For Purchasing Use Only:

BID/CONTRACT #7787

WESTERN STATES CONTRACTING ALLIANCE
PARTICIPATING ADDENDUM
FOR LIGHT DUTY AUTO PARTS
Between

State of Nevada
Department of Administration, Purchasing Division
515 E. Musser Street, Suite 300, Carson City, NV 89701
Contact: Heather Moon
Phone: (775) 684-0179 Fax: (775) 684-0188
E-mail: hmoon@purchasing.state.nv.us

and

O'Reilly Auto Parts
233 S. Patterson, Springfield, MO 65802
Contact: Doug Bennett
Phone: (417) 874-71310 Fax: (800) 925-0899
E-mail: dbennett@oreillyauto.com

This Participating Addendum will add the State of Nevada as a Participating State to purchase from the WSCA Price Agreement, Number MA 5-09-99-31/State of Nevada Bid #7787, with O'Reilly Auto Parts.

1. **Scope:**

Unless otherwise defined, all capitalized terms in this Participating Addendum shall have the meanings ascribed to them in the Western States Contracting Alliance, Light Duty Auto Parts Master Price Agreement, #5-09-99-31 (the "WSCA Master Agreement").

The following are authorized Purchasing Entities under this Participating Addendum:

All State Agencies, the Nevada System of Higher Education, the Court System, the Legislative Counsel Bureau and all Political Subdivisions within the State of Nevada

2. **Changes:**

Provide quarterly reports for Nevada usage to Heather Moon (Primary Contact). See example sheet attached.

3. **Lease Agreements:** NONE

4. **Primary Contact:** Participating Entity's primary contact for this Participating Addendum is:

Name: Heather Moon
Address: State of Nevada, Purchasing Division, 515 E. Musser Street,
Suite 300, Carson City, NV 89701

Telephone: 775-684-0179
Fax: 775-684-0188
E-mail: hmoon@purchasing.state.nv.us

5. **Subcontractors:** The following subcontractor(s) are authorized to perform services: NONE.

6. **Price Agreement Number**: All Purchase Orders issued by Purchasing Entities within the jurisdiction of this Participating Addendum shall include WSCA Master Agreement number 5-09-99-31/State of Nevada Bid #7787.

7. **Purchase Orders:** All Purchasing Entities issuing valid Purchase Orders will be bound by the terms and conditions of the WSCA Master Agreement including, without limitation, the obligation to pay Contractor for Service and Equipment provided. The parties acknowledge and agree that orders submitted to Contractor from a Purchasing Entity through the Purchasing Entity's Business Procurement Card are authorized Purchase Orders under the WSCA Master Agreement.

8. **Order of Precedence:** The parties acknowledge and agree that:

(a) In the event of a conflict between the terms contained in the WSCA Master Agreement and this Participating Addendum, the terms and conditions of this Participating Addendum will control as between Contractor and the Participating Entity; and

(b) This §8 specifically supercedes §5 of the WSCA Master Agreement

This Participating Addendum and the WSCA Master Agreement together with its exhibits, set forth the entire agreement between the parties with respect to the subject matter of all previous communications, representations or agreements, whether oral or written, with respect to the subject matter hereof. Terms and conditions inconsistent with, contrary or in addition to the terms and conditions of this Participating Addendum and the WSCA Master Agreement, together with its exhibits, shall not be added to or incorporated into this Participating Addendum or the WSCA Master Agreement and its exhibits, by any subsequent Purchase Order or otherwise, and any such attempts to add or incorporate such terms and conditions are hereby rejected. The terms and conditions of this Participating Addendum and the WSCA Master Agreement and its exhibits shall prevail and govern in the case of any such inconsistent or additional terms.

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

Participating Entity: State of Nevada	Contractor: O'Reilly Auto Parts
By: Greg Smith	By: Doug Bennett
Name: Greg Smith	Name: Doug Bennett
Title: Administrator	Title: Installer Pricing/Bids Manager
Date: 8-11-10	Date: 9-23-10