

# Purchase Order



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

PURCHASE ORDER NO.  
 RSHEET07B

PAGE  
 1

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

SEE REVERSE SIDE FOR  
 TERMS AND CONDITIONS

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

AGENCY COPY

\*926134810 562-777-1810  
 NIPPON CARBIDE INDUSTRIES USA  
 12981 E FLORENCE AVE  
 SANTA FE SPRINGS CA 90670

ALL STATE AGENCIES  
 AND POLITICAL SUBDIVISIONS  
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DATE PRINTED		TERMS OF SALE		FEIN/SSN		FUND	
09/14/2007		NET 30		954331664			
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				
			BLANKET OPEN-END STATEWIDE CONTRACT FOR REFLECTIVE SHEETING				
			THIS BLANKET OPEN-END CONTRACT IS ONLY FOR SECTIONS: IV - TRANSPARENT INK, TRANSPARENT EC FILM, AND OPAQUE VINYL NON-DEPENDENT TYPE I SHEETING. VI - TRANSPARENT INK, TRANSPARENT EC FILM, AND OPAQUE VINYL NON-DEPENDENT TYPE III SHEETING.				
			THE FOLLOWING IS INCORPORATED HEREIN BY REFERENCE AND MADE A PART HEREOF.				
			REQUEST FOR QUOTATION DATED 5/14/07. SPECIFICATIONS AND ADDENDA THERETO. VENDOR'S BID DATED 06/15/2007.				
			ATTACHMENTS:				
			SECTION IV - TRANSPARENT INK, TRANSPARENT EC FILM, AND OPAQUE VINYL NON-DEPENDENT TYPE I SHEETING (1 PAGE).				
			SECTION VI - TRANSPARENT INK, TRANSPARENT EC FILM, AND OPAQUE VINYL NON-DEPENDENT TYPE III SHEETING (2 PAGES)				
						PURCHASING DIVISION CERTIFIED ENCUMBERED SEP 18 2007 <i>Beverly Toler</i>	
						OPEN END	
						TOTAL	

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

*Doug Myfield*

APPROVED AS TO FORM BY  
 ASSISTANT ATTORNEY GENERAL

JO ANN ADKINS 304-558-8802

BY *[Signature]*  
 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 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 or 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.

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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.

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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 ù160.103) and will be disclosing Protected Health Information (45 CFR ù160.103) to the vendor.

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09/14/2007		NET 30		954331664			
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				
0001	09/15/2007	EA	550-44		.00000		
	REFLECTIVE SHEETING						
	EXHIBIT 3						
	LIFE OF CONTRACT: THIS CONTRACT BECOMES EFFECTIVE ON JULY 1, 2007 AND EXTENDS FOR A PERIOD OF ONE (1) YEAR OR UNTIL SUCH "REASONABLE TIME" THEREAFTER AS IS NECESSARY TO OBTAIN A NEW CONTRACT OR RENEW THE ORIGINAL CONTRACT. THE "REASONABLE TIME" PERIOD SHALL NOT EXCEED TWELVE (12) MONTHS. DURING THIS "REASONABLE TIME" THE VENDOR MAY TERMINATE THIS CONTRACT FOR ANY REASON UPON GIVING THE DIRECTOR OF PURCHASING 30 DAYS WRITTEN NOTICE.						
	UNLESS SPECIFIC PROVISIONS ARE STIPULATED ELSEWHERE IN THIS CONTRACT DOCUMENT, THE TERMS, CONDITIONS AND PRICING SET HEREIN ARE FIRM FOR THE LIFE OF THE CONTRACT.						
	RENEWAL: THIS CONTRACT MAY BE RENEWED UPON THE MUTUAL WRITTEN CONSENT OF THE SPENDING UNIT AND VENDOR, SUBMITTED TO THE DIRECTOR OF PURCHASING THIRTY (30) DAYS PRIOR TO THE EXPIRATION DATE. SUCH RENEWAL SHALL						
						TOTAL	

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

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

APPROVED AS TO FORM BY  
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VENDOR

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DATE PRINTED 09/14/2007	TERMS OF SALE NET 30	FEIN/SSN 954331664	FUND
SHIP VIA BEST WAY	F.O.B. DESTINATION	FREIGHT TERMS PREPAID	ACCOUNT NUMBER MUL-MUL

LINE	QUANTITY DELIVERY DATE	UOP CAT. NO.	VENDOR ITEM NO. ITEM NUMBER	UNIT PRICE	AMOUNT
	BE IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE ORIGINAL CONTRACT AND SHALL BE LIMITED TO TWO (2) ONE (1) YEAR PERIODS.  CANCELLATION: THE DIRECTOR OF PURCHASING RESERVES THE RIGHT TO CANCEL THIS CONTRACT IMMEDIATELY UPON WRITTEN NOTICE TO THE VENDOR IF THE COMMODITIES AND/OR SERVICES SUPPLIED ARE OF AN INFERIOR QUALITY OR DO NOT CONFORM TO THE SPECIFICATIONS OF THE BID AND CONTRACT HEREIN.  OPEN MARKET CLAUSE: THE DIRECTOR OF PURCHASING MAY AUTHORIZE A SPENDING UNIT TO PURCHASE ON THE OPEN MARKET, WITHOUT THE FILING OF A REQUISITION OR COST ESTIMATE, ITEMS SPECIFIED ON THIS CONTRACT FOR IMMEDIATE DELIVERY IN EMERGENCIES DUE TO UNFORESEEN CAUSES (INCLUDING BUT NOT LIMITED TO DELAYS IN TRANSPORTATION OR AN UNANTICIPATED INCREASE IN THE VOLUME OF WORK.)  QUANTITIES: QUANTITIES LISTED IN THE REQUISITION ARE APPROXIMATIONS ONLY, BASED ON ESTIMATES SUPPLIED BY THE STATE SPENDING UNIT. IT IS UNDERSTOOD AND AGREED THAT THE CONTRACT SHALL COVER THE QUANTITIES ACTUALLY ORDERED FOR DELIVERY DURING THE TERM OF THE CONTRACT, WHETHER MORE OR LESS THAN THE QUANTITIES SHOWN.  ORDERING PROCEDURE: SPENDING UNIT(S) SHALL ISSUE A WRITTEN STATE CONTRACT ORDER (FORM NUMBER WV-39) TO				

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TOTAL

APPROVED AS TO FORM BY  
 ASSISTANT ATTORNEY GENERAL

BY \_\_\_\_\_  
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LINE	QUANTITY	UOP	VENDOR ITEM NO.		UNIT PRICE	AMOUNT	
	DELIVERY DATE	CAT. NO.	ITEM NUMBER				
<p>THE VENDOR FOR COMMODITIES COVERED BY THIS CONTRACT.            THE ORIGINAL COPY OF THE WV-39 SHALL BE MAILED TO THE            VENDOR AS AUTHORIZATION FOR SHIPMENT, A SECOND COPY            MAILED TO THE PURCHASING DIVISION, AND A THIRD COPY            RETAINED BY THE SPENDING UNIT.</p> <p>BANKRUPTCY: IN THE EVENT THE VENDOR/CONTRACTOR FILES            FOR BANKRUPTCY PROTECTION, THIS CONTRACT IS AUTOMATI-            CALLY NULL AND VOID, AND IS TERMINATED WITHOUT FURTHER            ORDER.</p> <p>THE TERMS AND CONDITIONS CONTAINED IN THIS CONTRACT            SHALL SUPERSEDE ANY AND ALL SUBSEQUENT TERMS AND            CONDITIONS WHICH MAY APPEAR ON ANY ATTACHED PRINTED            DOCUMENTS SUCH AS PRICE LISTS, ORDER FORMS, SALES            AGREEMENTS OR MAINTENANCE AGREEMENTS, INCLUDING ANY            ELECTRONIC MEDIUM SUCH AS CD-ROM.</p> <p>REV. 04/11/2001</p> <p>PURCHASING CARD ACCEPTANCE: THE STATE OF WEST VIRGINIA            CURRENTLY UTILIZES A VISA PURCHASING CARD PROGRAM WHICH            IS ISSUED THROUGH A BANK. THE SUCCESSFUL VENDOR            MUST ACCEPT THE STATE OF WEST VIRGINIA VISA PURCHASING            CARD FOR PAYMENT OF ALL ORDERS PLACED BY ANY STATE            AGENCY FOR ORDERS THAT ARE LESS THAN \$2,500 AS A CONDI-            TION OF AWARD.</p>							
						TOTAL	

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APPROVED AS TO FORM BY

BY \_\_\_\_\_

PURCHASING DIVISION AUTHORIZED SIGNATURE

BID SCHEDULE (CONTINUED)

ITEM NUMBER	ESTIMATED QTY	DESCRIPTION	MANUFACTURER PRODUCT CODE	UNIT COST	TOTAL COST	INVENTORY SUBCODE (DOH USE ONLY)
<b>BID ITEM SECTION IV - TRANSPARENT INK, TRANSPARENT EC FILM, AND OPAQUE VINYL NON-DEPENDENT TYPE I SHEETINGS</b>						
<b>Nikkalite Brand Engineering Grade #8100 Series</b>						
96	1	Type ASTM-I Reflective Sheeting, Pressure Sensitive 1/2"x50 yds* White	#8112	\$3.88	\$3.88	111050
97	1	Type ASTM-I Reflective Sheeting, Pressure Sensitive 1/2"x50 yds* Yellow	#8104	\$3.88	\$3.88	112050
98	1	Type ASTM-I Reflective Sheeting, Pressure Sensitive 1"x50 yds* White	#8112	\$7.75	\$7.75	111100
99	1	Type ASTM-I Reflective Sheeting, Pressure Sensitive 1"x50 yds* Yellow	#8104	\$7.75	\$7.75	112100
100	1	Type ASTM-I Reflective Sheeting, Pressure Sensitive 15"x50 yds. Blue	#8106	\$116.25	\$116.25	115015
101	1	Type ASTM-I Reflective Sheeting, Pressure Sensitive 18-1/2"x50 yds* Blue	#8106	\$143.38	\$143.38	
102	1	Type ASTM-I Reflective Sheeting, Pressure Sensitive 21"x50 yds Blue	#8106	\$162.75	\$162.75	
103	1	Type ASTM-I Reflective Sheeting, Pressure Sensitive 24-1/2"x50 yds* Blue	#8106	\$189.88	\$189.88	115024
104	1	Type ASTM-I Reflective Sheeting, Pressure Sensitive 30"x50 yds Blue	#8106	\$232.50	\$232.50	115030
105	1	Type ASTM-I Reflective Sheeting, Pressure Sensitive 36"x50 yds Blue	#8106	\$279.00	\$279.00	115036
106	1	Type ASTM-I Reflective Sheeting, Pressure Sensitive 42"x50 yds. Blue	#8106	\$325.50	\$325.50	
107	1	Type ASTM-I Reflective Sheeting, Pressure Sensitive 48"x50 yds Blue	#8106	\$360.00	\$360.00	115048

BID SCHEDULE (CONTINUED)

ITEM NUMBER	ESTIMATED QTY	DESCRIPTION	MANUFACTURER PRODUCT CODE	UNIT COST	TOTAL COST	INVENTORY SUBCODE (DOH USE ONLY)
<b>BID ITEM SECTION VI - TRANSPARENT INK, TRANSPARENT EC FILM, AND OPAQUE VINYL NON-DEPENDENT TYPE III SHEETINGS</b>						
124		Nikkalite Brand Ultralite Grade II (High Intensity) #N500 Series Type ASTM-III Reflective Sheeting, Pressure Sensitive 1/2"x50 yds* White	#N512	\$7.50	\$7.50	211050
125		Type ASTM-III Reflective Sheeting, Pressure Sensitive 1/2"x50 yds* Yellow	#N504	\$7.50	\$7.50	
126		Type ASTM-III Reflective Sheeting, Pressure Sensitive 1"x50 yds* White	#N512	\$15.00	\$15.00	211100
127		Type ASTM-III Reflective Sheeting, Pressure Sensitive 1"x50 yds* Yellow	#N504	\$15.00	\$15.00	
128	1	Type ASTM-III Reflective Sheeting, Pressure Sensitive 12-3/4"x100 yds* White	#N512	\$382.51	\$382.51	211012
129		Type ASTM-III Reflective Sheeting, Pressure Sensitive 12-3/4"x100 yds* Yellow	#N504	\$191.26	\$382.52	212012
130	21	Type ASTM-III Reflective Sheeting, Pressure Sensitive 12-3/4"x100 yds* Blue	#N506	\$191.26	\$8,032.92	215012
131	21	Type ASTM-III Reflective Sheeting, Pressure Sensitive 12-3/4"x100 yds* Green	#N508	\$383.51	\$8,032.71	214012
132	5	Type ASTM-III Reflective Sheeting, Pressure Sensitive 12-3/4"x100 yds* Brown	#N509	\$191.26	\$1,912.60	216012
133		Type ASTM-III Reflective Sheeting, Pressure Sensitive 15"x50 yds. Blue	#N506	\$225.00	\$225.00	215015
134		Type ASTM-III Reflective Sheeting, Pressure Sensitive 15"x50 yds. Green	#N508	\$225.00	\$225.00	
135		Type ASTM-III Reflective Sheeting, Pressure Sensitive 15"x50 yds. Brown	#N509	\$225.00	\$225.00	
136		Type ASTM-III Reflective Sheeting, Pressure Sensitive 18-1/2"x50 yds* Blue	#N506	\$277.50	\$277.50	
137		Type ASTM-III Reflective Sheeting, Pressure Sensitive 18-1/2"x50 yds* Green	#N508	\$277.50	\$277.50	
138		Type ASTM-III Reflective Sheeting, Pressure Sensitive 18-1/2"x50 yds* Brown	#N509	\$277.50	\$277.50	
139		Type ASTM-III Reflective Sheeting, Pressure Sensitive 21"x50 yds Blue	#N506	\$315.00	\$315.00	
140		Type ASTM-III Reflective Sheeting, Pressure Sensitive 21"x50 yds Green	#N508	\$315.00	\$315.00	
141		Type ASTM-III Reflective Sheeting, Pressure Sensitive 21"x50 yds Brown	#N509	\$315.00	\$315.00	
142		Type ASTM-III Reflective Sheeting, Pressure Sensitive 24-1/2"x50 yds* Blue	#N506	\$367.50	\$367.50	
143		Type ASTM-III Reflective Sheeting, Pressure Sensitive 24-1/2"x50 yds* Green	#N508	\$367.50	\$367.50	

\*available  
50 Yds Onl  
4,016.16  
8,053.91  
956.30

\*Please note items #129, 130, & 132 are available in 50 Yard rolls only and are being bid as 50 Yard rolls

**BID SCHEDULE (CONTINUED)**

ITEM NUMBER	ESTIMATED QTY	DESCRIPTION	MANUFACTURER PRODUCT CODE	UNIT COST	TOTAL COST	INVENTORY SUBCODE (DOH USE ONLY)
<b>Nikkalite Brand Ultralite Grade II (High Intensity) #N500 Series</b>						
<b>BID ITEM SECTION VI - TRANSPARENT INK, TRANSPARENT EC FILM, AND OPAQUE VINYL NON-DEPENDENT TYPE III SHEETINGS (CONTINUED)</b>						
144		Type ASTM-III Reflective Sheeting, Pressure Sensitive 24-1/2"x50 yds* Brown	#N509	\$367.50	\$367.50	216024
145		Type ASTM-III Reflective Sheeting, Pressure Sensitive 30"x50 yds Blue	#N506	\$450.00	\$450.00	215030
146		Type ASTM-III Reflective Sheeting, Pressure Sensitive 30"x50 yds Green	#N508	\$450.00	\$450.00	214030
147		Type ASTM-III Reflective Sheeting, Pressure Sensitive 30"x50 yds Brown	#N509	\$450.00	\$450.00	216030
148		Type ASTM-III Reflective Sheeting, Pressure Sensitive 36"x50 yds Blue	#N506	\$540.00	\$540.00	215036
149		Type ASTM-III Reflective Sheeting, Pressure Sensitive 36"x50 yds Green	#N508	\$540.00	\$540.00	214036
150		Type ASTM-III Reflective Sheeting, Pressure Sensitive 36"x50 yds Brown	#N509	\$540.00	\$540.00	
151		Type ASTM-III Reflective Sheeting, Pressure Sensitive 42"x50 yds. Blue	#N506	\$630.00	\$630.00	215042
152		Type ASTM-III Reflective Sheeting, Pressure Sensitive 42"x50 yds. Green	#N508	\$630.00	\$630.00	214042
153		Type ASTM-III Reflective Sheeting, Pressure Sensitive 42"x50 yds. Brown	#N509	\$630.00	\$630.00	
154		Type ASTM-III Reflective Sheeting, Pressure Sensitive 48"x50 yds Blue	#N506	\$720.00	\$720.00	215048
155		Type ASTM-III Reflective Sheeting, Pressure Sensitive 48"x50 yds Green	#N508	\$720.00	\$720.00	214048
156	1	Type ASTM-III Reflective Sheeting, Pressure Sensitive 48"x50 yds Brown	#N509	\$720.00	\$720.00	216048

