

AGREEMENT

33816

THIS AGREEMENT is made and entered, in duplicate, as of April 10, 2015 for reference purposes only, pursuant to Resolution No. RES-15-0040 adopted by the City Council of the City of Long Beach at its meeting on April 7, 2015, by and between DEERE & COMPANY, a Delaware corporation ("Contractor"), with a place of business located at 2000 John Deere Run, Cary, North Carolina 27513, and the CITY OF LONG BEACH ("City"), a municipal corporation.

WHEREAS, Section 1802 of the Long Beach City Charter permits the City to make purchases under the purchasing contracts of other governmental agencies when authorized to do so by a resolution; and

WHEREAS, the City desires to purchase one (1) John Deere 7210R tractor with related equipment and accessories; and

WHEREAS, the National Joint Powers Alliance (NJPA) has a contract for the procurement of agricultural tractors and implements together with related equipment and accessories under Contract No. 031711-DAC ("NJPA Contract"); and

WHEREAS, Resolution No. RES-15-0040 authorizes the City to purchase one (1) John Deere 7210R tractor with related equipment and accessories by virtue of the NJPA Contract;

NOW, THEREFORE, in consideration of the terms and conditions contained in this Agreement, the parties agree as follows:

1. The NJPA Contract with Contractor, attached hereto as Exhibit "A", is incorporated by this reference as if fully set forth, and the same terms and conditions contained in the NJPA Contract shall be applicable here except as follows:

A. Wherever the NJPA Contract refers to the National Joint Powers Alliance, it shall be deemed to refer to the City of Long Beach;

B. Contractor shall sell, furnish and deliver to the City one (1) John Deere 7210R tractor with related equipment and accessories of substantially

1 the same type and kind purchased under the National Joint Powers Alliance,
2 except as modified by Exhibit "B" attached hereto and incorporated by this
3 reference, for an amount not to exceed One Hundred Seventy-Two Thousand
4 Seven Hundred Twenty-Seven Dollars and Ten Cents (\$172,727.10), including tax
5 and fees. To the extent that the NJPA Contract and this Agreement are
6 inconsistent, the following priority shall govern: (1) this Agreement and (2) the
7 NJPA Contract.

8 C. Payment for the John Deere 7210R tractor with related
9 equipment and accessories purchased from Contractor by the City shall be made
10 by the City on delivery to and acceptance of the John Deere 7210R tractor with
11 related equipment and accessories by the City and submittal of an invoice to the
12 City. Payment is due thirty (30) days after the date of the invoice.

13 D. All warranties shall accrue to the City of Long Beach.

14 2. Neither this Agreement nor any money that becomes due to
15 Contractor under this Agreement may be assigned by Contractor without the prior written
16 consent of the City Manager or his designee.

17 3. Any notice given under this Agreement shall be in writing and
18 personally delivered or deposited in the U.S. Postal Service, return receipt, and shall be
19 delivered or mailed to Contractor at the relevant address first stated above, and to the
20 City at 333 West Ocean Boulevard, Long Beach, California 90802 Attn: City Manager.
21 Notice shall be deemed given three days after deposit in the mail.

22 4. The terms appearing on the NJPA Contract are incorporated in this
23 Agreement.

24 5. Contractor shall cooperate with the City in all matters relating to self-
25 accrual of use tax. Contractor shall contact the City Treasurer for additional information
26 regarding self-accrual.

27 6. This Agreement and all documents which are incorporated by
28 reference in this Agreement constitute the entire understanding between the parties and

supersede all other agreements, oral or written, with respect to the subject matter of this Agreement. If there is any legal proceeding between the parties to enforce or interpret this Agreement, or to protect or establish any rights or remedies, the prevailing party shall be entitled to its costs and expenses, including reasonable attorney's fees.

IN WITNESS WHEREOF, the parties have caused this document to be duly executed with all formalities required by law as of the date first stated above.

DEERE & COMPANY, a Delaware corporation

April 14, 2015

By Andrew Hill
Name Andrew Hill
Title Contract Administrator

April 14, 2015

By Tamara Hebert
Name Tamara Hebert
Title Contract Administrator

"Contractor"

CITY OF LONG BEACH, a municipal corporation

April 21, 2015

By T. Bill
City Manager
EXECUTED PURSUANT
TO SECTION 301 OF
THE CITY CHARTER

"City" Assistant City Manager

This Agreement is approved as to form on April 20, 2015.

CHARLES PARKIN, City Attorney

By Charles Parkin
Deputy

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

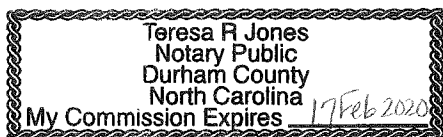
State of North Carolina

County of Wake

On April 14 2015 Before me, Teresa R. Jones - Notary Public
DATE NAME, TITLE OF OFFICER - E.G. "JANE DOE, NOTARY PUBLIC"

Personally appeared Andrew Hill - Tamara Hebert
NAME(S) OF SIGNER(S)

☒ personally known to me - OR - ☐ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Teresa R. Jones

SIGNATURE OF NOTARY

OPTIONAL

Though the data below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent reattachment of this form.

CAPACITY CLAIMED BY SIGNER

DESCRIPTION OF ATTACHED DOCUMENT

- ☐ INDIVIDUAL
☐ CORPORATE OFFICER

TITLE OR TYPE OF DOCUMENT

- TITLE(S)
☐ PARTNER(S) ☐ LIMITED
☐ GENERAL

- ☐ ATTORNEY-IN-FACT
☐ TRUSTEE(S)
☐ GUARDIAN/CONSERVATOR
☐ OTHER:

NUMBER OF PAGES

DATE OF DOCUMENT

SIGNER IS REPRESENTING:

NAME OF PERSON(S) OR ENTITY(IES):

SIGNER(S) OTHER THAN NAMED ABOVE

EXHIBIT "A"

ANNUAL RENEWAL OF AGREEMENT

Made by and Between

Deere & Company (Vendor)
2000 John Deere Run
Cary, NC 27513

and

National Joint Powers Alliance® (NJPA)
202 12th Street NE
Staples, MN 56479
Phone: (218) 894-1930

Whereas:

"Vendor" and "NJPA" have entered into an "Acceptance and Award #031711-DAC" for the procurement of Ag Tractors and/or Implements Together with Related Equipment and Accessories, and having a maturity date of May 17, 2015, and which are subject to annual renewals at the option of both parties.

Now therefore:

"Vendor" and "NJPA" hereby desire and agree to extend and renew the above defined contract for the period of May 17, 2014 to May 17, 2015.

National Joint Powers Alliance (NJPA)

By:  Its: Executive Director/CEO

Name printed or typed: Chad Connelly

Date: 5/16/14

Deere & Company

By: Tamara Hebert Its: Contract Administrator

Name printed or typed: Tamara Hebert

Date: 5-14-2014

If you do not desire to extend contract, please sign below and return this agreement.
Discontinue: We desire to discontinue the contract.

Signature _____ Date _____

National Joint Powers Alliance® (herein NJPA) REQUEST FOR PROPOSAL (herein RFP)

for the procurement of

AG TRACTORS AND-OR IMPLEMENTS TOGETHER WITH RELATED EQUIPMENT AND ACCESSORIES

RFP Opening

March 17, 2011
8:00 AM Central Time
At the offices of the
National Joint Powers Alliance®
200 First Street Northeast, Staples, MN 56479

RFP #031711

The National Joint Powers Alliance® (NJPA) issues this request for proposal (RFP) to provide AG TRACTORS AND-OR IMPLEMENTS TOGETHER WITH RELATED EQUIPMENT AND ACCESSORIES, Specifications and details of this RFP are available beginning February 9, 2011 and continuing until March 2, 2011. Details and specifications may be obtained by letter of request to Gregg Meierhofer, NJPA, 200 First Street Northeast, Staples, MN 56479, or by e-mail at RFP@njpacoop.org. Proposals will be received until March 16, 2011 at 2:00 p.m. Central Time at the above address and opened March 17, 2011 at 8:00AM Central Time.

The text above is the Public Notice to Proposers to be used by NJPA.

RFP Timeline

*February 9, 2011 and
February 16, 2011
March 2, 2011
March 4, 2011 10:00AM Central
March 16, 2011 4:00 PM. Central
March 17, 2011 8:00AM Central*

- Publication of RFP in the print and online Minneapolis Star Tribune, the NJPA website, and on the website of noticetobidders.com
- Deadline for RFP requests
- Pre-Proposal Conference (webcast – conference call)
- Deadline for Submission of Proposals
- Public Opening of Proposals

Direct questions regarding this RFP to:

Gregg Meierhofer at gregg.meierhofer@njpacoop.org or (218)894-1930

RFP Procedures offers the methods for submitting questions.

**JOHN DEERE****STOTZ
EQUIPMENT**

Selling Equipment

Quote Id: 10867422

Customer Name:

**ALL PURCHASE ORDERS MUST BE MADE OUT
TO (VENDOR):**Deere & Company
2000 John Deere Run
Cary, NC 27513
FED ID: XXXXXXXXXX
DUNS#: 60-7690989**ALL PURCHASE ORDERS MUST BE SENT
TO DELIVERING DEALER:**Stotz Equipment
4811 Brooks Street
Montclair, CA 91763
909-626-8586

JOHN DEERE 7210R Tractor

Hours:

Stock Number:

Contract: NJPA Ag Tractors and/or Impl_031711-DAC

Price Effective Date: January 27, 2015

Selling Price *

\$ 158,465.23

* Price per item - includes Fees and Non-contract items

| Code | Description | Qty | List Price | Discount% | Discount Amount | Contract Price | Extended Contract Price |
|--------|---------------|-----|---------------|-----------|-----------------|----------------|-------------------------|
| 05U0RW | 7210R Tractor | 1 | \$ 207,036.00 | 23.00 | \$ 47,618.28 | \$ 159,417.72 | \$ 159,417.72 |

Standard Options - Per Unit

| | | | | | | | |
|------|---|---|--------------|-------|--------------|--------------|--------------|
| 0202 | United States | 1 | \$ 1,900.00 | 23.00 | \$ 437.00 | \$ 1,463.00 | \$ 1,463.00 |
| 0409 | English | 1 | \$ 0.00 | 23.00 | \$ 0.00 | \$ 0.00 | \$ 0.00 |
| 0500 | No Package | 1 | \$ 0.00 | 23.00 | \$ 0.00 | \$ 0.00 | \$ 0.00 |
| 1500 | CommandQuad Eco 40 km/h (25 mph) 20F/20R with Efficiency Manager | 1 | \$ -8,766.00 | 23.00 | \$ -2,016.18 | \$ -6,749.82 | \$ -6,749.82 |
| 2059 | Standard CommandView III Cab | 1 | \$ 0.00 | 23.00 | \$ 0.00 | \$ 0.00 | \$ 0.00 |
| 2660 | Standard Radio Package | 1 | \$ 0.00 | 23.00 | \$ 0.00 | \$ 0.00 | \$ 0.00 |
| 2705 | Left Hand Reverser | 1 | \$ 0.00 | 23.00 | \$ 0.00 | \$ 0.00 | \$ 0.00 |
| 3033 | John Deere PowerTech PSS 6.8 L (414 cu. In.) 6 Cyl Stage 4 Compliant Diesel Engine | 1 | \$ 0.00 | 23.00 | \$ 0.00 | \$ 0.00 | \$ 0.00 |
| 3230 | 121 L/Min. (32 gpm) Hydraulic Pump | 1 | \$ -965.00 | 23.00 | \$ -221.95 | \$ -743.05 | \$ -743.05 |
| 3341 | Four Premium Rear Remote Selective Control Valves with Electro-Hydraulic Controls, Premium Couplers and High Pressure Relief Levers | 1 | \$ 0.00 | 23.00 | \$ 0.00 | \$ 0.00 | \$ 0.00 |

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FED ID: XXXXXXXXXX
DUNS#: 60-7690989**ALL PURCHASE ORDERS MUST BE SENT
TO DELIVERING DEALER:**Stotz Equipment
4811 Brooks Street
Montclair, CA 91763
909-626-8586

| Code | Description | Qty | List Price | Discount% | Discount Amount | Contract Price | Extended Contract Price |
|--|--|-----|---------------------|-----------|-------------------|-------------------|-------------------------|
| 3820 | 45mm (1-3/4 In.) 1000 rpm PTO (20 Spline), 35mm (1-3/8 In.) 540 (6 Spline) / 1000 (21 Spline) rpm PTO with shifting at the rear of the tractor, One-Piece Reversible 35mm (1-3/8 In.) Shaft and Single Side 45mm (1-3/4 In.) Shaft | 1 | \$ 1,618.00 | 23.00 | \$ 372.14 | \$ 1,245.86 | \$ 1,245.86 |
| 4033 | 5,443 kg (12,000 Lb.) Lift Capacity 3-Point Hitch (Cat. 3/3N) with Quik-Coupler | 1 | \$ 0.00 | 23.00 | \$ 0.00 | \$ 0.00 | \$ 0.00 |
| 4319 | Category 3, Adjustable Swinging Drawbar for use with a 38 mm (1.50 In.) Pin | 1 | \$ 0.00 | 23.00 | \$ 0.00 | \$ 0.00 | \$ 0.00 |
| 5045 | 100 mm (3-15/16 In.) Dia x 2550 mm (100.4 In.) Length | 1 | \$ -344.00 | 23.00 | \$ -79.12 | \$ -264.88 | \$ -264.88 |
| 5091 | Cast Wheels with Single Taper Hubs | 1 | \$ 278.00 | 23.00 | \$ 63.94 | \$ 214.06 | \$ 214.06 |
| 5207 | 710/70R42 In. 173A8 R1W Radial in Single Wheel Configuration | 1 | \$ -2,804.00 | 23.00 | \$ -644.92 | \$ -2,159.08 | \$ -2,159.08 |
| 5999 | No Brand Preference | 1 | \$ 0.00 | 23.00 | \$ 0.00 | \$ 0.00 | \$ 0.00 |
| 6043 | 1150 Series Mechanical Front Wheel Drive Axle with Driveline Shield and Limited Slip Differential | 1 | \$ 0.00 | 23.00 | \$ 0.00 | \$ 0.00 | \$ 0.00 |
| 6208 | 600/70R30 In. 152A8 R1W Radial | 1 | \$ 2,688.00 | 23.00 | \$ 618.24 | \$ 2,069.76 | \$ 2,069.76 |
| 7206 | Premium Lighting | 1 | \$ 2,954.00 | 23.00 | \$ 679.42 | \$ 2,274.58 | \$ 2,274.58 |
| 8064 | Ethernet Switch | 1 | \$ 0.00 | 23.00 | \$ 0.00 | \$ 0.00 | \$ 0.00 |
| 8959 | Weight, Front Support with Sixteen Suitcase Weights | 1 | \$ 2,204.00 | 23.00 | \$ 506.92 | \$ 1,697.08 | \$ 1,697.08 |
| Standard Options Total | | | \$ -1,237.00 | | \$ -284.51 | \$ -952.49 | \$ -952.49 |
| Technology Options/Non-Contract/Open Market | | | | | | | |
| 1945 | 4100 Processor | 1 | \$ 0.00 | 23.00 | \$ 0.00 | \$ 0.00 | \$ 0.00 |

**JOHN DEERE****STOTZ
EQUIPMENT**

Selling Equipment

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Customer Name:

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FED ID: XXXXXXXXXX
DUNS#: 60-7690989**ALL PURCHASE ORDERS MUST BE SENT
TO DELIVERING DEALER:**Stotz Equipment
4811 Brooks Street
Montclair, CA 91763
909-626-8586

| | | | | | | | |
|----------------------------|--|---|----------------|--------------|----------------|----------------|----------------------|
| 1823 | Single 7 In. CommandCenter Display | 1 | \$ 0.00 | 23.00 | \$ 0.00 | \$ 0.00 | \$ 0.00 |
| 1845 | Less Activations | 1 | \$ 0.00 | 23.00 | \$ 0.00 | \$ 0.00 | \$ 0.00 |
| 1835 | Less StarFire 3000 Receiver | 1 | \$ 0.00 | 23.00 | \$ 0.00 | \$ 0.00 | \$ 0.00 |
| 188E | JDLink Ultimate with Remote Display Access Promotion - 1 Year Subscription Included | 1 | \$ 0.00 | 23.00 | \$ 0.00 | \$ 0.00 | \$ 0.00 |
| 1834 | Less John Deere ActiveCommand Steerin* (ACS) | 1 | \$ 0.00 | 23.00 | \$ 0.00 | \$ 0.00 | \$ 0.00 |
| | Technology Options Total | | \$ 0.00 | | \$ 0.00 | \$ 0.00 | \$ 0.00 |
| Suggested Price | | | | | | | \$ 158,465.23 |
| Total Selling Price | | | \$ | \$ 47,333.77 | \$ | \$ | \$ |
| | | | 205,799.00 | | 158,465.23 | 158,465.23 | |

EXHIBIT “B”



ALL PURCHASE ORDERS MUST BE MADE OUT
TO (VENDOR):
Deere & Company
2000 John Deere Run
Cary, NC 27513
FED ID: [REDACTED]
DUNS#: 60-7690989

ALL PURCHASE ORDERS MUST BE SENT
TO DELIVERING DEALER:
Stotz Equipment
4811 Brooks Street
Montclair, CA 91763
909-626-8586

Quote Summary

Prepared For:
Long Beach Beaches And Harbors
CA

Delivering Dealer:
Stotz Equipment
Zachary Moore
4811 Brooks Street
Montclair, CA 91763
Phone: 909-626-8586
Mobile: 909-664-3209
zmoore@stotzeq.com

Quote ID: 10867422
Created On: 27 January 2015
Last Modified On: 27 January 2015
Expiration Date: 27 February 2015

| Equipment Summary | Selling Price | Qty | Extended |
|--------------------------|-----------------|-----|---------------|
| JOHN DEERE 7210R Tractor | \$ 158,465.23 X | 1 = | \$ 158,465.23 |

Contract: NJPA Ag Tractors and/or Impl_031711-DAC
Price Effective Date: January 27, 2015

| | |
|-----------------|---------------|
| Equipment Total | \$ 158,465.23 |
|-----------------|---------------|

* Includes Fees and Non-contract items

Quote Summary

| | |
|---------------------|---------------|
| Equipment Total | \$ 158,465.23 |
| Trade In | |
| SubTotal | \$ 158,465.23 |
| Sales Tax - (9.00%) | \$ 14,261.87 |
| Total | \$ 172,727.10 |
| Down Payment | (0.00) |
| Rental Applied | (0.00) |
| Balance Due | \$ 172,727.10 |

Salesperson : X _____

Accepted By : X _____