

SPECIAL CONTRACT TERMS AND CONDITIONS

CONTRACT SCOPE/OVERVIEW: This Contract Number 6605-03 (identified here and in the other documents as the "Contract") will cover the requirements of Commonwealth agencies for Detection Equipment, Chemical, Biological, Radiological.

This is a multiple award contract for Detection Equipment, Chemical, Biological, Radiological. A complete listing of equipment categories covered under this contract is included herein. The manufacturer may (at their discretion), qualify bidders who may submit bids for their product line or take the business direct or distribute the business through an authorized dealer or reseller chain. Product lines may change at any time without approval. The Commonwealth reserves the right to request manufacturer costs (such as for audit purposes), but these actual costs will never be exposed to competitors or the public in general.

The goal of this contract is to provide manufacturers/dealers/resellers, the best opportunity to sell products while providing contract users with the latest technology at the best possible prices. The contract also allows agencies to obtain quick turnaround calibration services for kits made up of multiple manufacturers' equipment.

LEASES OR INSTALLMENT PURCHASE OF EQUIPMENT: Manufacturers and/or resellers, may make certain equipment available for lease or installment purchase. The attached leasing and installment purchase terms and conditions shall apply to such procurement.

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 May 1, 2003 and expire on April 30, 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.

E-CATALOG: The Commonwealth may require the awarded bidder(s) to supply its price list/catalog and any updated price lists/catalogs in electronic format. Price lists/catalogs must be provided in one of the following formats: Word document, Excel spreadsheet, or PDF file on 3.5-inch diskette or CD-ROM.

OPTION TO RENEW: The Contract or any part of the contract may be renewed for four (4) additional one (1) year terms by mutual agreement between the Department of General Services and the contractor(s). If the Contract is renewed, the same terms and conditions shall apply. If the Contract is renewed for an additional year, new performance security or a rider supplementing the original security will be required for the renewal period.

ENDORSEMENTS: Successful bidders shall not advertise or publicize in any way a written or verbal endorsement that their equipment is being used by the Commonwealth of PA without the written approval of the Department of General Services.

METHOD OF AWARD: Awards will be made to the bidders offering the greatest discount from referenced manufacturer's price list. The Department of General Services may, in its sole discretion award to the

lowest two(2) or three(3) bidders for each manufacturer line. Bids offering discount for only a portion of the line of products available from a manufacturer shall be rejected.

PRICE LISTS: Price lists must be submitted with the bid proposal. If price lists are not submitted, bidders will be given two (2) business days to submit price lists. The price list should be the most recent and the date of this price list must correspond with the date submitted in the official bid sheet. Bidders must offer a percent discount from the price lists described and referenced in the items sheets included in this invitation for bids. Only bids offering discounts from the referenced price lists shall be considered for award. Discounts shall be fixed for the contract period. Bidders will be required to supply the entire manufacturer's product line, including services if applicable, within the confines of the categories as defined by the Commonwealth in this invitation for bids. **The date of the price list must be cited on bid sheets.** Discount percentages may not be decreased during the contract period or any extensions or renewals thereof. Discounts may be increased at any time either for an individual order or as a permanent change to the contract. Any reference, which may appear on any Price List, to any terms and conditions, such as F.O.B. shipping point, minimum order amount or quantity, or Prices subject to change, will not be a part of any contract with the successful bidder(s) and will be disregarded by the Commonwealth. Federal GSA pricing (without terms and conditions) is acceptable.

UPDATE OPTION: The awarded vendor may request updates to their awarded pricing once every quarter during the months of January, April, July and October to reflect manufacturer price increases, as well as deletions and substitutions of a manufacturer's discontinued items, and the introduction of new products. The first update request will be permitted during the first quarter after the contract has been effect for three (3) months. In the event the contract is renewed for subsequent annual periods, additional update requests will be permitted. The percentage discounts may not be decreased during the term of the contract and any extensions or renewals thereto.

Vendors shall submit a letter to the appropriate buyer listed herein requesting review and approval of the update(s). It is the responsibility of the awarded vendor to adequately justify changes. All price update requests must be accompanied by a letter of verification from the manufacturer showing the manufacturer has increased their prices to all suppliers. All discontinued product requests must be accompanied by published information, supplied by the manufacturer, outlining the discontinued product(s). Vendors will be notified in writing, by the buyer, indicating approval/disapproval of the request. Upon approval, vendors may issue new price and/or product lists to requesting agencies.

At no time are awarded vendors permitted to unilaterally change the products or pricing on this contract. Approval must be granted, in writing, by the Department of General Services.

LEASING: Bidder may offer to provide leasing services in conjunction with the equipment items they are offering to supply to the Commonwealth under this contract. Bidder must fill in leasing information on item sheet.

MINIMUM ORDER: The minimum order under this contract shall be three thousand dollars (\$3,000.00).

INQUIRIES: Direct all questions concerning this contract to:

Ann Kimmel, Buyer
Bureau of Purchases
414 North Office Building
Harrisburg, PA 17125
Telephone: 717-783-0764/akimmel@state.pa.us

ACT 57	SAP CONTRACT NUMBER	MANUFACTURER	% DISC	PRICE LIST	CONTRACTOR NAME & ADDRESS	PHONE NUMBER/FAX NUMBER	POINT OF CONTACT & E-MAIL	CATEGORY
X	4600008327	General Atomics	12%	Radiological Detection Equipment Price List dated 01/01/05	General Atomics Electronic Systems Inc 4949 Greencraig Lane San Diego, CA 93123	858-522-8340 ph 858-522-8319 fax	Dirk Koopman dirk.koopman@ga-esi.com	21, 22
X	4600008321	Ludlum	2%	Domestic Price list dated Nov 2003(rev 01/04)	Atlantic Nuclear Corporation 1020 Turnpike Street, Unit #9 Canton, MA 02021	800-878-9118 ph 781-828-1319 fax	John P. Anderson Jr. anc@att.net	21, 22
X	4600008320	GenPrime	0%	Price List dtd 1/20/05	GenPrime Inc 157 S. Howard Street, Suite 605 Spokane, WA 99201	866-624-9855 ph 509-462-2847 fax	Jim Fleming jffleming@genprime.com	24
X	4600008317	TrueTech	10%	Price List dtd Jan-04	Safeware, Inc 5641 S. Laburnum Ave Richmond, VA 23231	800-359-4617 804-226-0987 fax	Teri Smith Karen Horn tsmith@safewareinc.com khorn@safewareinc.com	1,2,3,4,5, 13
X	4600008317	Concept Controls/BAE Systems	3%	Price List dated 2004	Safeware, Inc 5641 S. Laburnum Ave Richmond, VA 23231	800-359-4617 804-226-0987 fax	Teri Smith Karen Horn tsmith@safewareinc.com khorn@safewareinc.com	9
X	4600008317	Nextteq/Gastee	4%	2003 Suggested Price List	Safeware, Inc 5641 S. Laburnum Ave Richmond, VA 23231	800-359-4617 804-226-0987 fax	Teri Smith Karen Horn tsmith@safewareinc.com khorn@safewareinc.com	14
X	4600008317	NPS Corp/Spilfyter/JV	6%	Spilfyter Price Sheet dtd 1/03/05	Safeware, Inc 5641 S. Laburnum Ave Richmond, VA 23231	800-359-4617 804-226-0987 fax	Teri Smith Karen Horn tsmith@safewareinc.com khorn@safewareinc.com	17, 18, 19
X	4600008316	Ion Science	8%	St PA price list dtd 1/25/05	Ion Science (Americas) LLC PO Box 558, 93 South Main St Waterbury, Vermont 05676	802-244-5153 ph 802-244-8942 fax	Geoff Hewitt sales@ionscience-americas.com	7
X	4600008315	Photovac	15%	Photovac Commercial Price List dtd Jan 2005	Pine Environmental Services, Inc 92 N. Main Street, Bldg 20 Windsor, NJ 08561	800-301-9663 X11 609-371-1663 fax	Michelle Hermelee mhermelee@pine-environmental.com	7, 8
X	4600008315	Scott	15%	Scott 2005 Price List	Pine Environmental Services, Inc 92 N. Main Street, Bldg 20 Windsor, NJ 08561	800-301-9663 X11 609-371-1663 fax	Michelle Hermelee mhermelee@pine-environmental.com	7, 15
X	4600008315	Rae Systems	15%	RAE Systems Portable Products dtd Jan 2004	Pine Environmental Services, Inc 92 N. Main Street, Bldg 20 Windsor, NJ 08561	800-301-9663 X11 609-371-1663 fax	Michelle Hermelee mhermelee@pine-environmental.com	7, 15
X	4600008315	RKI Instruments	15%	RKI Price List dtd 8/12/2002	Pine Environmental Services, Inc 92 N. Main Street, Bldg 20 Windsor, NJ 08561	800-301-9663 X11 609-371-1663 fax	Michelle Hermelee mhermelee@pine-environmental.com	15

X	4600008315	BW Technologies	15%	BW Portable Price List dtd March 2004	Pine Environmental Services, Inc 92 N. Main Street, Bldg 20 Windsor, NJ 08561	800-301-9663 X11 609-371-1663 fax	Michelle Hermelee mhermelee@pine- environmental.com	15
X	4600008314	B-MER/Broadband &Y Mobile Engineering Resources, Inc	5%	Radmo dtd 1/25/05	B-MER/Broadband Mobile Engineering Resources, Inc 40 Ramland Road, Suite 200 Orangeburg, NY 10962	845-398-8090 x13 845-398-8154 fax	Tony Lynch tony.lynch@bmer.net	21
X	4600008313	Nucsafe	5%	Price List dtd Jan 2005	Nucsafe, Inc 765 Emory Valley Road Oak Ridge, TN 37830	724-873-1284 ph 724-873-1285 fax	Stanley Cass scass@nucsafe.com	21
X	4600005086	Aim	2%	Aim 2005 Price Book	Aramsco 1655 Imperial Way Thorofare, NJ 08086	800-767-6933 x247 856-848-3439 fax	Tom Grasso tgrasso@arqmsco.com	1,2,3,4,5, 6,7,8,9,11 ,12,13,14,
X	4600005086	View Systems	1%	View Systems 2005	Aramsco 1655 Imperial Way Thorofare, NJ 08086	800-767-6933 x247 856-848-3439 fax	Tom Grasso tgrasso@arqmsco.com	1,2,3,4,5, 6,7,8,9,11 ,12,13,14, 15
X	4600005086	WM Robots	1%	WM Robots 2005	Aramsco 1655 Imperial Way Thorofare, NJ 08086	800-767-6933 x247 856-848-3439 fax	Tom Grasso tgrasso@arqmsco.com	1,2,3,4,5, 6,7,8,9,11 ,12,13,14, 15
X	4600005086	Coastal Environmental	1%	Coastal Environmental 2005	Aramsco 1655 Imperial Way Thorofare, NJ 08086	800-767-6933 x247 856-848-3439 fax	Tom Grasso tgrasso@arqmsco.com	1,2,3,4,5, 6,7,8,9,11 ,12,13,14, 15

Contract Reference Number: 6605-03

SAP #'s: 4600005082; 4600005085; 4600005086;
4600005088; 4600005089; 4600005090;
4600005091; 4600005092; 4600005094;
4600005705; 4600005706; 4600005708;
4600005709; 4600005715; 4600005722;
4600005729; 4600008313; 4600008314;
4600008315; 4600008316; 4600008317;
4600008318; 4600008320; 4600008321
& 4600002074

CN Number: 00002044; 00005806 & 00012543

Change Number: 12

Change Effective Date: 08/01/05

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

For: All using Agencies of the Commonwealth
Subject: Detection Equipment-Chemical, Biological, and Radiological
Contract Period: Beginning May 1, 2003 and Ending April 30, 2004 (Renewed through April 30, 2006)
Buyer Name: Toniann D. Noss – 717-783-2090 or tnoss@state.pa.us

CHANGE SUMMARY:

This contract has been assigned to Commodity Specialist Toniann D. Noss. The contact information is:

Toniann D. Noss, Commodity Specialist
Department of General Services
Bureau of Procurement
6th Floor, 555 Walnut Street
Harrisburg, PA 17101-1921
Phone: 717-783-2090
Fax: 717-783-6241
E-mail: tnoss@state.pa.us

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

Contract Reference Number: 6605-03
Collective Number: CN00002044, CN00005806 , CN00012543
SAP Contract Number: 4600005082, 4600005085, 4600005086, 4600005087
4600005088, 4600005089, 4600005090, 4600005091, 4600005092
4600005094, 4600005705, 4600005706, 4600005708, 4600005709
4600005715, 4600005722, 4600005729, 4600008313, 4600008314
4600008315, 4600008316, 4600008317, 4600008318, 4600008320
4600008321, 4600008327
Change Number: 13
Change Effective Date: 01/13/2006

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

For: All using Agencies of the Commonwealth
Subject: Detection Equipment/Chemical, Biological, Radiological
Contract Period: Beginning May 1, 2003 and Ending April 30, 2006
Buyer Name: Liz Bollinger

CHANGE SUMMARY:

This contract has been assigned to Commodity Specialist Liz Bollinger. The contact information is:

Liz Bollinger, Commodity Specialist
Department of Procurement
Bureau of Procurement
6th Floor, 555 Walnut Street
Harrisburg, PA 17101-1914

Phone: 717-346-3276
Fax: 717-783-6241
Email: ebollinger@state.pa.us

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