



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.
SYSFURN07G

PAGE
1

BLANKET RELEASE
00

CORRECT PURCHASE ORDER NUMBER
 MUST APPEAR ON ALL PACKAGES,
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 QUESTIONS CONCERNING THIS PUR-
 CHASE ORDER SHOULD BE DIRECTED
 TO THE BUYER AS NOTED BELOW.

CHANGE ORDER

SEE REVERSE SIDE FOR
 TERMS AND CONDITIONS

AGENCY COPY

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

VENDOR
 *122142334 800-482-1616
 KIMBALL INTERNATIONAL MARKETIN
 1600 ROYAL ST
 JASPER IN 47549

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

DATE PRINTED		TERMS OF SALE		FEIN/SSN		FUND	
10/24/2006		NET 30		351688210			
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				
0001		JB	425-94		0.00000		
<p>BLANKET OPEN - END STATEWIDE CONTRACT</p> <p>THIS BLANKET OPEN - END STATEWIDE CONTRACT IS TO FURNISH FURNITURE, PANEL SYSTEMS, CHAIRS, DESKS, ETC. TO ALL WEST VIRGINIA STATE AGENCIES AND POLITICAL SUBDIVISIONS.</p> <p>OFFICE FURNITURE, PANEL SYSTEMS, CHAIRS, ETC.</p> <p>THIS AWARD IS PER THE FOLLOWING: 1. REQUEST FOR QUOTATION DATED 7/27/06 2. SPECIFICATIONS, 18 PAGES, DATED 7/18/06 3. VENDOR'S BID DATED 09/18/2006</p> <p>SEE THE ATTACHED LIST FOR CATALOGS/LINES BID AND DISCOUNTS THAT APPLY. CONTACT THE CONTRACT COORDINATOR FOR CATALOGS AND QUOTATIONS.</p> <p>IF EXPANDING CURRENT WORK AREA(S), AGENCIES SHOULD ISSUE A RELEASE ORDER TO THE VENDOR FOR ORDERS UNDER \$100,000. IF A NEW AREA IS TO BE FURNISHED, AGENCIES</p>							
						<p>WV STATE PURCHASING DIVISION ADMINISTRATION UNIT CERTIFIED ENCUMBERED</p> <p>NOV - 3 2006</p> <p><i>Beverly Toler</i></p>	
IF APPROVAL AS TO FORM IS REQUIRED BY ATTORNEY GENERAL, CHECK HERE <input checked="" type="checkbox"/>						OPEN END	
						TOTAL	

IF APPROVAL AS TO FORM IS REQUIRED BY ATTORNEY GENERAL, CHECK HERE *BSF 10-24-06*

APPROVED FOR ONE FISCAL YEAR
James Wayfield
 APPROVED AS TO FORM BY
 ASSISTANT ATTORNEY GENERAL

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

**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.



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LINE	QUANTITY	UOP	VENDOR ITEM NO.	UNIT PRICE	AMOUNT
	DELIVERY DATE	CAT.NO.	ITEM NUMBER		
<p>MUST OBTAIN A MINIMUM OF THREE BIDS FROM THE SYSFURN07 VENDORS. ORDERS UNDER \$100,000 ARE TO BE ISSUED DIRECTLY TO THE VENDOR. ALL ORDERS IN EXCESS OF \$100,000 SHALL BE SENT TO THE PURCHASING DIVISION FOR DECISION ON BIDDING AND ISSUING OF RELEASE ORDER, REGARDLESS OF WHETHER AN AGENCY IS. FURNISHING A NEW AREA OR EXPANDING CURRENT SPACE.</p> <p>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, PRIOR TO ISSUING ORDERS TO SYSFURN07 VENDOR(S).</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</p>					
IF APPROVAL AS TO FORM IS REQUIRED BY ATTORNEY GENERAL, CHECK HERE <input type="checkbox"/>					TOTAL

BETTY FRANCISCO 304-558-0468

BY _____
 PURCHASING DIVISION AUTHORIZED SIGNATURE

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	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. ALL ITEMS FURNISHED IN CONJUNCTION WITH THIS CONTRACT SHALL BE NEW. REFURBISHED AND/OR REFINISHED ITEMS SHALL NOT BE ACCEPTABLE. AN INSTALLATION SHALL MEAN ALL COMPONENTS, TOOLS, HARDWARE, LABOR, ETC. NECESSARY TO PROVIDE A COMPLETE INSTALLATION. EXHIBIT 3 LIFE OF CONTRACT: THIS CONTRACT BECOMES EFFECTIVE ON NOVEMBER 1, 2006, 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 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.						
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<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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	<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>WV-39 IS NOT REQUIRED IF AGENCY IS USING P-CARD.</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</p>						
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	ORDER.						
	THE TERMS AND CONDITIONS CONTAINED IN THIS CONTRACT SHALL SUPERSEDE ANY AND ALL SUBSEQUENT TERMS AND CONDITIONS WHICH MAY APPEAR ON ANY ATTACHED PRINTED DOCUMENTS SUCH AS PRICE LISTS, ORDER FORMS, SALES AGREEMENTS OR MAINTENANCE AGREEMENTS, INCLUDING ANY ELECTRONIC MEDIUM SUCH AS CD-ROM.						
	PURCHASING CARD ACCEPTANCE: THE STATE OF WEST VIRGINIA CURRENTLY UTILIZES A VISA PURCHASING CARD PROGRAM WHICH IS ISSUED THROUGH A LOCAL BANK. THE SUCCESSFUL VENDOR MUST ACCEPT THE STATE OF WEST VIRGINIA VISA PURCHASING CARD FOR PAYMENT OF ALL ORDERS PLACED BY ANY STATE AGENCY FOR ORDERS THAT ARE LESS THAN \$2,500 AS A CONDITION OF AWARD.						
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ATTACHMENT A
SYSFURN07G
KIMBALL

Vendor/Contract Number/Contact Information	Manufacturer	Model/Line/ Product	Catalog Identifier	Discount %
KIMBALL INTERNATIONAL SYSFURN07G				
Kimball International Marketing, Inc. D.B.A. Kimball Office D.B.A. National Office Furniture Company	Kimball Office	Casegoods & Tables	PLCATA Ver. 1005 Eff. 10/17/2005 with Price Increase sticker effective 10/16/06	D & I -53%
Contract Coordinator:	Kimball Office	Casegoods & Tables Price List Update	PLUCATA Ver 0706 Effective 7/17/06	-53%
Mickie Emmons	Kimball Office	Priority Casegoods	PLSPRI Ver. 0706 Effective 7/17/06 with Price Increase sticker effective 10/16/06	-53%
Address: 1600 Royal Street	Kimball Office	Seating	PLSE Ver. 1005 Eff. 10/17/2005 with Price Increase sticker effective 10/16/06	-53%
Jasper, Indiana 47549	Kimball Office	Seating Price List Update	PLUSE Ver. 0706 effective 7/17/06	-53%
	Kimball Office	Metal Filing - Class B	PLMF Ver. 1005 Eff 10/17/2005 with Price Increase sticker effective 10/16/06	-53%
Phone# : (812) 482-1600, Ext. 8673	Kimball Office	Metal Filing Price List Update	PLUMF Ver. 0706 Effective 7/17/06	-53%
	Kimball Office	Xsite System	PLXSITE Ver. 1005 Eff. 10/17/2005 with Price Increase sticker effective 10/16/06	-60%
Fax# : (812) 481-6174	Kimball Office	Xsite System Price List Update	PLUXSITE Ver. 0706 Effective 7/17/06	-60%
Toll Free# : (800) 482-1616, Ext. 8673	Kimball Office	Systems	PLSYS Ver. 1005 Eff. 10/17/2005 with Price Increase sticker effective 10/16/06	-60%
Email: memmons@kimball.com	Kimball Office	Systems Price List Update	PLUSYS Ver. 0706 Effective 7/17/06	-60%
Labor Rate: \$30.00 per hour	Kimball Office	Kwik Office	PLKWIK Ver. 0706 Effective 7/17/06 with Price Increase sticker effective 10/16/06	-53%
Design Fee: \$30.00 per hour	National	Casegoods	#NPL Ver.06 Eff. 4/1/2006	-53%
	National	Seating	#NPL Ver.06 Eff. 4/1/2006	-53%
	National	Tables	#NPL Ver.06 Eff. 4/1/2006	-53%



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SIGNATURE _____				DATE _____			
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