

**GROUND MAINTENANCE
EQUIPMENT (2020-2025)**

Led by the Commonwealth of Virginia

Master Agreement #: E194-81037-DC

Contractor: Deere & Company

Participating Entity: State of Wyoming

The Contractor shall provide Ground Maintenance Equipment to the Participating Entity as set forth in the Master Agreement for the following categories:

- Category 1: Tractors (heavy duty and compact)
- Category 2: Tractor Towed PTO (Gang Mowers and Single Unit Mowers)
- Category 3: Off Road Utility Vehicles
- Category 4: Self Propelled Riding Mowers (Medium Duty Wide Coverage and Zero Turn)

The following categories of products or services are not included in this Participating Addendum:

- Category 5: Turf Maintenance (Towed and Ground Driven)

Master Agreement Terms and Conditions:

1. **Scope:** The terms and conditions of the Contractor's NASPO ValuePoint Master Agreement # E194-81037-DC dated February 13, 2020 for Ground Maintenance Equipment (2020-2025) led by the Commonwealth of Virginia (the "Master Agreement"), remain in full force and effect. This Participating Addendum to the Master Agreement allows the addition of specific terms and conditions required by the Participating Entity.
2. **Participation:** This Participating Addendum, as authorized by the Participating Entity's State statutes to utilize the Master Agreement with the prior approval of the State's Chief Procurement Official, may be used by all state agencies, institutions of higher institution, political subdivisions and other entities authorized to use statewide contracts in the Participating Entity's State (each, a "Purchasing Entity"). Issues of interpretation and eligibility for participation are solely within the authority of that State's Chief Procurement Official.
3. **Term:** The initial term of the Master Agreement shall be for three (3) years and is effective from February 28, 2020 through February 27, 2023, with two (2) optional additional one (1) year renewals. The term of this Participating Addendum will coincide with the Master Agreement's term in its entirety, including any renewals or extensions.
4. **Pricing:** Any products or services ordered by a Purchasing Entity under this Participating Addendum shall include the Master Agreement negotiated percentage discount off the products and/or services available on the Contractor's current price catalog/list (MSRP/MPL).
5. **Warranty:** All products furnished by the Contractor under this Participating Addendum shall be covered by all commercial warranties the Contractor provides for such products under the Master Agreement.

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

Contractor:

| | |
|------------|-------------------------------------|
| Name: | Andrew Roman |
| Title: | Contract Administrator |
| Address: | 2000 John Deere Run, Cary, NC 27513 |
| Telephone: | 1-800-358-5010 opt. 2 |
| Email: | govcontractsupport@johndeere.com |

Participating Entity:

| | |
|------------|---|
| Name: | Brenda Crozier, Senior Buyer, A&I Procurement |
| Title: | Senior Buyer |
| Address: | 2800 Central Avenue, Cheyenne, WY 82002 |
| Telephone: | 307-777-6708 |
| Email: | brenda.crozier@wyo.gov |

7. Participating Entity Additions to the Master Agreement: These additions apply only to actions and relationships within this Participating Addendum:

No additions to the terms and conditions of the Contractor's Master Agreement are required.

The following terms and conditions are added to the Contractor's Master Agreement:

This Participating Addendum consisting of four (4) pages; and Attachment A, Wyoming General Conditions, consisting of six (6) pages, are added to the Master Agreement. Attachment A, Wyoming General Conditions, is attached to and incorporated into this Participating Addendum by this reference. In the event of any conflict or inconsistency between this Participating Addendum, Attachment A, Wyoming General Conditions, and the Master Agreement, as amended, the following order of precedence will govern as between the Participating Entity and the Contractor: (1) Attachment A, Wyoming General Conditions, (2) this Participating Addendum, and (3) the Master Agreement, as amended, and then any other document incorporated by reference.

8. Leasing and Financing: Procurement and other applicable laws of some Purchasing Entities may permit the use of leasing or alternative financing methods for the acquisition of products under the Master Agreement. The terms and conditions for leasing or alternative financing methods are subject to negotiation between the Contractor and the Purchasing Entity. When



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leasing or using alternative financing methods for this Participating Addendum, the Purchasing Entity is to follow the policy and guidelines outlined by their purchasing authority or state regulations, statutes, or any other applicable laws.

- 9. **Subcontractors:** All dealers, resellers, or other subcontractors authorized by the Contractor, as shown on the NASPO ValuePoint website, are approved to provide sales and service support under the Master Agreement. The Contractor's use of subcontractors will be in accordance with the terms and conditions set forth in the Master Agreement.
- 10. **Orders:** Any order placed by a Purchasing Entity for a product or service available from the 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 Participating Addendum as of the date of execution by both parties below.

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|---|--|
| Participating Entity: State of Wyoming | Contractor: Deere & Company |
| Signature: | Signature: |
| Name: Brenda Crozier | Name: Andrew Roman |
| Title: Senior Buyer, A&I Procurement | Title: Contract Administrator |
| Date: 7-27-2020 | Date: 7/31/2020 |

ATTORNEY GENERAL APPROVAL AS TO FORM ONLY WITH ATTACHMENT A:

Tyler M. Renner, Assistant Attorney General

07-20-2020
Date

State of Wyoming, Department of Administration & Information

Patricia L. Bach, Director

8-9-2020
Date

NASPO ValuePoint
PARTICIPATING ADDENDUM



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PLEASE NOTE: Fully executed Participating Addendums must be submitted, via email in pdf format, to NASPO ValuePoint at: pa@naspovaluepoint.org

For questions regarding the Participating Addendum process, please contact the NASPO ValuePoint Cooperative Contract Coordinators Team at: ccc@naspovaluepoint.org

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