

SPECIAL CONTRACT TERMS AND CONDITIONS

CONTRACT SCOPE/OVERVIEW: This contract (identified here and in the other documents as the "Contract") will cover the requirements of the Commonwealth for Water Treatment Chemicals.

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 no earlier than Date of Award and expire on October 31, 2005.

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.

NOTE: Liquid Nitrite – The Bureau may request bidders to provide documentary evidence of the anti-corrosion effectiveness of their product when used at a concentration of 800 ppm.

Cycles of Concentration: Item 10, is based on three (3) cycles of concentration

PRODUCT CONFORMANCE: The Department of General Services reserves the right to require any and all bidders to:

1. Provide certified data from laboratory testing performed by the bidder, or performed by an independent laboratory, as specified by the Commonwealth.
2. Supply published manufacturer product documentation.
3. Permit a Commonwealth representative to witness testing at the bidder's location or at an independent laboratory.
4. Complete a survey/questionnaire relating to the bid requirements or specifications.
5. Provide customer references.
6. Provide a product demonstration at a location near Harrisburg or the using agency location.

DESCRIPTIVE LITERATURE: Unless a bidder is offering to provide the manufacturer-referenced product(s), each bidder shall submit the following information with their bids, or no later than two (2) business days after notification from the Department of General Services to furnish the information: cuts, illustrations, drawings, prints, test data sheets, specification sheets

and brochures which detail construction features, design, components, materials used, applicable dimensions and any other pertinent information in order for the Department to evaluate the product(s) offered by the bidders. Bidders shall also indicate any known specification deviations from the referenced product. Failure to submit this information prior to the expiration of the second business day after notification shall result in rejection of the bid as non-responsive.

NOTE: DESCRIPTIVE LITERATURE MUST INCLUDE MSDS SHEETS, CONCENTRATIONS OF ACTIVE INGREDIENTS, AND A PRODUCT LABEL.

DELIVERY: All articles ordered from this contract 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. If no delivery date is specified, then it is understood that delivery time is 30 ARO.

NOTE:

1. Deliveries to storeroom located at 10th & Market Streets, Harrisburg. Trailer must have collapsible dolly wheels.
2. Presently, all delivery locations are in Harrisburg, Pennsylvania.

MINIMUM ORDER: The minimum order qualifying for F.O.B. delivered prices placed against this contract shall be one hundred dollars (\$100.00).

OPTION TO RENEW: The contract(s) or any part of the contract(s) may be renewed for three (3) additional one year terms by mutual agreement between the Commonwealth and the contractor(s). If the contract(s) is renewed, the same terms and conditions shall apply.

INQUIRIES: Direct all questions concerning this proposal to the appropriate buyer named herein.

Additional Requirements
Water Treatment Chemicals,
Air Conditioning

The chemicals listed on the following pages are for once through, open, and closed recirculating systems (space heating/cooling and refrigerator service).

CORROSION RATE: Corrosion rate within the treated open water systems shall not exceed a rate of 5.0 MPY. Corrosion rate within the closed water systems shall not exceed a rate of 1.0 MPY when used in accordance with the vendor's recommendations.

TECHNICAL SERVICES: The contractor shall provide, at no additional cost to the Commonwealth, the following technical services to insure proper application of the products provided.

1. It is the responsibility of the contractor to visit each Agency prior to delivery of any products to become familiar with the installation. The contractor shall survey to determine which products the Using Agency should utilize. The contractor shall make recommendations on contract products, chemical feed rates and approximate quantities that needed for a given length of time (according to the Agencies ordering schedule i.e., monthly, quarterly, etc.).
2. When in use, monthly visits are required by a qualified representative of the company to run field analyses on site. These analyses are as follows: Chloride or Conductivity, Hardness, pH and Inhibiter Levels. The representative shall leave a copy of these analyses with the operating personnel and send or give a copy of these analyses to the institution's Maintenance Superintendent. In addition, send a copy to Chief, Division Environmental Control, D.G.S., 403 North Office Building, Harrisburg, PA and to the Institutional Engineering Adviser Services, 211 Engineering Building "A", Pennsylvania State University, University Park, PA, 16802. These reports shall include recommendations on chemical usage. Additional visits may be requested, if the waterside operations are not "trouble-free". The representative shall bring with him the necessary equipment to collect water and deposit samples.
3. Corrosion Test - Two (2) ninety (90) day corrosion tests conducted by the contractor, in each treated system The first test conducted ninety (90) days after introduction of the contractor's chemicals and every six (6) months after the first test. It is the sole responsibility of the contractor to furnish the corrosion test loop system for all agencies, its installation and both the copper and steel coupons for each system and to provide their analysis on a timely basis. Submit all test results in writing to the Special Projects Office, c/o Mike Penyak, Room B07, North Office Building, Harrisburg, PA 17125.
4. If requested, the company shall provide to the Using Agency a complete water analysis and, if necessary, a deposit analysis per treated system.
5. If requested, the local representative shall be present to inspect waterside surfaces of heat exchange equipment whenever such equipment is opened for the purpose of cleaning and inspection. When the representative is present for inspection, he shall submit a report of

his findings.

6. An in-depth Training Seminar provided by the Contractor on the use and dispensing of the chemicals to all the respective supervisors involved in the heating/cooling requirements of their buildings.

TEST KITS: Test kits and Reagents for testing, bromine, chlorides, pH, nitrate, phosphonate, and total dissolved solids concentrations, the contractor will provide free of charge. When a Contractor recommends a change in regular testing or a new test is used, the Contractor shall supply the equipment and reagents for the contract period. The contractor shall thoroughly train the operators in the use of all test kits and their chemicals.

BULK DELIVERIES: In order to provide truck parking for bulk deliveries, the Contractor must notify the Using Agency of the delivery date and approximate time, in writing, within 24 hours prior to delivery. The agency will make such parking available for a period of one (1) hour before to one (1) hour after the approximate time on the notification. Deliver between 9 AM and 3 PM, Monday - Friday.



All using Agencies of the Commonwealth, Political Subdivision,
 Authorities, Private Colleges and Universities

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Contract Number: 4600007974
Creation Date: 12/28/2004

Purchasing Agent:
 Name: Toni-Lynn Palmer
 Phone: 717-783-8158
 Fax: 717-783-6241
 E-mail: tpalmer@state.pa.us
 Valid from/to: 12/28/2004 - 10/31/2005

Please Deliver To:

 *** TBD AT TIME OF PURCHASE ORDER ***

 *** UNLESS SPECIFIED BELOW ***

Your vendor number with us: 162393
 Vendor Name/Address:
 NALCO CHEM COMPANY
 790 PENLLYN PIKE STE 203
 BLUE BELL PA 19422-1658
 Vendor Fax Number: 215-654-1573

Your Quotation: _____ Date: _____
 Collective No.: CN00011209
 Our Quotation: 6000060039

Payment Terms: NET 30

The Commonwealth of Pennsylvania, through the Department of General Services, accepts the submission of the Bidder/Contractor for the awarded item(s) at the price(s) set forth below in accordance with: 1) the RFQ submitted by the Bidder/Contractor, if any; 2) the documents attached to this Contract or incorporated by reference, if any, and 3) the contract terms and conditions stored on the website address at www.dgs.state.pa.us for this type of Contract as of the date of the RFQ, if any, or other solicitation for this Contract, all of which, as appropriate, are incorporated herein by reference. When the Bidder/Contractor receives an order from a Commonwealth agency, the order constitutes the Bidder/Contractor's authority to furnish the item(s) to the agency at the time(s) and place(s) specified in the order. RFQ, as used herein, means Request for Quotations, Invitation for Bids, Invitation to Qualify, or Request for Proposals, as appropriate.

Item	Description	Quantity	UOM	Price	Per Unit	TOTAL
00010	CHLORINE BROMIDE, TABLETS 288640	0	lb	5.75	lb	0.00
Item text						
A tabletized slow release chlorine, chlorine/bromine, or bromine donor for bactericidal and fungicidal use in recirculating cooling water systems. Available Halogen 58.6% (minimum) as Bromine.						
Product registered with the Pennsylvania Department of Agriculture.						
Packaging - Not to exceed 200 lbs.						
Pail Size 5gallons (51 lbs).						
Product Name 7346 .						
% available halogens as Bromine 60.						
Pounds/1,000 gallons of water treated 0.1.						

*** SEE LAST PAGE FOR TOTAL VALUE OF CONTRACT ***



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Contract Number: 4600007974

Creation Date: 12/28/2004

Vendor Name:

NALCO CHEM COMPANY

Item	Description	Quantity	UOM	Price	Per Unit	TOTAL
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-----SUPPLEMENTAL INFORMATION-----

Header text

Contact person: Paul Fisher
Telephone Number: 814-280-1595
E-mail Address: pfisher@nalco.com

NO FURTHER INFORMATION FOR THIS CONTRACT

Currency: USD

999,999.00
ESTIMATED VALUE