

**PARTICIPATING ADDENDUM
FLOORCOVERING & INSTALLATION SERVICES 2016-2021
Administered by the State of Utah (hereinafter "Lead State")**

MASTER AGREEMENT
[Mannington Mills, Inc. dba Mannington Commercial, a business unit of Mannington Mills, Inc.]
Master Agreement No: MA2282
(hereinafter "Contractor")

And

[State of Nevada]
(hereinafter "Participating State/Entity")

Page 1 of 3

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 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).

**PARTICIPATING ADDENDUM
FLOORCOVERING & INSTALLATION SERVICES 2016-2021
Administered by the State of Utah (hereinafter "Lead State")**

MASTER AGREEMENT

[Mannington Mills, Inc. dba Mannington Commercial, a business unit of Mannington Mills, Inc.]
Master Agreement No: MA2282
(hereinafter "Contractor")

And

[State of Nevada]
(hereinafter "Participating State/Entity")

Page 2 of 3

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 as follows (or their named successors):

Contractor

Name	Mannington Mills, Inc. dba Mannington Commercial, a business unit of Mannington Mills, Inc.
Address	PO Box 12281, Calhoun, GA 30701
Telephone	703.489.5698
Fax	
E-mail	Jody_steger@mannington.com

Participating Entity

Name	Gail Burchett – State of Nevada
Address	515 E Musser Street, Suite 300, Carson City, NV 89701
Telephone	775-684-0172
Fax	
E-mail	gburchett@admin.nv.gov

6. Subcontractors: All [contractor] dealers and resellers authorized in the State of ^{Nevada} ~~xxxxxxxx~~, as shown on the dedicated [contractor] (cooperative contract) website, are approved to provide sales and service support to participants in the NASPO ValuePoint Master Agreement. The [contractors] 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.

**PARTICIPATING ADDENDUM
FLOORCOVERING & INSTALLATION SERVICES 2016-2021
Administered by the State of Utah (hereinafter "Lead State")**

MASTER AGREEMENT



[Mannington Mills, Inc. dba Mannington Commercial, a business unit of Mannington Mills, Inc.]
Master Agreement No: MA2282
(hereinafter "Contractor")

And

[State of Nevada]
(hereinafter "Participating State/Entity")

Page 3 of 3

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

Participating State: Nevada	Contractor: Mannington Commercial
By: 	By: 
Name: <i>Jeffrey Hase</i>	Name: Harvey L. McWhorter, Jr.
Title: <i>Administrator</i>	Title: Controller
Date: <i>6-3-2016</i>	Date:

[Additional signatures as required by Participating State]

For questions on executing a participating addendum, please contact:

NASPO ValuePoint

Cooperative Development Coordinator	Shannon Berry
Telephone	775-720-3404
E-mail	sberry@naspovaluepoint.org

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



NASPO

ValuePoint

PARTICIPATING ADDENDUM

FLOORCOVERING & INSTALLATION SERVICES 2016-2021

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

MASTER AGREEMENT

[Mannington Mills dba Mannington Commercial]

Master Agreement No: MA2282

(hereinafter "Contractor")

And

[State of Nevada]

(hereinafter "Participating State/Entity")

Page 4 of 4

Empty rectangular box for stamp or signature.

APPROVED BY BOARD OF EXAMINERS

Signature – Board of Examiners

On: 4-11-17
Date

Approved as to form by:

Deputy Attorney General for Attorney General

On: 7 Mar 17
Date

For questions on executing a participating addendum, please contact:

NASPO ValuePoint

Cooperative Development Coordinator	Shannon Berry
Telephone	651-206-3858
E-mail	sberry@naspovaluepoint.org

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