



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.**  
OFFICE02

**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**  
5

**SEE REVERSE SIDE FOR TERMS AND CONDITIONS**

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

## AGENCY COPY

\*502130846 304-755-8172  
 OFFICE MAX INC  
 20 SYLVESTER DRIVE  
 WINFIELD WV 25213

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

DATE PRINTED		TERMS OF SALE		FEIN/SSN		FUND	
03/18/2005		NET 30		820100960			
SHIP VIA		FOB		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 #05				
1.	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: 03/01/2005 THROUGH 02/28/2006						
	RENEWALS REMAINING: 0						
2.	THE 2005 NET PRICER CONTAINED INCORRECT PRICES ON SOME ITEMS IN THE FOLLOWING CATEGORIES: A1, K3, K6, F1, F3, F4, F5, L3, S6, S7, S9 CORRECTED PRICER SECTIONS MAY BE ORDERED BY CONTACTING SHARON COVERT AT 304-755-8172.						
3.	OFFICE MAX IS REVIEWING ORDERS PLACED USING THE INCORRECT PRICING. REFUNDS SHALL BE						
	PREVIOUS PO TOTAL==>			OPEN	END		
	PO NET CHANGE (+)==>						
<b>APPROVED FOR ONE FISCAL YEAR</b> <i>Dwayne Wayfield</i>					<b>APPROVED FOR ONE FISCAL YEAR</b> <i>Betty Francisco</i>		
IF APPROVAL AS TO FORM IS REQUIRED BY ATTORNEY GENERAL, CHECK HERE <input checked="" type="checkbox"/>					3-17-05		
					<b>TOTAL</b>		
					OPEN END		

WV STATE PURCHASING DIVISION  
 ADMINISTRATION UNIT  
 CERTIFIED ENCUMBERED

MAR 22 2005

*Beverly Tolson*



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.**  
OFFICE02

**PAGE**  
2

**BLANKET RELEASE**  
00

**CHANGE ORDER**  
5

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.

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

**SEE REVERSE SIDE FOR  
 TERMS AND CONDITIONS**

\*502130846 304-755-8172  
 OFFICE MAX INC  
 20 SYLVESTER DRIVE  
 WINFIELD WV 25213

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

DATE PRINTED		TERMS OF SALE		FEIN/SSN		FUND	
03/18/2005		NET 30		820100960			
SHIP VIA		FOBT		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				
			PROCESSED.				
4.			NO SHIPPING/DELIVERY CHARGES ARE TO BE CHARGED ON ANY ORDERS THROUGH THIS CONTRACT.				
5.			THE ITEM NUMBER TO ORDER A NET PRICER IS B9SWVPRICER. THE CORRECTED SECTIONS WILL BE SENT WITH THE PRICER. THE ENTIRE PRICER SHALL BE REPRINTED WHEN THE CURRENT SUPPLY IS EXHAUSTED.				
6.			THE ITEM NUMBER TO ORDER AN OFFICE MAX CATALOG IS J9CATALOG05.				
7.			IF POSSIBLE, WEST VIRGINIA STATE AGENCIES ARE REQUESTED TO USE THE INTERNET TO PLACE ORDERS.				
*****NO ADDITIONAL CHANGES*****							

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

**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.

# OfficeMax, Inc.

Headquarters: 3605 Warrensville Center Rd., Shaker Heights, OH 44122  
Mailing Address: 20 Sylvester Drive, Winfield, WV 25213

March 10, 2005

Betty Francisco  
Senior Buyer  
Administration  
2019 Washington Street East  
P.O. Box 50130  
Charleston, WV 25305-0130

Dear Betty:

This letter is in response to your request for details regarding the State of WV Office Max Net Pricer for 2005.

The following sections were discounted erroneously and have been corrected with a supplement that is available for end users through me. Also—new Net Pricers have been printed with these sections corrected inside of the actual document.

- A1
- F1, F3, F4, F5
- K3, K6
- L3
- S6, S7, S9

I have requested a "Billed as Should Be" report for the dates 2/1/05 – 2/17/05—which are the times the erroneous pricing was entered into our pricing system. Once this report has been received, Office Max can make arrangements to credit any orders that were affected by this mistake.

I apologize for the problems with the pricer and hope that these steps will correct the issue immediately. The correct pricing has been available on-line and for call-in & faxed orders since 2/17/05. Please let me know if you need additional information or have any questions.

Respectfully,



Sharon M. Covert  
Business Development Manager



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.**  
OFFICE02

**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**  
5

**SEE REVERSE SIDE FOR TERMS AND CONDITIONS**

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

\*502130846 304-755-8172  
 OFFICE MAX INC  
 20 SYLVESTER DRIVE  
 WINFIELD WV 25213

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

DATE PRINTED		TERMS OF SALE		FEIN/SSN		FUND	
03/18/2005		NET 30		820100960			
SHIP VIA		FOB		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				
			RECEIPT TICKET FOR PURCHASE ORDER:			OFFICE02	
LINE	CATNO	ITEM NUMBER	DESCRIPTION	QTY	DATE		
0001	615-99-99-999	MISCELLANEOUS	OFFICE SUPPLIES				
		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