

# BLANKET PURCHASE ORDER

## STATE OF MARYLAND

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

**BPO NO:** 001B0600013

**PRINT DATE:** 06/18/19

**PAGE:** 01

### SHIP TO:

AS SPECIFIED ON INDIVIDUAL ORDERS

### VENDOR ID:

NATIONAL CAPITAL INDUSTRIES  
P O BOX 287  
3420 KENILWORTH AVE  
BLADENSBURG, MD 20710  
(301 )864-4150

### REFER QUESTIONS TO:

IRIS LESTER BELL  
(410 )767-4612  
IRIS.LESTER@MARYLAND.GOV

### ITB:

**EXPR DATE:** 05/15/20  
**POST DATE:** 04/24/19

**DISCOUNT TERMS:** . NET 30 DAY  
**CONTRACT AMOUNT:** 51,509.00

### 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.

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AGENCY CONTRACT FOR

VEHICLE & TRAILER MOUNTED IMPACT ATTENUATORS

\*\*\*\*\*

THIS IS THE FINAL RENEWAL.

AGENCY CONTACT: TIM LAWLER (410) 582-5575  
TLAWLER@SHA.STATE.MD.US

JIM LOUKAS (410) 537-1041  
DLOUKAS@MDTA.STATE.MD.US

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VENDOR: NATIONAL CAPITAL INDUSTRIES, INC.

VENDOR FEIN: 52-1215127

VENDOR PHONE: (410) 644-0300

VENDOR CONTACT: CHRIS HYERS  
CHYERS@NATCAP.COM

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### TERMS (cont'd):

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DESIGNATED AGENCY & ADDITIONAL USERS CLAUSE: STATE HIGHWAY ADMINISTRATION, MARYLAND TRANSPORTATION AUTHORITY, AND OTHER MARYLAND STATE AND LOCAL DIVISIONS ARE AUTHORIZED TO PURCHASE FROM THIS CONTRACT.

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CONTRACT PERIOD: MAY 15, 2019 THROUGH MAY 16, 2020. THIS CONTRACT IS FOR ONE YEAR WITH NO RENEWAL OPTIONS. UPON THE WRITTEN CONSENT OF THE USING AGENCIES, THE VENDOR, AND THE DEPARTMENT OF GENERAL SERVICES. THE STATE RESERVES THE UNILATERAL OPTION TO RENEW THIS CONTRACT UNDER THE SAME TERMS AND CONDITIONS.

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CONTRACT SCOPE: TO FURNISH TRAILER AND VEHICLE MOUNTED IMPACT ATTENUATORS FOR THE MARYLAND STATE HIGHWAY ADMINISTRATION AND THE MARYLAND TRANSPORTATION AUTHORITY.

THIS SOLICITATION IS FOR NEW PRODUCTS/EQUIPMENT AND MUST BE FREE FROM DEFECTS. USED, REFURBISHED OR REMANUFACTURED PRODUCTS/EQUIPMENT, INCLUDING DEMONSTRATION EQUIPMENT, WILL NOT BE ACCEPTED OR CONSIDERED UNLESS OTHERWISE APPROVED BY THE USING AGENCY.

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PRICE ESCALATION: THIS IS A FIRM FIXED PRICE CONTRACT IN THAT NO PRICE ESCALATION SHALL BE ALLOWED. HOWEVER, IN THE EVENT OF ANY SUCH DECREASE IN PRICE DUE TO MARKET CHANGE OR OTHER CONDITIONS, THE STATE OF MARYLAND SHALL BE NOTIFIED PROMPTLY AND RECEIVE SUCH DECREASE.

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CONTRACT TERMINATION: CONTRACTS SHALL REMAIN IN EFFECT FOR THE TIME PERIOD AND QUANTITY SPECIFIED UNLESS THE CONTRACT IS TERMINATED BY THE STATE. THE STATE MAY TERMINATE ANY CONTRACT WITHOUT SHOWING CAUSE, UPON THIRTY (30) DAYS WRITTEN NOTICE.

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OPEN MARKET CLAUSE: ANY ITEM LISTED HEREIN THAT IS NOT DELIVERED IN A TIMELY MANNER OR DOES NOT CONFORM TO THE REQUIREMENTS OF THE CONTRACT, MAY BE PURCHASED ON THE OPEN MARKET BY THE USING AGENCY. THE VENDOR WILL BE CHARGED FOR ANY PRODUCT COST INCURRED BY THE STATE

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### **TERMS (cont'd):**

THAT IS IN EXCESS OF THE CONTRACTED PRICE.

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**BASIS OF AWARD:** CONTRACT AWARD WAS MADE ON A LINE BY LINE BASIS  
BASED ON BRAND FOR THOSE BRANDS LISTED ON THE SHA QUALIFIED PRODUCTS  
LIST (QPL).

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**USAGE REPORT:** A REPORT MUST BE FURNISHED BY THE SUCCESSFUL VENDOR  
EVERY SIX (6) MONTHS DETAILING THE PURCHASE OF ALL ITEMS ON THE  
CONTRACT. THE REPORTS SHALL BE SUBMITTED ELECTRONICALLY IN EXCEL  
FORMAT. AT A MINIMUM, THE REPORT SHALL REFLECT THE CONTRACT NUMBER,  
CONTRACT ITEM BY COMMODITY CODE, ITEM DESCRIPTION, THE DOLLAR VOLUME  
PURCHASED OF EACH ITEM, AGENCY IDENTIFICATION NUMBER AND THE CONTRACT  
TOTAL. THE REPORT MUST BE FILED WITHIN THIRTY (30) DAYS AFTER THE END  
OF EACH REPORTING PERIOD. ANY EXCEPTION TO THIS MANDATORY REQUIREMENT  
MAY RESULT IN THE CANCELLATION OF THE AWARD. FAILURE TO PROVIDE THE  
REPORT WITH THE MINIMUM REQUIRED INFORMATION MAY ALSO NEGATE ANY  
RENEWAL CLAUSES. REPORT SHALL BE EMAILED TO THE PROCUREMENT OFFICER  
AT IRIS.LESTER@MARYLAND.GOV.

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**WARRANTY:** THE EQUIPMENT REQUESTED IN THIS SOLICITATION SHALL BE  
WARRANTED FOR A MINIMUM OF ONE (1) YEAR. THIS WARRANTY IS TO COVER  
ALL LABOR AND PARTS FOR THE FULL WARRANTY TERM. WARRANTY PERIOD SHALL  
COMMENCE ON THE DATE OF DELIVERY AND ACCEPTANCE BY THE AGENCY. A COPY  
OF THE TERMS AND CONDITIONS OF THE WARRANTY IS TO BE SUBMITTED WITH  
THE BID.

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

**QUOTED PRICE TO BE F.O.B. DESTINATION AND INCLUDE ALL SHIPPING,  
HANDLING, AND ADMINISTRATIVE CHARGES.**

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**QUANTITIES:** QUANTITIES REPRESENTED ARE ESTIMATED AND ARE NOT  
WARRANTED OR GUARANTEED BY THE STATE OF MARYLAND. THE CONTRACT SHALL  
BE FOR THE ACTUAL NEEDS OF THE AGENCY AND MAY VARY APPRECIABLY FROM

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### TERMS (cont'd):

THE STATED ESTIMATE(S). VENDOR WILL BE ENTITLED TO NO CHANGE IN CONTRACT PRICE IF QUANTITIES ORDERED OR DELIVERED ARE MORE OR LESS THAN THE QUANTITIES ESTIMATED IN THE SOLICITATION.

PAYMENTS: VENDOR IS TO SUBMIT INVOICES IN TRIPLICATE, SHOW PURCHASE ORDER NUMBER ON ALL INVOICES, PACKING LISTS, SHIPPING LABELS AND ALL CORRESPONDENCE.

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

CORPORATE "P" CARDS MAY BE USED FOR PAYMENT FOR ALL INDIVIDUAL AGENCY PURCHASES OF \$5,000.00 OR LESS.

CONTRACT ACCEPTANCE: THIS BLANKET PURCHASE ORDER (BPO) IS ISSUED AS A RESULT OF THE INVITATION TO BID (ITB #001IT819430 / MDDGS31012918) AND ANY SUBSEQUENT AMENDMENTS, MODIFICATIONS, OR OPTIONS ISSUED RELEVANT TO THE ITB OR BPO, SHALL COMPLY WITH ALL OF THE TERMS, CONDITIONS, AND SPECIFICATIONS ISSUED WITH THE ITB (#001IT819430) AND ARE INCORPORATED HEREIN AND MADE A PART OF THIS BPO.

<u>LINE #</u>	<u>STATE ITEM ID</u>	<u>U/M</u>	<u>UNIT COST</u>
0001	55042	EA	51,509.0000

SAFETY BARRIERS, TRAFFIC, MOBILE: ENERGY ABSORPTION SYSTEMS, IMPACT ATTENUATORS (CRASH BARRIERS), ETC.

TRAILER MOUNTED IMPACT ATTENUATORS:

ENERGY ABSORPTION SYSTEMS, INC.- SST TMA-9000LC-LED - \$19,374.00

DELIVERY LOCATION: MD SHA, ATTN TIM LAWLER, 7491 CONNELLEY DRIVE,  
BLDG 3, HANOVER, MARYLAND 21076

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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	55042	EA	17,374.0000	
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SAFETY BARRIERS, TRAFFIC, MOBILE: ENERGY ABSORPTION SYSTEMS, IMPACT  
ATTENUATORS (CRASH BARRIERS), ETC.  
VEHICLE MOUNTED IMPACT ATTENUATORS:

ENERGY ABSORPTION SYSTEMS, INC.- SST TMA-9182 LC - \$19,374.00

TRINITY HIGHWAY PRODUCTS, LLC - MPF 350 - \$14,375.00

DELIVERY LOCATION: MD SHA, ATTN TIM LAWLER, 7491 CONNELLEY DRIVE,  
BLDG 3, HANOVER, MARYLAND 21076

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0003	55042	EA	14,375.0000	
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SAFETY BARRIERS, TRAFFIC, MOBILE: ENERGY ABSORPTION SYSTEMS, IMPACT  
ATTENUATORS (CRASH BARRIERS), ETC.  
VEHICLE MOUNTED IMPACT ATTENUATORS:

TRINITY HIGHWAY PRODUCTS, LLC - MPF 350 - \$14,375.00

DELIVERY LOCATION: MD SHA, ATTN TIM LAWLER, 7491 CONNELLEY DRIVE,  
BLDG 3, HANOVER, MARYLAND 21076

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0004	55096	FT	4,275.0000	
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WARNING LIGHTS, FLASHERS, AND FLASHING ARROW BOARDS (SEE CLASS 285-76  
FOR STREETLIGHTS AND STANDARDS)  
TRAILER MOUNTED FLASHING ARROW BOARD:

TRAFCON ARROW BOARD 8500 (ITEM GM5777): \$4,275.00

SOLAR OPTION, 55 WATT SOLAR (ITEM GM577): \$1,200.00

BATTERY, 12 VOLT DEEP CYCLE (ITEM NP1050): \$120.00

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<u>LINE #</u>	<u>STATE ITEM ID</u>	<u>U/M</u>	<u>UNIT COST</u>	
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INSTALLATION OF ABOVE ITEMS ON ASSEMBLED SST TRAILER TMA  
4 HOURS @ \$82.50/HOUR: \$330.00

0005	55096	FT	1,200.0000	
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WARNING LIGHTS, FLASHERS, AND FLASHING ARROW BOARDS (SEE CLASS 285-76  
FOR STREETLIGHTS AND STANDARDS)  
TRAILER MOUNTED FLASHING ARROW BOARD ACCESSORY:

SOLAR OPTION, 55 WATT SOLAR (ITEM GM577): \$1,200.00

0006	55096	FT	120.0000	
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WARNING LIGHTS, FLASHERS, AND FLASHING ARROW BOARDS (SEE CLASS 285-76  
FOR STREETLIGHTS AND STANDARDS)  
TRAILER MOUNTED FLASHING ARROW BOARD ACCESSORY:

BATTERY, 12 VOLT DEEP CYCLE (ITEM NP1050): \$120.00

0007	55096	FT	330.0000	
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WARNING LIGHTS, FLASHERS, AND FLASHING ARROW BOARDS (SEE CLASS 285-76  
FOR STREETLIGHTS AND STANDARDS)  
TRAILER MOUNTED FLASHING ARROW BOARD INSTALLATION:

INSTALLATION ON ASSEMBLED SST TRAILER TMA  
4 HOURS @ \$82.50/HOUR: \$330.00

END OF ITEM LIST

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AUTHORIZED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

BUYER AUTHORIZED DESIGNEE