



# Notice of Price Agreement Award

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
 CAPITOL HILL  
 PROVIDENCE RI 02908

<b>V E N D O R</b>	BEARINGPOINT INC 515 BROADWAY ALBANY NY 12207
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<b>ORACLE PUB SECT FINANCIAL APP</b>	
Award Number	Effective Period:
<b>68M00249034A</b>	<b>2/6/03 - 7/31/05</b>

<b>S H I P T O</b>	ADMINISTRATION MASTER PRICE AGREEMENT RELEASE AGAINST RI MPA
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Date: 02/06/2003 Buyer: JEROME MOYNIHAN Shipping: F.O.B., Destination Terms: Net 30
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<b>I N V O I C E</b>	ADMINISTRATION MASTER PRICE AGREEMENT RELEASE AGAINST RI MPA
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Department		Bid Number	Requisition Number
ADMINISTRATION		MPA-282	
Item		Unit	Unit Price
	2/6/03 - 7/31/05  PO #68M00249034 WAS CANCELLED. VENDOR NAME CHANGED: FROM: KPMG LLP TO: BEARINGPOINT, INC.  THIS PURCHASE ORDER 68M00249034A REPLACES 68M00249034 REFLECTING THE BALANCE OF AWARD TO BEARINGPOINT, INC.  ORACLE PUBLIC SECTOR FINANCIAL APPLICATIONS AND DATABASE ADMINISTRATION  CONTRACT ADMINISTERED BY THE OFFICE OF LIBRARY AND INFORMATION SERVICES.  STATE AGENCIES MUST CONTACT JOSEPH BELLIOTTI (401-222-3785 or job@gw.doa.state.ri.us) PRIOR TO ANY VENDOR CONTACT.  PROJECT MANAGER		
1.0	YEAR 1 - INT.	HOUR	280.00
2.0	YEAR 1 - SENIOR	HOUR	350.00
3.0	YEAR 2 - INT.	HOUR	308.00
4.0	YEAR 2 - SENIOR	HOUR	385.00

This Notice of Award/Purchase Order is issued in accordance with the specific requirements described herein and the State's Purchasing Regulations and General Conditions of Purchase, copies of which are available at [www.purchasing.state.ri.us](http://www.purchasing.state.ri.us). Delivery of goods or services as described herein shall be deemed acceptance of these requirements.

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<b>STATE PURCHASING AGENT/DESIGNEE</b>



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Date: 02/06/2003 Buyer: JEROME MOYNIHAN Shipping: F.O.B., Destination Terms: Net 30
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<b>I N V O I C E</b>	ADMINISTRATION MASTER PRICE AGREEMENT RELEASE AGAINST RI MPA
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Department		Bid Number	Requisition Number
ADMINISTRATION		MPA-282	
Item		Unit	Unit Price
5.0	YEAR 3 - INT.	HOUR	339.00
6.0	YEAR 3 - SENIOR  OPSF APPS/DB ADMIN	HOUR	424.00
7.0	YEAR 1 - JUNIOR	HOUR	170.00
8.0	YEAR 1 - INT.	HOUR	225.00
9.0	YEAR 1 - SENIOR	EA	280.00
10.0	YEAR 2 - JUNIOR	HOUR	187.00
11.0	YEAR 2 - INT.	EA	248.00
12.0	YEAR 2 - SENIOR	HOUR	308.00
13.0	YEAR 3 - JUNIOR	HOUR	206.00

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<b>I N V O I C E</b>	ADMINISTRATION MASTER PRICE AGREEMENT RELEASE AGAINST RI MPA
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Department		Bid Number	Requisition Number
ADMINISTRATION		MPA-282	
Item		Unit	Unit Price
14.0	YEAR 3 - INT.	HOUR	272.00
15.0	YEAR 3 - SENIOR OPSF DEVELOPER	HOUR	339.00
16.0	YEAR 1 - JUNIOR	HOUR	170.00
17.0	YEAR 1 - INT.	HOUR	225.00
18.0	YEAR 1 - SENIOR	HOUR	280.00
19.0	YEAR 2 - JUNIOR	HOUR	187.00
20.0	YEAR 2 - INT.	HOUR	248.00
21.0	YEAR 2 - SENIOR	HOUR	308.00
22.0	YEAR 3 - JUNIOR	HOUR	206.00

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Department		Bid Number	Requisition Number
ADMINISTRATION		MPA-282	
Item		Unit	Unit Price
23.0	YEAR 3 - INT.	HOUR	272.00
24.0	YEAR 3 - SENIOR  OPSF REPORT GENERATOR	HOUR	339.00
25.0	YEAR 1 - JUNIOR	HOUR	170.00
26.0	YEAR 1 - INT.	HOUR	225.00
27.0	YEAR 1 - SENIOR	HOUR	280.00
28.0	YEAR 2 - JUNIOR	HOUR	187.00
29.0	YEAR 2 - INT.	HOUR	248.00
30.0	YEAR 2 - SENIOR	HOUR	308.00
31.0	YEAR 3 - JUNIOR	HOUR	206.00

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Department		Bid Number	Requisition Number
ADMINISTRATION		MPA-282	
Item		Unit	Unit Price
32.0	YEAR 3 - INT.	HOUR	272.00
33.0	YEAR 3 - SENIOR	HOUR	339.00
	OPSF FUNCTIONAL SPECIALIST		
	GENERAL LEDGER		
34.0	YEAR 1 - JUNIOR	HOUR	170.00
35.0	YEAR 1 - INT.	HOUR	225.00
36.0	YEAR 1 - SENIOR	HOUR	280.00
37.0	YEAR 2 - JUNIOR	HOUR	187.00
38.0	YEAR 2 - INT.	HOUR	248.00
39.0	YEAR 2 - SENIOR	HOUR	308.00
40.0	YEAR 3 - JUNIOR	HOUR	206.00

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Department		Bid Number	Requisition Number
ADMINISTRATION		MPA-282	
Item		Unit	Unit Price
41.0	YEAR 3 - INT.	HOUR	272.00
42.0	YEAR 3 - SENIOR	HOUR	339.00
	ACCOUNTS PAYABLE		
43.0	YEAR 1 - JUNIOR	HOUR	170.00
44.0	YEAR 1 - INT.	HOUR	225.00
45.0	YEAR 1 - SENIOR	HOUR	280.00
46.0	YEAR 2 - JUNIOR	HOUR	187.00
47.0	YEAR 2 - INT.	HOUR	248.00
48.0	YEAR 2 - SENIOR	HOUR	308.00
49.0	YEAR 3 - JUNIOR	HOUR	206.00

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Department		Bid Number	Requisition Number
ADMINISTRATION		MPA-282	
Item		Unit	Unit Price
50.0	YEAR 3 - INT.	HOUR	272.00
51.0	YEAR 3 - SENIOR	HOUR	339.00
	PURCHASE ORDER		
52.0	YEAR 1 - JUNIOR	HOUR	170.00
53.0	YEAR 1 - INT.	HOUR	225.00
54.0	YEAR 1 - SENIOR	HOUR	280.00
55.0	YEAR 2 - JUNIOR	HOUR	187.00
56.0	YEAR 2 - INT.	HOUR	248.00
57.0	YEAR 2 - SENIOR	HOUR	308.00
58.0	YEAR 3 - JUNIOR	HOUR	206.00

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Department		Bid Number	Requisition Number
ADMINISTRATION		MPA-282	
Item		Unit	Unit Price
59.0	YEAR 3 - INT.	HOUR	272.00
60.0	YEAR 3 - SENIOR	HOUR	339.00
	ACCOUNTS RECEIVABLE		
61.0	YEAR 1 - JUNIOR	HOUR	170.00
62.0	YEAR 1 - INT.	HOUR	225.00
63.0	YEAR 1 - SENIOR	HOUR	280.00
64.0	YEAR 2 - JUNIOR	HOUR	187.00
65.0	YEAR 2 - INT.	HOUR	248.00
66.0	YEAR 2 - SENIOR	HOUR	308.00
67.0	YEAR 3 - JUNIOR	HOUR	206.00

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Department		Bid Number	Requisition Number
ADMINISTRATION		MPA-282	
Item		Unit	Unit Price
68.0	YEAR 3 - INT.	HOUR	272.00
69.0	YEAR 3 - SENIOR	HOUR	339.00
	FIXED ASSETS, INVENTORY, ETC.		
70.0	YEAR 1 - JUNIOR	HOUR	170.00
71.0	YEAR 1 - INT.	HOUR	225.00
72.0	YEAR 1 - SENIOR	HOUR	280.00
73.0	YEAR 2 - JUNIOR	HOUR	187.00
74.0	YEAR 2 - INT.	HOUR	248.00
75.0	YEAR 2 - SENIOR	HOUR	308.00
76.0	YEAR 3 - JUNIOR	HOUR	206.00

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Department		Bid Number	Requisition Number
ADMINISTRATION		MPA-282	
Item		Unit	Unit Price
77.0	YEAR 3 - INT.	HOUR	272.00
78.0	YEAR 3 - SENIOR	HOUR	339.00
	GRANTS MANAGEMENT		
79.0	YEAR 1 - JUNIOR	HOUR	170.00
80.0	YEAR 1 - INT.	HOUR	225.00
81.0	YEAR 1 - SENIOR	HOUR	280.00
82.0	YEAR 2 - JUNIOR	HOUR	187.00
83.0	YEAR 2 - INT.	HOUR	248.00
84.0	YEAR 2 - SENIOR	HOUR	308.00
85.0	YEAR 3 - JUNIOR	HOUR	206.00

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Department		Bid Number	Requisition Number
ADMINISTRATION		MPA-282	
Item		Unit	Unit Price
86.0	YEAR 3 - INT.	HOUR	272.00
87.0	YEAR 3 - SENIOR	HOUR	339.00
	PUBLIC SECTOR BUDGETING		
88.0	YEAR 1 - JUNIOR	HOUR	170.00
89.0	YEAR 1 - INT.	HOUR	225.00
90.0	YEAR 1 - SENIOR	HOUR	280.00
91.0	YEAR 2 - JUNIOR	HOUR	187.00
92.0	YEAR 2 - INT.	HOUR	248.00
93.0	YEAR 2 - SENIOR	HOUR	308.00
94.0	YEAR 3 - JUNIOR	HOUR	206.00

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Department		Bid Number	Requisition Number
ADMINISTRATION		MPA-282	
Item		Unit	Unit Price
95.0	YEAR 3 - INT.	HOUR	272.00
96.0	YEAR 3 - SENIOR  PROJECT COSTING/BILLING	HOUR	339.00
97.0	YEAR 1 - JUNIOR	HOUR	170.00
98.0	YEAR 1 - INT.	HOUR	225.00
99.0	YEAR 1 - SENIOR	HOUR	280.00
100.0	YEAR 2 - JUNIOR	HOUR	187.00
101.0	YEAR 2 - INT.	HOUR	248.00
102.0	YEAR 2 - SENIOR	HOUR	308.00
103.0	YEAR 3 - JUNIOR	HOUR	206.00

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Department		Bid Number	Requisition Number
ADMINISTRATION		MPA-282	
Item		Unit	Unit Price
104.0	YEAR 3 - INT.	HOUR	272.00
105.0	YEAR 3 - SENIOR	HOUR	339.00
	ENGINEERING		
106.0	YEAR 1 - JUNIOR	HOUR	170.00
107.0	YEAR 1 - INT.	HOUR	225.00
108.0	YEAR 1 - SENIOR	HOUR	280.00
109.0	YEAR 2 - JUNIOR	HOUR	187.00
110.0	YEAR 2 - INT.	HOUR	248.00
111.0	YEAR 2 - SENIOR	HOUR	308.00
112.0	YEAR 3 - JUNIOR	HOUR	206.00

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Department		Bid Number	Requisition Number
ADMINISTRATION		MPA-282	
Item		Unit	Unit Price
113.0	YEAR 3 - INT.	HOUR	272.00
114.0	YEAR 3 - SENIOR HR, PT, & EXPENSE	HOUR	339.00
115.0	YEAR 1 - JUNIOR	HOUR	170.00
116.0	YEAR 1 - INT.	HOUR	225.00
117.0	YEAR 1 - SENIOR	HOUR	280.00
118.0	YEAR 2 - JUNIOR	HOUR	187.00
119.0	YEAR 2 - INT.	HOUR	248.00
120.0	YEAR 2 - SENIOR	HOUR	308.00
121.0	YEAR 3 - JUNIOR	HOUR	206.00

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COPY

<b>STATE PURCHASING AGENT/DESIGNEE</b>



# Notice of Price Agreement Award

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
 CAPITOL HILL  
 PROVIDENCE RI 02908

<b>V E N D O R</b>	BEARINGPOINT INC 515 BROADWAY ALBANY NY 12207
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<b>ORACLE PUB SECT FINANCIAL APP</b>	
Award Number	Effective Period:
<b>68M00249034A</b>	<b>2/6/03 - 7/31/05</b>

<b>S H I P T O</b>	ADMINISTRATION MASTER PRICE AGREEMENT RELEASE AGAINST RI MPA
--	--

Date: 02/06/2003 Buyer: JEROME MOYNIHAN Shipping: F.O.B., Destination Terms: Net 30
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<b>I N V O I C E</b>	ADMINISTRATION MASTER PRICE AGREEMENT RELEASE AGAINST RI MPA
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Department		Bid Number	Requisition Number
ADMINISTRATION		MPA-282	
Item		Unit	Unit Price
122.0	YEAR 3 - INT.	HOUR	272.00
123.0	YEAR 3 - SENIOR  PAYROLL	HOUR	339.00
124.0	YEAR 1 - JUNIOR	HOUR	170.00
125.0	YEAR 1 - INT.	HOUR	225.00
126.0	YEAR 1 - SENIOR	HOUR	280.00
127.0	YEAR 2 - JUNIOR	HOUR	187.00
128.0	YEAR 2 - INT.	HOUR	248.00
129.0	YEAR 2 - SENIOR	HOUR	308.00
130.0	YEAR 3 - JUNIOR	HOUR	206.00

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# Notice of Price Agreement Award



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
 CAPITOL HILL  
 PROVIDENCE RI 02908

<b>V E N D O R</b>	BEARINGPOINT INC 515 BROADWAY ALBANY NY 12207
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<b>ORACLE PUB SECT FINANCIAL APP</b>	
Award Number	Effective Period:
<b>68M00249034A</b>	<b>2/6/03 - 7/31/05</b>

<b>S H I P T O</b>	ADMINISTRATION MASTER PRICE AGREEMENT RELEASE AGAINST RI MPA
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Date: 02/06/2003 Buyer: JEROME MOYNIHAN Shipping: F.O.B., Destination Terms: Net 30
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<b>I N V O I C E</b>	ADMINISTRATION MASTER PRICE AGREEMENT RELEASE AGAINST RI MPA
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Department		Bid Number	Requisition Number
ADMINISTRATION		MPA-282	
Item		Unit	Unit Price
131.0	YEAR 3 - INT.	HOUR	272.00
132.0	YEAR 3 - SENIOR WEB EMPLOYEES	HOUR	339.00
133.0	YEAR 1 - JUNIOR	HOUR	170.00
134.0	YEAR 1 - INT.	HOUR	225.00
135.0	YEAR 1 - SENIOR	HOUR	280.00
136.0	YEAR 2 - JUNIOR	HOUR	187.00
137.0	YEAR 2 - INT.	HOUR	248.00
138.0	YEAR 2 - SENIOR	HOUR	308.00
139.0	YEAR 3 - JUNIOR	HOUR	206.00

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 CAPITOL HILL  
 PROVIDENCE RI 02908

<b>V E N D O R</b>	BEARINGPOINT INC 515 BROADWAY ALBANY NY 12207
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<b>ORACLE PUB SECT FINANCIAL APP</b>	
Award Number	Effective Period:
<b>68M00249034A</b>	<b>2/6/03 - 7/31/05</b>

<b>S H I P T O</b>	ADMINISTRATION MASTER PRICE AGREEMENT RELEASE AGAINST RI MPA
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Date: 02/06/2003 Buyer: JEROME MOYNIHAN Shipping: F.O.B., Destination Terms: Net 30
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<b>I N V O I C E</b>	ADMINISTRATION MASTER PRICE AGREEMENT RELEASE AGAINST RI MPA
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Department		Bid Number	Requisition Number
ADMINISTRATION		MPA-282	
Item		Unit	Unit Price
140.0	YEAR 3 - INT.	HOUR	272.00
141.0	YEAR 3 - SENIOR	HOUR	339.00
	ORACLE SOURCING		
142.0	YEAR 1 - JUNIOR	HOUR	170.00
143.0	YEAR 1 - INT.	HOUR	225.00
144.0	YEAR 1 - SENIOR	HOUR	280.00
145.0	YEAR 2 - JUNIOR	HOUR	187.00
146.0	YEAR 2 - INT.	HOUR	248.00
147.0	YEAR 2 - SENIOR	HOUR	308.00
148.0	YEAR 3 - JUNIOR	HOUR	206.00

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STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
 CAPITOL HILL  
 PROVIDENCE RI 02908

<b>V E N D O R</b>	BEARINGPOINT INC 515 BROADWAY ALBANY NY 12207
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<b>ORACLE PUB SECT FINANCIAL APP</b>	
Award Number	Effective Period:
<b>68M00249034A</b>	<b>2/6/03 - 7/31/05</b>

<b>S H I P T O</b>	ADMINISTRATION MASTER PRICE AGREEMENT RELEASE AGAINST RI MPA
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Date: 02/06/2003 Buyer: JEROME MOYNIHAN Shipping: F.O.B., Destination Terms: Net 30
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<b>I N V O I C E</b>	ADMINISTRATION MASTER PRICE AGREEMENT RELEASE AGAINST RI MPA
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Department		Bid Number	Requisition Number
ADMINISTRATION		MPA-282	
Item		Unit	Unit Price
149.0	YEAR 3 - INT.	HOUR	272.00
150.0	YEAR 3 - SENIOR  ADVANCED BENEFITS	HOUR	339.00
151.0	YEAR 1 - JUNIOR	HOUR	170.00
152.0	YEAR 1 - INT.	HOUR	225.00
153.0	YEAR 1 - SENIOR	HOUR	280.00
154.0	YEAR 2 - JUNIOR	HOUR	187.00
155.0	YEAR 2 - INT.	HOUR	248.00
156.0	YEAR 2 - SENIOR	HOUR	308.00
157.0	YEAR 3 - JUNIOR	HOUR	206.00

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 CAPITOL HILL  
 PROVIDENCE RI 02908

<b>V E N D O R</b>	BEARINGPOINT INC 515 BROADWAY ALBANY NY 12207
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<b>ORACLE PUB SECT FINANCIAL APP</b>	
Award Number	Effective Period:
<b>68M00249034A</b>	<b>2/6/03 - 7/31/05</b>

<b>S H I P T O</b>	ADMINISTRATION MASTER PRICE AGREEMENT RELEASE AGAINST RI MPA
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Date: 02/06/2003 Buyer: JEROME MOYNIHAN Shipping: F.O.B., Destination Terms: Net 30
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<b>I N V O I C E</b>	ADMINISTRATION MASTER PRICE AGREEMENT RELEASE AGAINST RI MPA
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Department		Bid Number	Requisition Number
ADMINISTRATION		MPA-282	
Item		Unit	Unit Price
158.0	YEAR 3 - INT.	HOUR	272.00
159.0	YEAR 3 - SENIOR	HOUR	339.00
	TRAINING ADMINISTRATION		
160.0	YEAR 1 - JUNIOR	HOUR	170.00
161.0	YEAR 1 - INT.	HOUR	225.00
162.0	YEAR 1 - SENIOR	HOUR	280.00
163.0	YEAR 2 - JUNIOR	HOUR	187.00
164.0	YEAR 2 - INT.	HOUR	248.00
165.0	YEAR 2 - SENIOR	HOUR	308.00
166.0	YEAR 3 - JUNIOR	HOUR	206.00

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# Notice of Price Agreement Award

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
 CAPITOL HILL  
 PROVIDENCE RI 02908

<b>V E N D O R</b>	BEARINGPOINT INC 515 BROADWAY ALBANY NY 12207
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<b>ORACLE PUB SECT FINANCIAL APP</b>	
Award Number	Effective Period:
<b>68M00249034A</b>	<b>2/6/03 - 7/31/05</b>

<b>S H I P T O</b>	ADMINISTRATION MASTER PRICE AGREEMENT RELEASE AGAINST RI MPA
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Date: 02/06/2003 Buyer: JEROME MOYNIHAN Shipping: F.O.B., Destination Terms: Net 30
--

<b>I N V O I C E</b>	ADMINISTRATION MASTER PRICE AGREEMENT RELEASE AGAINST RI MPA
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Department		Bid Number	Requisition Number
ADMINISTRATION		MPA-282	
Item		Unit	Unit Price
167.0	YEAR 3 - INT.	HOUR	272.00
168.0	YEAR 3 - SENIOR  WORKFLOW	HOUR	339.00
169.0	YEAR 1 - JUNIOR	HOUR	170.00
170.0	YEAR 1 - INT.	HOUR	225.00
171.0	YEAR 1 - SENIOR	HOUR	280.00
172.0	YEAR 2 - JUNIOR	HOUR	187.00
173.0	YEAR 2 - INT.	HOUR	248.00
174.0	YEAR 2 - SENIOR	HOUR	308.00
175.0	YEAR 3 - JUNIOR	HOUR	206.00

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 CAPITOL HILL  
 PROVIDENCE RI 02908

<b>V E N D O R</b>	BEARINGPOINT INC 515 BROADWAY ALBANY NY 12207
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<b>ORACLE PUB SECT FINANCIAL APP</b>	
Award Number	Effective Period:
<b>68M00249034A</b>	<b>2/6/03 - 7/31/05</b>

<b>S H I P T O</b>	ADMINISTRATION MASTER PRICE AGREEMENT RELEASE AGAINST RI MPA
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Date: 02/06/2003 Buyer: JEROME MOYNIHAN Shipping: F.O.B., Destination Terms: Net 30
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<b>I N V O I C E</b>	ADMINISTRATION MASTER PRICE AGREEMENT RELEASE AGAINST RI MPA
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Department		Bid Number	Requisition Number
ADMINISTRATION		MPA-282	
Item		Unit	Unit Price
176.0	YEAR 3 - INT.	HOUR	272.00
177.0	YEAR 3 - SENIOR  DATA BASE ADMINISTRATOR	HOUR	339.00
178.0	YEAR 1 - JUNIOR	HOUR	170.00
179.0	YEAR 1 - INT.	HOUR	225.00
180.0	YEAR 1 - SENIOR	HOUR	280.00
181.0	YEAR 2 - JUNIOR	HOUR	187.00
182.0	YEAR 2 - INT.	HOUR	248.00
183.0	YEAR 2 - SENIOR	HOUR	308.00
184.0	YEAR 3 - JUNIOR	HOUR	206.00

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# Notice of Price Agreement Award

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
 CAPITOL HILL  
 PROVIDENCE RI 02908

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 BEARINGPOINT INC  
 515 BROADWAY  
 ALBANY NY 12207

**ORACLE PUB SECT FINANCIAL APP**

Award Number                      Effective Period:  
**68M00249034A**                      **2/6/03 - 7/31/05**

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 ADMINISTRATION  
 MASTER PRICE AGREEMENT  
 RELEASE AGAINST RI MPA

Date: 02/06/2003  
 Buyer: JEROME MOYNIHAN  
 Shipping: F.O.B., Destination  
 Terms: Net 30

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 ADMINISTRATION  
 MASTER PRICE AGREEMENT  
 RELEASE AGAINST RI MPA

Department		Bid Number	Requisition Number
ADMINISTRATION		MPA-282	
Item		Unit	Unit Price
185.0	YEAR 3 - INT.	HOUR	272.00
186.0	YEAR 3 - SENIOR	HOUR	339.00
DELIVERY OF GOODS OR SERVICES AS REQUESTED BY AGENCY. PAYMENTS WILL BE AUTHORIZED UPON SUBMISSION OF PROPERLY RENDERED INVOICES TO THE RECEIVING AGENCY. ANY UNUSED BALANCE AT END OF BLANKET PERIOD IS AUTOMATICALLY CANCELLED.  VENDOR TELEPHONE #: 212-872-3854 VENDOR FAX #: 212-872-2155			

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## **TERMS AND CONDITIONS OF PRICING AGREEMENT**

**SCOPE AND LIMITATIONS** - This Agreement covers requirements as described herein, ordered by State agencies during the Agreement Period. No additional or alternative requirements are covered, unless added to the Agreement by formal amendment by the State Purchasing Agent or his designee.

Under State Purchasing Law, 37-2-54, "no purchase or contract shall be binding on the state or any agency thereof unless approved by the department [of administration] or made under general regulations which the chief purchasing officer may prescribe." Under State Purchasing Regulation 8.2.1.1.2, "any alleged oral agreement or arrangements made by a bidder or contractor with any agency or an employee of the Office of Purchases may be disregarded and shall not be binding on the state."

**PRODUCT ACCEPTANCE** - All merchandise offered or otherwise provided shall be new, of prime manufacture, and of first quality unless otherwise specified by the State. The State reserves the right to reject all nonconforming goods, and to cause their return for credit or replacement, at the State's option.

- a) Failure by the state to discover latent defect(s) or concealed damage or non-conformance shall not foreclose the State's right to subsequently reject the goods in question.
- b) Formal or informal acceptance by the State of non-conforming goods shall not constitute a precedent for successive receipts or procurements.

Where the vendor fails to cure the defect promptly or replace the goods, the State reserves the right to cancel the Release, contract with a different vendor, and to invoice the original vendor for any differential in price over the original contract price.

### **ORDER AUTHORIZATION AND RELEASE AGAINST PRICING AGREEMENT**

**In no event shall the Vendor deliver goods or provide service until such time as a duly authorized release document is certified by the ordering Agency.**

**State Agencies** shall request release as follows: All releases shall reference the Price Agreement number, the Contract Issue number, the item(s) covered, and the unit pricing in the same format as described herein.

A Department Purchase Order (DPO) listing the items ordered shall be created by the agency. The agency may mail or fax a copy of the order to the Vendor. In some cases the agency may request delivery by telephone, but must provide the Vendor with a DPO Order Number reference for billing purposes. Vendors are encouraged to require written orders to assure payments are processed accurately and promptly.

**DELIVERY** – If this is an MPA, Vendor will obtain "ship to" information from each participating agency. This information will be contained in the DPO. APA delivery information will be contained in the Notice of Award.

**PRICING** - All pricing shall be as described herein, and is considered to be fixed and firm for the term of the Agreement, unless specifically noted to the contrary herein. All prices include prepaid freight. Freight, taxes, surcharges, or other additional charges will not be honored unless reflected herein.

**INVOICING** – All invoices shall reference the DPO Order Number(s), Price Agreement number, the Contract Issue number, the item(s) covered, and the unit pricing in the same format as described herein. If this is an MPA, Vendor will obtain "bill to" information from each participating agency. This information will be contained in the DPO. APA billing information will be contained in the Notice of Award.

**PAYMENT** - Invoices for items not received, not priced according to contract or for work not yet performed will not be honored. No payment will be processed to any vendor for whom there is no IRS W-9 on file with the State Controller.