

**STATE OF NORTH CAROLINA
COUNTY OF MECKLENBURG**

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

THIS THIRD AMENDMENT TO THE AGREEMENT TO PROVIDE REFUSE TRUCK RENTALS AND RELATED PRODUCTS AND SERVICES (this "Third Amendment") is made and entered into this 1st of July 2022, 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 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 now desire to amend the Contract to make 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

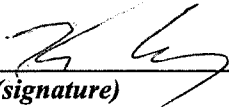
- 1. The terms of the Contract are restated by and incorporated into this Third Amendment by reference.
- 2. Defined terms used in this Third Amendment shall have the same meaning as are assigned to such terms in the Contract.
- 3. The Discount Schedule, Additional Fees, and Incentives in Exhibit A of the Contract is hereby replaced in its entirety due to the price adjustments which are attached hereto as Exhibit A.3.
- 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 Third Amendment to be executed as of the date first written above.

BIG TRUCK RENTAL LLC

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

BY: 
(signature)

BY: _____
(signature)

PRINT NAME: KEVIN COWLEY

PRINT NAME: _____

TITLE: CFO

TITLE: _____

DATE: 6/23/2022

DATE: _____



**Digital Contract Routing Form
Non-Encumbered**

Date Submitted: July 14, 2022

Submitted by: Genetta N. Carothers

Submitter email: genetta.carothers@charlottenc.gov

Contract #: 2019000319

Amendment #: 3

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
Brent Cagle
Key: f98f2b82108208b08604836a6396b851

DISCOUNT SCHEDULE, ADDITIONAL FEES AND INCENTIVES - EXHIBIT A.3
HEAVY DUTY RENTAL AND RELATED PRODUCTS AND SERVICES
DISCOUNT BY CATEGORY

BIG TRUCK RENTAL'S DISCOUNT RATE FOR EACH CATEGORY BELOW. ADDITIONAL CATEGORIES MAY BE ADDED AS
NEEDED.

Category Number	Category	Discount (% from published/book rate)	Verifiable Published Price List ID	Comments
14	Refuse Trucks	0-3%		

**DISCOUNT SCHEDULE, ADDITIONAL FEES AND INCENTIVES - EXHIBIT A.3
HEAVY DUTY RENTAL AND RELATED PRODUCTS AND SERVICES
NATIONAL MARKET BASKET**

Annual Nationwide Usage					Proposed Price/Equipment Details				
Item Number	Make	Model	Description	Monthly Rentals	Minimum Discount Per Contract (Percentage from Discount by Category)	Actual Discount (Percentage from Discount by Category)	Amendment 3: Price per Rental - Big Truck Rental rental period is 4 Weeks	Make/Model of Quoted Equipment (if different)	Description of Quoted Equipment (if different)
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		0.00%	0.00%	\$7,600		
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		1.40%	2.25%	\$8,700		
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		1.50%	2.44%	\$8,000		
53	Multiple	Multiple	Heil or McNeilus 40 Yard Front Loader, Mack or Peterbilt Chassis, 20K Lb. Front Axle and 46K Lb. Rear Axle		1.30%	2.11%	\$9,300		
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		1.20%	1.96%	\$10,000		
55	Multiple	Multiple	Vac-Con 11 Yard Single Engine Combination Vacuum Machine, Freightliner 114SD Chassis, 20K Front Axle and 46K Rear Axle		N/A	N/A	N/A		
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			2.98%	\$8,150		
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			0.00%	\$5,500		

*NOTE ALL RENTALS ARE A 4 WEEK RENTAL

**DISCOUNT SCHEDULE, ADDITIONAL FEES AND INCENTIVES - EXHIBIT A.3
HEAVY DUTY RENTAL AND RELATED PRODUCTS AND SERVICES
LEASING OPTIONS AND PRICING STRUCTURE**

Big Truck Rental's rental agreement is a 28 day rental agreement and not a lease. Customers commit to rentals 6 or 18 or longer and receive the below discounted rate.				Anticipated Rental of 6 Periods or Longer			Anticipated Rental of 18 Periods or Longer		
Item Number	Make	Model	Description	Minimum Discount Per Contract - Discount (Percentage from Discount by Category)	Actual Discount - Discount (Percentage from Discount by Category)	Amendment 3: Price per Rental Period	Minimum Discount Per Contract - Discount (Percentage from Discount by Category)	Actual Discount - Discount (Percentage from Discount by Category)	Amendment 3: Price per Rental Period
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	0.0%	0.00%	\$7,500	9.86%	10.00%	\$6,750
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	2.9%	3.41%	\$8,500	14.29%	14.77%	\$7,500
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	3.0%	3.66%	\$7,900	12.82%	13.41%	\$7,100
53	Multiple	Multiple	Heil or McNeilus 40 Yard Front Loader, Mack or Peterbilt Chassis, 20K Lb. Front Axle and 46K Lb. Rear Axle	2.7%	3.19%	\$9,100	13.48%	13.83%	\$8,100
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	2.5%	2.94%	\$9,900	12.37%	12.75%	\$8,900
55	Multiple	Multiple	Vac-Con 11 Yard Single Engine Combination Vacuum Machine, Freightliner 114SD Chassis, 20K Front Axle and 46K Rear Axle	1.4%	N/A	N/A	N/A	N/A	N/A
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		3.61%	\$8,000	12.66%	13.25%	\$7,200
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		0.00%	\$5,200	7.69%	7.69%	\$4,800

*NOTE ALL RENTALS ARE A 4 WEEK RENTAL

**DISCOUNT SCHEDULE, ADDITIONAL FEES AND INCENTIVES - EXHIBIT A.3
HEAVY DUTY RENTAL AND RELATED PRODUCTS AND SERVICES
ADDITIONAL CHARGES**

BIG TRUCK RENTAL MUST IDENTIFY ALL ADDITIONAL CHARGES THAT WILL BE ADDED TO THOSE RATES INDICATED ON DISCOUNT BY PRODUCT CATEGORY. THE COMMENTS SECTION MUST BE AS SPECIFIC AS POSSIBLE ABOUT WHERE ADDITIONAL CHARGES WILL APPLY. FOR CHARGES THAT DO NOT APPLY TO PROPOSER, PLEASE ENTER "N/A". ADDITIONAL CHARGES MAY BE LISTED IF NECESSARY.

Potential Additional Charges	Comments
Delivery Fee	\$4 per mile
Fuel	
Training	
Loss of Use	
Cleaning	
Set Up Fee	
Mileage Charges	
Other	*Customer Damage and Consumables such as Tires are billed on a per rental basis based on pre-inspection and post-inspection documents. See Rental Agreement for details

Over Meter/Allotted Hours of Use	Additional Charge for Hours Over
Daily Rental	
Weekly Rental	
Monthly Rental	Customer is to use the Vehicle for a maximum of 50 hours per week. If Customer uses the Vehicle beyond one-shift, Customer agrees that it will pay an additional charge for such use. The additional charge shall be calculated in the following manner: (a) If the Customer uses the Vehicle more than 50 hours per week but less than 80 hours per week, then Customer shall pay an additional charge equal to one-half (½) times the Rental Rate; (b) If the Customer uses the Vehicle 80 or more hours per week, then Customer shall pay an additional charge equal to one (1) times the Rental Rate.

DISCOUNT SCHEDULE, ADDITIONAL FEES AND INCENTIVES - EXHIBIT A.3
HEAVY DUTY RENTAL AND RELATED PRODUCTS AND SERVICES
PURCHASE OPTION PRICING

PURCHASE OPTIONS AND PRICING FOR ALL EQUIPMENT CATEGORIES INCLUDED IN YOUR RENTAL/LEASING OFFERINGS

Big Truck Rental offers a rent to purchase program. The customer and Big Truck Rental agree to a purchase price (see below) on the vehicle and 25% of all paid rentals can be applied to the purchase price of the vehicle. The minimum rental period on the program is 6 months with a maximum of 18 months. This program rental rate is the monthly rate as proposed in the market basket.

Big Truck Rental also markets/sells our off-rent trucks that typically range in 1.5-2 years in age. Big Truck Rental will offer the City of Charlotte and U.S. Communities members a 1% discount off of the standard retail price of the vehicle.

DISCOUNT SCHEDULE, ADDITIONAL FEES AND INCENTIVES - EXHIBIT A.3
HEAVY DUTY RENTAL AND RELATED PRODUCTS AND SERVICES
COMPLETE FLEET PROGRAM OPTIONS

Big Truck Rental has added a comprehensive new long term rental program called Complete Fleet. With a minimum 18 month rental, cities can upgrade to our full maintenance package which includes such as oil changes and fuel filter changes, as well as tires and brakes needed throughout the duration of the rental. We provide this service through our Nationwide Dealer network and pricing varies based on location and is dependent on type of services needed since each program is individually crafted to meet the specific needs of each municipality.

Through our Complete Fleet program, Big Truck Rental can purchase municipalities existing trucks and provide start-up capital for a new long term rental program. Pricing is based on make, model, hours, mileage and condition of city's existing truck fleet and will be quoted after review of its existing inventory.