



RI Purchase Agreement Amendment Report

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

HOWARD P FAIRFIELD LLC
PO BOX 188
SKOWHEGAN, ME 04976

Amendment Date: 06-SEP-11
Original Award Date: 02-FEB-10
Buyer: J Ohara 2nd
Phone #:
FOB: Destination
Terms: NET 30
Vendor # 33531

S H I P T O	MASTER PRICE AGREEMENT SEE BELOW RELEASE AGAINST, RI MPA United States	Change Order Number 3 Award Number 3174396 Effective Period 01-FEB-10 - 31-DEC-11	I N V O I C E	MASTER PRICE AGREEMENT SEE BELOW RELEASE AGAINST, RI MPA United States
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SNOW PLOW BLADES AND EQUIPMENT (MPA-442)

Description			Bid Number	Change Order Req#	
Line #	Code	Class-Item	Quantity	Unit	Unit Price
SNOW PLOW BLADES AND EQUIPMENT (MPA-442)					
		CHANGE TO PO 3174396 MPA-442 DATED 2/2/10 CHANGE EFFECTIVE PERIOD: FROM: 2/1/10 - 9/30/11 TO: 2/1/10 - 12/31/11 EXTENSION NEEDED TO ALLOW TIME FOR NEW RFQ			
1.1	968.72	MPA-442 2/1/10-12/31/11 Cost for the purchase and installation of a plow blade with trip edge springs 7 1/2'		Each	3883.72
2.1	968.72	MPA-442 2/1/10-12/31/11 Cost for the purchase and installation of a plow blade with trip edge springs 8'		Each	4105.9
3.1	968.72	MPA-442 2/1/10-12/31/11 Cost for the purchase and installation of a plow blade with trip edge springs 9'		Each	4818.67
4.1	968.72	MPA-442 2/1/10-12/31/11 Cost for the purchase and installation of a plow blade with trip edge springs 10'		Each	5561.8
5.1	968.72	MPA-442 2/1/10-12/31/11 Additional cost for the purchase and installation of an optional curved deflector 7 1/2'		Each	350.5
6.1	968.72	MPA-442 2/1/10-12/31/11 Additional cost for the purchase and installation of an optional curved deflector 8'		Each	350.5
7.1	968.72	MPA-442 2/1/10-12/31/11 Additional cost for the purchase and installation of an optional curved deflector 9'		Each	423.75
8.1	968.72	MPA-442 2/1/10-12/31/11 Additional cost for the purchase and installation of an optional curved deflector 10'		Each	435.75

STATE PURCHASING AGENT

Lorraine A. Hynes



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SNOW PLOW BLADES AND EQUIPMENT (MPA-442)

Description			Bid Number	Change Order Req#
SNOW PLOW BLADES AND EQUIPMENT (MPA-442)				
9.1	968.72	MPA-442 2/1/10-12/31/11 Cost for the purchase and installation of a trip edge spring assembly, if needed, 7 1/2'	Each	80
10.1	968.72	MPA-442 2/1/10-12/31/11 Cost for the purchase and installation of a trip edge spring assembly, if needed, 8'	Each	80
11.1	968.72	MPA-442 2/1/10-12/31/11 Cost for the purchase and installation of a trip edge spring assembly, if needed, 9'	Each	80
12.1	968.72	MPA-442 2/1/10-12/31/11 Cost for the purchase and installation of a trip edge spring assembly, if needed, 10'	Each	80
13.1	968.72	MPA-442 2/1/10-12/31/11 Cost for the purchase and installation of angle pistons, if needed, 7 1/2'	Each	195
14.1	968.72	MPA-442 2/1/10-12/31/11 Cost for the purchase and installation of angle pistons, if needed, 8'	Each	195
15.1	968.72	MPA-442 2/1/10-12/31/11 Cost for the purchase and installation of angle pistons, if needed, 9'	Each	230.5
16.1	968.72	MPA-442 2/1/10-12/31/11 Cost for the purchase and installation of angle pistons, if needed, 10'	Each	230.5
17.1	968.72	MPA-442 2/1/10-12/31/11 Cost for the purchase and installation of hoist pistons, if needed, 7 1/2'	Each	175.18
18.1	968.72	MPA-442 2/1/10-12/31/11 Cost for the purchase and installation of hoist pistons, if needed, 8'	Each	175.18
19.1	968.72	MPA-442 2/1/10-12/31/11 Cost for the purchase and installation of hoist pistons, if needed, 9'	Each	310.63
20.1	968.72	MPA-442 2/1/10-12/31/11 Cost for the purchase and installation of hoist pistons, if needed, 10'	Each	310.63

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	SNOW PLOW BLADES AND EQUIPMENT (MPA-442)			

Description			Bid Number	Change Order Req#
SNOW PLOW BLADES AND EQUIPMENT (MPA-442)				
21.1	968.72	MPA-442 2/1/10-12/31/11 Rate per hour for installation services not covered above	Hour	80
22.1	968.72	MPA-442 2/1/10-12/31/11 Rate per hour for welding services	Hour	80
23.1	968.72	MPA-442 2/1/10-12/31/11 COST FOR PARTS NOT LISTED SUCH AS PUMPS, CONTROLLERS, CABLES, ETC. PARTS AT MANUFACTURER'S LIST PRICE LESS 20%. (COST PLUS IS NOT ACCEPTABLE)	Each	1

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Amendment Date: 22-JUN-11
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	SNOW PLOW BLADES AND EQUIPMENT (MPA-442)			

Description			Bid Number	Change Order Req#	
Line #	Code	Class-Item	Quantity	Unit	Unit Price
SNOW PLOW BLADES AND EQUIPMENT (MPA-442)					
		CHANGE TO PO 3174396 MPA-442 DATED 2/2/10 CHANGE EFFECTIVE PERIOD: FROM: 2/1/10 - 6/30/11 TO: 2/1/10 - 9/30/11 EXTENSION NEEDED TO ALLOW TIME FOR NEW RFQ			
1	968.72	MPA-442 2/1/10-6/30/11 Cost for the purchase and installation of a plow blade with trip edge springs 7 1/2'		Each	3883.72
1.1	968.72	MPA-442 2/1/10-9/30/11 Cost for the purchase and installation of a plow blade with trip edge springs 7 1/2'		Each	3883.72
2	968.72	MPA-442 2/1/10-6/30/11 Cost for the purchase and installation of a plow blade with trip edge springs 8'		Each	4105.9
2.1	968.72	MPA-442 2/1/10-9/30/11 Cost for the purchase and installation of a plow blade with trip edge springs 8'		Each	4105.9
3	968.72	MPA-442 2/1/10-6/30/11 Cost for the purchase and installation of a plow blade with trip edge springs 9'		Each	4818.67
3.1	968.72	MPA-442 2/1/10-9/30/11 Cost for the purchase and installation of a plow blade with trip edge springs 9'		Each	4818.67
4	968.72	MPA-442 2/1/10-6/30/11 Cost for the purchase and installation of a plow blade with trip edge springs 10'		Each	5561.8
4.1	968.72	MPA-442 2/1/10-9/30/11 Cost for the purchase and installation of a plow blade with trip edge springs 10'		Each	5561.8

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	SNOW PLOW BLADES AND EQUIPMENT (MPA-442)			

Description			Bid Number	Change Order Req#
SNOW PLOW BLADES AND EQUIPMENT (MPA-442)				
5	968.72	MPA-442 2/1/10-6/30/11 Additional cost for the purchase and installation of an optional curved deflector 7 1/2'	Each	350.5
5.1	968.72	MPA-442 2/1/10-9/30/11 Additional cost for the purchase and installation of an optional curved deflector 7 1/2'	Each	350.5
6	968.72	MPA-442 2/1/10-6/30/11 Additional cost for the purchase and installation of an optional curved deflector 8'	Each	350.5
6.1	968.72	MPA-442 2/1/10-9/30/11 Additional cost for the purchase and installation of an optional curved deflector 8'	Each	350.5
7	968.72	MPA-442 2/1/10-6/30/11 Additional cost for the purchase and installation of an optional curved deflector 9'	Each	423.75
7.1	968.72	MPA-442 2/1/10-9/30/11 Additional cost for the purchase and installation of an optional curved deflector 9'	Each	423.75
8	968.72	MPA-442 2/1/10-6/30/11 Additional cost for the purchase and installation of an optional curved deflector 10'	Each	435.75
8.1	968.72	MPA-442 2/1/10-9/30/11 Additional cost for the purchase and installation of an optional curved deflector 10'	Each	435.75
9	968.72	MPA-442 2/1/10-6/30/11 Cost for the purchase and installation of a trip edge spring assembly, if needed, 7 1/2'	Each	80
9.1	968.72	MPA-442 2/1/10-9/30/11 Cost for the purchase and installation of a trip edge spring assembly, if needed, 7 1/2'	Each	80
10	968.72	MPA-442 2/1/10-6/30/11 Cost for the purchase and installation of a trip edge spring assembly, if needed, 8'	Each	80
10.1	968.72	MPA-442 2/1/10-9/30/11 Cost for the purchase and installation of a trip edge spring assembly, if needed, 8'	Each	80

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SNOW PLOW BLADES AND EQUIPMENT (MPA-442)

Description			Bid Number	Change Order Req#
SNOW PLOW BLADES AND EQUIPMENT (MPA-442)				
11	968.72	MPA-442 2/1/10-6/30/11 Cost for the purchase and installation of a trip edge spring assembly, if needed, 9'	Each	80
11.1	968.72	MPA-442 2/1/10-9/30/11 Cost for the purchase and installation of a trip edge spring assembly, if needed, 9'	Each	80
12	968.72	MPA-442 2/1/10-6/30/11 Cost for the purchase and installation of a trip edge spring assembly, if needed, 10'	Each	80
12.1	968.72	MPA-442 2/1/10-9/30/11 Cost for the purchase and installation of a trip edge spring assembly, if needed, 10'	Each	80
13	968.72	MPA-442 2/1/10-6/30/11 Cost for the purchase and installation of angle pistons, if needed, 7 1/2'	Each	195
13.1	968.72	MPA-442 2/1/10-9/30/11 Cost for the purchase and installation of angle pistons, if needed, 7 1/2'	Each	195
14	968.72	MPA-442 2/1/10-6/30/11 Cost for the purchase and installation of angle pistons, if needed, 8'	Each	195
14.1	968.72	MPA-442 2/1/10-9/30/11 Cost for the purchase and installation of angle pistons, if needed, 8'	Each	195
15	968.72	MPA-442 2/1/10-6/30/11 Cost for the purchase and installation of angle pistons, if needed, 9'	Each	230.5
15.1	968.72	MPA-442 2/1/10-9/30/11 Cost for the purchase and installation of angle pistons, if needed, 9'	Each	230.5
16	968.72	MPA-442 2/1/10-6/30/11 Cost for the purchase and installation of angle pistons, if needed, 10'	Each	230.5
16.1	968.72	MPA-442 2/1/10-9/30/11 Cost for the purchase and installation of angle pistons, if needed, 10'	Each	230.5

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	SNOW PLOW BLADES AND EQUIPMENT (MPA-442)			

Description			Bid Number	Change Order Req#
SNOW PLOW BLADES AND EQUIPMENT (MPA-442)				
17	968.72	MPA-442 2/1/10-6/30/11 Cost for the purchase and installation of hoist pistons, if needed, 7 1/2'		175.18
17.1	968.72	MPA-442 2/1/10-9/30/11 Cost for the purchase and installation of hoist pistons, if needed, 7 1/2'		175.18
18	968.72	MPA-442 2/1/10-6/30/11 Cost for the purchase and installation of hoist pistons, if needed, 8'		175.18
18.1	968.72	MPA-442 2/1/10-9/30/11 Cost for the purchase and installation of hoist pistons, if needed, 8'		175.18
19	968.72	MPA-442 2/1/10-6/30/11 Cost for the purchase and installation of hoist pistons, if needed, 9'		310.63
19.1	968.72	MPA-442 2/1/10-9/30/11 Cost for the purchase and installation of hoist pistons, if needed, 9'		310.63
20	968.72	MPA-442 2/1/10-6/30/11 Cost for the purchase and installation of hoist pistons, if needed, 10'		310.63
20.1	968.72	MPA-442 2/1/10-9/30/11 Cost for the purchase and installation of hoist pistons, if needed, 10'		310.63
21	968.72	MPA-442 2/1/10-6/30/11 Rate per hour for installation services not covered above		80
21.1	968.72	MPA-442 2/1/10-9/30/11 Rate per hour for installation services not covered above		80
22	968.72	MPA-442 2/1/10-6/30/11 Rate per hour for welding services		80
22.1	968.72	MPA-442 2/1/10-9/30/11 Rate per hour for welding services		80

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	SNOW PLOW BLADES AND EQUIPMENT (MPA-442)			

Description			Bid Number	Change Order Req#
SNOW PLOW BLADES AND EQUIPMENT (MPA-442)				
23	968.72	MPA-442 2/1/10-6/30/11 COST FOR PARTS NOT LISTED SUCH AS PUMPS, CONTROLLERS, CABLES, ETC. PARTS AT MANUFACTURER'S LIST PRICE LESS 20%. (COST PLUS IS NOT ACCEPTABLE).	Each	1
23.1	968.72	MPA-442 2/1/10-9/30/11 COST FOR PARTS NOT LISTED SUCH AS PUMPS, CONTROLLERS, CABLES, ETC. PARTS AT MANUFACTURER'S LIST PRICE LESS 20%. (COST PLUS IS NOT ACCEPTABLE)	Each	1

STATE PURCHASING AGENT

 Lorraine A. Hynes



Notice of Blanket Purchase Agreement

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

HOWARD P FAIRFIELD LLC
 PO BOX 188
 SKOWHEGAN, ME 04976

SNOW PLOW BLADES AND EQUIPMENT
 (MPA-442)

Award Number
3174396

Effective Period:
01-FEB-10 - 30-JUN-11

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Department		Type of Requisition	Bid Number	Requisition Number
			7323357	
Line	Item	Item Description	Unit	Unit Price

		BLANKET REQUIREMENTS: 2/1/10 - 6/30/11 MASTER PRICE AGREEMENT #442 FOR THE PURCHASE AND INSTALLATION OF SNOWPLOW BLADES AND EQUIPMENT. INCLUDES A ONE YEAR WARRANTY. SUPPLIER CONTACT: EDWARD KENDALL TELEPHONE: 860-228-8258 FAX: 860-228-8313		
1		MPA-442 2/1/10-6/30/11 Cost for the purchase and installation of a plow blade with trip edge springs 7 1/2'	Each	3883.72
2		MPA-442 2/1/10-6/30/11 Cost for the purchase and installation of a plow blade with trip edge springs 8'	Each	4105.9
3		MPA-442 2/1/10-6/30/11 Cost for the purchase and installation of a plow blade with trip edge springs 9'	Each	4818.67
4		MPA-442 2/1/10-6/30/11 Cost for the purchase and installation of a plow blade with trip edge springs 10'	Each	5561.8
5		MPA-442 2/1/10-6/30/11 Additional cost for the purchase and installation of an optional curved deflector 7 1/2'	Each	350.5
6		MPA-442 2/1/10-6/30/11 Additional cost for the purchase and installation of an optional curved deflector 8'	Each	350.5

STATE PURCHASING AGENT

Louis A. DeQuattro



Notice of Blanket Purchase Agreement

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SNOW PLOW BLADES AND EQUIPMENT (MPA-442)	
Award Number 3174396	Effective Period: 01-FEB-10 - 30-JUN-11

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Department		Type of Requisition	Bid Number	Requisition Number
			7323357	
Line	Item	Item Description	Unit	Unit Price

7		MPA-442 2/1/10-6/30/11 Additional cost for the purchase and installation of an optional curved deflector 9'	Each	423.75
8		MPA-442 2/1/10-6/30/11 Additional cost for the purchase and installation of an optional curved deflector 10'	Each	435.75
9		MPA-442 2/1/10-6/30/11 Cost for the purchase and installation of a trip edge spring assembly, if needed, 7 1/2'	Each	80
10		MPA-442 2/1/10-6/30/11 Cost for the purchase and installation of a trip edge spring assembly, if needed, 8'	Each	80
11		MPA-442 2/1/10-6/30/11 Cost for the purchase and installation of a trip edge spring assembly, if needed, 9'	Each	80
12		MPA-442 2/1/10-6/30/11 Cost for the purchase and installation of a trip edge spring assembly, if needed, 10'	Each	80
13		MPA-442 2/1/10-6/30/11 Cost for the purchase and installation of angle pistons, if needed, 7 1/2'	Each	195
14		MPA-442 2/1/10-6/30/11 Cost for the purchase and installation of angle pistons, if needed, 8'	Each	195
15		MPA-442 2/1/10-6/30/11 Cost for the purchase and installation of angle pistons, if needed, 9'	Each	230.5
16		MPA-442 2/1/10-6/30/11 Cost for the purchase and installation of angle pistons, if needed, 10'	Each	230.5
17		MPA-442 2/1/10-6/30/11 Cost for the purchase and installation of hoist pistons, if needed, 7 1/2'	Each	175.18
18		MPA-442 2/1/10-6/30/11 Cost for the purchase and installation of hoist pistons, if needed, 8'	Each	175.18

STATE PURCHASING AGENT
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Department		Type of Requisition	Bid Number	Requisition Number
			7323357	
Line	Item	Item Description	Unit	Unit Price

19		MPA-442 2/1/10-6/30/11 Cost for the purchase and installation of hoist pistons, if needed, 9'	Each	310.63
20		MPA-442 2/1/10-6/30/11 Cost for the purchase and installation of hoist pistons, if needed, 10'	Each	310.63
21		MPA-442 2/1/10-6/30/11 Rate per hour for installation services not covered above	Hour	80
22		MPA-442 2/1/10-6/30/11 Rate per hour for welding services	Hour	80
23		MPA-442 2/1/10-6/30/11 COST FOR PARTS NOT LISTED SUCH AS PUMPS, CONTROLLERS, CABLES, ETC. PARTS AT MANUFACTURER'S LIST PRICE LESS 20%. (COST PLUS IS NOT ACCEPTABLE).	Each	1

STATE PURCHASING AGENT

Louis A. DeQuattro

CONTRACT TERMS AND CONDITIONS

Contract Terms and Conditions

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Terms and Conditions

PURCHASE ORDER STANDARD TERMS AND CONDITIONS

TERMS AND CONDITIONS FOR THIS PURCHASE ORDER

BLANKET PAYMENT

DELIVERY OF GOODS OR SERVICES AS REQUESTED BY AGENCY. PAYMENTS WILL BE AUTHORIZED UPON SUBMISSION OF PROPERLY RENDERED INVOICES NO MORE THAN MONTHLY TO THE RECEIVING AGENCY. ANY UNUSED BALANCE AT END OF BLANKET PERIOD IS AUTOMATICALLY CANCELLED.

EQUAL OPPORTUNITY COMPLIANCE

THIS PURCHASE ORDER IS AWARDED SUBJECT TO EQUAL OPPORTUNITY COMPLIANCE.

PURCHASE AGREEMENT AWARD

THIS IS A NOTICE OF AWARD, NOT AN ORDER. Any quantity reference in the agreement or in the bid preceding it are estimates only and do not represent a commitment on the part of the state to any level of billing activity, other than for quantities or volumes specifically released during the term. No action is to be taken except as specifically authorized, as described herein under AUTHORIZATION AND RELEASE. ENTIRE AGREEMENT - This NOTICE OF AWARD, with all attachments, and any release(s) against it shall be subject to: (1) the specifications, terms and conditions set forth in the Request/Bid Number cited herein, (2) the General Terms and Conditions of Contracts for the State of Rhode Island and (3) all provisions of, and the Rules and Regulations promulgated pursuant to, Title 37, Chapter 2 of the General Laws of the State of Rhode Island. This NOTICE shall constitute the entire agreement between the State of Rhode Island and the Vendor. No assignment of rights or responsibility will be permitted except with the express written permission of the State Purchasing Agent or his designee. CANCELLATION, TERMINATION and EXTENSION - This Price Agreement shall automatically terminate as of the date(s) described under CONTRACT PERIOD unless this Price Agreement is altered by formal amendment by the State Purchasing Agent or his designee upon mutual agreement between the State and the Vendor.

MULTI YEAR AWARD

THIS IS A MULTI-YEAR BID/CONTRACT. PER RHODE ISLAND STATE LAW 37-2-33, CONTRACT OBLIGATIONS BEYOND THE CURRENT FISCAL YEAR ARE SUBJECT TO AVAILABILITY OF FUNDS. CONTINUATION OF THE CONTRACT BEYOND THE INITIAL FISCAL YEAR WILL BE AT THE DISCRETION OF THE STATE. TERMINATION MAY BE EFFECTED BY THE STATE BASED UPON DETERMINING FACTORS SUCH AS UNSATISFACTORY PERFORMANCE OR THE DETERMINATION BY THE STATE TO DISCONTINUE THE GOODS/SERVICES, OR TO REVISE THE SCOPE AND NEED FOR THE TYPE OF GOODS/SERVICES; ALSO MANAGEMENT OWNER DETERMINATIONS THAT MAY PRECLUDE THE NEED FOR GOODS/SERVICES.

WORK ORDER LIMITATIONS

IN NO EVENT WILL ANY INDIVIDUAL WORK ORDER EXCEED \$5,000.00 WITHOUT PRIOR APPROVAL OF THE OFFICE OF PURCHASES.

LICENSE REQUIREMENTS

VENDOR (OWNER OF COMPANY) IS RESPONSIBLE TO COMPLY WITH ALL LICENSING OR STATE PERMITS REQUIRED FOR THIS TYPE OF SERVICE. A COPY OF LICENSE/PERMIT SHOULD BE SUBMITTED WITH THIS BID. IN ADDITION TO THESE LICENSE REQUIREMENTS, BIDDER, BY SUBMISSION OF THIS BID, CERTIFIES THAT ANY/ALL WORK RELATED TO THIS BID, AND ANY SUBSEQUENT AWARD WHICH REQUIRES A RHODE ISLAND LICENSE(S), SHALL BE PERFORMED BY AN INDIVIDUAL(S) HOLDING A VALID RHODE ISLAND LICENSE.

CAMPAIGN FINANCE COMPLIANCE

EVERY PERSON OR BUSINESS ENTITY PROVIDING GOODS OR SERVICES AT A COST OF \$5000 CUMULATED VALUE IS REQUIRED TO FILE AN AFFIDAVIT REGARDING POLITICAL CAMPAIGN CONTRIBUTIONS WITH THE RI STATE BOARD OF ELECTIONS EVEN IF NO REPORTABLE CAMPAIGN CONTRIBUTIONS HAVE BEEN MADE. (RI GENERAL LAW 17-27) FORMS OBTAINED AT BOARD OF ELECTIONS, CAMPAIGN FINANCE DIVISION, 50 BRANCH AVENUE PROVIDENCE 02904 (401-222-2056).

ARRA SUPPLEMENTAL TERMS AND CONDITIONS

For contracts and sub-awards funded in whole or in part by the American Recovery and Reinvestment Act of 2009. Pub.L.No. 111-5 and any amendments thereto, such contracts and sub-awards shall be subject to the Supplemental Terms and Conditions For Contracts and Sub-awards Funded in Whole or in Part by the American Recovery and Reinvestment Act of 2009. Pub.L.No. 111-5 and any amendments thereto located on the Division of Purchases website at www.purchasing.ri.gov."

CHARGES PERMITTED

NO CHARGES OTHER THAN PARTS AND LABOR ON THE JOB - NO TRAVEL, NO MILEAGE, NO MISCELLANEOUS CHARGES, NO PORTAL TO PORTAL.

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.