

T O W N    A T T O R N E Y (Approved as to form only)  
INITIALS:                      DATE IN:                      ACTION DATE:  
COMMENTS:

NORTH CAROLINA  
WAKE COUNTY

**AMENDMENT #2 TO GOAPEX AGREEMENT**

Contract Number: EN23-007-00

THIS AMENDMENT #2 TO GOAPEX AGREEMENT, (“Amendment 2”) is entered into by and between the Town of Cary, a North Carolina municipal corporation (hereafter “Cary”) having its office at 316 North Academy St., Cary, NC 27513, Town of Apex (hereafter “Apex”), a North Carolina municipal corporation having its office at 73 Hunter St., Apex, NC 27502, and Cary’s bus services contractor MV Transportation, Inc. (hereafter “MV Transportation”), a corporation duly organized under the laws of the State of California and duly qualified to transact business in the State of North Carolina, having an office at 2711 N. Haskell Ave., Suite 1500-LB2, Dallas, TX 75204. The foregoing may be individually referred to herein as “Party” and collectively referred to as “Parties.”

Cary, Apex and MV Transportation entered into the GoApex Agreement for transit service on June 22, 2022 (“EN2300700”), and Amendment #1 on May 10, 2023 (“EN2300701”), hereafter referred to collectively as “Agreement”.

The Parties desire to renew and amend Agreement.

NOW THEREFORE, in consideration of the mutual promises to each other, as hereinafter set forth, the Parties hereto do mutually agree to amend the Agreement, as follows:

1. As permitted by Section 1, the Parties agree to renew the Agreement for one (1) year beginning July 1, 2024, and terminating June 30, 2025.
2. Section 3.B is amended to update the operating cost per hour to one hundred ten dollars (\$110.00).
3. Exhibit B of the Agreement is deleted in its entirety and replaced by attached Amended Exhibit B and incorporated herein by reference, to include an updated map for GoApex Route 1.
4. Exhibit C of the Agreement is deleted in its entirety and replaced by attached Amended Exhibit C and incorporated herein by reference, to include an updated stop list for GoApex Route 1.
5. Except as modified herein, the Agreement shall continue in full force and effect.

(SIGNATURE PAGE TO FOLLOW)

IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be executed by their duly authorized officials.

**APEX, Town of Apex**

DocuSigned by:

Randal E. Vosburg

4F2B7C4B6FA3479...

6/3/2024

Randal E. Vosburg, Town Manager

Date

Attest: 

DS

AL

DocuSigned by:

Allen Coleman

C1F21B1AF04G4FF...

6/3/2024

Allen Coleman, Town Clerk

Date

Reviewed by:

DocuSigned by:

Steve Maynard

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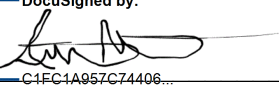
5/22/2024

Steve Maynard, Purchasing Manager

Date

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

DocuSigned by:



C1FC1A957C74406...

5/29/2024

Antwan Morrison, Finance Director

Date

DS

BL

**MV TRANSPORTATION, MV Transportation, Inc.**

DocuSigned by:

Erin K. Niewinski

AF7E45B05C62486...

6/5/2024

Erin K. Niewinski, Executive VP & CFO

Date

**CARY, Town of Cary**

DocuSigned by:

Kelly Blazey

FED78E0655E14C8...

6/5/2024

Kelly A. Blazey, Transit Director

Date

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

DocuSigned by:

Denisha Harris

CAD701EE2F7F4BD...

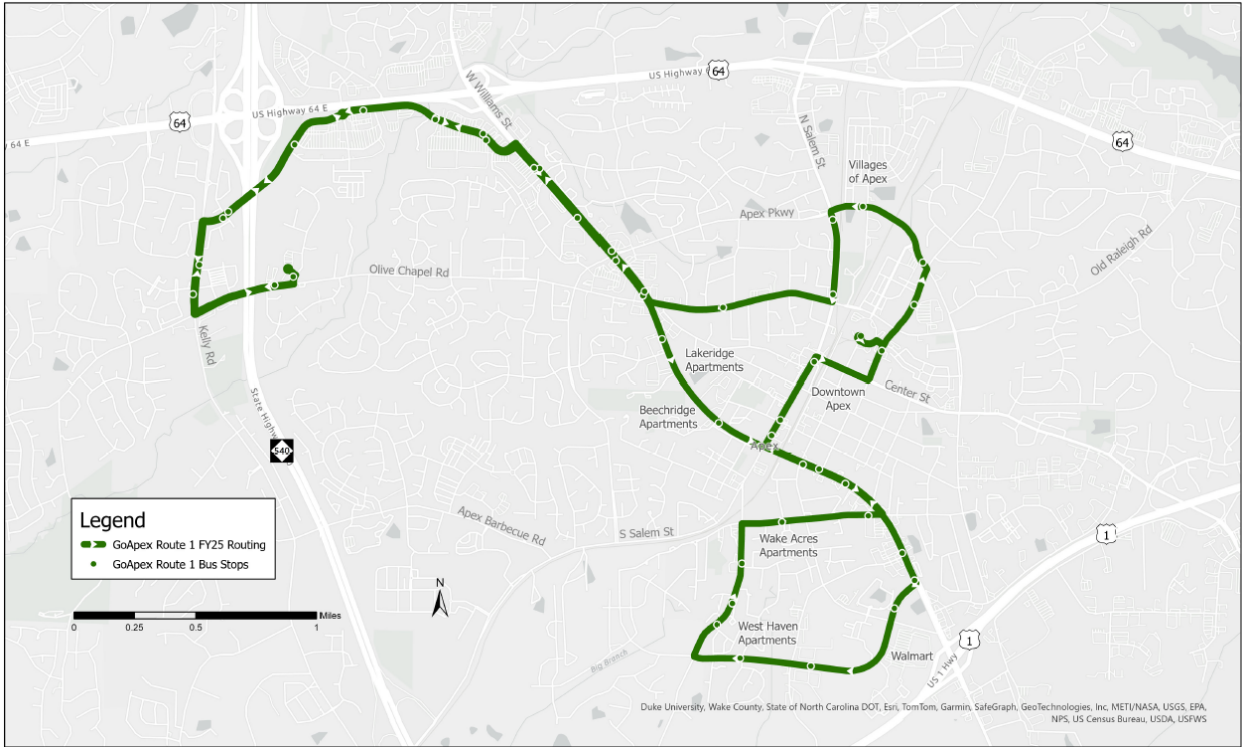
6/6/2024

Deputy Finance Officer

Date

**Amended Exhibit B**

**Updated GoApex Route 1 Map**



**Amended Exhibit C****Updated GoApex Route 1 Bus Stops**

Route Order	Bus Stop ID	Bus Stop Name	Direction	Latitude	Longitude	Built by Town of Apex?	Maintained by Town of Apex?	Shared by a regional provider?	Amenities On Private Property?
1	1452	N Mason St at Old Mill Village Dr (Town Hall (NB))	NB	35.732839	-78.845471	Yes	Yes	Yes (GoTriangle 305)	
2	16093	Apex Senior Center Main Entrance	WB	35.733718	-78.847011	Yes	Yes	No	Yes (Town-Owned)
3	1165	Laura Duncan Rd at Vineyard Station (NB)	NB	35.735576	-78.843081	Yes	Yes	Yes (GoTriangle 305)	
4	16005	Apex Peakway at Laura Duncan Rd	WB	35.738116	-78.842433	Yes	Yes		
5	16007	Apex Peakway at Ambergate Station	WB	35.741476	-78.846851	Yes	Yes		
6	16009	N Salem St at Apex Peakway	SB	35.740682	-78.849079	Yes	Yes		
7	11371	N Salem St at Hunter St (Liberty Station (SB))	SB	35.73621	-78.849066	Yes	Yes	Yes (GoCary ACX)	
8	16013	Hunter St at Hillcrest Rd	WB	35.735441	-78.857171	Yes	Yes		
9	1593	W Williams St at Hunter St (NB)	NB	35.736411	-78.862941	No	No		
10	16017	W Williams St at Apex Peakway (NB)	NB	35.738837	-78.865363	Yes	Yes		
11	1725	W Williams St at Haddon Hall Dr (NB)	NB	35.743772	-78.870595	No	No		
12	16021	Beaver Creek Commons Dr at Chick-fil-A (WB)	WB	35.745855	-78.874754	Yes	Yes		

13	16023	Beaver Creek Commons Dr at Beaver Creek Greenway (WB)	WB	35.7468	-78.878228	Yes	Yes		
14	16027	Beaver Creek Commons Dr at Diamond Dove Ln (WB)	WB	35.741207	-78.893545	Yes	Yes		
15	16029	Kelly Rd at Evening Star Dr (SB)	SB	35.736275	-78.896151	Yes	Yes		
16	16031	Chapel Ridge Rd at Olive Chapel Professional Park	SB	35.737313	-78.888764	Yes	Yes		
17	16033	Olive Chapel Rd at Western Wake Crisis Ministry	WB	35.736819	-78.890092	Yes	Yes		
18	16035	Kelly Rd at Publix Pointe (NB)	NB	35.738028	-78.895671	Yes	Yes		
19	16037	Beaver Creek Commons Dr at Diamond Dove Ln (EB)	EB	35.740821	-78.893927	Yes	Yes		
20	16039	Beaver Creek Commons Dr at Beaver Creek Crossings West	EB	35.745216	-78.888646	Improved	No		Yes
21	16041	Beaver Creek Commons Dr at Regal Cinemas	EB	35.747255	-78.883581	Yes	Yes		
22	16043	Beaver Creek Commons Dr at Beaver Creek Greenway (EB)	EB	35.746706	-78.878278	Yes	Yes		
23	16045	Beaver Creek Commons Dr at Lowe's (EB)	EB	35.745468	-78.874547	Improved	Yes		Yes
24	1731	W Williams St at Haddon Hall Dr (SB)	SB	35.743802	-78.871002	No	No		

25	16049	W Williams St at Healthplex Way (SB)	SB	35.740806	-78.867814	Yes	Yes		
26	1723	W Williams St at Apex Peakway (SB)	SB	35.738247	-78.865063	No	No		
27	1447	W Williams St at Olive Chapel Rd (SB)	SB	35.736155	-78.863075	No	No		
28	16055	W Williams St at Bryan Dr (Post Office)	SB	35.733557	-78.861665	Yes	Yes		
29	16057	W Williams St at Upchurch St	SB	35.728588	-78.857491	Yes	Yes		
30	16059	E Williams St at Salem St	SB	35.727198	-78.854416	Yes	Yes		
31	16061	E Williams St at S Hughes St (Park and Ride (SB))	SB	35.726105	-78.851297	Yes	Yes		
32	16063	E Williams St at Apex Village Center (SB)	SB	35.724946	-78.848173	Yes	Yes		
33	16065	E Williams St at Perry Rd	SB	35.720795	-78.843994	Yes	Yes		
34	16067	E Williams St at Apex Peakway	SB	35.71916	-78.843082	Yes	Yes		
35	1183	Apex Peakway at S Hughes St (Cambridge Village)	SB	35.717491	-78.844572	Yes	Yes	Yes (GoTriang le 305)	
36	16071	Apex Peakway at Norris Park	WB	35.714045	-78.850733	Yes	Yes		
37	16073	Apex Peakway at Shackleton Rd	WB	35.714521	-78.855948	Yes	Yes		
38	16075	Tingen Rd at Baberton Dr	NB	35.716528	-78.857636	Yes	Yes		
39	16077	Tingen Rd at Peace Haven Pl	NB	35.717794	-78.856513	Yes	Yes		

40	16079	Tingen Rd at Sparta Ln	NB	35.720186	-78.855802	Yes	Yes		
41	16081	James St at Germaine St	EB	35.72266	-78.852845	Yes	Yes		
42	16083	James St at E Williams St	EB	35.723031	-78.846483	Yes	Yes		
43	16085	E Williams St at S Mason St (Apex Middle School (NB))	NB	35.725827	-78.8501	Yes	Yes		
44	16087	S Salem St at Williams St	NB	35.727836	-78.853603	Yes	Yes		
45	16089	S Salem St at Moore St	NB	35.728765	-78.852957	Yes	Yes		
46	16091	N Salem St at The Depot	NB	35.732186	-78.85045	Yes	Yes		
47	1452	N Mason St at Old Mill Village Dr (Town Hall (NB))	NB	35.732839	-78.845471	Yes	Yes	Yes (GoTriangle 305)	





# CERTIFICATE OF LIABILITY INSURANCE

5/1/2025

DATE (MM/DD/YYYY)

5/1/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must have **ADDITIONAL INSURED** provisions or be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> Lockton Companies 444 W. 47th Street, Suite 900 Kansas City MO 64112-1906 (816) 960-9000 kcasu@lockton.com	<b>CONTACT</b> <b>NAME:</b> <b>PHONE</b> (A/C, No, Ext): <span style="float: right;"><b>FAX</b></span> (A/C, No): <b>E-MAIL</b> <b>ADDRESS:</b>														
<b>INSURED</b> 1537059 MV TRANSPORTATION, INC, AND SUBSIDIARIES 2711 N. HASKELL, SUITE 1500 DALLAS TX 75204	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">INSURER(S) AFFORDING COVERAGE</th> <th style="text-align: left;">NAIC #</th> </tr> </thead> <tbody> <tr> <td><b>INSURER A:</b> ACE American Insurance Company</td> <td>22667</td> </tr> <tr> <td><b>INSURER B:</b> Underwriters at Lloyds London</td> <td>15642</td> </tr> <tr> <td><b>INSURER C:</b> Lloyds Syndicates 2623/623</td> <td></td> </tr> <tr> <td><b>INSURER D:</b> Indemnity Insurance Co of North America</td> <td>43575</td> </tr> <tr> <td><b>INSURER E:</b></td> <td></td> </tr> <tr> <td><b>INSURER F:</b></td> <td></td> </tr> </tbody> </table>	INSURER(S) AFFORDING COVERAGE	NAIC #	<b>INSURER A:</b> ACE American Insurance Company	22667	<b>INSURER B:</b> Underwriters at Lloyds London	15642	<b>INSURER C:</b> Lloyds Syndicates 2623/623		<b>INSURER D:</b> Indemnity Insurance Co of North America	43575	<b>INSURER E:</b>		<b>INSURER F:</b>	
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**COVERAGES****CERTIFICATE NUMBER:** 20261746**REVISION NUMBER:** XXXXXXXX

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> <b>COMMERCIAL GENERAL LIABILITY</b> <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	Y	Y	HDOG48901104	5/1/2024	5/1/2025	EACH OCCURRENCE \$ 5,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ XXXXXXXX PERSONAL & ADV INJURY \$ 5,000,000 GENERAL AGGREGATE \$ 5,000,000 PRODUCTS - COMP/OP AGG \$ 5,000,000 \$
A	<b>AUTOMOBILE LIABILITY</b> <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY	N	N	XSAH10824849	5/1/2024	5/1/2025	COMBINED SINGLE LIMIT (Ea accident) \$ 5,000,000 BODILY INJURY (Per person) \$ XXXXXXXX BODILY INJURY (Per accident) \$ XXXXXXXX PROPERTY DAMAGE (Per accident) \$ XXXXXXXX \$ XXXXXXXX
B	<b>UMBRELLA LIAB</b> <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> <b>EXCESS LIAB</b> <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$	N	N	RTSXS-00110	5/1/2024	5/1/2025	EACH OCCURRENCE \$ 10,000,000 AGGREGATE \$ XXXXXXXX \$ XXXXXXXX
A A D	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N N	N/A	WCUC58085510 (CA, OH, WA) WLRC58085881 (MA/AZ) WLRC58085984 (AOS)	5/1/2024 5/1/2024 5/1/2024	5/1/2025 5/1/2025 5/1/2025	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
C	<b>CYBER LIABILITY</b>	N	N	TBD	5/1/2024	5/1/2025	\$10,000,000

**DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES** (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)  
 RE: TRANSIT CONTRACT - FIXED AND DEMAND RESPONSE TRANSIT SERVICES. TOWN OF CARY, NORTH CAROLINA IS ADDITIONAL INSURED ON PRIMARY AND NON-CONTRIBUTORY BASIS AS RESPECTS GENERAL AND AUTO LIABILITY COVERAGE WHERE REQUIRED BY WRITTEN CONTRACT SUBJECT TO POLICY TERMS, CONDITIONS, LIMITS AND EXCLUSIONS. A WAIVER OF SUBROGATION APPLIES AS RESPECTS GENERAL LIABILITY, AUTO LIABILITY, WORKERS COMP AND UMBRELLA LIABILITY WHERE REQUIRED BY WRITTEN CONTRACT. MV TRANSPORTATION, INC, IS SELF-INSURED FOR AUTO LIABILITY IN THE STATE OF NORTH CAROLINA. THE ABOVE EXCESS AUTO POLICY PROVIDES COVERAGE EXCESS OF A \$3M SELF-INSURED RETENTION.

**CERTIFICATE HOLDER****CANCELLATION**

**20261746**  
 TOWN OF CARY  
 PO BOX 8005  
 CARY NC 275128005

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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# CERTIFICATE OF LIABILITY INSURANCE

5/1/2025

DATE (MM/DD/YYYY)

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**COVERAGES****CERTIFICATE NUMBER:** 20261719**REVISION NUMBER:** XXXXXXXX

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C	<b>CYBER</b>	N	N	TBD	5/1/2024	5/1/2025	\$10,000,000 OCC/AGG \$5,000,000 OCC/AGG
A	<b>PROFESSIONAL LIABILITY</b>			MPBG48901177	5/1/2024	5/1/2025	

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

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**CERTIFICATE HOLDER****CANCELLATION**

**20261719**  
 TOWN OF APEX  
 73 HUNTER STREET  
 P. O. BOX 250  
 APEX NC 27502

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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