



Agenda Date: 6/8/2020

APPROVED BY CITY COUNCIL

Agenda #: 43.File #: 15-13306 Type: Consent Item

Firefighting Turnout Gear

Action:

- A. Approve unit price contracts for the purchase of firefighting turnout gear for an initial term of two years to the following:**
- **Atlantic Emergency Solutions,**
 - **Municipal Emergency Solutions, Inc,**
 - **Newton's Fire and Safety Equipment Inc, and**
- B. Authorize the City Manager to renew the contracts for up to three, 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):

Reginald Johnson, Charlotte Fire Department
Damian Owens, Charlotte Fire Department

Explanation

- Firefighting turnout gear consists of a jacket, pants, and a hood to help protect the firefighters from thermal and mechanical injury.
- Firefighting turnout gear is used by the Charlotte Fire Department (CFD) for personal firefighter protection while performing daily tasks including firefighting, search and rescue, and responding to building entrapments and gas leaks.
- On January 27, 2020, the city issued an Invitation to Bid (ITB), on behalf of the Charlotte Cooperative Purchasing Alliance (CCPA); Five bids were received.
- The following were selected as the lowest responsive, responsible bidders for specific manufacturers' products.
 - Atlantic Emergency Solutions is an authorized distributor for Innotex brand gear;
 - Municipal Emergency Solutions Inc is an authorized distributor for Fire-Dex brand gear; and
 - Newton's Fire and Safety Equipment Inc is an authorized distributor for Globe, PGI, and Morning Pride brand gear.
- CCPA contracts are available for the use of and to benefit all entities that must comply with state purchasing laws.
- Annual expenditures are estimated to be \$850,000.

Charlotte Business INclusion

Per Charlotte Business INclusion Policy: Part C: Section 2.1(a) the city shall not establish Subcontracting Goals for Contracts where (a) there are no subcontracting opportunities identified for the Contract; or (b) there are no SBEs or MWBEs certified to perform the scopes of work that the city regards as realistic opportunities for subcontracting.

This contract meets the provisions of (a) - No subcontracting opportunities

Fiscal Note

Agenda #: 43.**File #:** 15-13306 **Type:** Consent Item

Funding: CFD Operating Budget

STATE OF NORTH CAROLINA
COUNTY OF MECKLENBURG

SECOND AMENDMENT TO THE AGREEMENT TO PROVIDE
FIREFIGHTING TURNOUT GEAR

THIS SECOND AMENDMENT TO THE AGREEMENT TO PROVIDE FIREFIGHTING TURNOUT GEAR (FIREDEX) (this "Second Amendment") is made and entered into this 10 of May 2023, by and between Municipal Emergency Services, a North Carolina 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 Firefighting Turnout Gear dated June 19, 2020 (the "Contract") pursuant to which the Company agreed to provide Firefighting Turnout Gear for the City of Charlotte.
- B. The parties amended the Contract on June 19, 2022, to extend the Term of the Contract by the first of three (3) 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 three (3) one-year renewal terms and make adjustments to unit pricing to incorporate certain other changes.

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 three (3) one-year renewal terms to expire on June 18, 2024.
- 4. This Second Amendment incorporates a unit price increase from Exhibit A-1- Price Sheet due to escalation in material costs.
- 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]


Contract#: 2020001094

Amendment#:2

Vendor#:77453

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.

MUNICIPAL EMERGENCY SERVICES

BY: 
(signature)

PRINT NAME: Christopher Micun

TITLE: Sales Representative

DATE: 04/18/23

**CITY OF CHARLOTTE:
CITY MANAGER'S OFFICE**

BY: _____
(signature)

PRINT NAME: _____

TITLE: _____

DATE: _____



**Digital Contract Routing Form
Non-Encumbered**

Date Submitted: May 09, 2023

Submitted by: Christina Hollonquest

Submitter email: christina.hollonquest@charlottenc.go

Contract #: 2020001094

Amendment #: 2

Contract Name: CCPA - Firefighting Turnout Gear (FireDex)

Vendor Legal Name: MUNICIPAL EMERGENCY SERVICES

Vendor #: 77453

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: f68f2b82106208b08804836a6d96b8

Exhibit A -1 - Price Sheet

Municipal Emergency Services Inc.								
Item #	Item	Brand Name	Style Number	UOM	Bid Unit Price	Amendment #1 Unit Price	Amendment #2 Unit Price	% Increase
1	PBI Max 7oz. Turnout Coat	FireDex	FXRCTPB17EF	Ec.	\$ 1,120.00	\$ 1,232.00	\$ 1,355.20	10%
2	PBI Max 7oz. Turnout Pants	FireDex	FXRPTPB17EF	Ec.	\$ 865.00	\$ 951.50	\$ 1,046.65	10%
3	Tecgen 71 Turnout Coats	FireDex	FXRCTTG71EF	Ec.	\$ 1,120.00	\$ 1,232.00	\$ 1,355.20	10%
4	Tecgen 71 Turnout Pants	FireDex	FXRPTTG71EF	Ec.	\$ 865.00	\$ 951.50	\$ 1,046.65	10%
5	Tecgen 51 Technical Rescue Coat	FireDex	TECGEN 51	Ec.	\$ 309.00	\$ 309.00	\$ 339.90	10%
6	Tecgen 51 Technical Rescue Pants	FireDex	TECGEN 51	Ec.	\$ 309.00	\$ 309.00	\$ 339.90	10%
7	Particulate Barrier Hood	FireDex	H-41	Ec.	\$ 89.00	\$ 89.00	\$ 97.90	10%
1	Guard Jacket Component	FireDex Coat Particulate Barrier		Ec.	\$ 40.00	\$ 40.00	\$ 40.00	0%
2	Guard Pant Fly Component	FireDex Pant Particulate Barrier		Ec.	\$ 48.00	\$ 48.00	\$ 48.00	0%



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

12/29/2023

4/4/2023

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 Lockton Companies 76 Batterson Park Road Farmington CT 06032 860-678-4000	CONTACT NAME: PHONE (A/C. No. Ext): E-MAIL ADDRESS:	FAX (A/C. No):	
	INSURER(S) AFFORDING COVERAGE		NAIC #
INSURED 1372711 Municipal Emergency Services, Inc. P.O. Box 656 Southbury CT 06488	INSURER A: Great Northern Insurance Company		20303
	INSURER B: Federal Insurance Company		20281
	INSURER C: --- SEE ATTACHMENT ---		
	INSURER D: Chubb Indemnity Insurance Company		12777
	INSURER E: Lloyds Syndicates 2623/623		
INSURER F:			

COVERAGES**CERTIFICATE NUMBER:** 19478305**REVISION NUMBER:** XXXXXXXX

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 INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC <input type="checkbox"/> OTHER:	Y	Y	3606-94-94	12/29/2022	12/29/2023	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
B	<input checked="" type="checkbox"/> AUTOMOBILE 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 ONLY	N	N	7362-62-23	12/29/2022	12/29/2023	COMBINED SINGLE LIMIT (Ea accident) \$ 2,000,000 BODILY INJURY (Per person) \$ XXXXXXXX BODILY INJURY (Per accident) \$ XXXXXXXX PROPERTY DAMAGE (Per accident) \$ XXXXXXXX \$ XXXXXXXX
C	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input checked="" type="checkbox"/> RETENTION \$ 10,000	N	N	See Attached	12/29/2022	12/29/2023	EACH OCCURRENCE \$ 25,000,000 AGGREGATE \$ 25,000,000 \$ XXXXXXXX
D	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N N	N/A	7175-51-73	12/29/2022	12/29/2023	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
E	Cyber	N	N	W311DE220201	12/29/2022	12/29/2023	Pol. Agg.: \$2.5MM Ret: \$50,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

2020001094-2 - Bid Number. City of Charlotte is listed as Additional Insured on a primary and non-contributory basis on the General Liability as required by written contract. Waiver of Subrogation applies on the General Liability and Workers Comp policies.

CERTIFICATE HOLDER**CANCELLATION** See Attachment

19478305
 City of Charlotte
 600 East 4th Street
 CMGC - 9th Floor
 Charlotte NC 28202

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

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Client Name: Municipal Emergency Services, Inc.

Excess Liability Tower

Policy	Carrier	Policy Term	Policy #	Coverage	Limits
Lead Umbrella 5x1	Markel Insurance Company	12/29/2022 – 12/29/2023	MKLM6MM70000436	Each Occurrence General Aggregate	\$5,000,000 \$5,000,000
Excess Liability 1 5x5	Endurance American Specialty Inn Co	12/29/2022 – 12/29/2023	ELD30014673101	Each Occurrence General Aggregate	\$5,000,000 \$5,000,000
Excess Liability 2 5x10	Westfield Specialty Insurance Company	12/29/2022 – 12/29/2023	XSL-285713H-00	Each Occurrence General Aggregate	\$5,000,000 \$5,000,000
Excess Liability 3 10x15	Federal Insurance Company	12/29/2022– 12/29/2023	7819-54-60	Each Occurrence General Aggregate	\$10,000,000 \$10,000,000