

STATE OF NORTH CAROLINA
COUNTY OF MECKLENBURG

**TENTH AMENDMENT TO THE AGREEMENT TO PROVIDE
EQUIPMENT RENTALS AND RELATED PRODUCTS AND SERVICES**

THIS TENTH AMENDMENT TO THE AGREEMENT TO PROVIDE EQUIPMENT RENTALS AND RELATED PRODUCTS AND SERVICES (this "Tenth Amendment") is made and entered into this 19 of October 2023, by and between Herc Rentals, Inc., a Florida 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. A. The City of Charlotte and the Company entered into an Agreement for Equipment Rentals and Related Products and Services dated November 1, 2018 (the "Contract") pursuant to which the Company agreed to provide Equipment Rentals and Related Products and Services for the City of Charlotte.
- B. The parties amended the Contract on July 15, 2019, to incorporate an updated equipment list and gold and platinum pricing schedules.
- C. The parties amended the Contract on January 1, 2020, to incorporate an updated equipment list and gold and platinum pricing schedules.
- D. The parties amended the Contract on January 1, 2021, to incorporate an updated equipment list, gold and platinum pricing schedules, and the option to recover any administrative or contract fees imposed by any Participating Public Agency.
- E. The parties amended the Contract on August 23, 2021, to replace the Pricing Schedules with the addition of new equipment.
- F. The parties amended the Contract on January 1, 2022, to make adjustments to unit pricing, to replace the Commercial Non-Discrimination clause, and to incorporate certain other changes.
- G. The parties amended the Contract on February 1, 2022, to delete and replace the CBI Form 4 documents.
- H. The parties amended the Contract on July 20, 2022, to incorporate an updated equipment list and gold and platinum pricing schedules, add a CBI Form 4, and incorporate certain other changes.
- I. **The parties amended the Contract to extend the Term of the Contract by the first of two (2) two-year renewal terms, to incorporate an updated equipment list and gold and platinum pricing schedules, and to incorporate updated discount schedules for equipment purchases.**
- J. The parties amended the Contract to include additional add-ons shown in Exhibit A.5 and to incorporate certain other changes.
- K. The parties desire to amend the Contract to incorporate an updated equipment list and gold and platinum pricing schedules as shown in Exhibit A.5 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 Tenth Amendment by reference.
2. Defined terms used in this Tenth Amendment shall have the same meaning as are assigned to such terms in the Contract.
3. The Pricing Schedules in Exhibit A of the Contract are hereby updated to include the addition of new category class equipment and price increases which are attached as Exhibit A.5.
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 acknowledgment that the parties hereto have read and understood each and every provision hereof, the parties have caused this Tenth Amendment to be executed as of the date first written above.

HERC RENTALS, INC.:

BY: 
(Signature)

PRINT NAME: Jason Oosterbeek

TITLE: Vice President

DATE: 10/5/2023

CITY MANAGER'S OFFICE
OFFICE/DEPARTMENT/DIVISION

BY: See Attachment Below
(Signature)

PRINT NAME: _____

TITLE: _____

DATE: _____



**Digital Contract Routing Form
Non-Encumbered**

Date Submitted: October 18, 2023

Submitted by: Angelica Witherell

Submitter email: angelica.witherell@charlottenc.gov

Contract #: 2019000318

Amendment #: 10

Contract Name: CCPA Citywide Equipment Rentals and Related Products and Services

Vendor Legal Name: Herc Rentals, Inc.

Vendor #: 20941

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
Liz Babson
Key: f08f2b82106208b08804836a6d96b8