

STATE OF NORTH CAROLINA  
COUNTY OF MECKLENBURG

**SECOND AMENDMENT TO THE AGREEMENT TO PROVIDE  
PLAYGROUND AND OUTDOOR FITNESS EQUIPMENT, SITE ACCESSORIES, SURFACING, AND  
RELATED PRODUCTS AND SERVICES**

**THIS SECOND AMENDMENT TO THE AGREEMENT TO PROVIDE PLAYGROUND AND OUTDOOR FITNESS EQUIPMENT, SITE ACCESSORIES, SURFACING, AND RELATED PRODUCTS AND SERVICES** (this "First Amendment") is made and entered into this 3rd day of May 2018, by and between Playcore Wisconsin, Inc. d/b/a GameTime, 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 dated July 1, 2017 (the "Contract") pursuant to which the Company agreed to provide Playground and Outdoor Fitness Equipment, Site Accessories, Surfacing, and Related Products and Services for the City of Charlotte.
- B. The City of Charlotte and the Company agreed to amend the contract on January 1, 2018 to incorporate unit price adjustments and freight rate adjustments.
- C. The parties now desire to amend the Contract to make adjustments to unit pricing 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 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 incorporates unit price adjustments as specified in Exhibit A (attached). The aggregate increase of 3.6 percent (3.6%) due to increased tariffs on steel and aluminum imports shall become effective on all future Company orders as of May 3, 2018.
- 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 First Amendment to be executed as of the date first written above.

Playcore Wisconsin, Inc. d/b/a GameTime

BY: Donald R. King  
(signature)

PRINT NAME: Donald R. King

TITLE: Director of Sales Administration

DATE: April 3, 2018

CITY OF CHARLOTTE:  
CITY MANAGER'S OFFICE  
OFFICE/DEPARTMENT/DIVISION

BY: Randy Harrington  
(signature)

PRINT NAME: Randy Harrington

TITLE: CFO

DATE: 4/6/18

CITY OF CHARLOTTE:  
INSURANCE AND RISK MANAGEMENT

BY: Christee Gibson  
(signature)

PRINT NAME: Christee Gibson

TITLE: Ins Mgr

DATE: 4/6/18

Exhibit A

Price Adjustments Due to Steel and Aluminum Tariffs

## GAMETIME 2018 U.S. COMMUNITIES PRICE LIST 1805 ADJUSTMENTS

		% of Change
<b>1.0 <u>Park and Playground Equipment</u></b>		
1.1	GameTime Play Equipment (see	Playground Equipment Ages 2 - 12 Years 3.6%
1.2	BigToys Play Equipment	EarlyWorks (6 months) & beyond 3.0%
1.3	Harmony Park Freenotes	Musical Instruments 0.0%
1.4	Snug	Early Childhood Play Equipment 0.0%
1.5	UltraPlay	Play Equipment 0.0%
1.6	UltraPlay - Discovery Centers	Play Equipment 0.0%
1.7	UltraPlay - Early Play	Early Childhood Play Equipment 0.0%
1.8	UltraPlay - NatureRocks	Climbing Rocks 0.0%
<b>2.0 <u>Outdoor Fitness Equipment</u></b>		
2.1	GameTime Fitness	Youth & Adult Fitness Apparatus 3.6%
2.2		WaterFit Fitness Equipment 0.0%
2.3	Colorado Time Systems	Aquadic Timing Systems 0.0%
2.4		Track Timing Systems 0.0%
2.5	Everlast	Climbing Walls 0.0%
2.6	Power Systems	Fitness Accessories 0.0%
<b>3.0 <u>Site Accessories</u></b>		
3.1	GameTime	Park and Site Furnishings 3.6%
3.2	Colorado Time Systems	Scoreboards 0.0%
3.3	Dero	Bike Storage 2.0%
3.4	GT Grandstands	Grandstands 3.0%
3.5	NRS	Bleachers 3.0%
3.6	GTShade	Shade Structures 3.6%
3.7	UltraShelter	Shelter Structures 0.0%
3.8	UltraSite	Site Furnishings & Accessories 0.0%
<b>4.0 <u>Surfacing Materials</u></b>		
4.1		Engineered Wood Fiber 0.0%
4.2		Recycled Materials (Shredded) 0.0%
4.3		Recycled Rubber Tiles 0.0%
4.4	GameTime GTImpax Safety	Poured-In-Place & Bonded Rubber 0.0%
4.5		Artificial Turf 0.0%
4.6		LifeFloor Safety Surfacing for Wet Floors 0.0%
4.7		Surfacing Accessories 0.0%
<b>5.0 <u>Related Products</u></b>		
5.1	Spectrum	Pool Lifts & Aquatic Components 0.0%
5.2	Spohn Ranch	Skate Parks 0.0%
5.3	The Fountain People	Architectural Fountains 0.0%
5.4	UltraSite - BarkPark	Dog Parks 0.0%
5.5	Water Odyssey	Water Parks 0.0%
<b>6.0 <u>Support Services</u></b>		
6.1	GameTime Sales Agencies	Design & Project Management 0.0%
6.2	GameTime Sales Agencies	Installation, Sitework, Layout, Repair, Maintenance, Removal, Disposal 0.0%
6.3	Playground Guardian	Safety Audits & Inspections 0.0%