

BLANKET PURCHASE ORDER

STATE OF MARYLAND

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

BPO NO: 001B4600096

PRINT DATE: 07/13/26

PAGE: 01

SHIP TO:

AS SPECIFIED ON INDIVIDUAL ORDERS

VENDOR ID:

SHERWIN WILLIAMS COMPANY
DBA DURON PAINTS AND WALLCOVERINGS
11 SOUTH CENTRAL AVE
BALTIMORE, MD 21202
(410)732-4887

REFER QUESTIONS TO:

ENAYATULLAH RAYHAN
(410)767-5139
ENAYATULLAH.RAYHAN@MARYLAND.GOV

ITB: 001IT821371

EXPR DATE: 12/31/26
POST DATE: 12/18/23

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

PAINT AND PAINT ACCESSORIES
IN REGIONS 1, 2, 3, 4, 5 AND 6

THIS IS AN INDEFINITE DELIVERY INDEFINITE QUANTITY CONTRACT TO
SUPPLY THE STATE OF MARYLAND AND USING AUTHORITIES WITH PAINT AND
PAINT ACCESSORIES.

CONTRACT TERM: JANUARY 1, 2024 - DECEMBER 31, 2026
OPTION YEAR 1: JANUARY 1, 2027 - DECEMBER 31, 2027
OPTION YEAR 2: JANUARY 1, 2028 - DECEMBER 31, 2028

MARYLAND LAW PREVAILS:

THE PROVISIONS OF THIS CONTRACT SHALL BE GOVERNED BY THE LAWS OF
MARYLAND.

CONTRACT REQUIREMENTS:

QUANTITIES ARE ESTIMATES ONLY AND ARE NOT TO BE CONSTRUED AS ANY
MINIMUM OR MAXIMUM GUARANTEE.

VENDOR:

THE SHERWIN WILLIAMS COMPANY

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TERMS (cont'd):

PRIMARY CONTACT: KEVIN MCCOY
OFFICE: 216-566-7422
CONTACT EMAIL: KEVIN.J.MCCOY@SHERWIN.COM

REGION 1: DORCHESTER, SOMERSET, WICOMICO AND WORCESTER COUNTIES
REGION 2: CAROLINE, CECIL, KENT, QUEEN ANNE'S AND TALBOT COUNTIES
REGION 3: ANNE ARUNDEL, BALTIMORE CITY, BALTIMORE AND HARFORD COUNTIES
REGION 4: CALVERT, CHARLES, PRINCE GEORGE'S AND ST. MARY'S COUNTIES
REGION 5: CARROLL, FREDERICK, HOWARD AND MONTGOMERY COUNTIES
REGION 6: ALLEGANY, GARRETT AND WASHINGTON COUNTIES

PURCHASES BY OTHER ENTITIES - INDEFINITE QUANTITY CONTRACTS:
THIS PROVISION APPLIES TO INDEFINITE QUANTITY CONTRACTS.
PURSUANT TO THE STATE FINANCE AND PROCUREMENT ARTICLE, SECTION 13-110 OF THE ANNOTATED CODE OF MARYLAND, EXCEPT FOR ENTITIES DESCRIBED IN (6)(A) THE FOLLOWING ENTITIES MAY PURCHASE MATERIALS, SUPPLIES, AND EQUIPMENT UNDER THIS CONTRACT:

- (1) A COUNTY OR BALTIMORE CITY;
- (2) A MUNICIPAL CORPORATION;
- (3) A GOVERNMENTAL AGENCY IN THE STATE;
- (4) A PUBLIC OR QUASI-PUBLIC AGENCY THAT:
 - (I) RECEIVES STATE MONEY; AND
 - (II) IS EXEMPT FROM TAXATION UNDER SECTION 501(C)(3) OF THE INTERNAL REVENUE CODE;
- (5) A PRIVATE ELEMENTARY OR SECONDARY SCHOOL THAT:
 - (I) EITHER HAS BEEN ISSUED A CERTIFICATE OF APPROVAL FROM THE STATE BOARD OF EDUCATION OR IS ACCREDITED BY THE ASSOCIATION OF INDEPENDENT SCHOOLS; AND
 - (II) IS EXEMPT FROM TAXATION UNDER SECTION 501(C)(3) OF THE INTERNAL REVENUE CODE; OR
- (6) A NON-PUBLIC INSTITUTION OF HIGHER EDUCATION UNDER SECTION 17-106 OF THE EDUCATION ARTICLE.
 - (A) A PRIVATE ELEMENTARY OR SECONDARY SCHOOL OR A NONPUBLIC INSTITUTION OF HIGHER EDUCATION MAY NOT PURCHASE RELIGIOUS MATERIALS UNDER THIS CONTRACT.
 - (B) THE RIGHT TO PURCHASE UNDER THIS SECTION SHALL BE IN ADDITION TO, BUT NOT IN SUBSTITUTION FOR, THE APPLICABLE PURCHASING POWER GRANTED TO ANY OF THE LISTED ENTITIES PURSUANT TO ANY STATUTORY OR CHARTER PROVISION.
- (7) ANOTHER STATE OR AN AGENCY OR OTHER INSTRUMENTALITY OF ANOTHER STATE.

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TERMS (cont'd):

CONTRACTOR BEARS THE RISK OF DETERMINING WHETHER OR NOT ANY ENTITY FROM WHICH THE CONTRACTOR RECEIVES AN ORDER UNDER THE CONTRACT IS A UNIT OR AGENCY OF THE STATE OF MARYLAND SUCH THAT THE CONTRACT MAY BE ENFORCED AGAINST THE STATE OF MARYLAND.

ALL PURCHASES UNDER THIS CONTRACT BY ANY SUCH ENTITY WHICH IS NOT A UNIT OR AGENCY OF THE STATE OF MARYLAND FOR WHICH THE STATE OF MARYLAND MAY BE HELD LIABLE IN CONTRACT (1) SHALL CONSTITUTE A PURCHASE OR CONTRACT BETWEEN THE CONTRACTOR AND THAT ENTITY ONLY; (2) SHALL NOT CONSTITUTE A PURCHASE OR CONTRACT OF THE STATE OF MARYLAND; (3) SHALL NOT BE BINDING OR ENFORCEABLE AGAINST THE STATE OF MARYLAND OR ANY OF ITS UNITS OR AGENCIES; AND MAY BE SUBJECT TO OTHER TERMS AND CONDITIONS AGREED TO BY THE CONTRACTOR AND THE PURCHASER.

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 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 THIRTY (30) 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 DGS.STATEWIDECONTRACTSUSAGEREPORT@MARYLAND.GOV.

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.

C. PRIOR TO AWARD, CONTRACTORS WILL BE ASKED TO CONFIRM IN WRITING THEIR UNIT PRICES INCLUDE THE ONE PERCENT (1%) CONTRACT ADMINISTRATION FEE.

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TERMS (cont'd):

THE DEPARTMENT OF GENERAL SERVICES' "TERMS AND CONDITIONS FOR COMMODITY CONTRACTS OVER \$50,000" AND ALL SPECIFICATIONS, TERMS AND CONDITIONS OF SOLICITATION BPM035664/001IT821371 INCORPORATED HEREIN BY REFERENCE.

<u>LINE #</u>	<u>STATE ITEM ID</u>	<u>U/M</u>	<u>UNIT COST</u>
0001	63057-000500	EA	

PAINTS

LATEX, ACRYLIC ENAMEL, ACRYLIC EPOXY AND ACRYLIC URETHANE DTM'S, OR APPROVED EQUAL.

INTERIOR:

PRIMER 41% +/- 2%	85% DISCOUNT
STAIN BLOCK PRIMER 38% +/- 2%	80% DISCOUNT
FLAT PAINT 30% +/- 2%	80% DISCOUNT
EGG SHELL PAINT 34% +/- 2%	85% DISCOUNT
SEMI-GLOSS PAINT 38% +/- 2%	80% DISCOUNT

EXTERIOR:

PRIMER 36% +/- 2%	75% DISCOUNT
STAIN BLOCK PRIMER 38% +/- 2%	67% DISCOUNT
FLAT PAINT 36% +/- 2%	77% DISCOUNT
SEMI-GLOSS PAINT 38% +/- 2%	77% DISCOUNT
GLOSS PAINT 35% +/- 2%	80% DISCOUNT

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<u>LINE #</u>	<u>STATE ITEM ID</u>	<u>U/M</u>	<u>UNIT COST</u>	
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0002	63057-000500	EA		
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PAINTS

OIL BASED,ALKYD,SOLVENT BORNE ACRYLIC OR APPROVED EQUAL.

EXTERIOR:

SEMI-GLOSS PAINT 44% +/- 2%	75% DISCOUNT
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GLOSS PAINT 54% +/- 2%	70% DISCOUNT
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0003	63057-000500	EA		
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PAINTS

ZERO-VOC PAINTS AFTER TINTING, OR APPROVED EQUAL.

PRIMER 26% +/- 2%	65% DISCOUNT
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FLAT PAINT 42% +/- 2%	65% DISCOUNT
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EGG SHELL PAINT 40% +/- 2%	65% DISCOUNT
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SEMI-GLOSS PAINT 36% +/- 2%	65% DISCOUNT
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0004	63057-000500	EA		
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PAINTS

STAINS AND POLYURETHANES, ALL TYPES,COLORS AND SHEENS.

ALL TYPES, COLORS AND SHEENS	30% DISCOUNT
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0005	63057-000500	EA		
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PAINTS

SUNDRIES

PAINT BRUSHES-ALL TYPES AND SIZES	40% DISCOUNT
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<u>LINE #</u>	<u>STATE ITEM ID</u>	<u>U/M</u>	<u>UNIT COST</u>	
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	ROLLER COVERS-ALL SIZES AND NAPS		40% DISCOUNT	
	ROLLER FRAMES-ALL SIZES		40% DISCOUNT	
	DROP CLOTHS-ALL TYPES,SIZES AND WEIGHTS		40% DISCOUNT	
	TAPE-ALL TYPES AND WIDTHS		40% DISCOUNT	
	SAND PAPER-ALL TYPES, SIZES AND GRITS		40% DISCOUNT	
	CAULKS, SEALERS, PATCHING COMPOUNDS-			
	ALL TYPES AND COLORS		40% DISCOUNT	
	THINNERS, REDUCERS AND CLEANERS		40% DISCOUNT	
	LADDERS AND SCAFFOLDING-ALL TYPES AND SIZES,			
	MUST MEET OR EXCEED ANSI TYPE 1A RATING AND/			
	OR MEET ANSI AND OSHA CODES		20% DISCOUNT	
	SPRAY EQUIPMENT AND ACCESSORIES		20% DISCOUNT	

END OF ITEM LIST

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AUTHORIZED BY: _____ DATE: _____

BUYER AUTHORIZED DESIGNEE