



State of West Virginia
 Department of Administration
 Purchasing Division
 2019 Washington Street East
 Post Office Box 50130
 Charleston, WV 25305-0130

Purchase Order

PURCHASE ORDER NO.
 CPHONE07B

PAGE
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BLANKET RELEASE
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CORRECT PURCHASE ORDER NUMBER
 MUST APPEAR ON ALL PACKAGES,
 INVOICES, AND SHIPPING PAPERS.
 QUESTIONS CONCERNING THIS PUR-
 CHASE ORDER SHOULD BE DIRECTED
 TO THE BUYER AS NOTED BELOW.

CHANGE ORDER
 14

SEE REVERSE SIDE FOR
 TERMS AND CONDITIONS

AGENCY COPY

INVOICE TO
 ALL STATE AGENCIES
 AND POLITICAL SUBDIVISIONS
 VARIOUS LOCALES AS INDICATED
 BY ORDER

VENDOR
 *709062035 304-541-7381
 ATT MOBILITY
 7229 PARKWAY DR # 200
 HANOVER MD 21076-1317

SHIP TO
 ALL STATE AGENCIES
 AND POLITICAL SUBDIVISIONS
 VARIOUS LOCALES AS INDICATED
 BY ORDER

DATE PRINTED		TERMS OF SALE		FEIN/SSN		FUND	
11/25/2009		NET 30		912016656			
SHIP VIA		F.O.B.		FREIGHT TERMS		ACCOUNT NUMBER	
BEST WAY		DESTINATION		PREPAID		MUL-MUL	
LINE	QUANTITY	UOP	VENDOR ITEM NO		UNIT PRICE	AMOUNT	
	DELIVERY DATE	CAT NO	ITEM NUMBER				
			CHANGE ORDER #14				
	THIS CHANGE ORDER PROVIDES THE FOLLOWING THREE CHANGES:						
	1. DEVICE CHANGES - (SEE ATTACHED LIST)						
	EFFECTIVE: IMMEDIATELY						
	2. CHANGE IN FUSF RATE TO 3.588% OF ALL						
	TELECOMMUNICATIONS CHARGES WITH THE EXCEPTION OF						
	SEPARATELY BILLED INTERSTATE/INTERNATIONAL TOLL						
	CHARGES WHICH ARE CHARGED A FUSF RATE OF 12.9%.						
	EFFECTIVE DATE: JULY 1, 2009						
	3. TO RENEW THE ORIGINAL CONTRACT ACCORDING TO ALL						
	TERMS, CONDITIONS, PRICES AND SPECIFICATIONS						
	CONTAINED IN THE ORIGINAL CONTRACT INCLUDING ALL						
	AUTHORIZED CHANGE ORDERS.						
	EFFECTIVE DATE OF RENEWAL: 11/1/2009 THROUGH						
	10/31/2010.						
	PREVIOUS PO TOTAL==> OPEN END						
	PO NET CHANGE (+)==>						

PURCHASING DIVISION
 CERTIFIED ENCUMBERED

DEC 2 2009

Beverly Toler

IF APPROVAL AS TO FORM IS REQUIRED BY ATTORNEY GENERAL, CHECK HERE *11/24/09*

APPROVED FOR
 ONE FISCAL YEAR
Wendy L. Wayfield

BY *JO ANN ADKINS* 304-558-8802
 PURCHASING DIVISION AUTHORIZED SIGNATURE

APPROVED AS TO FORM BY
 ASSISTANT ATTORNEY GENERAL

GENERAL TERMS & CONDITIONS PURCHASE ORDER/CONTRACT

1. **ACCEPTANCE:** Seller shall be bound by this order and its terms and conditions upon receipt of this order.
2. **APPLICABLE LAW:** The laws of the State of West Virginia and the *Legislative Rules* of the Purchasing Division shall govern all rights and duties under the Contract, including without limitation the validity of this Purchase Order/Contract.
3. **NON-FUNDING:** All services performed or goods delivered under State Purchase Orders/Contracts are to be continued for the terms of the Purchase Order/Contract, contingent upon funds being appropriated by the Legislature or otherwise being made available. In the event funds are not appropriated or otherwise available for these services or goods, this Purchase Order/Contract becomes void and of no effect after June 30.
4. **COMPLIANCE:** Seller shall comply with all Federal, State and local laws, regulations and ordinances including, but not limited to, the prevailing wage rates of the WV Division of Labor.
5. **MODIFICATIONS:** This writing is the parties final expression of intent. No modification of this order shall be binding unless agreed to in writing by the Buyer.
6. **ASSIGNMENT:** Neither this Order nor any monies due, or to become due hereunder may be assigned by the Seller without the Buyer's consent.
7. **WARRANTY:** The Seller expressly warrants that the goods and/or services covered by this order will: {a} conform to the specifications, drawings, samples or other description furnished or specified by the Buyer; {b} be merchantable and fit for the purpose intended; and/or {c} be free from defect in material and workmanship.
8. **CANCELLATION:** The Director of Purchasing may cancel any Purchase Order/Contract upon 30 days written notice to the seller.
9. **SHIPPING, BILLING & PRICES:** Prices are those stated in this order. No price increase will be accepted without written authority from the Buyer. All goods or services shall be shipped on or before the date specified in this Order.
10. **LATE PAYMENTS:** Payments may only be made after the delivery of goods or services. Interest may be paid on late payments in accordance with the *West Virginia Code*.
11. **TAXES:** The State of West Virginia is exempt from Federal and State taxes and will not pay or reimburse such taxes.
12. **RENEWAL:** Any reference to automatic renewal is hereby deleted. The Contract may be renewed only upon mutual written agreement of the parties.
13. **BANKRUPTCY:** In the event the vendor/contractor files for bankruptcy protection, the State may deem this contract null and void, and terminate such contract without further order.
14. **HIPAA BUSINESS ASSOCIATE ADDENDUM:** The West Virginia State Government HIPAA Business Associate Addendum (BAA), approved by the Attorney General, and available online at the Purchasing Division's web site (<http://www.state.wv.us/admin/purchase/vrc/hipaa.htm>) is hereby made part of the agreement. Provided that, the Agency meets the definition of a Cover Entity (45 CFR §160.103) and will be disclosing Protected Health Information (45 CFR §160.103) to the vendor.
15. **WEST VIRGINIA ALCOHOL & DRUG-FREE WORKPLACE ACT:** If this Contract constitutes a public improvement construction contract as set forth in Article 1D, Chapter 21 of the West Virginia Code ("The West Virginia Alcohol and Drug-Free Workplace Act"); then the following language shall hereby become part of this Contract: "The contractor and its subcontractors shall implement and maintain a written drug-free workplace policy in compliance with the West Virginia Alcohol and Drug-Free Workplace Act, as set forth in Article 1D, Chapter 21 of the West Virginia Code. The contractor and its subcontractors shall provide a sworn statement in writing, under the penalties of perjury, that they maintain a valid drug-free work place policy in compliance with the West Virginia and Drug-Free Workplace Act. It is understood and agreed that this Contract shall be cancelled by the awarding authority if the Contractor: 1) Fails to implement its drug-free workplace policy; 2) Fails to provide information regarding implementation of the contractor's drug-free workplace policy at the request of the public authority; or 3) Provides to the public authority false information regarding the contractor's drug-free workplace policy."

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 BY ORDER

A U T H O R I Z E D

*709062035 304-541-7381
 ATT MOBILITY
 7229 PARKWAY DR # 200
 HANOVER MD 21076-1317

S H I P T O

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BEST WAY		DESTINATION		PREPAID		MUL-MUL	
LINE	QUANTITY	UOP	VENDOR ITEM NO.		UNIT PRICE	AMOUNT	
	DELIVERY DATE	CAT.NO.	ITEM NUMBER				
RENEWALS REMAINING: 0							
*****NO OTHER CHANGES*****							
						TOTAL	

IF APPROVAL AS TO FORM IS REQUIRED BY ATTORNEY GENERAL, CHECK HERE

APPROVED AS TO FORM BY
 ASSISTANT ATTORNEY GENERAL

BY _____
 PURCHASING DIVISION AUTHORIZED SIGNATURE

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ATT Mobility
Government Solutions Group
7229 Parkway Drive
Hanover, MD 21076-1317

October 6, 2009
Jo Ann Adkins
Dept of Administration
Purchasing Division
2019 Washington Street East
Charleston, WV 25305

Jo Ann,

This letter is to notify you of changes in some of the equipment currently on the contract and on the previous change orders. Several Devices have been discontinued and we have added several new devices. I'm attaching a list of both.

Sincerely,

A handwritten signature in black ink that reads "Cathleen M. Pryor".

Cathleen Pryor
Vice President, Contracts
AT&T Mobility



Current available device list for the State of WV - CPHONE07B

Manufacturer	Device Name	WV State CRU (corporate responsibility user) Price for new activations only	Options (colors, w/ or w/o camera etc)
Nokia	E71x	\$149.99	
	Murai	\$149.99	
	6350 G	\$109.99	
	Surge	\$129.99	
Pantech	Matrix Pro	\$199.99	
	Matrix	\$139.99	red, blue, black
Garmin	G60	\$399.99	
Sony-Ericsson	C905	\$299.99	
	V518a	\$149.99	
LG	CU495	\$99.99	
	CF 360	\$139.99	red, blue
	Keon	\$179.99	red, blue, black
	Neon	\$49.99	
	Incite	\$199.99	
Samsung	A237	\$9.99	blue, red, black
	Magnet	\$29.99	
	A657 (ruggedized)	\$99.99	
	A777	\$139.99	red, blue
	Rugby (ruggedized)	\$129.99	black, yellow
	Propel Pro	\$129.99	
	Access (a827)	\$149.99	
	Jack	\$179.99	
	Impression	\$269.99	
	Solstice	\$189.99	
HTC	Pure	\$199.99	
HTC	FUZE	\$299.99	with or without camera
Motorola	EM330	\$19.99	
	V365	\$99.99	
	Karma	\$199.99	
	Tundra (ruggedized)	\$199.99	
RIM/Blackberry	8820	\$199.99	red, titanium
	Curve (8310)	\$199.99	
	Curve (8320)	\$249.99	
	Pearl (9110)	\$149.99	red, grey
	Pearl (8120)	\$249.99	pearl, black
	Curve 8300	\$299.99	
	BOLD	\$399.99	
Sierra Wireless	AC881 (pcmcia)	\$149.99	
	Mercury (USB)	\$99.99	
Option	Quicksilver (USB)	\$99.99	
	GT Ultra (pcmcia)	\$99.99	
	GT Ultra (express)	\$99.99	
Acer	Aspire One (netbook)	\$299.99	
Lenovo	S10 (netbook)	\$299.99	
Dell	Mini 10 (netbook)	\$299.99	



Devices to remove - end-of-life^{**}	
Nokia	2610
Nokia	2600
Sierra Wireless	AC881U
LG	YU
LG	CE10
LG	CU515
Sony-Ericsson	V580i
Sony-Ericsson	Z750
Samsung	SLM
Samsung	A737
Samsung	A227
Samsung	Propel
Motorola	V3XX
Blackberry	8700c
Blackberry	Pearl (8100)
Blackberry	Pearl (8120)
Pantech	Duo
ATT (HTC)	Tilt
Palm	750

**** Available until supplies are exhausted**



AT&T Mobility National Accounts LLC
ATTN: Contracts
7229 Parkway Drive
Hanover, MD 21076

October 5, 2009
Jo Ann Adkins
Dept of Administration
Purchasing Division
2019 Washington Street East
Charleston, WV 25305

Jo Ann,

This letter is to notify you of changes to the FUSF rate.

Effective July 1, 2009 the FUSF rate changed to 3.588% of all telecommunications charges with the exception of separately billed interstate/international toll charges which are charged a FUSF rate of 12.9%.

Please let me know if you have any questions.

Respectfully,

A handwritten signature in black ink that reads "Cathleen Pryor".

Cathleen Pryor
Vice President, Contracts
AT&T Mobility



JOE MANCHIN III
GOVERNOR

STATE OF WEST VIRGINIA
DEPARTMENT OF ADMINISTRATION
PURCHASING DIVISION
2019 WASHINGTON STREET, EAST
P.O. BOX 50130
CHARLESTON, WEST VIRGINIA 25305-0130

ROBERT W. FERGUSON, JR.
CABINET SECRETARY

DAVID TINCHER
DIRECTOR

October 24, 2009

Greg Florence
ATT Mobility
305 Great Teays Blvd., Door 2
Scott Depot, WV 25560

Fax: 866-509-1935

Subject: CPHONE07B


Dear Mr. Jones:

The State of West Virginia is offering to renew subject contract under the same terms, conditions and pricing. The renewal dates are November 1, 2009 through October 31, 2010. If your company agrees to this renewal, please sign below and return the original to my attention as soon as possible.

Also attached is an **Affidavit** that is to be part of the purchase order and is required to be signed and dated.

Please call if you have any questions.

Very truly yours,


Jo Ann Adkins
Buyer Supervisor
304.558.8802

Attachment

We agree to renew the contract for the period as stated above under the same terms and conditions in the original purchase order and any change orders thereto.


Name/Signature

October 27, 2009
Date

VP Contracts
Title

RECEIVED
2009 OCT 27 PM 12:11
WV PURCHASING
DIVISION



State of West Virginia
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LINE	QUANTITY	UOP	VENDOR ITEM NO.		UNIT PRICE	AMOUNT	
	DELIVERY DATE	CAT.NO.	ITEM NUMBER				
RECEIPT TICKET FOR PURCHASE ORDER: CPHONE07B							
LINE	CATNO	ITEM NUMBER	DESCRIPTION		QTY	DATE	
0001		985-77	STATEWIDE CONTRACT FOR CELL SERVICE				
			SIGNATURE _____		DATE _____		
							TOTAL

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 ASSISTANT ATTORNEY GENERAL

BY _____
 PURCHASING DIVISION AUTHORIZED SIGNATURE