



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

State of West Virginia Master Agreement

Order Date: 12-16-2021

CORRECT ORDER NUMBER MUST
 APPEAR ON ALL PACKAGES, INVOICES,
 AND SHIPPING PAPERS. QUESTIONS
 CONCERNING THIS ORDER SHOULD BE
 DIRECTED TO THE DEPARTMENT
 CONTACT.

Order Number:	CMA 0212 0212 ELECMON14 10	Procurement Folder:	12503
Document Name:	ELECTRONIC MONITORING -NASPO VALUEPOINT CONTRACT NO. 0021	Reason for Modification:	CO#08: Issued to mirror the NASPO agreement by extending the terms of the original contract per the attached Amendment No. 10 of the NASPO agreement.
Document Description:	NASPO VALUEPOINT CONTRACT NO. 00212 - Change Order No. 08		
Procurement Type:	Statewide MA (Open End)		
Buyer Name:			
Telephone:			
Email:			
Shipping Method:	Best Way	Effective Start Date:	2014-06-25
Free on Board:	FOB Dest, Freight Prepaid	Effective End Date:	2023-05-31

VENDOR				DEPARTMENT CONTACT	
Vendor Customer Code:	000000104575			Requestor Name:	Mark A Atkins
ATTENTI US INC 1838 GUNN HWY				Requestor Phone:	(304) 558-2307
ODESSA FL 33556				Requestor Email:	mark.a.atkins@wv.gov
US				<div style="font-size: 48px; font-weight: bold;">22</div> <div style="font-weight: bold;">FILE LOCATION _____</div>	
Vendor Contact Phone:	813-749-5454	Extension:			
Discount Details:					
	Discount Allowed	Discount Percentage	Discount Days		
#1	No	0.0000	30		
#2	No				
#3	No				
#4	No				

INVOICE TO	SHIP TO
ALL STATE AGENCIES	STATE OF WEST VIRGINIA
VARIOUS LOCATIONS AS INDICATED BY ORDER	VARIOUS LOCATIONS AS INDICATED BY ORDER
No City WV 99999	No City WV 99999
US	US

12-16-21 BA

Purchasing Division's File Copy

Total Order Amount:	Open End
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ENTERED

MA 12/16/2021

PURCHASING DIVISION AUTHORIZATION
 DATE: *Taungh 12/16/21*
 ELECTRONIC SIGNATURE ON FILE

ATTORNEY GENERAL APPROVAL AS TO FORM
 DATE: *John S. Gray*
 ELECTRONIC SIGNATURE ON FILE

ENCUMBRANCE CERTIFICATION
Beverly Tolson
 DATE: *12-17-21*
 ELECTRONIC SIGNATURE ON FILE

12/17/2021

Extended Description:

CHANGE ORDER:

Change Order No. 08 is issued to mirror the NASPO Agreement Contract No. 00212 by extending the original contract according to all terms, conditions, prices and specifications contained in the original contract including all authorized change orders per the attached NASPO Amendment No. 10.

Effective date of Extension: 01/01/2022 through 05/31/2023.

NO OTHER CHANGES

Line	Commodity Code	Manufacturer	Model No	Unit	Unit Price
1	41113700				0.000000
	Service From	Service To			
			Commodity Ln Discontinued		

Commodity Line Description: Electronic monitoring

Extended Description:

Line	Commodity Code	Manufacturer	Model No	Unit	Unit Price
2	41113700				0.000000
	Service From	Service To			

Commodity Line Description: ELECTRONIC MONITORING

Extended Description:



ALLAN MCVEY
CABINET SECRETARY

STATE OF WEST VIRGINIA
DEPARTMENT OF ADMINISTRATION
PURCHASING DIVISION
2019 WASHINGTON STREET, EAST
CHARLESTON, WEST VIRGINIA 25305-0130

W. MICHAEL SHEETS
DIRECTOR

December 10, 2021

Mr. Paul Drews, Vice President of Sales
Attenti US, Inc
1838 Gunn Hwy
Odessa, FL 33556

Subject: WV Statewide Contract No.: ELECMON14 – NASPO VALUEPOINT CONTRACT NO. 00212

Dear Mr. Drews:

The State of West Virginia is offering to extend the current contract under the approved terms, conditions, and pricing per the NASPO agreement. The renewal dates are January 01, 2022 through March 31, 2023 per the executed NASPO agreement Amendment No.10. If your company agrees to this renewal with the State, please sign below and return the original to my attention as soon as possible. You may return all renewal documents via email to Mark.A.Atkins@wv.gov.

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

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.

<u>Arnold Roese</u> <i>Printed Name</i>	 <i>Signature</i>	<u>Vice President and General Manager</u> <i>Title</i>
<u>December 13, 2021</u> <i>Date</i>		

Please call if you have any questions.

Sincerely,

Mark A. Atkins, CPPB
Senior Buyer, Senior Buyer Statewide Contracts
West Virginia Department of Administration
Purchasing Division
2019 Washington Street, East
POB 50130
Charleston, WV 25305-0130

Phone: 304.558.2307
Fax: 304.558-4115
Email: Mark.A.Atkins@wv.gov

Attachment

State of Washington
Contracts & Procurement Division
Department of Enterprise Services
P.O. Box 41411
Olympia, WA 98504-1411

Attenti US, Inc.
1838 Gunn Highway
Odessa, FL 33556

**TENTH AMENDMENT
TO
NASPO VALUEPOINT COOPERATIVE PURCHASING MASTER AGREEMENT NO. 00212
ELECTRONIC MONITORING OF OFFENDERS**

This Tenth Amendment ("Amendment") to Contract No. 00212 is made and entered into by and between the State of Washington acting by and through the Department of Enterprise Services, a Washington State governmental agency ("State") and Attenti US, Inc., a Delaware corporation ("Contractor") and is dated and effective as of July 1, 2021.

RECITALS

- A. State and Contractor (collectively the "Parties") entered into that certain Cooperative Purchasing Master Agreement No. 00212 for Electronic Monitoring of Offenders dated effective as of July 1, 2013 ("Contract").
- B. The Parties previously amended Contract 00212 as follows:
- a. The First amendment, dated and effective January 7, 2015, replaced Category 2 product, Soberlink with SCRAM mobile remote alcohol monitoring unit.
 - b. The Second amendment, dated and effective January 15, 2016, extended the Contract through December 31, 2019.
 - c. The Third amendment, dated and effective August 1, 2016, added to Category 3, a One-Piece GPS Tracking Device 4.
 - d. The Fourth amendment, dated and effective December 1, 2016, amended in Category 2 to add the Lost/Stolen/Damage cost of \$1,350.00 for the SCRAM Remote Breath as described in revised *Exhibit C*.
 - e. The Fifth amendment, dated and effective October 27, 2017, changed counterparty name from 3M Electronic Monitoring, Inc. to Attenti Electronic Monitoring, Inc.
 - f. The Sixth amendment, dated January 17, 2019, added products in Category 2 to include a Smart Start S.M.A.R.T. Mobile and Cam TRAC as described in the attached revised *Exhibit C* (dated November 15, 2018) which is titled 'Appendix E Price Sheets.' The reduced price of the AMS SCRAM Remote Breath is included in Exhibit C.
 - g. The Seventh amendment, dated and effective January 1, 2020, extended the Contract through December 31, 2020 or until a new contract is in place.
 - h. The Eighth amendment, dated and effective January 1, 2021, extended the contract through December 31, 2021.
 - i. The Ninth amendment, dated and effective April 15, 2020, added the following products in Category 3; (1) eCheck Smartphone Tracking, and (2) Freedom Charger.

- C. The amendment set forth herein is within the scope of the Contract.
- D. The Parties now desire to amend the Contract as set forth herein.

AGREEMENT

NOW THEREFORE, in consideration of the mutual covenants and agreements set forth herein, the Parties hereby agree to amend the Contract, as previously amended, as follows:

1. **TERM.** The Contract term is extended through May 31, 2023.
2. **NO CHANGE OTHER THAN AMENDMENT.** Except as amended herein, the Contract is unaffected and remains in full force and effect.
3. **INTEGRATED AGREEMENT; MODIFICATION.** This Amendment constitutes the entire agreement and understanding of the Parties with respect to the subject matter and supersedes all prior negotiations and representations. In the event of any conflict between this Amendment and the Contract or any earlier amendment, this Amendment shall control and govern. This Amendment may not be modified except in writing signed by the Parties.
4. **AUTHORITY.** Each party to this Amendment, and each individual signing on behalf of each party, hereby represents and warrants to the other that it has full power and authority to enter into this Amendment and that its execution, delivery, and performance of this Amendment has been fully authorized and approved, and that no further approvals or consents are required to bind such party.
5. **ELECTRONIC SIGNATURES.** A signed copy of this Amendment or any other ancillary agreement transmitted by facsimile, email, or other means of electronic transmission shall be deemed to have the same legal effect as delivery of an original executed copy of this Amendment or such other ancillary agreement for all purposes.
6. **COUNTERPARTS.** This Amendment may be executed in one or more counterparts, each of which shall be deemed an original, and all of which counterparts together shall constitute the same instrument which may be sufficiently evidenced by one counterpart. Execution of this Amendment at different times and places by the parties shall not affect the validity thereof so long as all the parties hereto execute a counterpart of this Amendment.

EXECUTED AND EFFECTIVE as of the day and date first above written.

ATTENTI US, INC.,
A DELAWARE CORPORATION

STATE OF WASHINGTON
DEPARTMENT OF ENTERPRISE SERVICES

By: Arnold Roes

By: Kim Kirkland

Name: Arnold Roes
Title: V.P. and General Manager

Name: Kim Kirkland
Title: IT Procurement Supervisor

Date: June 7, 2021

Date: 6/7/2021