



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. MV05G

PAGE I

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

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

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 AND POLITICAL SUBDIVISIONS
 VARIOUS LOCALES AS INDICATED
 BY ORDER

*709034823 304-369-2411
 STEPHENS AUTO CENTER
 PO BOX 278
 DANVILLE WV 25053-0278

DATE PRINTED 03/11/2005	TERMS OF SALE NET 30	FEIN/SSN 550128010	FUND
SHIP VIA BEST WAY	FOB DESTINATION	FREIGHT TERMS PREPAID	ACCOUNT NUMBER MUL-MUL

LINE	QUANTITY	UOP	VENDOR ITEM NO.	UNIT PRICE	AMOUNT
	DELIVERY DATE	CAT. NO.	ITEM NUMBER		
			CHANGE ORDER #03		
1.			PER THE ATTACHED DOCUMENTATION, CLARIFY THAT TWO (2) DIFFERENT HYDRAULIC PUMP MOUNTING TYPES ARE AVAILABLE AT THE SAME COST. THE PUMP MOUNTINGS ARE AVAILABLE AS FOLLOWS: A. TRANSMISSION MOUNTED P.T.O. B. UNDER HOOD BELT DRIVEN CLUTCH PUMP P.T.O. THIS CLARIFIES TRANSMISSION AND P.T.O. OPTIONS FOR PROSPECTIVE PURCHASES.		
2.			DELETE ITEM 27 (15 PASSENGER VAN); THIS SHOULD NOT HAVE BEEN INCLUDED IN THE ORIGINAL RFQ. BRIM IS UNABLE TO INSURE 15 PASSENGER VANS FOR WEST VIRGINIA STATE AGENCIES.		
*****NO ADDITIONAL CHANGES*****					
				PREVIOUS PO TOTAL==>	OPEN END
				PO NET CHANGE (+)==>	

WV STATE PURCHASING DIVISION
 ADMINISTRATION UNIT
 CERTIFIED ENCUMBERED

MAR 18 2005

Beverly Toler

APPROVAL AS TO FORM IS REQUIRED BY ATTORNEY GENERAL, CHECK HERE *B 2 4 3-16-05*

TOTAL

BETTY FRANCISCO 304-558-0468

Dwayne Wayfield
 APPROVED AS TO FORM BY
 ASSISTANT ATTORNEY GENERAL

BY *[Signature]* 3/16/05
 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.
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 ü160.103) and will be disclosing Protected Health Information (45 CFR ü160.103) to the vendor.

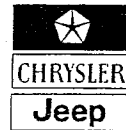


STEPHENS AUTO CENTER

P.O. Box 278 Rt. 119 Lory Road Exit

DANVILLE, WEST VIRGINIA 25053

(304) 369-2411 • www.stephensauto.com • 1-800-925-2411



March 3, 2005

Karen Byrd
Assistant Director
WV Purchasing Division
2019 Washington Street E
PO Box 50130
Charleston, WV 25305-0130

Hand Delivered 3/4/05

RECEIVED
2005 FEB 32 PM 5:16
PURCHASING DIVISION
STATE OF WV

Dear Ms. Byrd:

Pursuant to a discussion today with Fred Humphries of the West Virginia Department of Highways I have been asked to inform you of an omission in the specifications on the Class 33A truck on contract MV05.

On page 3 of 5 of the specifications related to the body and under the heading "Hydraulic System Requirements" the following language should have been included:

Option for transmission mounted PTO or underhood belt driven clutch pump – No additional charge.

The above listed option is necessary for the proper operation of the vehicle if the customer would choose the Manual transmission option on the chassis.

We would request that you issue a change order as soon as possible to allow for a purchase order to be processed with the correct information. If you need any additional information, please feel free to call me.

Sincerely,

Richard Stephens
General Manager

YOU WANT IT! WE'VE GOT IT!



WEST VIRGINIA DEPARTMENT OF TRANSPORTATION
Division of Highways

Equipment Division
PO Box 610

Buckhannon, West Virginia 26201 • 304/472-1750

Joe Manchin III
Governor

March 3, 2005

TO: BETTY FRANCISCO
DEPARTMENT OF ADMINISTRATION
PURCHASING DIVISION

FROM: FRED E. HUMPHREYS *Fred E. Humphreys*
EQUIPMENT MANAGEMENT
EQUIPMENT DIVISION

THROUGH: ROBERT G. ANDREW *Robert G. Andrew*
DIRECTOR
EQUIPMENT DIVISION

SUBJECT: Statewide Motor Vehicles Contract MV05G

Upon review of the current Statewide Motor Vehicles Contract Class 33A specifications and options, I would recommend that a change order be published to clarify hydraulic pump/P.T.O. options.

After discussion with the successful vendor, Mr. Richard Stephens of Stephens Auto Center (the chassis cab supplier) and Mr. David Bietzel of Ace Truck Equipment (the body and hydraulic supplier), I have learned that on Page 15 under the heading Hydraulic System Requirements, it should be clarified that two (2) different hydraulic pump mounting types are available at the same cost. The pump mountings are available as follows:

- (A) Transmission mounted P.T.O.
- (B) Under hood belt driven clutch pump P.T.O.

As stated, the aforementioned options are available to the purchaser at the same cost. However, the suggested change order will clarify transmission and P.T.O. options for prospective purchasers.

Should you have questions or require further clarification, please do not hesitate to contact me at 472-1750.

FEH:kc

cc: File



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			RECEIPT TICKET FOR PURCHASE ORDER:		MV05G	
LINE	CATNO	ITEM	NUMBER	DESCRIPTION	QTY	DATE
0001	070-06-01-000	2005	MODEL VEHICLES			
		SIGNATURE _____		DATE _____		

F 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