



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.
 TEMP07E

PAGE
 1

BLANKET RELEASE
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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

INVOICE TO

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

VENDOR

*016151113 304-637-4114
 TEMPORARY EMPLOYMENT SERVICES
 212 DAVIS AVENUE

 ELKINS WV 26241

SHIP TO

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

AGENCY COPY

DATE PRINTED	TERMS OF SALE	FEIN/SSN	FUND
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04/24/2007

NET 30

550719038

SHIP VIA	FOB	FREIGHT TERMS	ACCOUNT NUMBER
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BEST WAY

DESTINATION

PREPAID

MUL-MUL

LINE	QUANTITY	UOP	VENDOR ITEM NO.	UNIT PRICE	AMOUNT
	DELIVERY DATE	CAT. NO.	ITEM NUMBER		

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 SUBDIVISIONS WITHIN THE STATE OF WEST VIRGINIA. THIS AWARD IS BASED ON ALL SPECIFICATIONS AND TERMS IN THE RFQ AND VENDOR'S BID DATED 03/01/07.

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.

ONLY CLASSIFICATIONS IN REGIONS AS NOTED ON THE ATTACHED "TEMP07B CONTRACT PRICING PAGE", DATED MAY 1, 2007 ARE COVERED. NO OTHER CLASSIFICATIONS MAY BE PROVIDED THROUGH THIS CONTRACT.

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OPEN

END

PURCHASING DIVISION
 CERTIFIED ENCUMBERED

MAY 2 2007

Beverly Toler

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

APPROVED FOR
 ONE FISCAL YEAR

APPROVED AS TO FORM BY
 ASSISTANT ATTORNEY GENERAL

JO ANN ADKINS

304-558-8802

BY

PURCHASING DIVISION AUTHORIZED SIGNATURE

OPEN END

TOTAL

**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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 AND POLITICAL SUBDIVISIONS
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VENDOR

*016151113 304-637-4114
 TEMPORARY EMPLOYMENT SERVICES
 212 DAVIS AVENUE
 ELKINS WV 26241

SHIP TO

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DATE PRINTED		TERMS OF SALE		FEIN/SSN		FUND	
04/24/2007		NET 30		550719038			
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				
	05/01/2007		946-10-01-001				
	TEMPORARY EMPLOYEE		SERVICES				
<p>ATTACHMENTS TO THIS PURCHASE ORDER:</p> <p>REQUEST FOR QUOTATION DATED 02/08/2007 AND ALL SPECIFICATIONS AND ADDENDA THERETO. VENDOR'S BID DATED 03/01/2007</p> <p>THE QUARTERLY REPORTS REQUIRED FROM THE VENDOR SHALL IDENTIFY EACH TEMPORARY PLACEMENT (BY COMPLETE NAME), CLASSIFICATION, NUMBER OF HOURS, WORKED (PER QUARTER AND YEAR TO DATE), AND ALL LOCATIONS WHERE EACH HAS WORKED UNDER THIS CONTRACT; SUMMARY INFORMATION SHALL ALSO BE PROVIDED. REPORTS ARE MANDATORY AND DUE WITHIN 30 DAYS AFTER END OF EACH 90 - DAY PERIOD. REPORTS MUST BE SENT ELECTRONICALLY TO: JOADKINS@WVADMIN.GOV</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. EXHIBIT 3</p>							

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

TOTAL

APPROVED AS TO FORM BY
 ASSISTANT ATTORNEY GENERAL

BY _____
 PURCHASING DIVISION AUTHORIZED SIGNATURE



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LINE	QUANTITY	UOP	VENDOR ITEM NO.		UNIT PRICE	AMOUNT	
	DELIVERY DATE	CAT. NO.	ITEM NUMBER				
	<p>LIFE OF CONTRACT: THIS CONTRACT BECOMES EFFECTIVE ON MAY 1, 2007 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>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>						

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LINE	QUANTITY	UOP	VENDOR ITEM NO.	UNIT PRICE		AMOUNT	
	DELIVERY DATE	CAT. NO.	ITEM NUMBER				
<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 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</p>							

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BEST WAY	DESTINATION	PREPAID	MITL - MITL		
LINE	QUANTITY	UOP	VENDOR ITEM NO.	UNIT PRICE	AMOUNT
	DELIVERY DATE	CAT. NO.	ITEM NUMBER		
	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.				
	REV. 04/11/2001				

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TEMP07E - Contract Pricing Page

Classifications Awarded to <u>Temporary Employment Services</u>					
	CLASSIFICATION	REGION I	REGION II	REGION III	REGION IV
1	Accounting Technician 2	No Award	No Award	\$ 10.51	No Award
2	Administrative Services Assistant 1	No Award	No Award	\$ 15.95	No Award
3	Administrative Services Assistant 2	No Award	No Award	\$ 17.40	No Award
4	Custodian	No Award	No Award	\$ 10.15	No Award
5	Data Entry Operator 2	No Award	No Award	\$ 13.05	No Award
6	Executive Secretary	No Award	No Award	\$ 17.40	No Award
7	Groundskeeper	No Award	No Award	\$ 10.15	No Award
8	Guard 2	No Award	No Award	\$ 11.60	No Award
9	Guard 1	No Award	No Award	\$ 10.15	No Award
10	Health Service Worker (Certified Nursing Prog)	No Award	No Award	\$ 13.05	No Award
11	Laboratory Assistant 3	No Award	No Award	\$ 13.05	No Award
12	Laborer	No Award	No Award	\$ 10.15	No Award
13	Office Assistant 3	No Award	No Award	\$ 13.05	No Award
14	Office Assistant 2	No Award	No Award	\$ 11.60	No Award
15	Mail Runner	No Award	No Award	\$ 10.15	No Award
16	Painter	No Award	No Award	\$ 14.50	No Award
17	Paralegal	No Award	No Award	\$ 17.40	No Award
18	Word Processor	No Award	No Award	\$ 10.15	No Award

This Contract is restricted to those awarded as shown above. Classifications where "No Award" is listed shall not be supplied through this Contract.



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VENDOR	*016151113 304-637-4114 TEMPORARY EMPLOYMENT SERVICES 212 DAVIS AVENUE ELKINS WV 26241
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0001			946-10-01-001		TEMPORARY EMPLOYEE SERVICES		
RECEIPT TICKET FOR PURCHASE ORDER:					TEMP07E		
LINE	CATNO	ITEM	NUMBER	DESCRIPTION		QTY	DATE
0001				TEMPORARY EMPLOYEE SERVICES			
SIGNATURE _____					DATE _____		

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