



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

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Funding: CFD Operating Budget

STATE OF NORTH CAROLINA
COUNTY OF MECKLENBURG

**FOURTH AMENDMENT TO THE AGREEMENT TO PROVIDE
FIREFIGHTING TURNOUT GEAR (GLOBE)**

THIS FOURTH AMENDMENT TO THE AGREEMENT TO PROVIDE FIREFIGHTING TURNOUT GEAR (GLOBE) (this "Fourth Amendment") is made and entered into this 25 of April 2023, by and between Newtons Fire & Safety Equip Inc, 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 (Globe) 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 November 11, 2021, to make adjustments to the unit pricing and to incorporate certain other changes.
- C. The parties amended the Contract on February 14, 2022, to remove items from the contract and to incorporate certain other changes.
- D. The parties amended the Contract on June 19, 2022, to extend the Term if the Contract by the first of three (3) one-year renewal terms and to incorporate certain other changes.
- E. 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 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 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. This Fourth Amendment extends the Term of the Contract by the second of three (3) one-year renewal terms to expire on June 18, 2024.
- 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]

Contract#: 2020001104

Amendment#: 4

Vendor#: 20966

IN WITNESS WHEREOF, and in acknowledgement 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.

NEWTONS FIRE & SAFETY EQUIP INC

BY: Seth Newton
(signature)

PRINT NAME: Seth Newton

TITLE: President

DATE: 4/14/23

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

BY: _____
(signature)

PRINT NAME: _____

TITLE: _____

DATE: _____



**Digital Contract Routing Form
Non-Encumbered**

Date Submitted: April 25, 2023

Submitted by: Christina Hollonquest

Submitter email: christina.hollonquest@charlottenc.go

Contract #: 2020001104

Amendment #: 4

Contract Name: CCPA - Firefighting Turnout Gear (Globe)

Vendor Legal Name: NEWTONS FIRE & SAFETY EQUIP INC

Vendor #: 20966

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: f08f2b82106208b0804836a6d96b5

