

BLANKET PURCHASE ORDER

STATE OF MARYLAND

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

BPO NO: 001B2600316

PRINT DATE: 08/24/23

PAGE: 01

SHIP TO:

AS SPECIFIED ON INDIVIDUAL ORDERS

VENDOR ID:

JOHNSON TRUCK CENTER
3801 IRONWOOD PLACE

LANDOVER, MD 20785
(856)630-3229

REFER QUESTIONS TO:

MATTHEW SMITH
(410)767-3039
MATTHEW.SMITH2@MARYLAND.GOV

ITB:

EXPR DATE: 02/29/24
POST DATE: 01/21/22

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 DAIMLER REPLACEMENT TRUCK PARTS

MODIFICATION #2: EXTENDING CONTRACT UNDER THE SAME TERMS, CONDITIONS AND PRICING THROUGH 2/29/2024.

MODIFICATION #1: EXTENDING CONTRACT UNDER THE SAME TERMS, CONDITIONS AND PRICING THROUGH 8/31/2023.

THIS IS THE FINAL RENEWAL OPTION.

OPTION FINAL TERM: MARCH 01, 2022 THROUGH FEBRUARY 28, 2023, WITH THE SAME CONTRACT TERMS, CONDITIONS, PROVISIONS AND PRICE.

THERE ARE NO REMAINING RENEWAL OPTIONS AGAINST ORIGINAL CONTRACT 001B9400373.

VENDOR NAME: JOHNSON TRUCK CENTER

VENDOR CONTACT: JAMES VICK

TELEPHONE: 301-832-9100

. PARTSBALTIMORE@JOHNSONTOWERS.COM

VENDOR EMAIL ADDRESS: SERVICELANDOVER@JOHNSONTRUCKCENTER.COM

(A) REGION A (WESTERN) GARRETT, ALLEGANY, WASHINGTON COUNTIES

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TERMS (cont'd):

- (B) REGION B (CAPITAL) FREDERICK, MONTGOMERY, PRINCE GEORGE'S COUNTY
- (C) REGION C (CENTRAL) ANNE ARUNDEL, BALTIMORE, CARROLL, HARFORD, HOWARD COUNTIES & BALTIMORE CITY
- (D) REGION D (EASTERN SHORE) KENT, QUEEN ANNES, TALBOT, CAROLINE, CECIL, DORCHESTER, WORCHESTER & SOMERSET COUNTIES
- (E) REGION E (SOUTHERN) CALVERT, CHARLES AND ST. MARYS COUNTIES

SCOPE OF WORK:

TO FURNISH NEW REPLACEMENT PARTS FOR DAIMLER TRUCK PRODUCTS UNDER THE PRODUCTS LINE OF FREIGHTLINER, STERLING AND WESTERN STAR. THE AREAS COVERED UNDER THIS CONTRACT SHALL INCLUDE COMPLETE ASSEMBLIES SUCH AS ENGINES, TRANSMISSIONS AND DRIVE AXLES.

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 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: DGS.STATEWIDECONTRACTSUSAGE REPORT@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.

4. PRIOR TO AWARD, CONTRACTORS WILL BE ASKED TO CONFIRM IN WRITING THAT THEIR UNIT PRICES INCLUDE THE ONE PERCENT (1%) ELECTRONIC TRANSACTION FEE.

PURCHASES BY OTHER ENTITIES - INDEFINITE QUANTITY CONTRACTS:
THIS PROVISION APPLIES TO INDEFINITE QUANTITY CONTRACTS.

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TERMS (cont'd):

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.

DELIVERY AND ACCEPTANCE:

DELIVERY SHALL BE MADE IN ACCORDANCE WITH THE SOLICITATION SPECIFICATIONS. THE STATE, IN ITS SOLE DISCRETION, MAY EXTEND THE TIME OF PERFORMANCE FOR EXCUSABLE DELAYS DUE TO UNFORESEEABLE CAUSES BEYOND THE CONTRACTOR'S CONTROL. THE STATE UNILATERALLY MAY ORDER IN WRITING THE SUSPENSION, DELAY OR INTERRUPTION OF PERFORMANCE HEREUNDER. THE STATE RESERVES THE RIGHT TO TEST ANY MATERIALS, EQUIPMENT, SUPPLIES, OR SERVICES DELIVERED TO DETERMINE IF THE SPECIFICATIONS HAVE BEEN MET. THE MATERIALS LISTED IN THE BID OR PROPOSAL SHALL BE DELIVERED FOB THE POINT OR POINTS SPECIFIED PRIOR TO OR ON THE DATE SPECIFIED IN THE BID OR PROPOSAL. ANY MATERIAL THAT IS DEFECTIVE OR FAILS TO MEET THE TERMS OF THE SOLICITATION

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TERMS (cont'd):

SPECIFICATIONS SHALL BE REJECTED. REJECTED MATERIALS SHALL BE PROMPTLY REPLACED. IF THE VENDOR REFUSES TO REPLACE REJECTED MATERIALS, THE STATE RESERVES THE RIGHT TO PURCHASE REPLACEMENT MATERIALS IN THE OPEN MARKET AND THE VENDOR SHALL BE LIABLE FOR ANY EXCESS PRICE PAID FOR THE REPLACEMENT, PLUS APPLICABLE EXPENSES, IF ANY.

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.

PAYMENTS TO THE CONTRACTOR PURSUANT TO THIS CONTRACT SHALL BE MADE NO LATER THAN 30 DAYS AFTER THE STATE'S RECEIPT OF A PROPER INVOICE FROM THE CONTRACTOR. CHARGES FOR LATE PAYMENT OF INVOICES, OTHER THAN AS PRESCRIBED BY TITLE 15, SUBTITLE 1, OF THE STATE FINANCE AND PROCUREMENT ARTICLE, ANNOTATED CODE OF MARYLAND, OR BY THE PUBLIC SERVICE COMMISSION OF MARYLAND WITH RESPECT TO REGULATED PUBLIC UTILITIES, AS APPLICABLE, ARE PROHIBITED.

ELECTRONIC FUNDS TRANSFER: THIS PROVISION ON ELECTRONIC FUNDS TRANSFER APPLIES TO CONTRACTS OF OVER \$200,000 FOR WHICH PAYMENTS ARE MADE THROUGH THE STATE COMPTROLLER.

ELECTRONIC FUNDS TRANSFER WILL BE USED BY THE STATE TO PAY CONTRACTOR FOR THIS CONTRACT AND ANY OTHER STATE PAYMENTS DUE CONTRACTOR UNLESS THE STATE COMPTROLLER'S OFFICE GRANTS CONTRACTOR AN EXEMPTION.

INVOICES:

FOLLOWING DELIVERY AND ACCEPTANCE OF ANY MATERIALS, EQUIPMENT, SUPPLIES OR SERVICES (COMPANY NAME) SHALL SUBMIT AN ORIGINAL INVOICE TO THE AGENCY FOR PAYMENT.

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

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

BPO/PO AS CONTRACT:

THIS PROVISION APPLIES TO ALL PROCUREMENT CONTRACTS PROCURED BY THE DEPARTMENT OF GENERAL SERVICES EXCEPT CONTRACTS FOR THE PROCUREMENT OF ARCHITECTURAL AND ENGINEERING SERVICES FOR A PRICE OF GREATER THAN \$200,000.

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;

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TERMS (cont'd):

(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.

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.

THE DEPARTMENT OF GENERAL SERVICES' "TERMS AND CONDITIONS FOR COMMODITY CONTRACTS OVER \$50,000" AND ALL SPECIFICATIONS, TERMS AND CONDITIONS OF SOLICITATION #MDDGS31040523/001IT820923 INCORPORATED HEREIN BY REFERENCE.

<u>LINE #</u>	<u>STATE ITEM ID</u>	<u>U/M</u>	<u>UNIT COST</u>
0001	06074	EA	

REPLACEMENT PARTS FOR AUTOMOBILES AND OTHER TRANSPORTATION
VEHICLES TRCKS/BUSES ETC
10-ENGINE 15.5% OFF MSRP MAJOR FLEET LIST

0002	06074	EA	
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REPLACEMENT PARTS FOR AUTOMOBILES AND OTHER TRANSPORTATION
VEHICLES TRCKS/BUSES ETC
09 - AIR INTAKE 15.5% OFF MSRP MAJOR FLEET LIST

0003	06074	EA	
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REPLACEMENT PARTS FOR AUTOMOBILES AND OTHER TRANSPORTATION
VEHICLES TRCKS/BUSES ETC
13 - AIR COMPRESSOR 15.5% MSRP MAJOR FLEET LIST

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0004	06074	EA		
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REPLACEMENT PARTS FOR AUTOMOBILES AND OTHER TRANSPORTATION
VEHICLES TRCKS/BUSES ETC
15 - ALTERNATORS-STARTERS 16.5% OFF MSRP MAJOR FLEET LIST

0005	06074	EA		
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REPLACEMENT PARTS FOR AUTOMOBILES AND OTHER TRANSPORTATION
VEHICLES TRCKS/BUSES ETC
20 - ENGINE COOLING-RADIATOR 15.5% OFF MSRP MAJOR FLEET LIST

0006	06074	EA		
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REPLACEMENT PARTS FOR AUTOMOBILES AND OTHER TRANSPORTATION
VEHICLES TRCKS/BUSES ETC
25 - CLUTCH 16.5% OFF MSRP MAJOR FLEET LIST

0007	06074	EA		
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REPLACEMENT PARTS FOR AUTOMOBILES AND OTHER TRANSPORTATION
VEHICLES TRCKS/BUSES ETC
26 - TRANSMISSION 15.5% OFF MSRP MAJOR FLEET LIST

0008	06074	EA		
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REPLACEMENT PARTS FOR AUTOMOBILES AND OTHER TRANSPORTATION
VEHICLES TRCKS/BUSES ETC
30 - THROTTLE CONTROL 15.5% OFF MSRP MAJOR FLEET LIST

0009	06074	EA		
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REPLACEMENT PARTS FOR AUTOMOBILES AND OTHER TRANSPORTATION
VEHICLES TRCKS/BUSES ETC
31 - FRAME AND FRAME COMPONENTS 15.5% OFF MSRP MAJOR FLEET LIST

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0010	06074	EA		
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REPLACEMENT PARTS FOR AUTOMOBILES AND OTHER TRANSPORTATION
VEHICLES TRCKS/BUSES ETC
32 - SUSPENSION 16.5% OFF MSRP MAJOR FLEET LIST

0011	06074	EA		
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REPLACEMENT PARTS FOR AUTOMOBILES AND OTHER TRANSPORTATION
VEHICLES TRCKS/BUSES ETC
33 - FRONT AXLE 15.5% OFF MSRP MAJOR FLEET LIST

0012	06074	EA		
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REPLACEMENT PARTS FOR AUTOMOBILES AND OTHER TRANSPORTATION
VEHICLES TRCKS/BUSES ETC
35 - REAR AXLE 15.5% OFF MSRP MAJOR FLEET LIST

0013	06074	EA		
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REPLACEMENT PARTS FOR AUTOMOBILES AND OTHER TRANSPORTATION
VEHICLES TRCKS/BUSES ETC
40-WHEEL TIRES 15.5% OFF MSRP MAJOR FLEET LIST

0014	06074	EA		
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REPLACEMENT PARTS FOR AUTOMOBILES AND OTHER TRANSPORTATION
VEHICLES TRCKS/BUSES ETC
41-DRIVELINE 15.5% OFF MSRP MAJOR FLEET LIST

0015	06074	EA		
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REPLACEMENT PARTS FOR AUTOMOBILES AND OTHER TRANSPORTATION
VEHICLES TRCKS/BUSES ETC
42A-BRAKE FOUNDATION 15.5% OFF MSRP MAJOR FLEET LIST

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REPLACEMENT PARTS FOR AUTOMOBILES AND OTHER TRANSPORTATION
VEHICLES TRCKS/BUSES ETC
42B- AIR HYDRAULIC SYSTEM 15.5% OFF MSRP MAJOR FLEET LIST

0017	06074	EA		
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REPLACEMENT PARTS FOR AUTOMOBILES AND OTHER TRANSPORTATION
VEHICLES TRCKS/BUSES ETC
46- STEERING 15.5% OFF MSRP MAJOR FLEET LIST

0018	06074	EA		
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REPLACEMENT PARTS FOR AUTOMOBILES AND OTHER TRANSPORTATION
VEHICLES TRCKS/BUSES ETC
47- FUEL SYSTEM 16.5% OFF MSRP MAJOR FLEET LIST

0019	06074	EA		
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REPLACEMENT PARTS FOR AUTOMOBILES AND OTHER TRANSPORTATION
VEHICLES TRCKS/BUSES ETC
49- EXHAUST 15.5% OFF MSRP MAJOR FLEET LIST

0020	06074	EA		
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REPLACEMENT PARTS FOR AUTOMOBILES AND OTHER TRANSPORTATION
VEHICLES TRCKS/BUSES ETC
54A- ELECTRICAL CHASSIS 15.5% OFF MSRP MAJOR FLEET LIST

0021	06074	EA		
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REPLACEMENT PARTS FOR AUTOMOBILES AND OTHER TRANSPORTATION
VEHICLES TRCKS/BUSES ETC
54B- ELECTRICAL CAB 15.5% OFF MSRP MAJOR FLEET LIST

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REPLACEMENT PARTS FOR AUTOMOBILES AND OTHER TRANSPORTATION
VEHICLES TRCKS/BUSES ETC
54C- GAUGES INDICATORS GRAPHS ADAPTERS 15.5% MSRP MAJOR FLEET LIST

0023	06074	EA		
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REPLACEMENT PARTS FOR AUTOMOBILES AND OTHER TRANSPORTATION
VEHICLES TRCKS/BUSES ETC
54E- COMMODITY HARNESS 17.5% MSRP MARJOR FLEET LIST

0024	06074	EA		
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REPLACEMENT PARTS FOR AUTOMOBILES AND OTHER TRANSPORTATION
VEHICLES TRCKS/BUSES ETC
60A- CAB INTERIOR 15.5% OFF MSRP MAJOR FLEET LIST

0025	06074	EA		
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REPLACEMENT PARTS FOR AUTOMOBILES AND OTHER TRANSPORTATION
VEHICLES TRCKS/BUSES ETC
60B- CAB EXTERIOR 15.5% MSRP MAJOR FLEET LIST

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REPLACEMENT PARTS FOR AUTOMOBILES AND OTHER TRANSPORTATION
VEHICLES TRCKS/BUSES ETC
72- DOORS 15.5% OFF MSRP MAJOR FLEET LIST

0027	06074	EA		
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REPLACEMENT PARTS FOR AUTOMOBILES AND OTHER TRANSPORTATION
VEHICLES TRCKS/BUSES ETC
75A- BODY INTERIOR 15.5% OFF MSRP MAJOR FLEET LIST

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0028	06074	EA		
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REPLACEMENT PARTS FOR AUTOMOBILES AND OTHER TRANSPORTATION
VEHICLES TRCKS/BUSES ETC
83- HEATER AIR CONDITIONING 15.5% OFF MSRP MAJOR FLEET LIST

0029	06074	EA		
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REPLACEMENT PARTS FOR AUTOMOBILES AND OTHER TRANSPORTATION
VEHICLES TRCKS/BUSES ETC
88- HOOD GRILLE CAB FENDERS 15.5% OFF MSRP MAJOR FLEET LIST

0030	06074	EA		
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REPLACEMENT PARTS FOR AUTOMOBILES AND OTHER TRANSPORTATION
VEHICLES TRCKS/BUSES ETC
91- SEATS RESTRAINT SYSTEMS 15.5% OFF MSRP MAJOR FLEET LIST

END OF ITEM LIST

***** LAST PAGE *****

AUTHORIZED BY: _____ **DATE:** _____

BUYER AUTHORIZED DESIGNEE