 2020000106

Amendment#: 2

Vendor#: 305152

| ITEM | DESCRIPTION                                | SPEC # | MFG NAME | MODEL     | INITIAL BID PRICE | AMENDMENT #2 - UNIT PRICE | AMENDMENT #2 - \$ CHANGE | AMENDMENT #2 - % CHANGE | LEAD TIME ARO |
|------|--|--------|----------|-----------|-------------------|---------------------------|--------------------------|-------------------------|---------------|
| 8    | 15 PASSENGER T-350                         | PAL.15 | FORD     | X2Y T-350 | \$34,936.00       | \$34,936.00               | \$0.00                   | 0.00%                   | 22-24 WEEKS   |
|      | OPTION 6.1 - 90C - 110-VOLT POWER INVERTER |        |          |           | \$91.00           | N/A                       | -                        | -                       |               |



# CERTIFICATE OF GARAGE INSURANCE

DATE (MM/DD/YYYY)  
07/12/2021

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<br>Sentry Insurance<br>1800 North Point Drive<br>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              |
| <b>INSURER(S) AFFORDING COVERAGE</b>  |  |
| INSURER A : Sentry Select Insurance Company                                       | NAIC # 21180   |
| INSURER B :   |  |
| INSURER C :   |  |
| INSURER D :   |  |
| INSURER E :   |  |
| INSURER F :   |  |

COVERAGES PROD / CUSTOMER ID: CERTIFICATE #: 1625715 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        | <input checked="" type="checkbox"/> GARAGE LIABILITY<br><input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY<br><input type="checkbox"/> HIRED AUTOS ONLY<br><input type="checkbox"/> NON-OWNED AUTOS USED IN GARAGE BUSINESS  | X          |          | 2568279004    | 08/31/2020              | 08/31/2021              | AUTO ONLY (Ea accident) \$ 500,000                                   |                        |
|          |  |            |          |               |                         |                         | OTHER THAN AUTO ONLY   | EA ACCIDENT \$ 500,000 |
|          |  |            |          |               |                         |                         |  | AGGREGATE \$ 2,500,000 |
| A        | <input type="checkbox"/> GARAGE KEEPERS LIABILITY<br><input type="checkbox"/> LEGAL LIABILITY<br><input type="checkbox"/> DIRECT BASIS<br><input type="checkbox"/> PRIMARY <input type="checkbox"/> EXCESS   | X          |          | 2568279004    | 08/31/2020              | 08/31/2021              | <input checked="" type="checkbox"/> COMP / OTC SPECIFIED PERILS      | LOC 1 \$ 175,000       |
|          |  |            |          |               |                         |                         | <input checked="" type="checkbox"/> COLLISION                        | LOC 1 \$ 175,000       |
|          |  |            |          |               |                         |                         |  | LOC \$                 |
|          |  |            |          |               |                         |                         |  | LOC \$                 |
|          | <input type="checkbox"/> COMMERCIAL GENERAL LIABILITY<br><input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR<br>GEN'L AGGREGATE LIMIT APPLIES PER:<br><input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC<br><input type="checkbox"/> OTHER |            |          |               |                         |                         | EACH OCCURRENCE \$   |                        |
|          |  |            |          |               |                         |                         | DAMAGE TO RENTED PREMISES (Ea occurrence) \$                         |                        |
|          |  |            |          |               |                         |                         | MED EXP (Any one person) \$  |                        |
|          |  |            |          |               |                         |                         | PERSONAL & ADV INJURY \$   |                        |
|          |  |            |          |               |                         |                         | GENERAL AGGREGATE \$   |                        |
|          |  |            |          |               |                         |                         | PRODUCTS - COMP/OP AGG \$  |                        |
|          |  |            |          |               |                         |                         | \$   |                        |
| A        | <input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR<br><input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE<br><input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$  |            |          | 2568279005    | 08/31/2020              | 08/31/2021              | EACH OCCURRENCE \$ 5,000,000   |                        |
|          |  |            |          |               |                         |                         | AGGREGATE \$ 15,000,000  |                        |
|          |  |            |          |               |                         |                         | PRODUCTS - COMP/OP AGG \$ 15,000,000                                 |                        |
|          |  |            |          |               |                         |                         | \$   |                        |
|          | <input type="checkbox"/> WORKERS COMPENSATION AND EMPLOYERS' LIABILITY<br>ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? Y / N<br>(Mandatory in NH) <input type="checkbox"/><br>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 \$                                       |                        |

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

|   |   |
|---|---|
| <b>CERTIFICATE HOLDER</b><br>City of Charlotte<br>Dept of General Services - City Procurement<br>600 E 4th St 9th Fl Gmcc<br>Charlotte, NC 28202-2816 | <b>CANCELLATION</b><br>SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.<br><br>AUTHORIZED REPRESENTATIVE<br><i>John Heyland</i> |
|---|---|



AGENCY CUSTOMER ID: XXXXXX3736

LOC #: \_\_\_\_\_

**ADDITIONAL REMARKS SCHEDULE**Page 2 of 2

|   |                           |  |  |
|---|---------------------------|--|--|
| <b>AGENCY</b><br>Michael Marifreda                |                           | <b>NAMED INSURED</b><br>Carthage F LLC DBA Cooper Ford |  |
| <b>POLICY NUMBER</b><br>2568279004                |                           |  |  |
| <b>CARRIER</b><br>Sentry Select Insurance Company | <b>NAIC CODE</b><br>21180 | <b>EFFECTIVE DATE:</b> 08/31/2020                      |  |

**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 2