

**AMENDMENT TO CONTRACT**  
**Annual Supply**  
**Tires, Tubes and Tire Repair Services**  
**Bid No. 13-175**  
**City of Lincoln and Lancaster County**  
**Extension**  
**Bauer Built Tire & Service**

C-17-0578

This Amendment is hereby entered into by and between Bauer Built Tire & Service, 7800 N. 56<sup>th</sup> St., Lincoln, NE 68529 (hereinafter "Contractor") and the City of Lincoln and Lancaster County (hereinafter "Owners"), for the purpose of amending the Contract dated July 25, 2013 executed under City Executive Order No. 86307, and County Contract C-13-0378, dated August 6, 2013 for Annual Supply - Tires, Tubes and Tire Repair Services, Bid No. 13-175 which is made a part of this amendment by this reference.

WHEREAS, the original term of the Contract is August 6, 2013 through August 5, 2014, with the option to renew for three (3) additional one (1) year terms upon written mutual consent by all parties; and

WHEREAS, the Contract was amended by City Executive Order No. 87428, executed by the City on August 18, 2014, and by County Contract C-14-0382 executed by the County Board on July 29, 2014, to renew the contract for an additional one (1) year term from August 6, 2014 through August 5, 2015;

WHEREAS, the Contract was amended by City Executive Order No. 88557, executed by the City on August 26, 2015, and by County Contract C-15-0459 executed by the County Board on September 8, 2015, to renew the contract for an additional one (1) year term from August 6, 2015 through August 5, 2016;

WHEREAS, the Contract was amended by City Executive Order No. 89768, executed by the City on September 7, 2016, and by County Contract C-16-0504 executed by the County Board on August 30, 2016, to renew the contract for an additional one (1) year term from August 6, 2016 through July 31, 2017;

WHEREAS, the parties hereby extend the Contract for an additional ninety (90) day term beginning August 1, 2017 through October 31, 2017; and

WHEREAS, the expenditures for the City of Lincoln for the term of this renewal shall not exceed \$12,000.00 without approval by the City of Lincoln; and

WHEREAS, the expenditures for Lancaster County for the term of this renewal shall not exceed \$1,000.00 without approval by the Lancaster County Board; and

NOW, THEREFORE, IN CONSIDERATION of the mutual covenants contained in the Contract under City E.O. 86307 and County Contract C-13-0378, all amendments thereto, and as stated herein, the parties agree as follows:

- 1) The parties hereby extend the Contract for an additional ninety (90) day term beginning August 1, 2017 through October 31, 2017.
- 2) The expenditures for the City of Lincoln for the term of this renewal shall not exceed \$12,000.00 without approval by the City of Lincoln.

- 3) The expenditures for Lancaster County for the term of this renewal shall not exceed \$1,000.00 without approval by the Lancaster County Board.
- 4) All other terms of the Contract, not in conflict with this Amendment, shall remain in force and effect.

The Parties do hereby agree to all the terms and conditions of this Amendment. This Amendment shall be binding upon the parties, their heirs, administrators, executors, legal and personal representatives, successors, and assigns.

IN WITNESS WHEREOF, the Parties do hereby execute this Amendment upon completion of signatures on:

Vendor Signature Page  
City of Lincoln Signature Page  
Lancaster County Signature Page

## Vendor Signature Page

---

**AMENDMENT TO CONTRACT  
Annual Supply  
Tires, Tubes and Tire Repair Services  
Bid No. 13-175  
City of Lincoln and Lancaster County  
Extension  
Bauer Built Tire & Service**

Please sign, date and return within 5 days of receipt.

Mail to: City/County Purchasing  
Attn: Brianne Crooks  
440 So. 8th St., Ste. 200  
Lincoln, NE 68508  
Or email to: BCrooks@lincoln.ne.gov

Company Name:	Bauer Built Tire
By: (Please Sign)	<i>Jeremy Shotts</i>
By: (Please Print)	Jeremy Shotts
Title:	sales
Company Address:	7800 N 56th St Lincoln NE 68529
Company Phone & Fax:	(402) 464-7800 Fax 402 464-7880
E-Mail Address:	jeremy.shotts@bauerbuilt.com
Date:	7-10-17
Contact Person for Orders or Service	Jeremy Shotts
Contact Phone Number:	(715) 279-1853

**City of Lincoln Signature Page**

---

**AMENDMENT TO CONTRACT  
Annual Supply  
Tires, Tubes and Tire Repair Services  
Bid No. 13-175  
City of Lincoln and Lancaster County  
Extension  
Bauer Built Tire & Service**

**EXECUTION BY THE CITY OF LINCOLN, NEBRASKA**

ATTEST:

CITY OF LINCOLN, NEBRASKA

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

\_\_\_\_\_  
Chris Beutler, Mayor

Approved by Executive Order No. \_\_\_\_\_

dated \_\_\_\_\_

**Lancaster County Signature Page**

**AMENDMENT TO CONTRACT  
Annual Supply  
Tires, Tubes and Tire Repair Services  
Bid No. 13-175  
City of Lincoln and Lancaster County  
Extension  
Bauer Built Tire & Service**

**EXECUTION BY LANCASTER COUNTY, NEBRASKA**

Contract Approved as to Form:

The Board of County Commissioners of  
Lancaster, Nebraska

\_\_\_\_\_  
Deputy Lancaster County Attorney

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

dated \_\_\_\_\_



AGENCY CUSTOMER ID: 325-098-2

LOC #: \_\_\_\_\_



**ADDITIONAL REMARKS SCHEDULE**

Page 1 of 1

AGENCY FEDERATED MUTUAL INSURANCE COMPANY		NAMED INSURED BAUER BUILT INC, BAUER BUILT TIRE PO BOX 248 DURAND, WI 54736-0248	
POLICY NUMBER SEE CERTIFICATE # 109.5		EFFECTIVE DATE: SEE CERTIFICATE # 109.5	
CARRIER SEE CERTIFICATE # 109.5	NAIC CODE		

**ADDITIONAL REMARKS**

THIS ADDITIONAL REMARKS FORM IS A SCHEDULE TO ACORD FORM,

FORM NUMBER: 25 FORM TITLE: CERTIFICATE OF LIABILITY INSURANCE

CITY OF LINCOLN AND/OR LANCASTER COUNTY AND/OR CITY OF LINCOLN/LANCASTER COUNTY PUBLIC BUILDING COMMISSION ARE LISTED AS ADDITIONALLY INSURED.  
 GARAGEKEEPERS COVERAGE IS PROVIDED ON A LEGAL LIABILITY BASIS WITH A LIMIT OF \$320,000.  
 INSURANCE PROVIDED BY THE GENERAL LIABILITY COVERAGE IS PRIMARY AND NONCONTRIBUTORY OVER OTHER INSURANCE.  
 FOR REASONS OTHER THAN NON-PAYMENT OF PREMIUM, 30 DAYS NOTICE WILL BE PROVIDED TO THE CERTIFICATE-HOLDER IN THE EVENT THAT THE ISSUING COMPANY CANCELS THE POLICY BEFORE THE EXPIRATION DATE OF THE POLICY.  
 WORKERS COMPENSATION CONTAINS A WAIVER OF SUBROGATION IN FAVOR OF THE CERTIFICATE HOLDER.

**THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.**

**PRIMARY AND NONCONTRIBUTORY -  
OTHER INSURANCE CONDITION**

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART  
PRODUCTS/COMPLETED OPERATIONS LIABILITY COVERAGE PART

The following is added to the **Other Insurance** Condition and supersedes any provision to the contrary:

**Primary And Noncontributory Insurance**

This insurance is primary to and will not seek contribution from any other insurance available to an additional insured under your policy provided that:

(1) The additional insured is a Named Insured under such other insurance; and

(2) You have agreed in writing in a contract or agreement that this insurance would be primary and would not seek contribution from any other insurance available to the additional insured.



**THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.**

**ADDITIONAL INSURED - OWNERS, LESSEES OR  
CONTRACTORS - SCHEDULED PERSON OR  
ORGANIZATION**

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

**SCHEDULE**

Name Of Additional Insured Person(s) Or Organizations:	Location(s) Of Covered Operations
CITY OF LINCOLN & OR LANCASTER CTY & OR CITY OF LINCOLN LANCASTER CTY PUBLIC BLDG COMM 555 S 10TH ST LINCOLN NE 68508	ANY COVERAGE PROVIDED BY THIS ENDORSEMENT IS LIMITED TO TIRE SERVICE / MAINTENANCE WORK PERFORMED BY THE NAME INSURED AT THE CERTIFICATE HOLDER'S PREMISES.

Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

**A. Section II - Who Is An Insured** is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by:

1. Your acts or omissions; or
2. The acts or omissions of those acting on your behalf;

in the performance of your ongoing operations for the additional insured(s) at the location(s) designated above.

However:

1. The insurance afforded to such additional insured only applies to the extent permitted by law; and
2. If coverage provided to the additional insured is required by a contract or agreement, the insurance afforded to such additional insured will not be broader than that which you are required by the contract or agreement to provide for such additional insured.

**B.** With respect to the insurance afforded to the additional insureds, the following addition exclusions apply:

This insurance does not apply to "bodily injury" or "property damage" occurring after:

1. All work, including materials, parts or equipment furnished in connection with such work, on the project (other than service maintenance or repairs) to be performed by or on behalf of the additional insured(s) at the location of the covered operations has been completed; or
2. That portion of "your work" out of which the injury or damage arises has been put to its intended use by any person or organization other than another contractor or subcontractor engaged in performing operations for principal as a part of the same project.

BAUER BUILT INC  
PO BOX 248  
DURAND WI 54736

GL

- C. With respect to the insurance afforded to these additional insureds, the following is added to Section III - Limits Of Insurance:

If coverage provided to the additional insured is required by a contract or agreement, the most we will pay on behalf of the additional insured is the amount of insurance:

1. Required by the contract or agreement; or

2. Available under the applicable Limits Insurance shown in the Declarations; whichever is less.

This endorsement shall not increase if applicable Limits of Insurance shown in the Declarations.

POLICY NUMBER: 9053527

COMMERCIAL GENERAL LIABILITY  
CG 20 37 04

**THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.**

**ADDITIONAL INSURED - OWNERS, LESSEES OR  
CONTRACTORS - COMPLETED OPERATIONS**

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART  
PRODUCTS/COMPLETED OPERATIONS LIABILITY COVERAGE PART

**SCHEDULE**

Name Of Additional Insured Person(s) Or Organization(s)	Location And Description Of Completed Operation
CITY OF LINCOLN & OR LANCASTER CTY & OR CITY OF LINCOLN LANCASTOR CTY PUBLIC BLDG COMM 555 & 10TH ST LINCOLN NE 68508	COVERAGE IS LIMITED TO TIRE SERVICE / MAINTENANCE WORK PERFORMED BY THE NAME INSURED AT THE CERTIFICATE HOLDER'S PREMISES.

Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

A. Section II - Who Is An Insured is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability for "bodily injury" or "property damage" caused, in whole or in part, by "your work" at the location designated and described in the Schedule of this endorsement performed for that additional insured and included in the "products-completed operations hazard".

However:

1. The insurance afforded to such additional insured only applies to the extent permitted by law; and
2. If coverage provided to the additional insured is required by a contract or agreement, the insurance afforded to such additional insured will not be broader than that which you are required by the contract or agreement to provide for such additional insured.

B. With respect to the insurance afforded to the additional insureds, the following is added Section III - Limits Of Insurance:

If coverage provided to the additional insured required by a contract or agreement, the most you will pay on behalf of the additional insured is the amount of insurance:

1. Required by the contract or agreement; or
  2. Available under the applicable Limits Insurance shown in the Declarations;
- whichever is less.

This endorsement shall not increase the applicable Limits of Insurance shown in the Declarations.

BAUER BUILT INC  
PO BOX 248  
DURAND WI 54736

**WORKERS COMPENSATION AND EMPLOYERS LIABILITY INSURANCE POLICY**

**WAIVER OF OUR RIGHT TO RECOVER FROM OTHERS ENDORSEMENT**

This endorsement, effective on 03-01-2016 at 12:01 A.M. standard time, forms a part of

Policy No. 9260181

Issued to BAUER BUILT INC

Issued by FEDERATED MUTUAL INSURANCE COMPANY

Endorsement No. 1

.....  
Authorized Representative

We have the right to recover our payments from anyone liable for an injury covered by this policy. We will not er  
- our right against the person or organization named in the Schedule. (This agreement applies only to the exten  
you perform work under a written contract that requires you to obtain this agreement from us.)

This agreement shall not operate directly or indirectly to benefit anyone not named in the Schedule.

Schedule

CITY OF LINCOLN & OR LANCASTER CTY & OR CITY  
OF LINCOLN LANCASTOR CTY PUBLIC BLDG COMM  
555 S 10TH ST  
LINCOLN NE 68508

**Additional Reference:**

- COVERAGE IS LIMITED TO TIRE SERVICE / MAINTENANCE WORK PERFORMED BY  
THE NAMED INSURED AT THE CERTIFICATE HOLDER'S PREMISES IN THE STATE OF  
NE.

Copyright 1983 National Council on Compensation Insurance.

WC 00 03 13 (04-84)

Issue Date: 03-01-2017