STATE OF NORTH CAROLINA COUNTY OF MECKLENBURG

SECOND AMENDMENT TO THE AGREEMENT TO PROVIDE FURNITURE, INSTALLATION, AND RELATED PRODUCTS AND SERVICES

THIS SECOND AMENDMENT TO THE AGREEMENT TO PROVIDE FURNITURE, INSTALLATION, AND RELATED PRODUCTS AND SERVICES (this "Second Amendment") is made and entered into this 1st of January 2021, by and between Exemplis LLC, a 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 furniture, installation, and related products and services dated January 1, 2020 (the "Contract") pursuant to which the Company agreed to provide furniture, installation, and related products and services for the City of Charlotte.
- B. The parties amended the Contract to incorporate changes to the Delivery and Force Majeure clauses.
- C. The parties now desire to amend the Contract to consolidate under one brand 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. The Pricing Sheets in Exhibit A of the Contract are hereby replaced in its entirety due to the September 16, 2019 SitOnit Seating Consolidated Price Book which are attached hereto as Exhibit A.2.
- 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 provision hereof, the parties have caused this Second Amendment to be executed as of the date first written above

EXEMPLIS LLC	CITY OF CHARLOTTE: CITY MANAGER'S OFFICE
14/20	
BY: (signature)	BY:
PRINT NAME: PATRICK SOMMERA	PRINT NAME:
TITLE: VPFINGE SecreTAM	TITLE:
DATE: 11/3/2020	DATE:



Digital Contract Routing Form Non-Encumbered

December 02, 2020

Date Submitted:

Submitted by: Genetta N. Carothers

Submitter email: gcarothers@charlottenc.gov

Contract #: 2020000604 Amendment #: 2

Contract Name: Citywide Furniture (City Dist. Forms & Supply)

Vendor Legal Name: Exemplis LLC

Vendor #: 308708

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:

https://cnet/kbus/finance/Finance/pm/Pages/Contract-Review.aspx

The following signatures, once completed, shall be incorporated by reference into the contractual document identified above.

City of Charlotte

Victoria O. Johnson

EXEMPLIS - CONTRACT 2020000604-2 EXHIBIT A.2 - PRICING SHEET

	Fixed (%) Percentage Discount off the Man	nufacturer's List Price			
Category	Insert the Verifiable Manufacturer's List Price Catalog Name with the Edition Number and/or Date	Drop Ship	Inside Delivery Tier Discount		
Freestanding Furniture	September 16, 2019 SitOnit Seating Consolidated Price Book	Tier Discount			
		Tier 1: \$1 - \$50,000: 54%	Tier 1: \$1 - \$50,000: 52%		
		Tier 2: \$50,001 - \$100,000: 56%	Tier 2: \$50,001 - \$100,000: 54%		
		Tier 3: \$101,001 - \$250,000: 58%	Tier 3: \$101,001 - \$250,000: 56%		
		Tier 4: \$250,001 + : Negotiable	Tier 4: \$250,001 + : Negotiable		
Seating / Chairs	September 16, 2019 SitOnit Seating Consolidated Price Book	Tier Discount	Tier Discount		
		Tier 1: \$1 - \$50,000: 54%	Tier 1: \$1 - \$50,000: 52%		
		Tier 2: \$50,001 - \$100,000: 56%	Tier 2: \$50,001 - \$100,000: 54%		
		Tier 3: \$101,001 - \$250,000: 58%	Tier 3: \$101,001 - \$250,000: 56%		
		Tier 4: \$250,001 + : Negotiable	Tier 4: \$250,001 + : Negotiable		
Soft Seating	September 16, 2019 SitOnit Seating Consolidated Price Book	Tier Discount	Tier Discount		
		Tier 1: \$1 - \$50,000: 54%	Tier 1: \$1 - \$50,000: 52%		
		Tier 2: \$50,001 - \$100,000: 56%	Tier 2: \$50,001 - \$100,000: 54%		
		Tier 3: \$101,001 - \$250,000: 58%	Tier 3: \$101,001 - \$250,000: 56%		
		Tier 4: \$250,001 + : Negotiable	Tier 4: \$250,001 + : Negotiable		
Filing Systems, Storage & Equipment	September 16, 2019 SitOnit Seating Consolidated Price Book	Tier Discount	Tier Discount		
	•	Tier 1: \$1 - \$50,000: 54%	Tier 1: \$1 - \$50,000: 52%		
		Tier 2: \$50,001 - \$100,000: 56%	Tier 2: \$50,001 - \$100,000: 54%		
		Tier 3: \$101,001 - \$250,000: 58%	Tier 3: \$101,001 - \$250,000: 56%		
		Tier 4: \$250,001 + : Negotiable	Tier 4: \$250,001 + : Negotiable		
1. Furniture Categories and	Other Related Products continued				

EXEMPLIS - CONTRACT 2020000604-2 EXHIBIT A.2 - PRICING SHEET

Other Related Products	Insert the Verifiable Manufacturer's List Price Catalog Name with the Edition Number and/or Date	Drop Ship	Inside Delivery
Power, Dividers, Monitor Arms, Keyboard & Laptop Trays, Lighting, and Ergonomic Accessories	September 16, 2019 SitOnit Seating Consolidated Price Book	Tier Discount	Tier Discount
		Tier 1: \$1 - \$50,000: 54%	Tier 1: \$1 - \$50,000: 52%
		Tier 2: \$50,001 - \$100,000: 56%	Tier 2: \$50,001 - \$100,000: 54%
		Tier 3: \$101,001 - \$250,000: 58%	Tier 3: \$101,001 - \$250,000: 56%
1		Tier 4: \$250,001 + : Negotiable	Tier 4: \$250,001 + : Negotiable
o Space plans o Provid o ChairBuilder: our online quot the spot. Customers can produ o ProductBuilder: our online qu on the spot. Customers can pro	ing/spec writing/budget estimation tools & services de sample mock-ups for customer evaluations de generator designed to specify and visualize products on the go or on lice a list price, complete with part number, with several easy clicks. Integenerator designed to specify and visualize products on the go or duce a list price, complete with part number, with several easy clicks. In Experience Team empowered to swiftly resolve issues and provide ar customers with a positive experience.	No Cost to Customer	No Cost to Customer

EXEMPLIS - CONTRACT 2020000604-2 EXHIBIT A.2 - PRICING SHEET

2. Installation, Additional Services and Solutions				
Basic Installation - Normal Hours	\$25 - \$40			
Basic Installation - After Hours	\$35 - \$55			
Expanded Installation - Normal Hours	\$25 - \$40			
Expanded Installation - After Hours	\$35 - \$55			
Design	\$50 - \$75			
Project Management	\$25 - \$40			
Asset Management	\$15 - \$30			
Refurbishment	\$30 - \$50			

3. Additional Services and Solutions: Storage			
Additional Services & Solutions	Standard Fixed Monthly Rate	Monthly Rate / ft²	Monthly Rate / ft ³
Storage	\$150 - \$2,000	\$.88 - \$2.00	\$1.00 - \$1.80

4. Pricing Incentives and Rebates						
Incentives / Rebates Description	Amount or Percentage					
Bi-Annual Customer Promotions (a period of 3 months)	For Example: An Additional 3% Discount off Net Price for Customers					
Regional/Account Promotions and Rebates	Negotiable by Account					



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 11/09/2020

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 Willis Towers Watson Insurance Services West, Inc. c/o 26 Century Blvd P.O. Box 305191		CONTACT Willis Towers Watson Certificate Center			
		PHONE (A/C, No, Ext): 1-877-945-7378 FAX (A/C, No): 1-888-467-2378 E-MAL ADDRESS: certificates@willis.com			
Nashville, TN 372305191 USA		INSURER(S) AFFORDING COVERAGE			
		INSURER A: Fireman's Fund Insurance Company			
INSURED Exemplis LLC 6415 Katella Ave. Cypress, CA 90630		INSURER B: American Automobile Insurance Company			
		INSURER C: Federal Insurance Company			
		INSURER D: Travelers Property Casualty Company of Ame			
		INSURER E:			
		INSURER F:			
COVERACEO	EDTIFICATE AU IMPED. WI 9704729	DEVICION NUMBER			

COVERAGES CERTIFICATE NUMBER: W18704729 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.

NSR LTR		ADDL		POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMIT	s		
	X COMMERCIAL GENERAL LIABILITY)	EACH OCCURRENCE	\$	1,000,000	
A	CLAIMS-MADE X OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence)	\$	100,000	
						MED EXP (Any one person)	\$	10,000		
		Y		USC013538200	03/01/2020	03/01/2021	PERSONAL & ADV INJURY	\$	1,000,000	
	GEN'L AGGREGATE LIMIT APPLIES PER:					GENERAL AGGREGATE	\$	2,000,000		
	× POLICY PRO- JECT LOC						PRODUCTS - COMP/OP AGG	\$	2,000,000	
	OTHER:							\$		
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	\$	1,000,000	
	X ANY AUTO						BODILY INJURY (Per person)	\$		
В	X OWNED SCHEDULED AUTOS			SCV0046022001	03/01/2020	03/01/2021	BODILY INJURY (Per accident)	\$		
	HIRED AUTOS ONLY NON-OWNED AUTOS ONLY						PROPERTY DAMAGE (Per accident)	\$		
								\$		
c	X UMBRELLALIAB X OCCUR						EACH OCCURRENCE	\$	5,000,000	
72	EXCESS LIAB CLAIMS-MADE			7818-6763	03/01/2020	03/01/2021	AGGREGATE	\$	5,000,000	
	DED X RETENTION\$ 10,000							\$		
- 1	WORKERS COMPENSATION						X PER STATUTE OTH-			
D	ANYPROPRIETOR/PARTNER/EXECUTIVE		R/PARTNER/EXECUTIVE T	01 (01 (2021	E.L. EACH ACCIDENT \$	\$	1,000,000			
	(Mandatory in NH)	10.7.6		UB-11/63896-20-51-K	01/01/2020	01/01/2021	E.L. DISEASE - EA EMPLOYEE	\$	1,000,000	
	If yes, describe under DESCRIPTION OF OPERATIONS below							E.L. DISEASE - POLICY LIMIT	\$	1,000,000

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

This Voids and Replaces Previously Issued Certificate Dated 03/03/2020 WITH ID: W15663206.

Contract Amendment 2020000604-2

City of Charlotte is included as an Additional Insured as respects to General Liability where required by written contract.

CERTIFICATE HOLDER	CANCELLATION
City of Charlotte	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
Department of General Services	AUTHORIZED REPRESENTATIVE
City Procurement	S S S S S S S S S S S S S S S S S S S
600 East Fourth Street, CMGC - 9th Floor	2, Range
Charlotte, NC 28202-2850	Dell' 1190

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BATCH: 1879131