

This Addendum 1 to SW1114 (“Addendum 1”) is made this 11th day of March 2021, between the State of Oklahoma by and through the Office of Management and Enterprise Services (“State”) and TimeClocks Plus, dba Data Management, Inc. (“Supplier”) and is a Contract Document in connection with Oklahoma Statewide Contract No. 1114 (“SW1114”) between the State and Supplier. This Addendum 1 supplements and amends the SW1114 entered into between the parties effective on January 25, 2021, including all supplements and amendments thereto. Unless otherwise indicated herein, capitalized terms used in this Addendum 1 without definition shall have the respective meanings specified in the SW1114.

For good and valuable consideration, the parties agree as follows:

1. This Addendum is to add the following language to the subject Contract as Section 27 of Attachment B, General Terms:

**“27. Contract Management Fee and Usage Report**

**27.1** Pursuant to 74 O.S. § 85.33A, the State assesses a contract management fee on all transactions under a statewide contract. The payment of such fee will be calculated for all transactions, net of returns and the Supplier has no right of setoff against such fee regardless of the payment status of any Customer or any aggregate accounts receivable percentage. Supplier acknowledges and agrees that all prices quoted under any statewide contract shall include the contract management fee and the contract management fee shall not be reflected as a separate line item in Supplier’s billing. The State reserves the right to change this fee upward or downward upon sixty (60) calendar days’ written notice to Supplier without further requirement for an Addendum.

**27.2** While Supplier is the awardee of a statewide contract, transactions that occur under the terms of the statewide contract are subject to a one percent (1%) contract management fee to be paid by Supplier. Supplier shall submit a Contract Usage Report on a quarterly basis for each contract using a form provided by the State and such report shall include applicable information for each transaction. Reports shall include usage of the statewide contract by every Customer during the applicable quarter. A singular report provided late will not be considered a breach of the statewide contract; provided, however, repeated failure to submit accurate quarterly usage reports and submit timely payments may result in suspension or termination, in whole or in part, of the Contract.

**27.3** All Contract Usage Reports shall meet the following criteria:



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- i.** Electronic submission in Microsoft Excel format to [strategic.sourcing@omes.ok.gov](mailto:strategic.sourcing@omes.ok.gov);
  - ii.** Quarterly submission regardless of whether there were transactions under the Contract during the applicable quarterly reporting period;
  - iii.** Submission no later than forty-five (45) days following the end of each calendar quarter;
  - iv.** Contract quarterly reporting periods shall be as follows:
    - a.** January 01 through March 31;
    - b.** April 01 through June 30;
    - c.** July 01 through September 30; and
    - d.** October 01 through December 31.
  - v.** Reports must include the following information:
    - a.** Procuring entity;
    - b.** Order date;
    - c.** Purchase Order number or note that the transaction was paid by Purchase Card;
    - d.** City in which products or services were received or specific office or subdivision title;
    - e.** Product manufacturer or type of service;
    - f.** Manufacturer item number, if applicable;
    - g.** Product description;
    - h.** General product category, if applicable;
    - i.** Quantity;
    - j.** Unit list price or MSRP, as applicable;
    - k.** Unit price charged to the purchasing entity; and
    - l.** Other Contract usage information requested by the State.

27.4 Payment of the contract management fee shall be delivered to the following address within forty-five (45) calendar days after the end of each quarterly reporting period:

State of Oklahoma

Office of Management and Enterprise Services, Central Purchasing

2401 North Lincoln Boulevard, Suite 116

Oklahoma City, Oklahoma 73105

To ensure payment is properly accounted for, Supplier shall provide the following information with payment: (i) reference to the applicable Contract Usage Report and quarterly reporting period and (ii) the applicable statewide contract number(s) and the amount of the contract management fee being paid for each contract number.”

2. The term of the subject Contract is for one year from the effective date of January 25, 2021, plus 3 one-year options to renew.

## **SIGNATURES**

The undersigned represent and warrant that they are authorized, as representatives of the Party on whose behalf they are signing, to sign this Statement of Work and to bind their respective Party thereto.

### **STATE:**

  
Jerry Moore (Mar 17, 2021 07:11 GMT+7)

**Authorized Signature**

Jerry Moore

**Printed Name**

Chief Information Officer

**Title**

Mar 17, 2021

**Date**

### **SUPPLIER:**

  
Derek L McIntyre (Mar 15, 2021 16:34 CDT)

**Authorized Signature**

Derek L McIntyre

**Printed Name**

COO

**Title**

Mar 15, 2021

**Date**









# EXECUTION VERSION SW1114 TimeClocks Add 1 Term and Usage and Admin fee language

Final Audit Report

2021-03-17

Created:	2021-03-15
By:	Matthew Gomez (matthew.gomez@omes.ok.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAA7BbWNJG3-4vgE9m58SGo6CXzBWHRunjw

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