



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.
TEMP04L

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

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

AGENCY COPY

COMMENTS

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

VENDOR

*127131649 304-556-1190
 UNITED TALENT LLC
 PO BOX 1948
 CHARLESTON WV 25327

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		550763638			
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				
<p>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. THIS AWARD IS BASED ON ALL SPECIFICATIONS AND TERMS IN THE RFQ AND VENDOR'S BID DATED 3/23/04.</p> <p>ALL WEST VIRGINIA STATE AGENCIES ARE REQUIRED TO CONTACT THE WEST VIRGINIA ASSOCIATION OF REHABILITATION SERVICES (WVARF) FOR ALL TEMPORARY SERVICE REQUIREMENTS PRIOR TO USING THIS OR ANY OTHER CONTRACT FOR SUCH SERVICE. WITHIN 48 HOURS WVARF SHALL ISSUE A WAIVER IF THEY ARE UNABLE TO PROVIDE THE REQUESTED TEMPORARY SERVICE.</p> <p>ONLY CLASSIFICATIONS IN REGIONS AS NOTED ON THE ATTACHED "TEMP04L CONTRACT PRICING PAGE", DATED MAY 01, 2004 ARE COVERED. NO OTHER CLASSIFICATINS MAY BE PROVIDED THROUGH THIS CONTRACT.</p>							
0001		HR			0.00000		
	05/01/2004		946-10-01-001				
	TEMPORARY EMPLOYEE		SERVICES				

WV STATE PURCHASING DIVISION
 ADMINISTRATION UNIT
 CERTIFIED ENCUMBERED

MAY 04 2004

Beverly Toler

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

15574-2104

OPEN E

TOTAL

APPROVED FOR FISCAL YEAR
Samuel Wayfield
Laura Ruppel 1/22/04

**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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VENDOR

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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		
<p>ATTACHMENTS TO THIS PURCHASE ORDER:</p> <p>TEMP04L - PRICING PAGE - UNITED TALENT (ONLY CLASSIFICATIONS LISTED ARE COVERED.) 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 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 _____



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	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 (1) YEAR PERIODS.</p>							
<p>IF APPROVAL AS TO FORM IS REQUIRED BY ATTORNEY GENERAL, CHECK HERE <input type="checkbox"/></p>						TOTAL	

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<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> <p>ORDERING PROCEDURE: SPENDING UNIT(S) SHALL ISSUE A</p>					

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	<p>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 MUST ACCEPT THE STATE OF WEST VIRGINIA VISA PURCHASING</p>						
						TOTAL	

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	CARD FOR PAYMENT OF ALL ORDERS PLACED BY ANY STATE AGENCY FOR ORDERS THAT ARE LESS THAN \$2,500 AS A CONDITION OF AWARD.						
							TOTAL

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BETTY FRANCISCO

304-558-0468

BY _____
 PURCHASING DIVISION AUTHORIZED SIGNATURE

APPROVED AS TO FORM BY _____



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RECEIPT TICKET FOR PURCHASE ORDER:						TEMP04L	
LINE	CATNO	ITEM NUMBER	DESCRIPTION		QTY	DATE	
0001	946-10	01-001	TEMPORARY EMPLOYEE SERVICES		_____	_____	
SIGNATURE _____					DATE _____		
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BETTY FRANCISCO 304-558-0468

BY _____
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Classifications Awarded to: United Talent				
Classification	REGION I	REGION II	REGION III	REGION IV
Accounting Technician 2	No Award	\$ 9.97	No Award	No Award
Administrative Services Assistant 1	No Award	No Award	No Award	No Award
Data Entry Operator 1	No Award	\$ 8.37	No Award	No Award
Executive Secretary	No Award	\$ 10.30	No Award	No Award
Health Service Worker	No Award	\$ 9.99	No Award	No Award
Laborer	No Award	No Award	No Award	No Award
Office Assistant I	No Award	\$ 8.31	No Award	No Award
Office Assistant 3	No Award	\$ 9.54	No Award	No Award
Paralegal	No Award	\$ 11.30	No Award	No Award
Word Processor	No Award	No Award	No Award	No Award
This Contract is restricted to those awarded as shown above. Classifications where "No Award" is listed shall be supplied through this Contract.				

