

COOPERATIVE PURCHASE CONTRACT

Contract No. 2023-108

This Cooperative Purchase Contract is made and entered into this _____ day of _____, 20____, by and between the City of Flagstaff, Arizona, a political subdivision of the State of Arizona ("City") and Drake Truck Bodies, LLC D.B.A. Drake Equipment, an Arizona Limited Liability Company ("Contractor").

RECITALS:

- A. The State of Arizona, Procurement Department, Public Sector conducted a competitive and open procurement process through Request for Proposal Solicitation No. BPM004560 that resulted in Contract No. CTR062308 with Contractor ("Agency Contract"); and
- B. Contractor is a dealer as described in the Agency Contract; and
- C. 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, as specified in the Scope of Work attached hereto as Exhibit A or Purchase Order(s) submitted by the City in accordance with the Agency Contract. General description of materials and or services being purchased:

Drake Work Truck Bodies for Water Services Vehicles

2. Payment: Payment to the Contractor for the materials and or services provided for **one hundred forty-six thousand two hundred thirty-eight dollars and forty-eight (\$146,238.48), in addition to other fees;** made in accordance with the price list and terms set forth in the Agency Contract.
3. 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 set forth in Exhibit B attached hereto and incorporated by reference. Contractor is responsible for promptly notifying City in writing of any changes to the Agency Contract, including, specifically changes in price for the materials.
4. 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.
5. Term: This Cooperative Purchase Contract shall commence upon execution by the parties and shall continue until expiration or termination of the underlying Agency Contract, unless sooner terminated by City in writing.

6. 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.

Drake Truck Bodies, LLC D.B.A. Drake Equipment:

By: _____

Title: _____

CITY OF FLAGSTAFF

By: _____

Title: _____

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney's Office

**EXHIBIT A
QUOTE (Attached)**

- 1. Drake Equipment Quote No. 74324 & 74531**

EXHIBIT B
AGENCY CONTRACT (Attached)

1. Draft Equipment Offer & Acceptance, Agency Contract CTR062308 Award Request for Proposal Solicitation No. BPM004560