

COOPERATIVE PURCHASE CONTRACT

Contract No. 2019-30

This Cooperative Purchase Contract is made and entered into this _____ day of _____, 2019 by and between the City of Flagstaff, Arizona, a political subdivision of the State of Arizona ("City") and SNF, Inc. dba BFX Fire Apparatus, a State of Texas Corporation ("Contractor").

RECITALS:

- A. Contractor has Contract #GS-30F-0025V with the U.S. General Services Administration ("GSA") to supply materials and/or services ("Agency Contract"), which was awarded through a competitive and open procurement process; and
- B. The City has authority to enter into a cooperative purchase contract with Contractor utilizing the Agency Contract.

AGREEMENT:

NOW THEREFORE, in consideration for the mutual promises contained herein, the parties agree as follows:

1. Materials and or Services Purchased. Contractor shall provide to City the materials and or services, as specified in the Purchase Order(s) submitted by the City in accordance with the Agency Contract. General description of materials and or services being purchased:

**Type 6 Wildland Light Engine
Model U.S. Forest Service 643(U)**

2. Specific Requirements of City. Contractor shall comply with all specific purchase and delivery requirements and/or options of City, as specified in the Purchase Order(s) submitted to Contractor or Exhibit A attached hereto and incorporated by reference.
3. Payment. Payment to the Contractor for the materials and or services provided shall be \$169,259, in accordance with the price list and terms set forth in the Agency Contract.
4. Terms and Conditions of Agency Contract Apply. All provisions of the Agency Contract documents, including any amendments, are incorporated in and shall apply to this Contract as though fully set forth herein. The Agency Contract documents are attached as Exhibit B. Contractor is responsible for promptly notifying City in writing of any changes to the Agency Contract.
5. Certificates of Insurance. All insurance provisions of the Agency Contract shall apply, including any requirement to name the City as an additional insured. Prior to commencing performance under this Contract, Contractor shall furnish City with a copy of the current Certificate of Insurance required by the Agency Contract.

6. Term. This Cooperative Purchase Contract shall commence upon execution by both parties and shall continue until expiration or termination of the underlying Agency Contract, unless sooner terminated by City in writing.
7. Renewal. This Cooperative Purchase Contract shall be automatically renewed if the underlying Agency Contract is renewed, for the same renewal period, unless City provides advance written notice to Contractor of its intention to non-renew.
8. Notice. Any notice concerning this Contract shall be in writing and sent by certified mail and email as follows:

To the City:

Jessica Bryson
Senior Procurement Specialist
City of Flagstaff
Purchasing Section
211 W. Aspen Ave.
Flagstaff, Arizona 86001
jbryson@flagstaffaz.gov
(928)213-2276

To the Contractor:

Justin W. Frost
GSA Authorized Negotiator
SNF, Inc. dba BFX Fire Apparatus
1810 Banks Drive
Weatherford, Texas 76086
jfrost@bfxfire.com
(817)490-7877

With a copy to:

Mark Wilson
Battalion Chief
Flagstaff Fire Department
211 W. Aspen Ave.
Flagstaff, Arizona 86001
mwilson@flagstaffaz.gov
(928)213-2506

9. Authority. Each party warrants that it has authority to enter into this Contract and perform its obligations hereunder, and that it has taken all actions necessary to enter into this Contract.

CONTRACTOR:

By: _____

Title: _____

CITY OF FLAGSTAFF

By: _____

Title: _____

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney's Office

EXHIBIT A
SPECIFIC REQUIREMENTS OF CITY

Price: December 13, 2018 Letter, BFX Fire Apparatus Quote No. 10977-0005

Specifications, Schedule of Performance and Delivery: Flagstaff Fire Department Type 6 Wildland Light Engine Sheet

Notices: All notices to City shall be sent to:

Jessica Bryson
Senior Procurement Specialist
Purchasing Department
211 W. Aspen Drive
Flagstaff, Arizona 86001
(928) 213-2279

Attach: Certificate of Insurance

EXHIBIT B
AGENCY CONTRACT

U.S. Government Services Administration Contract Clause Document for Solicitation Number FFAH-C2-990235-B/Refresh Number 23/Contract Number GS-30F-0025V, 643U.