



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

# Purchase Order

<b>PURCHASE ORDER NO.</b>
CPHONE07C

<b>PAGE</b>
1

<b>BLANKET RELEASE</b>
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CORRECT PURCHASE ORDER NUMBER MUST APPEAR ON ALL PACKAGES, INVOICES, AND SHIPPING PAPERS. QUESTIONS CONCERNING THIS PURCHASE ORDER SHOULD BE DIRECTED TO THE BUYER AS NOTED BELOW.

<b>CHANGE ORDER</b>
1

**SEE REVERSE SIDE FOR TERMS AND CONDITIONS**

**AGENCY COPY**

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

**INVOICE TO**

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

**VENDOR**

\*113154636      304-641-4000  
 CELLULAR ONE  
 1111 VAN VOORHIS ROAD  
 MORGANTOWN WV 26505

**SHIP TO**

DATE PRINTED	TERMS OF SALE	FEIN/SSN	FUND		
04/09/2007	NET 30	133557306			
SHIP VIA	P.O.B	FREIGHT TERMS	ACCOUNT NUMBER		
BEST WAY	DESTINATION	PREPAID	MII. - MII.		
LINE	QUANTITY	UOP	VENDOR ITEM NO.	UNIT PRICE	AMOUNT
	DELIVERY DATE	CAT. NO.	ITEM NUMBER		
			CHANGE ORDER #01		
	THIS CHANGE ORDER INCLUDES THE FOLLOWING:				
	1. ADD ITEMS TO : "WIRELESS ACCESSORIES".				
	2. ADD PUBLICIZED RATE-CARD CHARGES.				
	3. REPLACE "WIRELESS DEVICE PRICING".				
	EFFECTIVE DATE: 04/09/2007				
	*****NO ADDITIONAL CHANGES*****				
			PREVIOUS PO TOTAL==>	OPEN	END
			PO NET CHANGE (+)==>		

**PURCHASING DIVISION  
 CERTIFIED ENCUMBERED**

**APR 23 2007**

*Beverly Tolson*

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

*4/9/07*

**OPEN END  
 TOTAL**

*Dwayne Wayfield*

APPROVED AS TO FORM BY  
 ASSISTANT ATTORNEY GENERAL

BY

*JO ANN ADKINS*

304-558-8802

**PURCHASING DIVISION AUTHORIZED SIGNATURE**

**GENERAL TERMS & CONDITIONS  
PURCHASE ORDER/CONTRACT**

1. **ACCEPTANCE:** Seller shall be bound by this order and its terms and conditions upon receipt of acceptance 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, this Contract is automatically null and void, and is terminated 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 Covered Entity (45 CFR §160.103) and will be disclosing Protected Health Information (45 CFR §160.103) to the vendor.

# CELLULARONE®

*from Dobson Cellular Systems*

**To:** Carlos Neccuzi

**From:** Jeremy Posey 

**Re:** Change Order, Cell Phone State Contract

**Cc:** Jack McArdle

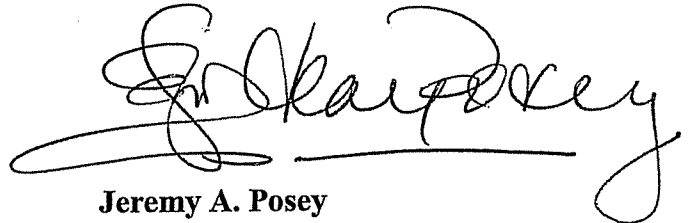
**Date:** Tuesday, February 06, 2007

**Please see the following requested changes & additions:**

- 1. Please add Attachment A to our “Wireless Accessories Pricing” under State of West Virginia – State Price List.**
- 2. Please add Attachment B to our contract, as our publicized rate-card.**
- 3. Please replace our current “Wireless Device Pricing” under State of West Virginia – State Price List with Attachment C.**

**If you have any questions, please feel free to call me directly at 304-216-6366.**

**Sincerely,**



**Jeremy A. Posey**  
**Major Account Executive**

Jeremy Alan Posey, Major Account Executive  
304-216-6366 (*cellular*), 304-598-6513 (*fax*)  
*Jeremy.Posey@dobson.net*

**Attachment A: Wireless Accessories Pricing**

In-Car Repeater \$349.99 (radiates whole car, supporting multiple handsets/laptops)

In-Car Repeater \$219.99 (meant for use with one phone/laptop, does not support multiple devices)

**Attachment B: Publicized Rate Card**

Monthly Host Service Charge	After 15% Monthly Discount	Anytime Minutes	Night & Weekend Minutes	Nationwide Long Distance	Mobile to Mobile Calling	Partner Plans	Partner Plans After 15% Monthly Discount
\$20.00	\$17.00	100	Unlimited	Free	Unlimited	N/A	N/A
\$35.00	\$29.75	300	Unlimited	Free	Unlimited	\$20.00	\$17.00
\$40.00	\$34.00	500	Unlimited	Free	Unlimited	\$20.00	\$17.00
\$40.00	\$34.00	1000	N/A	Free	Unlimited	N/A	N/A
\$50.00	\$42.50	1600	Unlimited	Free	Unlimited	N/A	N/A
\$60.00	\$51.00	900	Unlimited	Free	Unlimited	\$9.99	\$8.49
\$80.00	\$68.00	1500	Unlimited	Free	Unlimited	\$9.99	\$8.49
\$100.00	\$85.00	2200	Unlimited	Free	Unlimited	\$9.99	\$8.49
\$150.00	\$127.50	4000	Unlimited	Free	Unlimited	\$9.99	\$8.49
\$200.00	\$170.00	6000	Unlimited	Free	Unlimited	\$9.99	\$8.49
\$300.00	\$255.00	9000	Unlimited	Free	Unlimited	\$9.99	\$8.49

All accounts need to maintain a four-to-one, partner-to-host plan ratio.

**Attachment C: Wireless Device Pricing**

	<u>Price</u>	<u>Replacement Cost</u>
Motorola	FREE	\$ 99.99
Samsung	FREE	\$ 99.99
Nokia	FREE	\$ 99.99
Motorola	\$ 19.99	\$ 119.99
Motorola	\$ 29.99	\$ 149.99
Samsung	FREE	\$ 149.99
Samsung	FREE	\$ 149.99
Nokia	\$ 99.99	\$ 249.99
Motorola	\$ 29.99	\$ 139.99
Nokia	\$ 69.99	\$ 199.99
Motorola	\$119.99	\$ 269.99
Motorola	\$199.99	\$ 399.99
RIM	\$199.99	\$ 369.99
RIM	\$259.99	\$ 412.99
RIM	\$199.99	\$ 422.89
RIM	\$249.99	\$ 482.99
Palm	\$399.99	\$ 562.99
Hewlett Packard	\$379.99	\$ 562.99
Hewlett Packard (camera)	\$379.99	\$ 562.99
EDGE Card - wireless data card	\$149.99	\$ 199.99



STATE OF WEST VIRGINIA  
DEPARTMENT OF ADMINISTRATION  
OFFICE OF TECHNOLOGY

Joe Manchin III  
Governor

State Capitol  
Charleston, West Virginia 25305

Robert W. Ferguson, Jr.  
Cabinet Secretary

Kyle Schafer  
Chief Technology Officer

**MEMORANDUM**

**TO:** JoAnn Adkins, Senior Buyer  
Purchasing Division

**FROM:** Kyle Schafer, Chief Technology Officer  
Office of Technology  
*Kyle Schafer*

**SUBJECT:** **INFORMATION TECHNOLOGY PROCUREMENT**  
**REQUISITION NUMBER: CPHONE07-C C.O. 1 - IS&C NUMBER: 2007-388**

**DATE:** 3/29/07

Subdivision 5-1B-4(a)(3) of the state code permits the chief technology officer to "evaluate, in conjunction with the information services and communications division [IS&C] of the department of administration, the economic justification, system design and suitability of information equipment and related services, and review and make recommendations on the purchase, lease or acquisition of information equipment and contracts for related services by the state spending units."

Your request for approval to implement changes to the State's agreement with Cellular One has been reviewed and approved by the Office of Technology.

It is our understanding that this Change Order will cover the addition of repeaters, an update to the Publicized Rate Card and a new Equipment List, detailing changes in models and accessories.

This memorandum constitutes this office's official approval and a copy should be attached to your purchase order and any other correspondence related to this request.

If you have questions, or need information, please contact Pat Wehrle at 558-5472 x8893.



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\*113154636      304-641-4000  
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LINE	QUANTITY	UOP	VENDOR ITEM NO.		UNIT PRICE	AMOUNT	
	DELIVERY DATE	CAT. NO.	ITEM NUMBER				
0001			RECEIPT TICKET FOR PURCHASE ORDER:			CPHONE07C	
			STATEWIDE CONTRACT FOR CELL SERVICE			QTY	DATE
			SIGNATURE _____				DATE _____

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

**TOTAL**

APPROVED AS TO FORM BY  
 ASSISTANT ATTORNEY GENERAL

BY \_\_\_\_\_  
 PURCHASING DIVISION AUTHORIZED SIGNATURE