

**PARTICIPATING ADDENDUM  
WSCA-NASPO COOPERATIVE PURCHASING ORGANIZATION  
EDUCATION FURNITURE 14-19  
Administered by the State of Utah (hereinafter "Lead State")**

MASTER AGREEMENT  
American Seating Company  
Master Agreement No: MA662  
(hereinafter "Contractor")

And

State of Nevada  
(hereinafter "Participating State/Entity")  
Participating State contract Number 3146

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1. **Scope:** This addendum covers the Education Furniture 14-19 contracts led by the State of Utah for use by state agencies and other entities located in the Participating **State/Entity** authorized by that state's statutes to utilize **state/entity** contracts with the prior approval of the state's chief procurement official.

2. **Participation:** Use of specific WSCA-NASPO cooperative contracts by agencies, political subdivisions and other entities (including cooperatives) authorized by an individual state's statutes to use **state/entity** contracts are subject to the prior approval of the respective State Chief Procurement Official. Issues of interpretation and eligibility for participation are solely within the authority of the State Chief Procurement Official.

3. **Participating State Modifications or Additions to Master Agreement:**  
(These modifications or additions apply only to actions and relationships within the Participating Entity.)

**3.1 INDIVIDUAL CUSTOMER:** Each State agency and political subdivision, as a Participating Entity, that purchases products/services will be treated as if they were Individual Customers. Except to the extent modified by this Participating Addendum, each agency and political subdivision will be responsible to follow the terms and conditions of the Master Agreement; and they will have the same rights and responsibilities for their purchases as the Lead State has in the Master Agreement. Each agency and political subdivision will be responsible for their own charges, fees, and liabilities. Each agency and political subdivision will have the same rights to any indemnity or to recover any costs allowed in the contract for their purchases. The Contractor will apply the charges to each Participating Entity individually.

**3.2 EFFECTIVE DATE:** This Contract/participating addendum shall not become effective until approved by the Nevada State Board of Examiners. This date is anticipated to be April 15, 2015.

**3.3 CONSIDERATION:** The parties agree that the Contractor will provide the services and goods as specified in this participating addendum at a cost as outlined in the Utah master contract with a not to exceed dollar value of \$2,000,000.00.

**3.4 TERMINATION FOR NON-APPROPRIATION:** The continuation of this

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Contract/Participating Addendum beyond the biennium is subject to and contingent upon sufficient funds being appropriated budgeted and otherwise made available by the State Legislature and or federal sources. The State may termination this contract and contractor waives any and all claim(s) for damages effective immediately upon receipt of written notice (or any date specified therein) if for any reason the Agency's funding from State or Federal sources is not appropriated or is withdrawn, limited or impaired.

4. Lease Agreements: Leasing **IS NOT** authorized under this Master Agreement.

5. Primary Contacts: The primary contact individuals for this Participating Addendum are as follows (or their named successors):

Contractor

Name	Randy Hermann
Address	401 American Seating Center,
Telephone	563-554-3296
Fax	616-732-6401
E-mail	randy.hermann@amseco.com

Participating Entity

Name	Gail Burchett, Purchasing Officer II
Address	515 East Musser Street, Carson City, Nevada 89701
Telephone	775-684-0172
Fax	775-684-0188
E-mail	gburchett@admin.nv.gov

6. Subcontractors: All [contractor] dealers and resellers authorized in the State of Nevada, as shown on the dedicated [contractor] (cooperative contract) website, are approved to provide sales and service support to participants in the WSCA-NASPO Master Price Agreement. The [contractors] dealer's participation will be in accordance with the terms and conditions set forth in the aforementioned Master Agreement.

7. Orders: Any Order placed by a Participating Entity or Purchasing Entity for a Product and/or Service available from this Master Agreement shall be deemed to be a sale under (and governed by the prices and other terms and conditions) of the Master Agreement unless the parties to the

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 American Seating Company  
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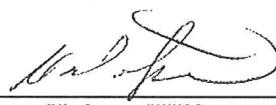
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Order agree in writing that another contract or agreement applies to such Order.

IN WITNESS WHEREOF, the parties have executed this Addendum as of the date of execution by both parties below.

Participating State: Nevada	Contractor: American Seating Company
By: 	By: 
Name: Kimberlee Tarter	Name: Nelson Wilfore
Title: Deputy Administrator	Title: Director of Contracting
Date:	Date: 10/16/14

[Additional signatures as required by Participating State]

  
 \_\_\_\_\_  
 Signature – Board of Examiners

APPROVED BY BOARD OF EXAMINERS

On: 4/14/15  
 \_\_\_\_\_  
 Date

Approved as to form by:

  
 \_\_\_\_\_  
 Deputy Attorney General for Attorney General

On: 10 Feb 15  
 \_\_\_\_\_  
 Date

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**MASTER AGREEMENT  
Krueger International, Inc. (KI)  
Master Agreement No: MA671  
(hereinafter “Contractor”)**

State of Nevada  
(hereinafter “Participating State/Entity”)  
Participating State/Entity Contract Number 3146

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For questions on executing a participating addendum, please contact:

WSCA-NASPO

Cooperative Development Coordinator	Paul Stembler
Telephone	651-206-3858
E-mail	<a href="mailto:pstembler@wsca-naspo.org">pstembler@wsca-naspo.org</a>

**[Please email fully executed PDF copy of this document to  
[PA@wsca-naspo.org](mailto:PA@wsca-naspo.org) to support documentation of participation and  
posting in appropriate data bases]**

# STATE OF UTAH - STATE COOPERATIVE CONTRACT

CONTRACT NUMBER MA662

1. CONTRACTING PARTIES: This State Cooperative Contract is between the Division of Purchasing and General Services (State), 3150 State Office Building, PO Box 141061, Salt Lake City, UT 84114-1061, an agency of the State of Utah, and the following CONTRACTOR:

American Seating Company  
Name  
9058 Payspere Circle  
Address  
Chicago IL 60674  
City State Zip

LEGAL STATUS OF CONTRACTOR

- Sole Proprietor  
 Non-Profit Corporation  
 For-Profit Corporation  
 Partnership  
 Government Agency

Contact Person Randy Hermann Phone #800-748-0268 Fax # 616-732-6401 Email randy.hermann@amseco.com  
Federal Tax ID# 38-2739629 Vendor # \_\_\_\_\_ Commodity Code # 420-00, 420-04

2. GENERAL PURPOSE OF CONTRACT: The general purpose of this contract is to provide:

Education Furniture. A detailed list of awarded categories and subcategories are included in Attachment B - Scope of Work.

American Seating Company authorized to provide product in the following categories:  
420-00 Lecture Hall Furniture  
420-04 Auditorium Seating

3. CONTRACT PERIOD: Effective date: 06/14/2014 Termination date: 06/13/2019 unless terminated early or extended in accordance with the terms and conditions of this contract. Renewal options (if any): N/A

4. PRICING AS PER THE ATTACHMENT F

PAYMENT TERMS: Net 30 Days

DAYS REQUIRED FOR DELIVERY: 30 days ARO

MINIMUM ORDER: N/A

FREIGHT TERMS: F.O.B. Destination, freight prepaid or FOB Origin.

5. ATTACHMENT A: WSCA-NASPO Master Agreement Terms and Conditions

ATTACHMENT B: Scope of Work

ATTACHMENT C: Discount Matrix

ATTACHMENT D: Warranty

ATTACHMENT E: Geographical Coverage

ATTACHMENT F: Fixed Price List

ATTACHMENT G: Sales Force and Dealer List

**Any conflicts between Attachment A and other Attachments will be resolved in favor of Attachment A. State specific Terms and Conditions will be found in the in the executed Participating Addendums. State Terms and Conditions in an executed Participating Addendum will take priority in the event of conflict between those terms and conditions and this Cooperative Contract.**

6. DOCUMENTS INCORPORATED INTO THIS CONTRACT BY REFERENCE BUT NOT ATTACHED:

a. All other governmental laws, regulations, or actions applicable to the goods and/or services authorized by this contract.

b. Utah State Procurement Code, Procurement Rules, CONTRACTOR'S response to Bid #TO14000 dated 12/31/2014.

at

State of Utah Contract Number MA667 Page 2 of 2

IN WITNESS WHEREOF, the parties sign and cause this contract to be executed.

CONTRACTOR

STATE OF UTAH

  
Contractor's Signature

6/19/14  
Date

  
Director, Div. of Purchasing & General Svs.

6/23/14  
Date

Nelson Wilfore, Director of Contracting

Type or Print Name and Title