



State of New Mexico
General Services Department

Statewide Price Agreement

Awarded Vendor

0000076086

MSC Industrial Supply Company
75 Maxess Road
Melville, NY 11747

Telephone No. (904) 519-6002

Price Agreement Number: 10-000-00-00022AC

Payment Terms: See Contract

F.O.B.: See Contract

Delivery: See Contract

Ship To:

All State of New Mexico agencies, commissions,
institutions, political subdivisions and local public bodies
allowed by law.

Procurement Specialist: Brenda Chacon

Telephone No.: (505) 827-0488

Invoice:

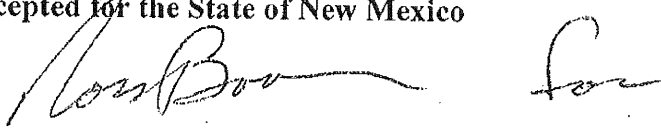
Statewide

Title: **Facilities MRO Contracts**

Term: **May 1, 2011 thru February 28, 2014**

This Price Agreement is made subject to the "terms and conditions" shown on the reverse side of this page, and as indicated in this Price Agreement.

Accepted for the State of New Mexico


New Mexico State Purchasing Agent

Date: 4/29/2011

Purchasing Division, 1100 St. Francis Drive, PO Box 6850, Santa Fe, NM 87502-6850 (505) 827-0472

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PARTICIPATING ADDENDUM
WESTERN STATES CONTRACTING ALLIANCE
FACILITIES MRO Contracts
Administered by the State of Nevada (hereinafter "Lead State")
MASTER PRICE AGREEMENT
MSC Industrial Supply Company
Nevada Contract Number: 1862
(hereinafter "Contractor")
And
[State of New Mexico]
(hereinafter "Participating State")

State Price Agreement No. 10-000-00-00022AC

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1. Scope: This addendum covers the WSCA Facilities MRO Contracts lead by the State of Nevada for use by state agencies and other entities located in the Participating State authorized by that state's statutes to utilize state contracts.

The award to contractor in Master Price Agreement 1862 is for **all categories and for all states (entities)** authorized to use Master Price Agreement 1862.

2. Participation: Use of specific WSCA cooperative contracts by state agencies, political subdivisions and other entities (including cooperatives) authorized by an individual state's statutes to use state contracts are subject to the approval of the respective State Chief Procurement Official. Issues of interpretation and eligibility for participation are solely within the authority of the State Chief Procurement Official.

3. Participating State Modifications or Additions to Master Price Agreement:

The vendor will remit to the State of New Mexico Contract Manager an Administrative Fee in the amount of one percent (1%) of all total sales for New Mexico State and Local Public Bodies from this contract. Checks should be made payable to the State of New Mexico.

1. The vendor must also agree to supply the State of New Mexico, State Purchasing Division, with a quarterly usage report broken out, at a minimum, to the state agency and local public body level.
2. The periodic report shall include the gross total sales for the period subtotaled by procuring agency name. The report shall be accompanied with a check payable to State Purchasing Division for an amount equal to 1% of of the gross total sales for the period.

In accordance with the following schedule:

<u>Period End</u>	<u>Report Due</u>
September 30	October 31
December 31	January 31
March 31	April 30
June 30	July 31

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4. Lease Agreements:

Lease Agreements Are NOT Authorized By This Contract

- 5. Primary Contacts:** The primary government contact individuals for this participating addendum are as follows (or their named successors):

Lead State

Name: Gail Burchett
Address: Nevada Department of Administration, Purchasing Division,
515 E. Musser Street, 3rd Floor, Carson City, NV 89701
Telephone: (775) 684-0172
Fax: (775) 684-0188
E-mail: gburchet@purchasing.state.nv.us

Contractor

Name: David Ottenstein, State Government Team Manager
Address: MSC Industrial Supply Company, 75 Maxess Road
Melville, New York 11747
Telephone: (904) 519-6002
Fax: (904) 519-6003
E-mail: ottenstd@mscdirect.com

Participating State of New Mexico

Name: Natalie Martinez
State of New Mexico
Address: 1100 St. Francis Drive
Santa Fe, New Mexico 87505
Telephone: (505) 827-0251
Fax: (505) 827-2482
E-mail: Natalie.Martinez@state.nm.us

6. Subcontractors:

NO servicing subcontractors are permitted under this contract.

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7. Price Agreement Number: All purchase orders issued by purchasing entities within the jurisdiction of this participating addendum shall include the Participating State contract number: 10-000-00-00022AC and the Lead State price agreement number: 1862.

This Participating Addendum and the Master Price Agreement number 1862 (administered by the State of Nevada) 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 Addendum and the Price Agreement, together with its exhibits, shall not be added to or incorporated into this Addendum or the Price 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 Addendum and the Price Agreement and its exhibits shall prevail and govern in the case of any such inconsistent or additional terms within the Participating State.

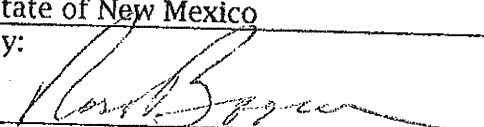
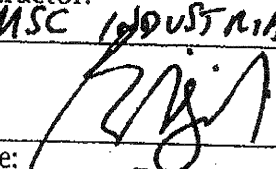
8. Compliance with reporting requirements of the "American Recovery and Reinvestment Act of 2009" ("ARRA"): If or when contractor is notified by ordering entity that a specific purchase or purchases are being made with ARRA funds, contractor agrees to comply with the data element and reporting requirements as currently defined in Federal Register Vol 74 #61, Pages 14824-14829 (or subsequent changes or modifications to these requirements as published by the Federal OMB). Ordering entity is responsible for informing contractor as soon as the ordering entity is aware that ARRA funds are being used for a purchase or purchases. Contractor will provide the required report to the ordering entity with the invoice presented to the ordering entity for payment. The contractor, as it relates to purchases under this contract, is not a subcontractor or sub grantee, but simply a provider of goods and related services.

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

Participating State/Entity: State of New Mexico	Contractor: MSC INDUSTRIAL SUPPLY CO
By: 	By: 
Name: Ross Boon	Name: Peter E. Biagioli
Title: Deputy Director	Title: Vice President National Accounts & Government
Date: 4/29/2011	Date: 4/29/11

[Additional signatures as required by Participating State]