

SPECIAL CONTRACT TERMS AND CONDITIONS

CONTRACT SCOPE/OVERVIEW: This Contract No. CN00003545 formally known as 5999-01 Supp. #1 (identified here and in the other documents as the "Contract") will cover the requirements of Commonwealth agencies for Electrical Supplies.

ORDER OF PRECEDENCE: These Special Contract Terms and Conditions supplement the Standard Contract Terms and Conditions For Statewide Contracts for Supplies. To the extent that these Special Contract Terms and Conditions conflict with the Standard Contract Terms and Conditions For Statewide Contracts for Supplies, these Special Contract Terms and Conditions shall prevail.

TERM OF CONTRACT: The Contract shall commence on the Effective Date, which shall be no earlier than September 1, 2002 and expire on August 31, 2003 (Renewed thru August 31, 2004).

OPTION TO EXTEND: The Department of General Services reserves the right, upon notice to the Contractor, to extend the Contract or any part of the Contract for up to three (3) months upon the same terms and conditions. This will be utilized to prevent a lapse in Contract coverage and only for the time necessary, up to three (3) months, to enter into a new contract.

OPTION FOR SEPARATE COMPETITIVE BIDDING PROCEDURE: The Department of General Services reserves the right to purchase supplies covered under this Contract through a separate competitive bidding procedure, whenever the department deems it to be in the best interest of the Commonwealth. The right will generally be exercised only when a specific need for a large quantity of the supply exists or the price offered is significantly lower than the Contract price.

ADDRESS OF FIELD PURCHASE ORDER: Commonwealth agencies may issue field purchase orders against this Contract for supplies required by the agencies (using agencies). Please state below where the Field Purchase Orders should be sent (name, address, city, state, zip code).

UPDATE OPTION: The successful bidders may update the contract price lists at the end of each contract quarter during the contract period to reflect new products, manufacturer's price changes, and deletion of discontinued products. The first update is allowed after the contract has been in effect for 3 months.

Vendors shall submit a letter to the appropriate buyer requesting review and approval of the updated price list. The vendor shall itemize all changes in a clear and concise fashion. It is the responsibility of the vendor to adequately justify changes. All requests for updates must be accompanied by the manufacturer's latest, official, published price list along with a letter of verification from the manufacturer. Vendors will be notified in writing by the buyer indicating approval or disapproval of the requested update. If approved, a contract change notice will be issued putting the updated price list on contract it will then be the responsibility of the vendor to distribute the price list to the users.

At no time are awarded vendors allowed to unilaterally change products or pricing. Orders will be monitored to ensure compliance.

WET AND SEALED LEAD CALCIUM BATTERY SERVICES: Bidders for these batteries shall also bid the following services: Battery discharge testing, disposal of old batteries per EPA regulations, maintenance training, maintenance services. Prices for these services shall not be factored in determining award. They are, however, mandatory. Bidders who fail to bid these services shall be disqualified. The Commonwealth reserves the right to reject any or all services where prices do not meet industry norms.

DELIVERIES: All deliveries shall be F.O.B. Destination to any Using Agency within the Commonwealth of Pennsylvania. All articles ordered from this contract shall be delivered within a reasonable time, not to exceed thirty (30) calendar days after receipt of order unless otherwise agreed to, in writing, by the Department of General Services.

For UPS and telecommunications wet/sealed lead calcium batteries only: F.O.B. P.O. Del. Prepay Trans. Chgs. and add to invoice. Receipted Frt. or Exp. Bills must accompany invoices. Awarded vendors shall provide using agencies with written quotes for freight charges prior to order.

All deliveries against the contract shall be securely packaged so as to avoid breakage or damage in accordance with standard industry practice. All deliveries will be inside delivery to address shown on Field Purchase Order. No outside or curbside deliveries will be accepted.

VENDOR NON-COMPLIANCE: Vendors found to be non-compliant with requirements of this contract may be removed as a participant upon determination of non-compliance by the Bureau of Purchases

OPTION TO RENEW: The contract(s) or any part of the contract(s) may be renewed for an additional four (4) year(s) term by mutual agreement between the Commonwealth and the Contractor(s). If the Contract(s) is/are renewed the same terms and conditions shall apply. If this contract(s) is/are renewed for an additional year(s), a new performance bond or a rider supplementing the original bond will be required for each of the extended periods.

CATALOGS: The awarded vendor shall be required to mail or deliver copies of catalogs and price lists covering items in this contract to all Agencies requesting same. A list of Commonwealth Agencies is available upon request after notification of award. These catalogs shall incur

no additional costs to the Commonwealth or its Agencies. Catalogs shall be furnished within ten (10) calendar days after request. Failure to comply with this provision may result in termination of contract.

MINIMUM ORDER: The minimum order under this contract shall be \$200.00 to qualify for F.O.B. Destination. Orders under \$200.00 may be delivered with additional freight cost added to invoice. Vendors shall provide ordering agencies with written quotes of additional freight charges prior to shipment.

INQUIRIES: Direct all questions concerning this contract to:

Richard Gaul, Buyer
Bureau of Purchases
P O Box 1365
Harrisburg PA 17105
Telephone: 717-705-0862
E-mail: Rgaul@state.pa.us
Fax: 717-783-6241

Contract Name:		Electrical Supplies			
Contract Reference Number:		5999-01			
SAP Contract Number:					
Collective Number:		Cn00003545			
ITEM NO.	Material Number	DESCRIPTION	MFG	CURRENT PRICE LIST TITLE AND DATE	% FROM PRICE LIST
10	141435	Fans- box, portable and table top fans	Air King Fans	Grainger 394 Catalog	20%
Vendor Information					
Name:		W.W. Grainger Inc			
Vendor Number:		162368-002			
Contact Person:		Jo Haviland			
Address:		4320 Lewis RD. Hbg. PA 17111			
Phone Number:		717-561-8322			
Fax Number:		717-561-8315			
Email Address:		haviland.j@grainger.com			
All Using Agency:		Yes			
Type of Contract:		Price List			
Contract Restriction Code:		O			
			Yes	No	
<u>Political Subdivisions and Public Authorities:</u> If your firm is awarded a contract, does it agree to sell the awarded items at the same prices and/or discounts, and in accordance with the contractual terms and conditions, to political subdivisions and public authorities and any other Commonwealth purchasing agencies that elect to participate in the contract?			X		
<u>Other Local Public Procurement Units:</u> If your firm is awarded a contract, does it agree to sell the awarded items at the same prices and/or discounts, and in accordance with the contractual terms and conditions, to all other local public procurement units other than political subdivisions and public authorities which elect to participate in the contract? (For a list of eligible organizations see the DGS Website.)			X		

Contract Name:		Electrical Supplies			
Contract Reference Number:		5999-01			
SAP Contract Number:					
Collective Number:		Cn00003545			
Item No	Material Number	Description	Mfg	Current Price List Title & Date	% From Price List
10	140223	Safety switches: nema 1, 3r, 12, and 4x.	Siemens	NPL02-2 9/9/02	79%
20	140226	Safety switches: mill duty and double throw.	Siemens	NPL02-2 9/9/02	50%
30	140227	Load centers: single phase, 3 phase, and accessories.circuit breakers: plug in.	Siemens	NPL02-2 9/9/02	85%
40	140228	Panelboards, ready to assemble stock	Siemens	NPL02-2 9/9/02	80%
50	140229	Circuit breakers: bolt on	Siemens	NPL02-2 9/9/02	80%
60	140230	Transformers: lighting and general purpose	Siemens	NPL02-2 9/9/02	70%
Vendor Information					
Name:		Scott Electric			
Vendor Number:		143173			
Contact Person:		Dick Smith			
Address:		PO Box S, 1000 South Main Street., Greensburg, PA 15601			
Phone Number:		800-442-8045			
Fax Number:		800-426-9598			
Email Address:		scottelectric@choiceone.net			
All Using Agency:		Yes			
Type of Contract:		Price List			
Contract Restriction Code:		O			
			Yes	No	
Political Subdivisions and Public Authorities: If your firm is awarded a contract, does it agree to sell the awarded items at the same prices and/or discounts, and in accordance with the contractual terms and conditions, to political subdivisions and public authorities and any other Commonwealth purchasing agencies that elect to participate in the contract?			X		
Other Local Public Procurement Units: If your firm is awarded a contract, does it agree to sell the awarded items at the same prices and/or discounts, and in accordance with the contractual terms and conditions, to all other local public procurement units other than political subdivisions and public authorities which elect to participate in the contract? (For a list of eligible organizations see the DGS Website.)			X		

Contract Name:		Electrical Supplies			
Contract Reference Number:		5999-01			
SAP Contract Number:					
Collective Number:		Cn00003545			
ITEM NO.	Material Number	DESCRIPTION	MFG	CURRENT PRICE LIST TITLE AND DATE	% FROM PRICE LIST
10	140221	Power Protection Products - Retail Price Column	QVS	QVS 2003 Price List, Effective June 1, 2003	40
<u>Vendor Information</u>					
Name:		TransAmerican Office Furniture, Inc			
Vendor Number:		122406			
Contact Person:		Eugene T. Kriebel			
Address:		160 Water Street Reading Pa 19605			
Phone Number:		1-877-880-3222			
Fax Number:		610-929-4851			
Email Address:		bhorner@transamfurn.com			
All Using Agency:		Yes			
Type of Contract:		Price List			
Contract Restriction Code:		O			
			Yes	No	
<u>Political Subdivisions and Public Authorities:</u> If your firm is awarded a contract, does it agree to sell the awarded items at the same prices and/or discounts, and in accordance with the contractual terms and conditions, to political subdivisions and public authorities and any other Commonwealth purchasing agencies that elect to participate in the contract?			X		
<u>Other Local Public Procurement Units:</u> If your firm is awarded a contract, does it agree to sell the awarded items at the same prices and/or discounts, and in accordance with the contractual terms and conditions, to all other local public procurement units other than political subdivisions and public authorities which elect to participate in the contract? (For a list of eligible organizations see the DGS Website.)			X		

Contract Reference Number: **5999-01**
Collective Number: CN 00003545
Change Number: #6
Change Effective Date : May 4, 2004

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF GENERAL SERVICES
HARRISBURG**

For: All using Agencies within the Commonwealth
Subject: Electrical Supplies
Contract Period: Effective date of **September 1, 2002** and Expiration date of **August 31, 2003 (Renewed Thru August 31, 2004)**
Buyer Name: 55/Richard Gaul/717-705-0862

CHANGE SUMMARY:

Please update the following:

Dauphin Electric (23-0510520) has updated their catalog price list for Item #29 Walker/Wiremold #C76 Dated May 3, 2004

Dauphin Electric (23-0510520) has updated their catalog price list for Item #25, #26, #27 and #28 2004 Carlon Price Guide dated March 29, 2004.

All Discounts remain the same

ALL OTHER TERMS AND CONDITIONS OF THIS AGREEMENT NOT CHANGED BY THIS CHANGE NOTICE REMAIN AS ORIGINALLY WRITTEN.

Contract Reference Number: 5999-01
Collective Number: CN00003545
Change Number: #9
Change Effective Date : 7/28/2004

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF GENERAL SERVICES
HARRISBURG**

For: All using Agencies
Subject: Electrical Supplies
Contract Period: Effective date September 1, 2002 of and Expiration date of August 31, 2004 (Renewed thru August 31, 2004)
Buyer Name: Richard Gaul/717-705-0862

CHANGE SUMMARY:

In accordance with the Option to Extend Clause contained in the contract 5999-01 Electrical Supplies, this contract is hereby extended up to three (3) months. This extension is being utilized to prevent a lapse in contract coverage, and only for the time necessary up to three (3) months, to issue the new contract.

ALL OTHER TERMS AND CONDITIONS OF THIS AGREEMENT NOT CHANGED BY THIS CHANGE NOTICE REMAIN AS ORIGINALLY WRITTEN.