



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.
DWASH04

PAGE
1

BLANKET RELEASE
00

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.

CHANGE ORDER
3

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

AGENCY COPY

INVOICE TO

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

VENDOR

*709030107 800-352-5326
 ECOLAB INC
 370 WABASHA STREET
 ST PAUL MN 55102

SHIP TO

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

DATE PRINTED	TERMS OF SALE	FEIN/SSN	FUND		
08/24/2006	NET 30	410231510			
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 #03		
			1) TO PROVIDE REVISED PRICING EFFECTIVE AUGUST 15, 2006. REFER TO REVISED PRICING PAGE ATTACHED.		
			2) 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: 8/15/2006 THROUGH 08/14/2007		
			RENEWALS REMAINING: 0		
			*****NO ADDITIONAL CHANGES*****		
			PREVIOUS PO TOTAL==>	OPEN	END
			PO NET CHANGE (+)==>		

WV STATE PURCHASING DIVISION
 ADMINISTRATION UNIT
 CERTIFIED ENCUMBERED

AUG 30 2006

Beverly Toler

IF APPROVAL AS TO FORM IS REQUIRED BY ATTORNEY GENERAL, CHECK HERE *1057 8-25-06*

APPROVED FOR
 ONE FISCAL YEAR
Samuel Wayfield

APPROVED AS TO FORM BY
 ASSISTANT ATTORNEY GENERAL

BY *Betty Francisco* 304-558-0468
 PURCHASING DIVISION AUTHORIZED SIGNATURE

OPEN END
TOTAL

**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.

Contract Pricing Page - DWASH04 (Revised)

Item #	Product	Brand	Brand Item #	Count Per Case	Case Price:	Gross Weight Per Case	Net Weight Per Case
1	Dishwasher Detergent for Hard Water	Solid Power Plus	25155	4/9#	50.30	39#	36#
2	Rinse Additive: Dishwasher, Liquid	Jet Dry	11833	5 gal	64.69	46#	44.4#
3	Sanitizer: Chlorine, Powder, for 3 Compartment sink	Mikro-Chlor	15537	12/2#	16.56	26#	24#
4	Detergent: Manual Dishwashing, Solid	Solitaire	17301	4/5#	82.99	22#	20#
5	Pre-Soak: Flatware, Dinnerware	Silver Power	12922	2/8#	58.79	18#	16#
6	Rinse Additive: Dishwasher, Liquid	Jet Dry	11817	4/1 gal	57.96	37#	35.52#
7	Presoak - Solid	Silver Power	12922	2/8#	58.79	18#	16#
8	Solid Dishwasher Detergent	Solid Power	10371	6/9#	72.66	57#	54#
9	Liquid Low Temperature Machine Detergent	Ultra Klene	12716	5 gal	57.96	59.85#	58.5#
10	Heavy Duty Degreaser Oven Cleaner Aqueous Acidic	Greasestrip Plus	29777	6/32 oz	58.97	15.1#	14#
11	Cleaner/Delimer/Descaler	Lime-a-way	12021	4/1 gal	31.34	43#	41.5#
12	Disinfectant, Germicidal Rinse	Star Bac Blu	11023	4/1 gal	45.64	35#	35#
13	Cold Temperature Cleaner	Kool Klene	15461	4/1 gal	69.35	35.5#	35.5#



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LINE	QUANTITY	UOP	VENDOR ITEM NO.	UNIT PRICE		AMOUNT	
	DELIVERY DATE	CAT. NO.	ITEM NUMBER				
			RECEIPT TICKET	FOR PURCHASE ORDER:		DWASH04	
LINE	CATNO	ITEM NUMBER	DESCRIPTION	QTY	DATE		
0001		485-38-04-001	DISHWASHER DISPENSING EQUIPMENT AND				
			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