



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.
TEMP04A

PAGE
1

BLANKET RELEASE
00

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

CHANGE ORDER

SEE REVERSE SIDE FOR
 TERMS AND CONDITIONS

INVOICE TO

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

AGENCY COPY

VENDOR

*709052549 304-766-4894
 WV ASSOC OF REHAB FACILITIES
 PO BOX 745
 INSTITUTE WV 25112

SHIP TO

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

DATE PRINTED		TERMS OF SALE		FEIN/SSN		FUND	
04/26/2004		NET 30		550633886			
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	11/15/2003	JB	946-10-01-001		0.00000		
<p style="text-align: center;">BLANKET OPEN-END CONTRACT</p> <p>THIS PURCHASE ORDER IS TO ESTABLISH A BLANKET OPEN-END CONTRACT TO PROVIDE TEMPORARY SERVICES TO VARIOUS STATE AGENCIES AND ALL POLITICAL SUBDIVISIONS WITHIN THE STATE OF WEST VIRGINIA. AWARD IS BASED ON ALL SPECIFICATIONS AND TERMS IN THE RFQ AND VENDOR'S RESPONSE AS ENDORSED BY THE STATE USE COMMITTEE.</p> <p>ALL WEST VIRGINIA STATE AGENCIES ARE REQUIRED TO CONTACT THIS VENDOR (WVARF) FOR ANY TEMPORARY SERVICE REQUIREMENT. IF WVARF IS UNABLE TO FILL THE REQUEST WITHIN 48 HOURS, A WAIVER WILL BE ISSUED TO ALLOW THE AGENCY TO CONTACT THE LOW BIDDER FOR THEIR TEMPORARY SERVICE NEEDS.</p> <p>ALL CLASSIFICATIONS IN ALL REGIONS ARE COVERED BY THIS CONTRACT, AS NOTED ON THE ATTACHED "TEMP04A" CONTRACT PRICING PAGE.</p>							
<p style="text-align: right;">WV STATE PURCHASING DIVISION ADMINISTRATION UNIT CERTIFIED ENCUMBERED</p> <p style="text-align: right;">MAY 04 2004</p> <p style="text-align: right;"><i>Beverly Tolson</i></p>							

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

OPEN END

TOTAL

304-558-0468

BETTY FRANCISCO

BY *Jaren D. Reynolds*
 PURCHASING DIVISION AUTHORIZED SIGNATURE

APPROVED AS TO FORM BY
 ASSISTANT ATTORNEY GENERAL

APPROVED FOR
 ONE FISCAL YEAR
Darryl Wayfield

**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.



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PURCHASING DIVISION

ALL STATE AGENCIES
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PURCHASING DIVISION

*709052549 304-766-4894
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BEST WAY		DESTINATION		PREPAID		MUL-MUL	
LINE	QUANTITY	UQP	VENDOR ITEM NO		UNIT PRICE	AMOUNT	
	DELIVERY DATE	CAT NO	ITEM NUMBER				
<p>ATTACHMENTS TO THIS PURCHASE ORDER:</p> <p>TEMP04A - WEST VIRGINIA ASSOCIATION OF REHABILITATION FACILITIES - ALL CLASSIFICATIONS AWARDED SPECIFICATIONS, 5 PAGES, REV. 2/13/04 TEMP04-QUESTIONS AND ANSWERS, 4 PAGES, 2/13/04 TEMP04-JOB CLASSIFICATIONS, 13 PAGES, DATED 2/13/04</p> <p>THE QUARTERLY REPORTS REQUIRED FROM THE VENDOR SHALL IDENTIFY EACH TEMPORARY PLACEMENT (BY COMPLETE NAME), CLASSIFICATION, NUMBER OF HOURS WORKED (FOR QUARTER AND LAST 12 MONTH PERIOD) AND ALL LOCATIONS WHERE EACH HAS WORKED UNDER THIS CONTRACT; SUMMARY INFORMATION SHALL ALSO BE PROVIDED. REPORTS ARE DUE WITHIN 30 DAYS AFTER END OF EACH 90-DAY PERIOD.</p> <p>NO TEMPORARY WORKER MAY WORK MORE THAN 1,000 HOURS IN ANY 12 MONTH PERIOD. THE 1,000 HOUR LIMIT INCLUDES ALL WORK THAT IS PERFORMED UNDER THIS (AND THE PREVIOUS) CONTRACT.</p>							

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

TOTAL

BETTY FRANCISCO 304-558-0468

BY _____
 PURCHASING DIVISION AUTHORIZED SIGNATURE

APPROVED AS TO FORM BY
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DIRECTOR

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LINE	QUANTITY	UQP	VENDOR ITEM NO.		UNIT PRICE	AMOUNT	
	DELIVERY DATE	CAT. NO.	ITEM NUMBER				
EXHIBIT 3							
<p>LIFE OF CONTRACT: THIS CONTRACT BECOMES EFFECTIVE ON MAY 1, 2004 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.</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</p>							
<p>IF APPROVAL AS TO FORM IS REQUIRED BY ATTORNEY GENERAL, CHECK HERE <input type="checkbox"/></p>						TOTAL	

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	DELIVERY DATE	CAT. NO.	ITEM NUMBER				
	(1) YEAR PERIODS.						
	<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 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>						
						TOTAL	

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<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 DOCUMENTS SUCH AS PRICE LISTS, ORDER FORMS, SALES AGREEMENTS OR MAINTENANCE AGREEMENTS, INCLUDING ANY ELECTRONIC MEDIUM SUCH AS CD-ROM.</p> <p>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</p>							
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OCTOBER 2007

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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 CONDI- TION OF AWARD.							
						TOTAL	

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0001		946-10-01-001	TEMPORARY EMPLOYEE SERVICES				
RECEIPT TICKET FOR PURCHASE ORDER:					TEMP04A		
LINE	CATNO	ITEM NUMBER	DESCRIPTION		QTY	DATE	
0001	946-10-01-001		TEMPORARY EMPLOYEE SERVICES				
SIGNATURE _____					DATE _____		
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Classifications Awarded to: WVARF				
Classification	REGION I	REGION II	REGION III	REGION IV
Accounting Technician 2	\$ 9.75	\$ 9.37	\$ 10.51	\$ 9.78
Administrative Services Assistant 1	\$ 10.46	\$ 9.65	\$ 11.94	\$ 10.49
Data Entry Operator 1	\$ 8.86	\$ 8.86	\$ 9.34	\$ 8.86
Executive Secretary	\$ 10.75	\$ 9.89	\$ 11.84	\$ 10.52
Health Service Worker	\$ 11.26	\$ 9.02	\$ 10.55	\$ 10.03
Laborer	\$ 8.89	\$ 8.49	\$ 9.40	\$ 8.32
Office Assistant I	\$ 8.85	\$ 8.23	\$ 8.96	\$ 8.66
Office Assistant 3	\$ 10.04	\$ 9.18	\$ 10.30	\$ 9.42
Paralegal	\$ 11.69	\$ 10.65	\$ 13.16	\$ 11.63
Word Processor	\$ 9.78	\$ 9.39	\$ 10.15	\$ 9.28
This Contract covers all classifications in all regions.				

