STATE OF NORTH CAROLINA COUNTY OF MECKLENBURG

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

THIS FIFTH AMENDMENT TO THE AGREEMENT TO PROVIDE REFUSE TRUCK RENTALS AND RELATED PRODUCTS AND SERVICES (this "Fifth Amendment") is made and entered into this 30 of June 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 amended 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.
- F. The parties now desire to amend the Contract to extend the Term of the Contract by the first of two (2) twoyear renewal terms and to incorporate certain other changes.

NOW, THEREFORE, in consideration of the mutual covenants and agreement contained herein, the parties hereby agree to the following:

AGREEMENT

- 1. The terms of the Contract are restated by and incorporated into this Fifth Amendment by reference.
- 2. Defined terms used in this Fifth Amendment shall have the same meaning as are assigned to such terms in the Contract.
- This Fifth Amendment extends the Term of the Contract by the first of two (2) two-year renewal terms to expire on October 31, 2025.
- 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#: 5 Vendor#: 306600

IN WITNESS WHEREOF, and in acknowledgment that the parties hereto have read and understood each and every provision hereof, the parties have caused this Fifth Amendment to be executed as of the date first written above.

BIG TRUCK RENTAL ĻLC:	CITY OF CHARLOTTE:
1 att	CITY MANAGER'S OFFICE
BY:	BY: See Attachment Below
(Signature)	(Signature)
PRINT NAME: Scott Smill	PRINT NAME:
TITLE: Director Municipal Sales	TITLE:
DATE: 6/2/23	DATE:



Digital Contract Routing Form Non-Encumbered

Date Submitted: June 20, 2023

Submitted by: Angelica Witherell

Submitter email: angelica.witherell@charlottenc.gov

Contract #: ²⁰¹⁹⁰⁰⁰³¹⁹ Amendment #: ⁵

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

BIGTRU Client#: 1518225

$ACORD_{-}$

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY 6/13/2023

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.

	SUBROGATION IS WAIVED, subject s certificate does not confer any rig							iire an endorsen	nent. A state	ment on
PRODUCER USI Insurance Services, LLC					CONTACT Simmons Team - Certificates					
					PHONE (A/C, No, Ext): 813 321-7500 FAX (A/C, No):					
2502 N Rocky Point Dr Ste 400					E-MAIL ADDRESS: simmonsteam@usi.com					
Tampa, FL 33607-1421 813 321-7500				INSURER(S) AFFORDING COVERAGE					NAIC #	
			INSURER A : Zurich American Insurance Company					16535		
INSURED Big Truck Rental, LLC				INSURER B : Empire Fire and Marine Insurance Co				21326		
					INSURER C:					
	4221 W Boy Scout Blvd				INSURER D:					
	Tampa, FL 33607				INSURER E :					
					INSURER F:					
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	
Α	X COMMERCIAL GENERAL LIABILITY			GLO443490900		12/01/2022	12/01/2023	EACH OCCURRENCE	\$1,0	000,000
	CLAIMS-MADE X OCCUR							DAMAGE TO RENTE PREMISES (Ea occur	D rence) \$10	0,000
								MED EXP (Any one of		.000

LTR			INSR V	NVD	POLICY NUMBER	(MM/DD/YYYY)	(MM/DD/YYYY)	LIMITS	
Α	X	COMMERCIAL GENERAL LIABILITY			GLO443490900	12/01/2022	12/01/2023	EACH OCCURRENCE	\$1,000,000
		CLAIMS-MADE X OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence)	\$100,000
l								MED EXP (Any one person)	\$10,000
								PERSONAL & ADV INJURY	\$1,000,000
l	GEN	L'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE	\$2,000,000
	Х	POLICY PRO- JECT LOC						PRODUCTS - COMP/OP AGG	\$2,000,000
		OTHER:							\$
В	AUT	OMOBILE LIABILITY			RSF664380700	12/01/2022	12/01/2023	COMBINED SINGLE LIMIT (Ea accident)	\$2,000,000
В		ANY AUTO			RSX664380900	12/01/2022	12/01/2023	BODILY INJURY (Per person)	\$
	Х	OWNED SCHEDULED AUTOS ONLY						BODILY INJURY (Per accident)	\$
		HIRED NON-OWNED AUTOS ONLY						PROPERTY DAMAGE (Per accident)	\$
								2702.	\$
		UMBRELLA LIAB OCCUR						EACH OCCURRENCE	\$
		EXCESS LIAB CLAIMS-MADE						AGGREGATE	\$
		DED RETENTION \$						19 19	\$
		RKERS COMPENSATION EMPLOYERS' LIABILITY						PER OTH- STATUTE ER	
	ANY	PROPRIETOR/PARTNER/EXECUTIVE Y / N	N/A					E.L. EACH ACCIDENT	\$
	(Mai	ndatory in NH)	N/ A					E.L. DISEASE - EA EMPLOYEE	\$
		s, describe under CRIPTION OF OPERATIONS below						E.L. DISEASE - POLICY LIMIT	\$
В	Hir	ed & Non-Owned			RSG451485501	12/01/2022	12/01/2023	1,000,000	
	Au	to Liability							

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

Contract #2019000319

The City of Charlotte is included as an additional insured on the General Liability policy

CERTIFICATE HOLDER	CANCELLATION
City of Charlotte, NC 600 East 4th St Charlotte, NC 28273	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
Citations, NC 20273	AUTHORIZED REPRESENTATIVE
	5: M Carl

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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	
Proof of Insurance	