

NASPO ValuePoint
[Contract Title Fire Trucks and Fire Apparatus]
Administered by the State of Mississippi (hereinafter "Lead State")

MASTER AGREEMENT
[Contractor Name Kovatch Mobile Equipment Corp]
Master Agreement No: 8200027991
(hereinafter "Contractor")

Page number **1**

And

[State of Oklahoma/Central Purchasing]
(hereinafter "Participating State/Entity")

THIS PARTICIPATING ADDENDUM (this "Addendum") is entered into effective as of October , 2016 (the "Effective Date"), by and between the State of Oklahoma by and through the Office of Management and Enterprise Services (the "State of Oklahoma" or "Participating State/Entity") and Kovatch Mobile Equipment Corp. ("Contractor" or "Vendor"). The State of Oklahoma and Contractor are sometimes collectively referred to herein as the "Parties." Capitalized terms used but not defined herein have the meanings ascribed to such terms in that certain Master Agreement Award among the State of Mississippi ("Lead State"), Contractor and those states entering into a Participating Addendum thereto (the "Master Agreement").

WHEREAS, the Master Agreement is further identified as Contract No 8200027991. This Participating Addendum will be coterminous with the Master Agreement and any extensions of the Master Agreement, unless terminated pursuant to the terms of this addendum and Master Agreement Section 11.0 Contract Termination and NASPO ValuePoint Master Agreement Terms and Conditions, Section 28 Cancellation.

WHEREAS, the Master Agreement contemplates that all authorized entities in any state are welcome to use the Master Agreement through NASPO ValuePoint Cooperative Procurement Program with such state's chief procurement official and provides that any such state reserves the right to add state-specific terms and conditions and modify the scope of the contract in such state's Participating Addendum as allowed by the Master Agreement; and

WHEREAS, this Addendum is the State of Oklahoma's Participating Addendum contemplated by the Master Agreement;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

1. Scope: This addendum covers the Fire Trucks and Fire Apparatus led by the State of Mississippi for use by state agencies and other entities located in the State of Oklahoma authorized by that state's statutes to utilize NASPO Value-Point contracts with the prior

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approval of the state's chief procurement official.

2. Participation: Use of specific NASPO ValuePoint cooperative contracts by agencies, political subdivisions and other entities (including cooperatives) authorized by a individual state's statutes to use State of Mississippi/Office of Purchasing, Travel & Fleet Management contracts are subject to the prior 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 and Additions to the Master Agreement:

The Oklahoma Specific Terms and Conditions set forth in Exhibit No. 1, attached hereto, are hereby incorporated in and made a part of this Addendum.

Master Agreement Section 10.1 Problem Resolution and Disputes is hereby deleted in its entirety.

Master Agreement Section 10.4 Alternative Dispute Resolution Fees and Costs is hereby deleted in its entirety.

4. Lease Agreements

For County Purchases: When the method of payment will be in the form of a Lease Purchase by a county, making a purchase by using the statewide contract pricing, the Management Services Division of the State Auditor and Inspectors (SAI) Office has encouraged the use of an approved agreement form, Lease Purchase of Equipment Form 120B, as well as a Full Warranty Lease form, developed by their office. Link to the forms listed on the State Auditor Website:

https://www.sai.ok.gov/publications_forms/county_clerk.php?action=showform&formdiv=5
For those Government Entities subject to the Oklahoma Bond Oversight and Reform Act: 62 O.S, Section 695.1 et seq., the Council of Bond Oversight reviews and must approve any request for financing by a State Government Entity. (All state and local government entities) The State Bond Advisor's Office serves as staff to the Council of Bond Oversight and Reform Act (Administrative Rules) Link to the Council of Bond Oversight Website:

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http://www.ok.gov/bondadvisor/Bond_Oversight/index.html

Lease Purchase Rates may be adjusted during the contract period. All lease purchase agreements established by using prices obtained from Suppliers listed as a participant in this competitively bid statewide contract shall be included in the total sales reported by the vendors.

For all government entities, check your statutes and rules and policies for your guidance in determining your lease-purchase processes.

5. Primary Contacts: The primary contact individuals for this Participating Addendum are as follows (or their named successors):

Contractor

Name	Kovatch Mobile Equipment Corp.
Address	One Industrial Complex, Nesquehoning, PA 18240
Contact Person	Phillip Gerace
Telephone	570-669-5174
Fax	
E-mail	pgerace@kovatch.com

Participating Entity

Name	State of Oklahoma, Office of Management and Enterprise Services, Central Purchasing Division
Address	5005 N Lincoln Blvd Suite 300, Oklahoma City, OK 73105
Contact Person	Joyce Leivas
Telephone	405-521-2479
Fax	405-521-4475
E-mail	Joyce.Leivas@omes.ok.gov

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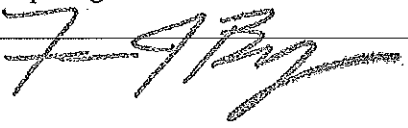

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6. Subcontractors: All Kovatch Mobile Equipment Corp. Dealers and resellers authorized in the State of Oklahoma, as shown on the dedicated Kovatch Mobile Equipment Corp NASPO ValuePoint website, are approved to provide sales and service support to participants in the NASPO ValuePoint Master Agreement. The Kovatch Mobile Equipment Corp dealer's participation will be in accordance with the terms and conditions set forth in the aforementioned Master Agreement.

7. Orders: Any Order placed by a Participating Entity or Purchasing Entity for a Product and/or Service available from this Master Agreement shall be deemed to be a sale under (and governed by the prices and other terms and conditions) of the Master Agreement unless the parties to the Order agree in writing that another contract or agreement applies to such Order.

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

Participating State: Oklahoma	Contractor: Kovatch Mobile Equipment Corp
By: 	By: 
Name: Ferris Berger	Name: Phillip D. Geraee
Title: State Purchasing Director	Title: Sales Manager
Date: 12-8-2016	Date: 11/2/16

[Additional signatures as required by Participating State]

For questions on executing a participating addendum, please contact:

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	NASPO ValuePoint Cooperative Development Coordinator: Tim Hay
	Telephone: 503-428-5705 or 651-206-3858
	E-mail: thay@naspovaluepoint.

[Please email fully executed PDF copy of this document to PA@naspovaluepoint.org to support documentation of participation and posting in appropriate data bases]