



NASPO

ValuePoint

PARTICIPATING ADDENDUM

FLOORCOVERING & INSTALLATION SERVICES 2016-2021

Administered by the State of Utah (hereinafter "Lead State")

MASTER AGREEMENT

Mohawk Carpet Distribution, Inc.

160 South Industrial Blvd.

Calhoun, GA 30701

Master Agreement No: TO15003/TO15004

(hereinafter "Contractor")

And

State of Nevada

515 East Musser St. Ste. 300

Carson City, NV 899701

(hereinafter "Participating State/Entity")

Page 1 of 6

1. **Scope:** This addendum covers the Floorcovering & Related Services led by the State of Utah for use by state agencies and other entities located in the Participating **State/Entity** authorized by that state's statutes to utilize **state/entity** contracts with the prior 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 an individual state's statutes to use **state/entity** 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 or Additions to Master Agreement:**

(These modifications or additions apply only to actions and relationships within the Participating Entity.)

3.1 **Price Agreement Number:**

All purchase orders issued by purchasing entities within the jurisdiction of this participating addendum shall include the Participating State contract number: **[3254]**.

3.2 **Individual Customer:**

Each State agency and political subdivision, as a Participating Entity, that purchases products/services will be treated as if they were Individual Customers. Except to the extent modified by a Participating Addendum, each agency and political subdivision will be responsible to follow the terms and conditions of the Master Agreement; and they will have the same rights and responsibilities for



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Page 2 of 6

their purchases as the Lead State has in the Master Agreement. Each agency and political subdivision will be responsible for their own charges, fees, and liabilities. Each agency and political subdivision will have the same rights to any indemnity or to recover any costs allowed in the contract for their purchases. The Contractor will apply the charges to each Participating Entity individually.

3.3 Termination for Non-appropriation:

The continuation of this Contract/Participating Addendum beyond the biennium is subject to and contingent upon sufficient funds being appropriated budgeted and otherwise made available by the State Legislature and or federal sources. The State may terminate this contract and contractor waives any and all claim(s) for damages except such reasonable cancellation charges for orders already accepted by Contractor, effective immediately upon receipt of written notice (or any date specified therein) if for any reason the Agency's funding from State or Federal sources is not appropriated or is withdrawn, limited or impaired.

3.4 Pricing:

Cost of product and installation is as stated in the Master Agreement and cannot be changed without an amendment by the lead State (Utah).

3.5 Consideration:

The parties agree that the Contractor will provide the services and goods as specified in this participating addendum at a cost as outlined in the Utah master contract with a not to exceed dollar value of \$2,000,000.00.

4. Lease Agreements: Leasing IS NOT an alternative under the Master Agreement.

5. Primary Contacts: The primary contact individuals for this Participating Addendum are



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Page 3 of 6

as follows (or their named successors):

Contractor

Name	Mohawk Carpet Distribution, Inc
Address	160 S Industrial Blvd., Calhoun, GA 30701
Telephone	314-250-4027
Fax	
E-mail	Paul_woolverton@mohawkind.com

Installer

Name	Contract Flooring & Interior Services - Mike Kennedy
Address	55 Silicon Dr. McCarran, NV 89434
Telephone	775-343-1851
Fax	775-343-1857
E-mail	mike.kennedy@contractflooringnv.com

Participating Entity

Name	State of Nevada - Gail Burchett, Purchasing Officer
Address	515 E Musser St. Carson City, NV 89701
Telephone	775.685.0172
Fax	775.685.0188
E-mail	gburchett@admin.nv.gov

6. Named Installers: The named Installer is the only installer authorized to provide services under this Participating Addendum. The named Installer's participation will be in accordance with the terms and conditions set forth in the aforementioned Master



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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: <i>Nevada</i>	Contractor: Mohawk Carpet Distribution, Inc
By: <i>[Signature]</i>	By: <i>[Signature]</i>
Name: <i>Jeffrey Hays</i>	Name: Nick Sterghos
Title: <i>Admins Director</i>	Title: VP Business Development
Date: <i>5-20-2016</i>	Date: <i>5/13/16</i>

Named Installer: Contract Flooring & Interior Services
By: <i>[Signature]</i>