











## CONTRACT AMENDMENT

CITY OF TUCSON  
DEPARTMENT OF PROCUREMENT  
255 W. ALAMEDA, 6TH FLOOR  
TUCSON AZ 85726-7210

CONTRACT NO. 120535-01  
CONTRACT AMENDMENT NO. 2  
PAGE 1  
CONTRACT OFFICER: LLOYD B. WINDLE II/swb

THIS CONTRACT IS AMENDED AS FOLLOWS:

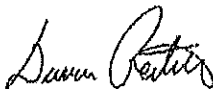
### GROUNDKEEPING, GOLF AND SPORTSFIELD MAINTENANCE EQUIPMENT

Pursuant to Contract Number 120535-01 Special Terms and Condition, Paragraph 6, the City is hereby exercising its option to renew the contract for the time period of **November 27, 2014 through November 26, 2015.**

**ALL OTHER PROVISIONS OF THE CONTRACT SHALL REMAIN IN THEIR ENTIRETY.**

CONTRACTOR HEREBY ACKNOWLEDGES RECEIPT OF  
AND UNDERSTANDING OF THE ABOVE AMENDMENT.

THE ABOVE REFERENCED CONTRACT AMENDMENT  
IS HEREBY EXECUTED THIS 27<sup>th</sup> DAY

  
\_\_\_\_\_  
Signature Date 10/27/14  
Darren Redetzke Vice President, Commercial Business  
\_\_\_\_\_  
Typed Name and Title  
The Toro Company  
\_\_\_\_\_  
Company Name  
8111 Lyndale Ave S  
\_\_\_\_\_  
Address  
darren.redetzke@toro.com  
\_\_\_\_\_  
Email Address  
Bloomington MN 55420  
\_\_\_\_\_  
City State Zip

OF October, 2014, AT TUCSON, ARIZONA.

  
\_\_\_\_\_  
Marcheta Gillespie, C.P.M., CPPO, CPPB, CPM

As Director of Procurement and not personally

## CONTRACT AMENDMENT

CITY OF TUCSON DEPARTMENT OF PROCUREMENT  
255 W. ALAMEDA, 6TH FLOOR, TUCSON, AZ 85701  
P.O. BOX 27210, TUCSON, AZ 85726  
(520) 837-4105  
ISSUE DATE: October 2, 2013

CONTRACT NO.: 120535  
CONTRACT AMENDMENT NO.: ONE (1)  
PAGE 1 of 1  
SB  
CONTRACT OFFICER: LLOYD B. WINDLE, II

THIS CONTRACT IS AMENDED AS FOLLOWS:

### GROUNDSKEEPING, GOLF AND SPORTS FIELDS MAINTENANCE EQUIPMENT

Pursuant to Contract No. 120535-01, Special Terms and Conditions, Section 4, Term and Renewal, the City is hereby exercising its option to renew the contract for the period of November 27, 2013 through November 26, 2014.

ALL OTHER PROVISIONS OF THE CONTRACT SHALL REMAIN IN THEIR ENTIRETY.

CONTRACTOR HEREBY ACKNOWLEDGES RECEIPT OF  
AND UNDERSTANDING OF THE ABOVE AMENDMENT.

Darren Redetzke 10/15/2013  
Signature Date  
DARREN REDETZKE Vice President  
Typed Name and Title

THE ABOVE REFERENCED CONTRACT AMENDMENT  
IS HEREBY EXECUTED THIS 15 DAY  
OF Oct, 2013, AT TUCSON, ARIZONA.

#### THE TORO COMPANY

THE TORO COMPANY  
Company Name  
8111 Lyndale Ave S.  
Address  
Darren.Redetzke@toro.com  
Email Address  
Bloomington, MN 55420  
City State Zip

Marcheta Gillespie  
Marcheta Gillespie, C.P.M., CPPO, CPPB, CPM  
as Director of Procurement and not personally

**City of Tucson**  
Contract  
For  
Grounds Maintenance Equipment  
*With*  
The Toro Company

Effective: November 27, 2012

The following documents comprise the executed contract between the City of Tucson and The Toro Company, effective November 27, 2012:

- I. Signed Offer and Acceptance
- II. Negotiated Confirmation Letter dated November 9, 2012
- III. Toro's Response to Request for Best and Final Offer, October 29, 2012
- IV. Toro's Response to Request for Revise Offer, September 20, 2012
- V. Toro's Response to the Interview Agenda, September 6, 2012
- VI. Toro's Response to the Request for Proposal
- VII. The Terms and Conditions of the Request For Proposal, incorporated by reference

National Cooperative, Term and  
Renewal, Scope and Pricing  
language are found in the RFP



November 9, 2012

Mr. Pete Whitacre  
The Toro Company  
8111 Lyndale Ave. S.  
Bloomington, MN 55420

Sent this day via email to:  
pete.whitacre@toro.com

**RE: City of Tucson RFP #120535 – Groundskeeping, Golf and Sports Field  
Maintenance Equipment  
Negotiation Confirmation Letter**

Dear Mr. Whitacre:

Based on previous discussions and negotiations, this letter serves as a request for confirmation that the statements below represent your firm's best and final offer to the City of Tucson regarding the subject solicitation. Specifically, you are asked to provide written confirmation by signing the concurrence line below. Points of agreement not identified below are not included in the offer. In the event there is any disagreement with this document or if there is other information that must be included in this document, The Toro Company must specify such in a written response to this request.

**A. Negotiated Items:**

The following agreement and clarifications have been made between the City of Tucson and The Toro Company with regard to Request for Proposal No. 120535.



2. Parts Pilot Program:
  - a. It is agreed that OEM and Performance Parts are included in this contract.
  - b. The pilot program is limited to the territory covered by Simpson Norton. If successful, the contract will be amended to add national coverage.
  - c. Additional details are contained in The Toro Company Revised Offer.
3. Price Lists: It is agreed that the discount off each product line is applied to the current MSRP. MSRP price lists are typically revised and published with an effective date of November 1.
4. Used Equipment: It is agreed that used equipment is included in the contract, but that no administrative fee is applicable. The authorized Toro distributors will provide pricing based on fair market value for available equipment.
5. Golf Irrigation: At this time, Golf Irrigation equipment is not included in the contract. The City is amenable to re-consider this product line during the term of the contract.
6. pCard: pCard is accepted for payment with a convenience fee allowable per Visa guidelines at the distributor level.
7. Payment Terms: Payment terms are Net 30. Late fees may be applicable.
8. Field Day: It is agreed that the City of Tucson's Toro Distributor shall conduct an annual field day for the City of Tucson to include in general a demonstration of equipment, education programs, training programs, etc. Similar programs could be provided by other participating Toro distributors for their respective agencies.

**B. Order of Precedence:**

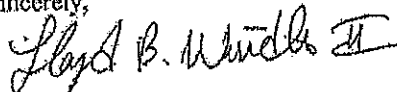
The following documents comprise the order of precedence of the executed contract.

1. Negotiated Confirmation Letter dated ~~October 30, 2012~~ *November 9, 2012*
2. Firm's Response to Request for Best and Final Offer
  - a. The Toro Company Best and Final Offer email and attachment dated October 29, 2012.
3. Firm's Response to Request for Revised Offer
  - a. The Toro Company Revised Offer Response email and attachment dated September 20, 2012.
4. Firm's Response to Interview Agenda
  - a. The Toro Company Interview Agenda Response email and attachment dated September 6, 2012.
5. Firm's Response to Request for Proposal
  - a. The Toro Company Request for Proposal Response.

**Your response to this letter must be received by the City's Department of Procurement on or before November 13, 2012 at 4:00 PM local Arizona time.**

The City of Tucson appreciates your interest in this contract. If you should have any questions, please do not hesitate to contact me at (520) 837-4105.

Sincerely,



Lloyd Windle II, C.P.M.  
Principal Contract Officer

Concurrence: 

Darren Redetzke, Vice President

Date: *11/12/2012*

c: File No. 120535

