

## COOPERATIVE PURCHASE CONTRACT

Contract No. 2024-87

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 Freightliner of Arizona, LLC DBA Velocity Truck Centers, Velocity Truck & Trailer, an Arizona Limited Liability Company ("Contractor").

### RECITALS:

- A. Contractor is a fully authorized dealer as described in the Agency Contract; and;
- B. The State of Arizona Department of Transportation (ADOT) conducted a competitive and open procurement process through Request for Proposal Solicitation No. BPM000228 that resulted in Contract No. CTR041810 with Contractor ("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 the City the materials and or services, as specified in the Scope of Work attached as Exhibit A, and in accordance with the Agency Contract. A general description of materials and/or services being purchased is:

#### **Freightliner New Way Rearload M2106 - 2024**

2. Specific Requirements of City: Contractor shall comply with all specific purchase and delivery requirements and/or options of City, as specified in the Scope of Work attached as Exhibit A and incorporated by reference.
3. Payment: Payment to Contractor for the materials and or services provided for **Three Hundred Two Thousand, Eight Hundred Ninety-One Dollars and Thirty-Seven Cents (\$302,891.37), in addition to other fees and taxes;** made 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 attached as Exhibit B, including any amendments, are incorporated in and shall apply to this Contract as though fully set forth herein. Contractor is responsible for promptly notifying City in writing of any changes to the Agency Contract, including, specifically changes in price for materials and/or services.
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 the 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 formal notice required under the Contract shall be in writing and sent by certified mail and email as follows:

To the City:

Emily Markel  
City of Flagstaff  
211 W. Aspen Ave.  
Flagstaff, AZ 86001  
[Emarkel@flagstaffaz.gov](mailto:Emarkel@flagstaffaz.gov)  
Phone: 928-213-2276

To Contractor:

Cory Thompson  
Freightliner of Arizona  
9899 W. Roosevelt St.  
Tolleson AZ, 85353  
[cthompson@vvgtruck.com](mailto:cthompson@vvgtruck.com)  
Phone: 623-907-9900

With a copy to:

Brian Sutter  
City of Flagstaff  
3200 W RT 66 Building #2  
Flagstaff, AZ 86004  
[BSutter@flagstaffaz.gov](mailto:BSutter@flagstaffaz.gov)  
Phone: 928-213-2138

**(REMAINDER OF PAGE INTENTIONALLY LEFT BLANK)**

FREIGHTLINER OF ARIZONA, LLC:

By: \_\_\_\_\_

Title: \_\_\_\_\_

CITY OF FLAGSTAFF

By: \_\_\_\_\_

Title: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney's Office

Last Updated July 20,2023

**EXHIBIT A**  
**SCOPE OF WORK**  
(attached)

1. Freightliner of Arizona, LLC – Quote – DE-03643

**EXHIBIT B**  
**AGENCY CONTRACT**  
(attached)

1. Offer & Acceptance, Agency Contract Award Request for Proposal Solicitation No. BPM000228 that resulted in Contract No. CTR041810.
2. Contract Amendment Summary – 2023 Pricing
3. Contract Amendment Summary – Extension to Jan 17, 2024