

BLANKET PURCHASE ORDER

STATE OF MARYLAND

***** STATE OF MARYLAND *****

BPO NO: 001B5400387

PRINT DATE: 10/31/15

PAGE: 01

SHIP TO: AS SPECIFIED ON INDIVIDUAL ORDERS	
VENDOR ID: GENES JOHNS 23330 RIDGE RD GERMANTOWN, MD 20876 (301)601-3253	REFER QUESTIONS TO: CHRISTINE VASILIAU (410)767-4281 CHRISTINE.VASILIAU@MARYLAND.GOV
ITB:	EXPR DATE: 04/01/16 POST DATE: 03/30/15 DISCOUNT TERMS: . NET 30 DAY CONTRACT AMOUNT: .00

TERMS:

ARTICLES HEREIN ARE EXEMPT FROM MARYLAND SALES AND USE TAXES BY EXEMPTION CERTIFICATE NUMBER 3000256-3 AND FROM FEDERAL EXCISE TAXES BY EXEMPTION NUMBER 52-73-0358K. IT IS THE VENDOR'S RESPONSIBILITY TO ADVISE COMMON CARRIERS THAT AGENCIES OF THE STATE OF MARYLAND ARE EXEMPT FROM TRANSPORTATION TAX.

STATEWIDE CONTRACT FOR THE RENTAL

RENTAL OF PORT-A-POTS DURING STATE EMERGENCIES

FOR REGIONS A, B, C, AND E ONLY

VENDOR: GENE'S JOHNS (301) 601-9010

VENDOR CONTACTS: SAM HOFFMAN (301) 848-0455 CELL
SAM@GENESJOHNS.COM

RAY VANAGS (240) 620-2103 CELL
RAY@GENESJOHNS.COM

VINCE LUFSEY (301) 370-6091
VINCE@GENESJOHNS.COM

MATT PHELAN (240) 793-3096
MATT@GENESJOHNS.COM

CONTRACT PERIOD: APRIL 8, 2014 THROUGH MARCH 31, 2016. THIS IS THE THIRD RENEWAL OPTION OF BPO 001B3400512. THERE ARE TWO (2) ADDITIONAL

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TERMS (cont'd):

ONE-YEAR RENEWAL OPTIONS REMAINING ON THIS CONTRACT.

THIS CONTRACT MAY BE RENEWED TWO (2) TIMES AT THE DISCRETION OF THE STATE. PRICING FOR THIS CONTRACT IS FIRM FIXED, WITH ESCALATION PROVISIONS FOR THE FULL TERM OF THE CONTRACT. (SEE PRICE ESCALATION PROVISIONS CLAUSE OF THE SOLICITATION, 001IT819132).

ORIGINAL BPO: 001B3400512
1ST RENEWAL: 001B5400387
2ND RENEWAL: 001B5400387
3RD RENEWAL:
4TH RENEWAL:

THE PURPOSE OF THIS CONTRACT IS TO SECURE A POOL OF "ON-CALL" CONTRACTORS READY TO SUPPLY PORT A POTS IMMEDIATELY FOR VARIOUS LOCATIONS IN THE STATE OF MARYLAND WHICH WERE AFFECTED BY SEVERE STORMS, TORNADOS, FLOODING, ETC., (EVENTS). THE AREAS TO BE INCLUDED AS PART OF THIS CONTRACT ARE BROKEN DOWN INTO FIVE (5) REGIONS LOCATED WITHIN THE STATE OF MARYLAND.

REGION A (WESTERN): GARRETT, ALLEGANY, WASHINGTON COUNTIES
REGION B (CAPITAL): FREDERICK, MONTGOMERY, PRINCE GEORGE'S COUNTIES
REGION C (CENTRAL): ANNE ARUNDEL, BALTIMORE, CARROLL, HARFORD,
HOWARD COUNTIES AND BALTIMORE CITY
REGION D (EASTERN SHORE): KENT, QUEEN ANNE'S, TALBOT, CAROLINE,
CECIL, DORCHESTER, WORCHESTER AND SOMERSET
REGION E (SOUTHERN): CALVERT, CHARLES AND ST. MARY'S COUNTIES

CONTRACTORS MAY SUBMIT A BID FOR ONE OR ALL REGIONS. DGS INTENDS TO AWARD MULTIPLE CONTRACTS TO MULTIPLE CONTRACTORS IN VARIOUS REGIONS IN ACCORDANCD WITH INDEFINITE QUANTITY CONTRACTS (COMAR 21.06.03.06 A.(2) AS A RESULT OF THIS SOLICITATION. QUANTITIES CANNOT BE ESTIMATED AT THIS TIME, BUT WILL BE DICTATED BY CIRCUMSTANCES DURING AN EVENT. PAYMENT SHALL BE MADE FOR ALL ITEMS ORDERED, RECEIVED AND ACCEPTED ACCORDING TO THE IFB.

THIS BLANKET PURCHASE ORDER IS SUBJECT TO THE ATTACHED DETAILED SPECIFICATIONS AND TERMS AND CONDITIONS FOR CONTRACTS \$25,000 AND ABOVE.

PROCESSING FEE

1. CONTRACTOR SHALL PAY A PROCESSING FEE TO THE STATE IN THE AMOUNT OF ONE PERCENT (1%) OF THE TOTAL CONTRACT SALES. THE PROCESSING FEE IS CALCULATED BASED ON ALL SALES TRANSACTED UNDER THE CONTRACT, MINUS ANY RETURNS OR CREDITS. THE PROCESSING FEE SHALL NOT BE CHARGED DIRECTLY TO THE CUSTOMER, E.G., AS A

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TERMS (cont'd):

SEPARATE LINE ITEM, FEE OR SURCHARGE, BUT SHALL BE INCLUDED IN THE CONTRACT'S UNIT PRICES.

2. THE PROCESSING FEE SHALL BE SUBMITTED TO THE DEPARTMENT OF GENERAL SERVICES, FISCAL SERVICES DIVISION, 301 W. PRESTON STREET, ROOM 1309, BALTIMORE, MD 21201, WITHIN TEN (10) CALENDAR DAYS FOLLOWING THE END OF EACH CALENDAR MONTH ALONG WITH A MONTHLY USAGE REPORT DOCUMENTING ALL CONTRACT SALES. AN EXCEL VERSION OF THE MONTHLY USAGE REPORT SHALL ALSO BE EMAILED TO THE PROCUREMENT OFFICER.
3. FAILURE TO REMIT PROCESSING FEES IN A TIMELY MANNER OR REMITTANCE OF FEES INCONSISTENT WITH THE CONTRACT'S REQUIREMENTS MAY RESULT IN THE STATE EXERCISING ALL RECOURSE AVAILABLE UNDER THE CONTRACT INCLUDING, BUT NOT LIMITED TO, A THIRD PARTY AUDIT OF ALL CONTRACT ACTIVITY. SHOULD AN AUDIT BE REQUIRED BY THE STATE, THE CONTRACTOR SHALL REIMBURSE THE STATE FOR ALL COSTS ASSOCIATED WITH THE AUDIT UP TO \$10,000.00 OR ONE (1%) PERCENT OF THE CONTRACT'S ESTIMATED ANNUAL VALUE, WHICHEVER IS HIGHER.

<u>LINE #</u>	<u>STATE ITEM ID</u>	<u>U/M</u>	<u>UNIT COST</u>		
0001	97773	EA	65.0000		

101 - 500 RENTAL OF PORT A POTS FOR REGION A. VENDOR TO STATE ON LINE THE COST FOR RENTAL PER PORT A POT AND STATE IN COMMENTS SECTION THE NUMBER OF PORT A POTS FOR DELIVERY ONLY. VENDOR TO STATE IN COMMENTS SECTION THE AMOUNT OF DISCOUNT BEING OFFERED ON EACH LINE.

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END OF ITEM LIST

THIS PROCUREMENT WAS CONDUCTED AS A COMPETITIVE SEALED BID. THE AWARD WAS MADE TO MULTIPLE VENDORS SUBMITTING THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER (BASIS FOR AWARD).

VENDOR MUST INCLUDE THE 9-DIGIT ZIP CODE OF COMPANY ADDRESS ON ALL INVOICES. FAILURE TO DO SO MAY RESULT IN DELAY OF PAYMENT.

ALL PRODUCTS USED IN PACKING TO CUSHION AND PROTECT DURING THE SHIPMENT OF COMMODITIES ARE TO BE MADE OF RECYCLED, REYCLABLE, AND/OR BIODEGRADABLE MATERIALS.

THE GOAL OF THE STATE OF MARYLAND'S MINORITY BUSINESS ENTERPRISE (MBE) PROGRAM IS TO ATTEMPT TO PROVIDE A FAIR SHARE OF PROCUREMENT CONTRACTS TO CERTIFIED MINORITY BUSINESS ENTERPRISES. ALTHOUGH THERE IS NO SPECIFIC PERCENTAGE REQUIREMENT FOR MBE PARTICIPATION IN THIS BID, THE COMMODITY PROCUREMENT/PURCHASING BUREAU WOULD LIKE TO KNOW IF YOU WILL HAVE MBE PARTICIPATION IN THE BID? PLEASE INDICATE ON LINE 001 OF YOUR BID EITHER YES OR NO FOR MINORITY PARTICIPATION.

A PREFERENCE WILL BE GIVEN TO THE RESPONSIVE AND RESPONSIBLE BID FROM A MARYLAND FIRM OVER THAT OF A NONRESIDENT FIRM IF THE STATE IN WHICH THE NONRESIDENT FIRM IS LOCATED GIVES A RESIDENT BUSINESS PREFERENCE. WHERE SUCH A BUSINESS PREFERENCE IS PROVIDED, THE PREFERENCE SHALL BE THE SAME AS THAT PROVIDED BY THE STATE IN WHICH THE NONRESIDENT FIRM IS LOCATED. A NONRESIDENT BIDDER SUBMITTING A PROPOSAL FOR A STATE PROJECT SHALL ATTACH TO THE PROPOSAL A COPY OF THE CURRENT STATUTE, RESOLUTION, POLICY PROCEDURE OR EXECUTIVE ORDER OF THE RESIDENT STATE OF THE NONRESIDENT BIDDER THAT PERTAINS TO THAT STATE'S TREATMENT OF NONRESIDENT BIDDERS.

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AUTHORIZED BY: _____ DATE: _____

BUYER AUTHORIZED DESIGNEE