



STATE OF NORTH CAROLINA  
COUNTY OF MECKLENBURG

CONTRACT # 110179.09

### NINTH AMENDMENT TO MASTER PURCHASE AGREEMENT

**THIS NINTH AMENDMENT** to the Agreement to provide Park And Playground Equipment, Surfacing, Site Furnishings and Related Commodities and Services (the "Amendment") is made and entered into this 1st day of June 2016 by and between Mecklenburg County, a North Carolina municipal corporation (the "County") and GameTime Division of Playcore Wisconsin, Inc., a corporation doing business in the State of North Carolina (the "Company").

#### STATEMENT OF BACKGROUND AND INTENT

- A. The County and the Company entered into a written Agreement dated September 17, 2010 (the "Agreement") pursuant to which the Company agreed to provide Park and Playground Equipment, Surfacing, Site Furnishings and Related Products and Services to the County and other Participating Public Agencies.
- B. The County and the Company agreed to amend the contract on April 7, 2011 to incorporate a four percent (4%) price increase.
- C. The County and the Company agreed to amend the contract on January 2, 2012 to incorporate a 1.8 percent (1.8%) price increase, revised freight rates, and new products.
- D. The County and the Company agreed to amend the contract on February 1, 2013 to incorporate a 2.47 percent (2.47%) price increase and new products offered by the Company.
- E. The County and the Company agreed to amend the contract on May 1, 2013 to incorporate the new Colorado Timing System products offered by the Company.
- F. The County and the Company agreed to amend the contract on March 1, 2014 to incorporate a 3.3 percent (3.3%) price increase, and new products offered by the Company.
- G. The County and the Company agreed to amend the contract on January 1, 2015 to incorporate a 3.4 percent (3.4%) price increase, and new products offered by the Company.
- H. The County and the Company agreed to amend the contract on July 1, 2015 to renew the original Agreement through September 16, 2016.
- I. The County and the Company agreed to amend the contract on January 1, 2016 to incorporate a three percent (3%) price increase, and new products offered by the Company.
- J. The parties now desire to amend the Agreement by making certain changes to the product and pricing provisions of the Agreement.

4/25/16 SBS

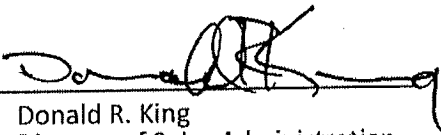
NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein, the parties hereby amend the Agreement as follows:

#### **AGREEMENT**

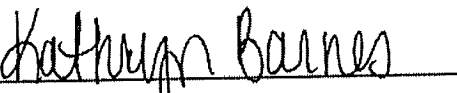
1. Defined terms used in this Eighth Amendment shall have the same meaning as are assigned to such terms in the Agreement.
2. Pursuant to Section 3 of the Agreement, the County wishes to exercise its option to renew the original Agreement for an additional one-year term to expire on September 16, 2017, unless earlier terminated in accordance with the terms of this Agreement.
3. Except to the extent specifically provided in the amendment contained herein, this Eighth Amendment shall not be interpreted or construed as waiving any rights, obligations, remedies or claims the parties may otherwise have under this Agreement.
4. In all other respects and except as modified herein, the terms of the Agreement shall remain in force and effect.

IN WITNESS WHEREOF, an in acknowledgement that the parties hereto have read and understood each and every provision hereof, the parties have each caused this Amendment to be executed by its duly authorized representative, all as of the date first set forth above.


GAMETIME DIVISION, PLAYCORE WISCONSIN, INC.

By:   
Donald R. King  
Title: Director of Sales Administration

Attested:

By:   
Kathryn Barnes  
Title: Sales & Marketing Assistant

MECKLENBURG COUNTY:

By:   
Park and Recreation Director  
Attested:

By: \_\_\_\_\_  
County/General Manager

By: \_\_\_\_\_  
Clerk to the Board

Approved As To Form:

By: \_\_\_\_\_  
County Attorney

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

By: \_\_\_\_\_  
Finance Director

Approved As To Insurance Requirements:

By: \_\_\_\_\_  
Risk Management



# Mecklenburg County

## Signature Page

**Contract Number:** 110179

**Amendment Number:** 09

**Contractor Name:** GAMETIME DIVISION OF PLAYCORE - WISCONSIN, IN

**MECKLENBURG COUNTY:**

A handwritten signature in cursive script, appearing to read "Leslie Johnson".

**Leslie Johnson**  
Assistant County Manager

**ATTEST:**

**No Pre-Audit Required.**

A handwritten signature in cursive script, appearing to read "Wanda Reeves".

**Wanda Reeves**  
Finance Director

**APPROVED AS TO FORM:**

A handwritten signature in cursive script, appearing to read "Tyrone Wade".

**Tyrone Wade**  
County Attorney

**APPROVED AS TO INSURANCE  
REQUIREMENTS:**