



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.
 SYSFURN02F

PAGE
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BLANKET RELEASE
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CORRECT PURCHASE ORDER NUMBER MUST APPEAR ON ALL PACKAGE INVOICES, AND SHIPPING PAPER QUESTIONS CONCERNING THIS PURCHASE ORDER SHOULD BE DIRECTED TO THE BUYER AS NOTED BELOW.

CHANGE ORDER

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

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

AGENCY COPY

*709044350 304-344-1231
 CONTEMPORARY GALLERIES OF WV I
 1210 SMITH STREET
 CHARLESTON WV 25301

SHIP TO

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

DATE PRINTED 08/14/2002	TERMS OF SALE NET 30	FEIN/SSN 550564447	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		
BLANKET PURCHASE ORDER					
THIS CONTRACT COVERS THE FOLLOWING CATALOGS:					
	MFG/MODEL/LINE		CATALOG IDENTIFIER	DISCOUNT	
	HERMAN MILLER				
	ACTION OFFICE SERIES		AUGUST 2000*		
	1 AND 2 SYSTEMS			69%	
	PROSPECTS		AUGUST 2000*		69%
	TABLES AND FURNITURE:				
	ACTION OFFICE 2		AUGUST 2000	69%	
	AND 2 TABLES				
	ARRIO FREESTANDING TABLES		AUGUST 2000	65%	
	BURDICK GROUP FURNITURE		AUGUST 2000	48%	
	CLT TABLES		AUGUST 2000	40%	
	EAMES TABLES		AUGUST 2000	48%	
	HEIGHT ADJUSTABLE TABLES		AUGUST 2000	45%	
	OCCASIONAL TABLES		AUGUST 2000	35%	
	KIVA COLLECTION		AUGUST 2000	35%	
	LEVITY TBLES		AUGUST 2000	35%	
	TEARDROP TABLES		AUGUST 2000	45%	
	SEATING:				
	ALL SEATING EXCEPT THOSE LISTED BELOW		AUGUST 2000	53%	

WV State Purchasing Division
 Administration Unit
 Certified Encumbered

AUG 22 2002

Army Fairchild

APPROVED FOR
 ONE FISCAL YEAR

OPEN END

TOTAL

BETTY FRANCISCO 304-558-0468

BY *Loren David*
 PURCHASING DIVISION AUTHORIZED SIGNATURE

APPROVED AS TO FORM BY...
 ASSISTANT ATTORNEY GENERAL

George E. Whyfield

**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 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.



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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				
	AERON CHAIR, PROPER CHAIR			AUGUST 2000	45%		
	EAMES SEATING, CAPER CHAIR			AUGUST 2000	35%		
	WOOD SIDE CHAIR			AUGUST 2000***	45%		
	RESOLVE SYSTEM			MARCH 2002	69%		
	ETHOSPACE SYSTEMS			SEPTEMBER 4, 2001	60%		
	Q SYSTEM						
	PASSAGE DESKING SYSTEM			SEPTEMBER 4, 2001	45%		
	ARRIO FREESTANDING SYSTEMS			PUBLISHED 3/02	65%		
	INTEGRATED PRODUCTS:****						
	LEVITY COLLECTION			SEPTEMBER 4, 2001	35%		
	FILING AND STORAGE			SEPTEMBER 4, 2001	69%		
	(EXCLUDING LATERAL FILES)						
	HERMAN MILLER LATERAL FILES			SEPTEMBER 4, 2001	45%		
	SHARED COMPONENTS (EXCLUDING TERRITORY)			SEPTEMBER 4, 2001	69%		
	TERRITORY			SEPTEMBER 4, 2001	35%		
	MERIDIAN FILING AND STORAGE			SEPTEMBER 4, 2001	48%		
	5000 SERIES FURNITURE			SEPTEMBER 4, 2001	48%		
	SEATING 10 AND 5 DAY*****			SEPTEMBER 4, 2001	48%		
	RELOCATABLE WALLS V-WALL			OCTOBER 1, 1997	LIST		
	SIT ON IT OFFICE SEATING			APRIL 1, 2002	48%		
	FIRST OFFICE CASEGOODS AND SEATING			JANUARY 1, 2002	48%		
	BAKER WORKSPACE SOLUTIONS			DECEMBER 2001	48%		
	*INCLUDES PRICING ADDENDUM, DATED			9/4/01.			

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

TOTAL

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	DELIVERY DATE	CAT. NO.	ITEM NUMBER				
0001		JB	425-94		.00000		
<p>08/01/2002</p> <p>OFFICE FURNITURE, PANEL SYSTEMS, CHAIRS, ETC.</p> <p>THIS CONTRACT IS TO PROVIDE FURNITURE TO ALL STATE AGENCIES AND POLITICAL SUBDIVISIONS. THE STATE OF WEST VIRGINIA DEPARTMENT OF CORRECTIONS IS AUTHORIZED TO FURNISH AND SUPPLY OFFICE FURNITURE TO THE STATE AGENCIES. IT IS NOT THE INTENT OF THIS CONTRACT TO SUPERCEDE THE RIGHTS OF THE DEPARTMENT OF CORRECTIONS. ALL STATE AGENCIES ARE TO CONTACT THE WV DEPARTMENT OF CORRECTIONS, PRISON INDUSTRIES TO DETERMINE IF THE SAME OR SIMILAR ITEM IS AVAILABLE FROM THE DEPARTMENT OF CORRECTIONS</p> <p>CONTACT INFORMATION: FOR CATALOGS AND INFORMATION ON THIS CONTRACT, CALL 304-344-1231.</p> <p>CATALOGS SHALL BE FURNISHED AT NO CHARGE. VENDOR IS TO RESPOND TO CALLS AND INQUIRIES WITHIN THREE (3) BUSINESS DAYS OF THE INITIAL CONTACT BY THE AGENCY.</p>							

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<p>A DETAILED DESIGN AND A PRICE QUOTE MUST BE SUBMITTED TO AND APPROVED BY THE AGENCY PRIOR TO ISSUING A RELEASE ORDER. THE VENDOR SHALL BE RESPONSIBLE FOR VERIFICATION OF COMPONENT QUANTITIES AND SIZES AS SET FORTH. DESIGN CHARGES MAY BE BILLED AT \$30.00/HOUR WITH A MAXIMUM DESIGN FEE OF \$500. THIS FEE MUST BE APPROVED BY THE ORDERING AGENCY.</p> <p>RECONFIGURATION CHARGES ARE TO BE BILLED AT \$30.00 PER HOUR. THESE CHARGES MUST BE REVIEWED AND APPROVED BY THE AGENCY FOR WHOM THE WORK IS BEING DONE.</p> <p>"STATEWIDE CONTRACT SPECIFICATION FOR OFFICE FURNITURE" DATED JUNE 17, 2002, AND AMENDED BY ADDENDUM DATED JULY 5, 2002, ARE HEREBY MADE A PART HEREOF BY REFERENCE AND HAVE BEEN PREVIOUSLY SUPPLIED TO VENDOR.</p> <p>THE DISCOUNT PRICES INCLUDE DELIVERY AND INSTALLATION. ALL ITEMS ARE TO BE FULLY ASSEMBLED AND INSTALLED ON-SITE IN THE LOCATION DETERMINED BY THE AGENCY. THE VENDOR SHALL CHECK FOR DAMAGE, CLEAN AND ADJUST ALL FURNITURE SYSTEMS, AND MUST REMOVE ALL DEBRIS FROM THE PREMISES. ANY ITEM FOUND TO BE DAMAGED OR OTHERWISE UNACCEPTABLE SHALL BE REPAIRED OR REPLACED TO THE SATISFACTION OF THE AGENCY. DEBRIS AND PACKING MATERIALS ARE TO BE PROPERLY DISPOSED OF BY THE VENDOR AT ITS EXPENSE AND SHALL NOT BE LEFT AT THE JOB SITE.</p>							

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<p>ALL EQUIPMENT FURNISHED IN CONJUNCTION WITH THIS CONTRACT SHALL BE NEW. REFURBISHED AND/OR REFINISHED EQUIPMENT SHALL NOT BE ACCEPTABLE. AN INSTALLATION SHALL BE TAKEN TO MEAN ALL COMPONENTS, TOOLS, HARDWARE, LABOR, ETC. NECESSARY TO PROVIDE A COMPLETE INSTALLATION.</p> <p>ORDERING PROCEDURE: ORDERS \$100,000 OR LESS: STATE AGENCIES SHALL ISSUE A WV-39, BLANKET RELEASE ORDER, TO THE CONTRACT VENDOR FOR THE DESIRED ITEM(S), IN ACCORDANCE WITH THE TERMS OF THE CONTRACT.</p> <p>PURCHASES IN EXCESS OF \$100,000 WILL BE REVIEWED BY THE PURCHASING DIVISION. AT THE DISCRETION OF THE DIRECTOR OF PURCHASING, OR HIS DESIGNEE, THESE REQUIREMENTS MAY BE BID.</p> <p>EXHIBIT 3</p> <p>LIFE OF CONTRACT: THIS CONTRACT BECOMES EFFECTIVE ON AUGUST 12, 2002 AND EXTENDS FOR A PERIOD OF ONE (1) YEAR OR UNTIL SUCH "REASONABLE TIME" THEREAFTER AS IS NECESSARY TO OBTAIN A NEW CONTRACT OR RENEW THE ORIGINAL CONTRACT. THE "REASONABLE TIME" PERIOD SHALL</p>							

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	<p>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 RIGHT TO CANCEL THIS CONTRACT IMMEDIATELY UPON WRITTEN NOTICE TO THE VENDOR IF THE COMMODITIES AND/OR SERVICES SUPPLIED ARE OF AN INFERIOR QUALITY OR DO NOT CONFORM TO THE SPECIFICATIONS OF THE BID AND CONTRACT HEREIN.</p> <p>OPEN MARKET CLAUSE: THE DIRECTOR OF PURCHASING MAY AUTHORIZE A SPENDING UNIT TO PURCHASE ON THE OPEN MARKET, WITHOUT THE FILING OF A REQUISITION OR COST ESTIMATE, ITEMS SPECIFIED ON THIS CONTRACT FOR</p>						

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VENDOR

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<p>IMMEDIATE DELIVERY IN EMERGENCIES DUE TO UNFORESEEN CAUSES (INCLUDING BUT NOT LIMITED TO DELAYS IN TRANSPORTATION OR AN UNANTICIPATED INCREASE IN THE VOLUME OF WORK.)</p> <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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