

**FORM E**  
**CONTRACT ACCEPTANCE AND AWARD**



(Top portion of this form will be completed by Sourcewell if the vendor is awarded a contract. The vendor should complete the vendor authorized signatures as part of the RFP response.)

Sourcewell Contract #: 032119-JDC

Proposer's full legal name: John Deere Construction Retail Sales

**Based on Sourcewell's evaluation of your proposal, you have been awarded a contract. As an awarded vendor, you agree to provide the products and services contained in your proposal and to meet all the terms and conditions set forth in this RFP, in any amendments to this RFP, and in any exceptions that are accepted by Sourcewell.**

The effective date of the Contract will be May 13, 2019 and will expire on May 13, 2023 (no later than the later of four years from the expiration date of the currently awarded contract or four years from the date that the Sourcewell Chief Procurement Officer awards the Contract). This Contract may be extended for a fifth year at Sourcewell's discretion.

**Sourcewell Authorized Signatures:**

DocuSigned by:

*Jeremy Schwartz*

COED2A139D08488  
SOURCEWELL DIRECTOR OF OPERATIONS AND  
PROCUREMENT/CPO SIGNATURE

Jeremy Schwartz  
(NAME PRINTED OR TYPED)

DocuSigned by:

*Chad Coquette*

7E4288F817A84CC...  
SOURCEWELL EXECUTIVE DIRECTOR/CEO SIGNATURE

Chad Coquette  
(NAME PRINTED OR TYPED)

Awarded on May 10, 2019

Sourcewell Contract # 032119-JDC

**Vendor Authorized Signatures:**

The Vendor hereby accepts this Contract award, including all accepted exceptions and amendments.

Vendor Name John Deere Construction Retail Sales

Authorized Signatory's Title Manager, Contract Sales

*Mark Oliver*

VENDOR AUTHORIZED SIGNATURE

MARK OLIVER

(NAME PRINTED OR TYPED)

Executed on 10 MAY, 2019

Sourcewell Contract # 032119-JDC

AMENDMENT TO  
Sourcewell Contract #032119-JDC

This AMENDMENT (“Amendment”) to Sourcewell Contract # 032119-JDC (“Agreement”) is effective on the date hereof, by and between Sourcewell® and John Deere Construction Retail Sales (“Vendor”)

WHEREAS, Vendor was awarded a Sourcewell Contract for Heavy Construction Equipment with Related Accessories, Attachments and Supplies effective May 13, 2019 until May 13, 2023 relating to the provision of products and services to Sourcewell and its members;

WHEREAS, John Deere Construction Retail Sales and Wirtgen America, Inc. have historically held separate Sourcewell contracts, it was errantly assumed separate submittals was the most appropriate response for RFP 032119. It has been since determined that the most effective way to serve Sourcewell members is to provide both John Deere and Wirtgen America offerings in tandem through contract award, 032119-JDC. John Deere Construction Retail Sales will remain the contract holder and Wirtgen America, Inc.’s products, ordering process, and sales/administration contacts will be included in John Deere’s portfolio for direct purchase and processing through the Wirtgen America, Inc. dealer channel. To summarize; John Deere offerings will only be sold through John Deere Construction Retail Sales and its authorized dealer channel, Wirtgen America, Inc. offerings will only be sold through Wirtgen America, Inc. and its authorized dealer channel. Those wishing to engage either product line must do so through the appropriate dealer channel;

WHEREAS, Vendor and Sourcewell desire to add Wirtgen America, Inc.’s product line (Wirtgen, Hamm and Vogeles brands) under the Agreement (all sold by Wirtgen America, Inc. dealers);

WHEREAS, Vendor and Sourcewell acknowledge that Wirtgen America, Inc. shall be supporting sales of Wirtgen America offerings to Sourcewell members within the U.S. and Canada as well as responsible for related sales reporting and administrative fee paying;

WHEREAS, Vendor and Sourcewell acknowledge that Wirtgen America, Inc. failure to perform to contract terms and conditions may result in termination of contract;

WHEREAS, all parties agree that certain terms within the Agreement shall be updated and amended; and only to the extent as hereunder provided.

NOW, THEREFORE, in consideration of the mutual covenants and agreements described in this Amendment, the parties hereby agree as follows:

1. Form P Question 4 response is amended as follows:  
After the first paragraph, insert:  
“Wirtgen America, Inc. does not accept the P-card procurement and payment process.”

2. Form P Question 5 response is amended as follows:  
After the first paragraph, insert:  
“Wirtgen America, Inc. also offers 12 months of standard warranty but with a 1,000-hour limit.”
3. Form P Question 7 response is amended as follows:  
After the first paragraph, insert:  
“Wirtgen America, Inc.’s product line (Wirtgen, Hamm and Vogele) is being offered to provide 130+ equipment variations in the following categories: Milling, Recycling, Stabilizing, Paving, Spreading, Compacting and Rollers. Further, local dealers will be allowed to provide customer requested goods and services to complete the desired machine functionality.

John Deere Construction Retail Sales will also be offering Program Eligible machines to Sourcewell members in both the U.S. and Canada. “Program Eligible” opens the contract’s machine eligibility to include Demonstration machines, Training Center machines and Marketing machines as defined below.

**Program Eligible Criteria:**

Never retailed,  
Less than three years old for compact and mid-size machines,  
Less than four years old for Production Class Equipment (Articulated Dump Trucks, 950 and larger size Dozers, 470 and larger size Excavators, 744 and larger size 4WD Loaders).

**Program Eligible Pricing Model:**

Original List - Contract Discount = Standard Contract Selling Price  
Standard Contract Selling Price - Depreciation = Program Eligible Selling Price.  
Depreciation varies based on age, hours, and machine type.  
Depreciation is negotiated between dealer and customer.  
Sourcewell Administration Fee will be paid on Standard Contract Selling Price.”

4. Form P Question 9 response is amended as follows:  
Replace the initial response with the following verbiage:  
“The discount range varies from 17% to 44% off the manufacturer’s published List prices.”
5. Lastly, Form P Question 3 and Form A question 32 identify the John Deere sales branch in Canada as “John Deere Limited”, the proper business name is “John Deere Canada ULC.”

Except as amended by this Amendment, the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date hereof.

**Sourcewell®**

DocuSigned by:

X Jeremy Schwartz  
Authorized Signature – **Signed**

By Jeremy Schwartz

Name – **Printed**

Title Director of Operations & Procurement/CPO

Date 3/12/2020 | 1:59 PM CDT

**John Deere Construction Retail Sales**

DocuSigned by:

X Richard Murga  
Authorized Signature – **Signed**

By Richard Murga

Name – **Printed**

Title Account Manager, Fed & State

Date 3/12/2020 | 1:43 PM CDT

APPROVED:

**Sourcewell®**

DocuSigned by:

X Chad Coauette  
Authorized Signature – **Signed**

By Chad Coauette

Name – **Printed**

Title Executive Director / CEO

Date 3/12/2020 | 2:08 PM CDT

**AMENDMENT #2  
TO  
SOURCEWELL CONTRACT #032119-JDC**

This Amendment is by and between **Sourcewell** (Sourcewell) and **John Deere Construction Retail Sales, a division of John Deere Shared Services, Inc.** (Vendor).

Vendor was awarded a Sourcewell contract for Heavy Construction Equipment with Related Accessories, Attachments, and Supplies #032119-JDC (Original Contract). The parties agree that certain terms within the Original Contract will be amended as hereunder provided.

In consideration of the mutual covenants and agreements described in this Amendment, the parties agree as follows:

1. This Amendment is effective upon the date of the last signature below.
2. Form P, Question 18, is modified to read that Vendor's Administrative Fee will be 0.50%.

Except as amended by this Amendment, the Original Agreement remains in full force and effect.

**Sourcewell**

DocuSigned by:  
By: Jeremy Schwartz \_\_\_\_\_  
Authc: C0FD2A139D06489...

Jeremy Schwartz  
Name – Printed

Title: Director of Operations & Procurement/CPO

Date: 3/18/2020 | 3:25 PM CDT

**John Deere Construction Retail Sales, a  
division of John Deere Shared Services, Inc.**

DocuSigned by:  
By: Richard Murga \_\_\_\_\_  
Authc: B5FD5EFBEF6045A...

Richard Murga  
Name – Printed

Title: Contract Administrator

Date: 3/18/2020 | 12:27 PM CDT

**APPROVED:**

DocuSigned by:  
By: Chad Coquette \_\_\_\_\_  
Authc: 7E42B8F817A64CC...

Chad Coquette  
Name – Printed

Title: Executive Director/CEO

Date: 3/18/2020 | 5:05 PM CDT

# AMENDMENT #3 TO CONTRACT #032119-JDC

THIS AMENDMENT is effective upon the date of the last signature below by and between **Sourcewell** and **John Deere Construction Retail Sales, a division of John Deere Shared Services, Inc.** (Vendor).

Sourcewell awarded a contract to Vendor to provide Heavy Construction Equipment with Related Accessories, Attachments, and Supplies, effective May 13, 2019, through May 13, 2023 (Contract).

Vendor has notified Sourcewell that its name changed on October 31, 2022, from John Deere Shared Services, Inc., to John Deere Shared Services LLC, with an address of 400 East Court Avenue, Des Moines, Iowa 50309. Vendor is now requesting to change the name of the contract holder, and Sourcewell agrees to this change.

Except as amended above, the Contract remains in full force and effect.

### Sourcewell

### John Deere Construction Retail Sales, a division of John Deere Shared Services, Inc.

DocuSigned by:  
*Jeremy Schwartz*  
By: \_\_\_\_\_  
C0FD2A139D06489...  
Jeremy Schwartz, Chief Procurement Officer

DocuSigned by:  
*Mark Oliver*  
By: \_\_\_\_\_  
1CAF73242BB647F...  
Mark Oliver

Date: 12/20/2022 | 3:21 PM CST

Title: Manager, Contract Sales

Approved:

Date: 12/20/2022 | 3:08 PM CST

DocuSigned by:  
*Chad Coquette*  
By: \_\_\_\_\_  
7E42B8F817A64CC...  
Chad Coquette, Executive Director/CEO

Date: 12/20/2022 | 3:22 PM CST