

STATE OF NORTH CAROLINA
COUNTY OF MECKLENBURG

FOURTH AMENDMENT TO THE AGREEMENT TO PROVIDE
REFUSE TRUCK RENTALS AND RELATED PRODUCTS AND SERVICES

THIS FOURTH AMENDMENT TO THE AGREEMENT TO PROVIDE REFUSE TRUCKS RENTALS AND RELATED PRODUCTS AND SERVICES (this "Fourth Amendment") is made and entered into this 10th of January 2023, by and between Big Truck Rental LLC, a Florida limited liability company 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 Refuse Truck Rentals and Related Products and Services dated November 1, 2018 (the "Contract") pursuant to which the Company agreed to provide Refuse Truck Rentals and Related Products and Services for the City of Charlotte.
- B. The parties amended the Contract to incorporate unit price adjustments to the Discount Schedule, Additional Fees, and Incentives.
- C. The parties amended the Contract to add and delete products, to incorporate unit price adjustments to the Discount Schedule, Additional Fees, and Incentives, and to replace the Commercial Non-Discrimination clause.
- D. The parties amended the Contract to make adjustments to the Discount Schedule, Additional Fees, and Incentives and to incorporate certain other changes.
- E. The parties now desire to amend the Contract to add and delete products, to make price adjustments to the Discount Schedule, Additional Fees, and Incentives, 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. The Discount Schedule, Additional Fees, and Incentives in Exhibit A of the Contract are hereby replaced in its entirety due to the addition of equipment, price adjustments, and the deletion of the 18-month pricing option, which are attached hereto as Exhibit A.4.
- 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#: 2019000319

Amendment#: 4

Vendor#: 306600

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.

BIG TRUCK RENTAL LLC:

BY: 
(signature)

PRINT NAME: Scott Smith

TITLE: Director Municipal Sales

DATE: 12/23/22

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

BY: _____
(signature)

PRINT NAME: _____

TITLE: _____

DATE: _____



**Digital Contract Routing Form
Non-Encumbered**

Date Submitted: January 10, 2023

Submitted by: Lenore Bishop

Submitter email: lenore.bishop@charlottenc.gov

Contract #: 2019000319

Amendment #: 4

Contract Name: Refuse Truck Rentals and Related Products and Services

Vendor Legal Name: Big Truck Rental LLC

Vendor #: 306600

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

Key: f98f2b82108208108604836a8d96b8b1

**DISCOUNT SCHEDULE, ADDITIONAL FEES AND INCENTIVES - EXHIBIT A.4
HEAVY DUTY RENTAL AND RELATED PRODUCTS AND SERVICES
NATIONAL MARKET BASKET**

Contract#: 2019000319
Amendment#: 4
Vendor#: 306600

Annual Nationwide Usage				Amendment # 4 Price and Equipment Details		
Item Number	Make	Model	Description	Minimum Discount Percentage by Category for the Life of Contract	Amendment # 4 Actual Discount % Off List Price	Amendment # 4 Price per Rental - Big Truck Rental Period is 4 Weeks
50	Multiple	Multiple	Heil or McNeilus 20 Yard Rear Loader, Freightliner or Peterbilt Chassis, 16K Lb. Front Axle and 40K Lb. Rear Axle, Cart Tipper, Reeving Cylinder, and 3rd Eye Camera System	0.0%	0.0%	\$8,400.00
51	Multiple	Multiple	Heil or McNeilus 25 Yard Rear Loader, Freightliner or Peterbilt Chassis, 20K Lb. Front Axle and 46K Lb. Rear Axle, Cart Tipper, Reeving Cylinder, and 3rd Eye Camera System	1.4%	2.0%	\$9,600.00
52	Multiple	Multiple	Galbreath 60K Lb. Standard Outside Rail Hoist with Auto Tarping System, Freightliner or Peterbilt or Mack Conventional Cab Chassis, 20K Lb. Front Axle and 46K Lb. Rear Axle with 20K Lb. Steerable Drop Axle	1.5%	2.2%	\$8,800.00
53	Multiple	Multiple	Heil or McNeilus 40 Yard Front Loader, Mack or Peterbilt Chassis, 20K Lb. Front Axle and 46K Lb. Rear Axle	1.3%	1.9%	\$10,300.00
54	Multiple	Multiple	Heil or McNeilus 28 Yard Automated Side Loader, Peterbilt or Mack Chassis, 20K Lb. Front Axle and 46K Lb. Rear Axle, Dual Steer or Right-Hand Drive, Groeneveld Auto Lube System	1.2%	1.8%	\$11,000.00
56	Multiple	Multiple	Petersen TL-3 30yd Body Grapple Truck, Freightliner or International Chassis, 12,000 Lb. Front Axle and 21,000 Lb. Rear Axle, Groeneveld Auto Lube System, Quadstick Mechanical Joystick Control, Hardox HDX-2030 body	N/A	3.3%	\$8,900.00
57	Multiple	Multiple	Curbtender 8 Yard Rear Loader, Isuzu or International Chassis, 8,440 Lb. Front Axle and 14,550 Lb. Rear Axle, Cart Tipper, Reeving Cylinder and 3rd Eye Camera System	N/A	0.0%	\$6,100.00
58	Multiple	Multiple	Curbtender 11 Yard Rear Loader, Freightliner or International Chassis, 8,000 Lb. Front Axle and 18,000 Lb. Rear Axle, Cart Tipper, Spool winch and 3rd Eye Camera System		1.4%	\$7,300.00
ALL RENTALS ARE A FOUR WEEK RENTAL PERIOD						
*Note: Item Number 58 has been added.						

**DISCOUNT SCHEDULE, ADDITIONAL FEES AND INCENTIVES - EXHIBIT A.4
HEAVY DUTY RENTAL AND RELATED PRODUCTS AND SERVICES
LEASING OPTIONS AND PRICING STRUCTURE**

Contract#: 2019000319
Amendment#: 4
Vendor#: 306600

*Big Truck Rental's rental agreement is a 28 day rental agreement and not a lease, but for customers who commit to rentals 6 months or longer, it is considered part of our long term rental plan and can receive the below discounted rate.				Amendment # 4 - Anticipated Rental of 6 Periods or Longer		
Item Number	Make	Model	Description	Minimum Discount Percentage by Category for the Life of Contract	Amendment # 4 Actual Discount % Off List Price	Amendment # 4 Price per Rental - Big Truck Rental Period is 6 months or longer
50	Multiple	Multiple	Heil or McNeilus 20 Yard Rear Loader, Freightliner or Peterbilt Chassis, 16K Lb. Front Axle and 40K Lb. Rear Axle, Cart Tipper, Reeving Cylinder, 3rd Eye Camera System	0.00%	0.00%	\$8,300.00
51	Multiple	Multiple	Heil or McNeilus 25 Yard Rear Loader, Freightliner or Peterbilt Chassis, 20K Lb. Front Axle and 46K Lb. Rear Axle, Cart Tipper, Reeving Cylinder, 3rd Eye Camera system	2.90%	3.13%	\$9,300.00
52	Multiple	Multiple	Galbreath 60K Lb. Standard Outside Rail Hoist with Auto Tarping System, Freightliner or Peterbilt or Mack Conventional Cab Chassis, 20K Lb. Front Axle and 46K Lb. Rear Axle with 20K Lb. Steerable Drop Axle	3.00%	3.41%	\$8,500.00
53	Multiple	Multiple	Heil or McNeilus 40 Yard Front Loader, Mack or Peterbilt Chassis, 20K Lb. Front Axle and 46K Lb. Rear Axle	2.70%	2.91%	\$10,000.00
54	Multiple	Multiple	Heil or McNeilus 28 Yard Automated Side Loader, Peterbilt or Mack Chassis, 20K Lb. Front Axle and 46K Lb. Rear Axle, Dual Steer or Right-Hand Drive, Groeneveld Auto Lube System	2.50%	2.73%	\$10,700.00
56	Multiple	Multiple	Petersen TL-3 30yd Body Grapple Truck, Freightliner or International Chassis, 12,000 Lb. Front Axle and 21,000 Lb. Rear Axle, Groeneveld Auto Lube System, Quadstick Mechanical Joystick Control, Hardox HDX-2030 body	N/A	4.40%	\$8,700.00
57	Multiple	Multiple	Curbtender 8 Yard Rear Loader, Isuzu or International Chassis, 8,440 Lb. Front Axle and 14,550 Lb. Rear Axle, Cart Tipper, Reeving Cylinder and 3rd Eye Camera System	N/A	4.92%	\$5,800.00
58	Multiple	Multiple	Curbtender 11 Yard Rear Loader, Freightliner or International Chassis, 8,000 Lb. Front Axle and 18,000 Lb. Rear Axle, Cart Tipper, Spool winch and 3rd Eye Camera System		1.39%	\$7,100.00
ALL RENTALS ARE A FOUR WEEK RENTAL						
*Note: Item Number 58 has been added.						
REMOVED FROM CONTRACT - 18 Period Rental Pricing Option						

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 any rights to the certificate holder in lieu of such endorsement(s).

PRODUCER USI Insurance Services, LLC 2502 N Rocky Point Dr Ste 400 Tampa, FL 33607-1421 813 321-7500	CONTACT NAME: Simmons Team - Certificates	
	PHONE (A/C, No, Ext): 813 321-7500	FAX (A/C, No):
E-MAIL ADDRESS: simmonsteam@usi.com		
INSURED Big Truck Rental, LLC 4221 W Boy Scout Blvd Tampa, FL 33607	INSURER(S) AFFORDING COVERAGE	
	INSURER A : Zurich American Insurance Company	
	INSURER B : Empire Fire and Marine Insurance Co	
	INSURER C :	
	INSURER D :	
	INSURER E :	
INSURER F :		NAIC #

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

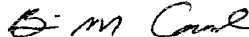
THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE 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 INSR	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 checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			GLO443490900	12/01/2022	12/01/2023	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 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	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input checked="" type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY			RSF664380700 RSX664380900	12/01/2022 12/01/2022	12/01/2023 12/01/2023	COMBINED SINGLE LIMIT (Ea accident) \$ 2,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? <input type="checkbox"/> Y/N (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		N/A				PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
B	Hired & Non-Owned Auto Liability			RSG451485501	12/01/2022	12/01/2023	1,000,000

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

**** Auto Liability Information ****

B RSF664380700 Eff Date: 12/01/2022 Exp Date: 12/01/2023
Limit: Statutory Minimum Limit by State
(See Attached Descriptions)

CERTIFICATE HOLDER City of Charlotte Procurement Manager 600 East 4th ST. CMGC 9th Floor Charlotte, NC 28202	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 
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DESCRIPTIONS (Continued from Page 1)

B RSX664380900 Eff Date: 12/01/2022 Exp Date: 12/01/2023
Limit: 2,000,000

The certificate holder is included as an additional insured with respect to general liability when required in written contract and in accordance with the terms and conditions of the policy. The City of Charlotte's insurance will be primary for all Auto coverage with regard to vehicles leased or rented to the City. This auto coverage is excess over any applicable insurance the City has in place including but not limited to excess coverage.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
12/27/2022

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 Mary Storti c/o Paychex Insurance Agency, Inc. 150 Sawgrass Drive Rochester, NY 14620	CONTACT NAME: PHONE (A/C, No, Ext): (877) 266-6850		FAX (A/C, No):
	E-MAIL ADDRESS: pbscerts@paychex.com		
INSURER(S) AFFORDING COVERAGE INSURER A : American Zurich Insurance Company			NAIC # 40142
INSURED Paychex Business Solutions, LLC Alt. Emp: Big Truck Rental LLC 911 Panorama Trail South Rochester, NY 14625			
INSURER B :			
INSURER C :			
INSURER D :			
INSURER E :			
INSURER F :			

COVERAGES **CERTIFICATE NUMBER:** 22FL0951017992 **REVISION NUMBER:**

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
	COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:						EACH OCCURRENCE \$ DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$ \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
A	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 <input checked="" type="checkbox"/> N	N/A	WC 12-68-329-02	06/01/2022	06/01/2023	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 2,000,000 E.L. DISEASE - EA EMPLOYEE \$ 2,000,000 E.L. DISEASE - POLICY LIMIT \$ 2,000,000
				Location Coverage Period:	06/01/2022	06/01/2023	Client# 07411678-FL

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

Coverage is provided for only those co-employees of, but not subcontractors to:
Big Truck Rental LLC
4221 W Boy Scout Blvd Ste 400
Tampa, FL 33607

CERTIFICATE HOLDER

CITY OF CHARLOTTE
600 East Fort Street Second FLR
Charlotte, NC 28482

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