



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.
SAFETY04DD

PAGE
1

BLANKET RELEASE
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CHANGE ORDER

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

INVOICE

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

AGENCY COPY

VENDOR

*70903544502 304-485-6353
 AIRGAS MID AMERICA
 202 THIRD AVE
 HUNTINGTON WV 25701

SHIP TO

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

DATE PRINTED	TERMS OF SALE	FEIN/SSN	FUND
07/08/2004	NET 30	611237230	
SHIP VIA	F.O.B.	FREIGHT TERMS	ACCOUNT NUMBER
BEST WAY	DESTINATION	PREPAID	MUL - MUL
LINE	QUANTITY	UOP	VENDOR ITEM NO.
	DELIVERY DATE	CAT. NO.	ITEM NUMBER

BLANKET OPEN-END CONTRACT

THIS IS A BLANKET OPEN-END CONTRACT TO SUPPLY DISPOSABLE PROTECTIVE CLOTHING TO ALL WEST VIRGINIA STATE AGENCIES AND POLITICAL SUBDIVISIONS. THIS AWARD IS PER ALL THE TERMS AND CONDITIONS OF THE REQUEST FOR QUOTATION DATED 1/27/04 AND VENDOR'S BID DATED 2/13/04.

SHIPPING: ALL DELIVERY CHARGES ARE INCLUDED IN THE PRICE SHOWN FOR EACH ITEM FOR ORDERS OF \$100.00 OR MORE. FOR ORDERS LESS THAN \$100.00, AGENCIES MAY PURCHASE FROM ANY LOCAL SOURCE OR ORDER FROM THE

WV STATE PURCHASING DIVISION
 ADMINISTRATION UNIT
 CERTIFIED ENCUMBERED

JUL 13 2004

Beverly Toler

0018 CS 0.00000
 02/29/2004 895-74-99-901
 COVERALL: ZIPPER FRONT, BRAND NAME: LAKELAND 1412

IF APPROVAL AS TO FORM IS REQUIRED BY ATTORNEY GENERAL, CHECK HERE 5/27/04

OPEN END

Samuel Weidner
 APPROVED AS TO FORM BY

BETTY FRANCISCO
 BY *Loren R. ...* 7/9/04

TOTAL
 304-558-0468

**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.
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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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				
0019	02/29/2004		895-74-99-901		0.00000		
	CS						
	BRAND: DUPONT COLOR: WHITE ITEM # DPP14120 SMALL - X-LARGE - \$2.63 XXX-LARGE - \$2.95 XX-LARGE - \$2.79 XXXX-LARGE - \$3.19 CASE - CONTAINS 25 COVERALLS MAY BE PURCHASED INDIVIDUALLY						
0020	02/29/2004		895-74-99-901		0.00000		
	CS						
	BOOT, ELASTIC WRISTS. BRAND: DUPONT COLOR: WHITE ITEM# DPP14261 SMALL-XLARGE - \$3.23 XXX-LARGE - \$3.63 XX-LARGE - \$3.42 XXXX-LARGE - \$3.92 CASE CONTAINS 25 COVERALLS MAY BE PURCHASED INDIVIDUALLY						
	COVERALL: ZIPPER FRONT, ATTACHED HOOD AND NON-SKID						
	COVERALL: ZIPPER FRONT, ELASTIC WRISTS AND ANKLES,						

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

TOTAL

BETTY FRANCISCO

304-558-0468

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LINE	QUANTITY	UQP	VENDOR ITEM NO		UNIT PRICE	AMOUNT	
	DELIVERY DATE	CAT.NO.	ITEM NUMBER				
0021	02/29/2004	CS	895-74-99-901		0.00000		
	BRAND: DUPONT COLOR: WHITE ITEM # DPP14125 SMALL-XLARGE - \$2.97 XXX-LARGE - \$3.33 XX-LARGE - \$3.15 XXXX-LARGE - \$3.60 CASE CONTAINS 25 COVERALLS MAY BE PURCHASED INDIVIDUALLY COVERALL: ZIPPER FRONT, ATTACHED HOOD, ELASTIC WRISTS AND ANKLES. BRAND: DUPONT COLOR: WHITE ITEM #DPP14127 SMALL - X-LARGE - \$3.18 XXX-LARGE - 3.57 XX-LARGE - \$3.37 XXXX-LARGE - 3.86 CASE CONTAINS 25 COVERALLS MAY BE PURCHASED INDIVIDUALLY LIFE OF CONTRACT: THIS CONTRACT BECOMES EFFECTIVE ON JULY 1, 2004 AND EXTENDS FOR A PERIOD OF ONE (1) YEAR OR UNTIL SUCH "REASONABLE TIME" THEREAFTER AS IS						
						TOTAL	

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LINE	QUANTITY	UOP	VENDOR ITEM NO.		UNIT PRICE	AMOUNT	
	DELIVERY DATE	CAT.NO.	ITEM NUMBER				
	<p>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.</p> <p>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.</p> <p>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 BE IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE ORIGINAL CONTRACT AND SHALL BE LIMITED TO TWO (2) ONE (1) YEAR PERIODS.</p> <p>CANCELLATION: THE DIRECTOR OF PURCHASING RESERVES THE CAUSES (INCLUDING BUT NOT LIMITED TO DELAYS IN TRANSPORTATION OR AN UNANTICIPATED INCREASE IN THE VOLUME OF WORK.)</p>						

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<p>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.</p> <p>ORDERING PROCEDURE: SPENDING UNIT(S) SHALL ISSUE A WRITTEN STATE CONTRACT ORDER (FORM NUMBER WV-39) TO 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 AUTOMATICALLY 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</p>							
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LINE	QUANTITY	UOP	VENDOR ITEM NO.		UNIT PRICE	AMOUNT	
	DELIVERY DATE	CAT.NO.	ITEM NUMBER				
	DOCUMENTS SUCH AS PRICE LISTS, ORDER FORMS, SALES AGREEMENTS OR MAINTENANCE AGREEMENTS, INCLUDING ANY ELECTRONIC MEDIUM SUCH AS CD-ROM.						
	ALTERNATE TERMS:						
	(X) THE PRICES ON THIS CONTRACT WILL REMAIN FIRM FOR 365 DAYS AFTER THE EFFECTIVE DATE OF THE CONTRACT. PRICES WILL REMAIN FIRM AFTER EACH PRICE ADJUSTMENT FOR A MINIMUM OF 90 DAYS.						
	PURCHASING CARD ACCEPTANCE: THE STATE OF WEST VIRGINIA CURRENTLY UTILIZES A VISA PURCHASING CARD PROGRAM WHICH IS ISSUED THROUGH A LOCAL 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 CONDITION OF AWARD.						

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LINE	QUANTITY	UOP	VENDOR ITEM NO.	UNIT PRICE	AMOUNT
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RECEIPT TICKET FOR PURCHASE ORDER: SAFETY04DD					
LINE	CATNO	ITEM NUMBER	DESCRIPTION	QTY	DATE
0018	895-74	99-901	COVERALL: ZIPPER FRONT, BRAND NAME	_____	_____
0019	895-74	99-901	COVERALL: ZIPPER FRONT, ATTACHED H	_____	_____
0020	895-74	99-901	COVERALL: ZIPPER FRONT, ELASTIC WR	_____	_____
0021	895-74	99-901	COVERALL: ZIPPER FRONT, ATTACHED H	_____	_____
SIGNATURE _____				DATE _____	

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