

State of West Virginia
Department of Administration
Purchasing Division
2019 Washington Street East
Post Office Box 50130
Charleston, WV 25305-0130

PURCHASE ORDER NO.
TEMP04M

PAGE 1

BLANKET RELEASE

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

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

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*709040703 304-485-4000 WINANS SANITARY SUPPLY CO INC PO BOX E

AND POLITICAL SUBDIVISIONS

VARIOUS LOCALES AS INDICATED

PARKERSBURG WV

BY ORDER

ALL STATE AGENCIES

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FEIN/SSN FUND DATE PRINTED TERMS OF SALE 550451730 04/26/2004 NET 30 SHIP VIA FREIGHT TERMS ACCOUNT NUMBER F.O.B DESTINATION MUL-MUL BEST WAY PREPAID QUANTITY VENDOR ITEM NO. HOP UNIT PRICE AMOUNT LINE DELIVERY DATE ITEM NUMBER CAT.NO. BLANKET OPEN-END CONTRACT THIS PURCHASE ORDER IS TO ESTABLISH A BLANKET OPEN-END CONTRACT TO PROVIDE TEMPORARY SERVICES TO VARIOUS STATE AGENCIES AND ALL POLITICAL SUBDIVISION'S WITHIN THE STATE OF WEST VIRGINIA. THIS AWARD IS BASED ON ALL SPECIFICIATIONS AND WV STATE PURCHASING DIVISION ADMINISTRATION UNIT CERTIFIED ENCUMBERED TERMS IN THE REQ AND VENDOR'S BID DATED 3/23/04. ALL WEST VIRGINIA STATE AGENCIES ARE REQUIRED CONTACT THE WEST VIRGINIA ASSOCIATION OF MAY 0 4 2004 REHABILITATION SERVICES (WVARF) FOR ALL TEMPORARY SERVICE REQUIREMENTS PRIOR TO USING THIS OR ANY OTHER CONTRACT FOR SUCH SERVICE. WITHIN 48 HOURS Beverly Toler WVARF SHALL ISSUE A WAIVER IF THEY ARE UNABLE TO PROVIDE THE REQUESTED TEMPORARY SERVICE. ONLY CLASSIFICATIONS IN REGIONS AS NOTED ON THE ATTACHED "TEMPO4M CONTRACT PRICING PAGE", DATED MAY 01, 2004 ARE COVERED. NO OTHER CLASSIFICATIONS MAY BE PROVIDED THROUGH THIS CONTRACT. 0001 0.00000 HR 05/01/2004 946-10-01-001 TEMPORARY EMPLOYEE SERVICES

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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.
- **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.
- **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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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.

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.)

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.

ORDERING PROCEDURE: SPENDING UNIT(\$) SHALL ISSUE A

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Classificati	Classifications Awarded to: Winans Services	Winans Serv	rices	
	REGION I	REGION II	REGION III	REGION IV
Classification				
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Accounting Technician 2	No Award	No Award	\$ 11.24	No Award
Administrative Services Assistant 1	No Award	No Award	\$ 13.95	╄
Data Entry Operator 1	No Award	No Award	\$ 9.30	1
Executive Secretary	\$ 12.40	No Award	\$ 12.40	—
Health Service Worker	\$ 10.85	No Award	\$ 10.85	+
Laborer	\$ 9.30	No Award	\$ 9.30	1
Office Assistant I	\$ 9.30	No Award	\$ 9.30	1
Office Assistant 3	\$ 10.85	No Award	\$ 10.85	┼
Paralegal	\$ 13.95	No Award	\$ 13.95	╄
Word Processor	\$ 10.85	No Award	\$ 10.85	↓
This Contract is restricted to those awarded as shown above. Classifications where "No Award" is listed shall not be	ed as shown above.	Classifications wh	nere "No Award" is	listed shall not b
supplied through this Contract.				

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