



Office of State Procurement  
112 Administration Building  
50 Sherburne Avenue  
St. Paul, MN 55155  
Voice: 651.296.2600  
Fax: 651.297.3996

July 25, 2023

Mr. Craig Szymanski  
Whelen Engineering Co.  
51 Winthrop Rd.  
Chester, CT 06412

Dear Mr. Szymanski:

The following document is enclosed for you to complete and return:

- Amendment No. 6 to Minnesota Participating Addendum - Contract No. 170216, Release No. L-336(5).
- Workforce and Equal Pay Certificate Forms.

Please print and have signed (not stamped) and return **electronically** to my attention at [jack.moore@state.mn.us](mailto:jack.moore@state.mn.us) by **August 2, 2023**.

If the Amendment is not properly executed it will be returned to you. Upon receipt of the properly executed document, and after signatures are obtained from the appropriate State authorities, a copy of the completed Amendment will be sent to your company.

If you have any questions, please feel free to contact me.

Sincerely,

Jack Moore  
Acquisition Management Specialist  
Enclosure

## **INSTRUCTIONS**

### **Return the signed sets of documents to the OSP office.**

#### **REQUIRED SIGNATURES:**

- ◆ The documents must be signed by an **officer** of your company, e.g., president, vice president, assistant vice president, corporate secretary, assistant corporate secretary, treasurer, or assistant treasurer.
- ◆ If your company is a corporation, the signature of one corporate officer is binding. If your company is a partnership, the signature of one partner is binding.

If someone other than the corporate officers listed above signs the document (e.g., manager, sales manager, executive assistant, etc.), evidence of his or her authority to do so must accompany the document. The evidence can be either:

  - A corporate power of attorney, or
  - A **certified copy** of a board resolution authorizing the alternate signature with a letter attached and signed by a corporate officer stating the resolution is in force and effective.

**AMENDMENT NO. 6 TO MINNESOTA PARTICIPATING ADDENDUM – CONTRACT NO. 170216, RELEASE NO. L-336(5)**

**THIS AMENDMENT** is by and between the State of Minnesota, acting through its commissioner of Administration (“State”), in cooperation with NASPO ValuePoint and Whelen Engineering Co., 51 Winthrop Road, Chester, CT 06412 (“Contractor”).

**WHEREAS**, the State has a Contract with the Contractor identified as Minnesota Participating Addendum – Contract No. 170216, September 10, 2019, through August 31, 2023 (“Contract”), to provide Public Safety Vehicle Accessories and LED Emergency Light Bars, Siren Warning Accessories; and

**WHEREAS**, Minn. Stat. § 16C.03, subd. 5, affords the commissioner of Administration, or delegate pursuant to Minn. Stat. § 16C.03, subd. 16, the authority to amend contracts; and

**WHEREAS**, the terms of the Contract allow the State to amend the Contract as specified herein, upon the mutual agreement of the Office of State Procurement and the Contractor in a fully executed amendment to the Contract.

**NOW, THEREFORE**, it is agreed by the parties to amend the Contract as follows:

1. That Contract No. 170216 is extended through August 31, 2024, at the same prices, terms, conditions, and specifications.

This Amendment is effective beginning July 25, 2023, or upon the date that the final required signatures are obtained, whichever occurs later, and shall remain in effect through contract expiration, or until the Contract is canceled, whichever occurs first.

Except as herein amended, the provisions of the Contract between the parties hereto are expressly reaffirmed and remain in full force and effect.

**IN WITNESS WHEREOF**, the parties have caused this Amendment to be duly executed intending to be bound thereby.

**1. WHELEN ENGINEERING, CO.**

The Contractor certifies that the appropriate person(s) have executed this Amendment on behalf of the Contractor as required by applicable articles, bylaws, resolutions, or ordinances.

By: 

Signature

Ashish Jain

Printed Name

Title: CFO

Date: 7/31/2023

By: \_\_\_\_\_

Signature

Printed Name

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**2. OFFICE OF STATE PROCUREMENT**

In accordance with Minn. Stat. § 16C.03, subd. 3.

DocuSigned by:

By: 

4BAEE1897F11403...

Title: Acquisition Management Specialist

Date: 8/18/2023

**3. COMMISSIONER OF ADMINISTRATION**

Or delegated representative.

DocuSigned by:

By: 

288B68CD33E54E4...

Date: 8/18/2023

**STATE OF MINNESOTA – WORKFORCE CERTIFICATE INFORMATION**

Required by state law for ALL bids or proposals that could exceed \$100,000

**Complete this form and return it with your bid or proposal.** The State of Minnesota is under no obligation to delay proceeding with a contract until a company becomes compliant with the Workforce Certification requirements in Minn. Stat. §363A.36.

**BOX A – COMPANIES** that have employed more than 40 full-time employees WITHIN MINNESOTA on any single working day during the previous 12 months, check one option below:

- ☒ Attached is our current Workforce Certificate issued by the Minnesota Department of Human Rights (MDHR).
- ☐ Attached is confirmation that MDHR received our application for a Minnesota Workforce Certificate on \_\_\_\_\_ (date).

**BOX B – NON-MINNESOTA COMPANIES** that have employed more than 40 full-time employees on a single working day during the previous 12 months in the state where it has its primary place of business, check one option below:

- ☐ Attached is our current Workforce Certificate issued by MDHR.
- ☐ We certify we are in compliance with federal affirmative action requirements.

**BOX C – EXEMPT COMPANIES** that have not employed more than 40 full-time employees on a single working day in any state during the previous 12 months, check option below if applicable:

- ☐ We attest we are exempt. If our company is awarded a contract, upon request, we will submit to MDHR within 5 business days after the contract is fully signed, the names of our employees during the previous 12 months, the date of separation, if applicable, and the state in which the persons were employed. Send to [compliance.MDHR@state.mn.us](mailto:compliance.MDHR@state.mn.us).

By signing this statement, I certify that the information provided is accurate and that I am authorized to sign on behalf of the company.

Name of Company: \_\_\_\_\_ Date Whelen Engineering Company, Inc. 8/1/23

Authorized Signature: \_\_\_\_\_ Telephone number: 860-718-2099

Printed Name and Title: Ashish Jain / CFO Email: ajain@whelen.com

**For assistance with this form, contact:**

Minnesota Department of Human Rights, Compliance Services

Web: <http://mn.gov/mdhr/>  
Email: [compliance.mdhr@state.mn.us](mailto:compliance.mdhr@state.mn.us)

TC Metro: 651-539-1095

Toll Free: 800-657-3704  
TTY: 651-296-1283

**State of Minnesota - Equal Pay Certificate**

If your response could be in excess of \$500,000, please complete and submit this form with your submission. **It is your sole responsibility to provide the information requested and when necessary to obtain an Equal Pay Certificate (Equal Pay Certificate) from the Minnesota Department of Human Rights (MDHR) prior to contract execution. You must supply this document with your submission.** Please contact MDHR with questions at: 651-539-1095 (metro), 1-800-657-3704 (toll free), 711 or 1-800-627-3529 (MN Relay) or [email](mailto:compliance.MDHR@state.mn.us) at [compliance.MDHR@state.mn.us](mailto:compliance.MDHR@state.mn.us).

**Option A** – If you have employed 40 or more full-time employees on any single working day during the previous 12 months in Minnesota or the state where you have your primary place of business, please check the applicable box below:

- ☒ Attached is our current MDHR Equal Pay Certificate.
- ☐ Attached is MDHR's confirmation of our Equal Pay Certificate application.

**Option B** – If you have not employed 40 or more full-time employees on any single working day during the previous 12 months in Minnesota or the state where you have your primary place of business, please check the box below.

- ☐ We are exempt. We agree that if we are selected we will submit to MDHR within five (5) business days of final contract execution, the names of our employees during the previous 12 months, date of separation if applicable, and the state in which the persons were employed. Documentation should be sent to [compliance.MDHR@state.mn.us](mailto:compliance.MDHR@state.mn.us).

The State of Minnesota reserves the right to request additional information from you. **If you are unable to check any of the preceding boxes, please contact MDHR to avoid a determination that a contract with your organization cannot be executed.**

Your signature certifies that you are authorized to make the representations, the information provided is accurate, the State of Minnesota can rely upon the information provided, and the State of Minnesota may take action to suspend or revoke any agreement with you for any false information provided.

Authorized Signature:



Printed Name: Ashish Jain

Title: CFO

Organization Whelen Engineering Company, Inc.

MN/Fed Tax ID: 06-0725110

Issuing Entity Valid: 5/15/13 - 5/14/27  
Date:

Project # or Lease Address MN Dept. Of Human Rights



Office of State Procurement  
112 Administration Building  
50 Sherburne Avenue  
St. Paul, MN 55155  
Voice: 651.296.2600  
Fax: 651.297.3996

May 17, 2021

Mr. Craig Szymanski  
Whelen Engineering Co.  
51 Winthrop Rd.  
Chester, CT 06412

Dear Mr. Szymanski:

The following document is enclosed for you to complete and return:

- Amendment No. 1 to Minnesota Participating Addendum No. 170216, Release No. L-336(5).
- Workforce Certificate Information Form

Please print and have signed (not stamped) and return **electronically**, to my attention  
[dustin.burns@state.mn.us](mailto:dustin.burns@state.mn.us) by **May 19, 2021**.

If the Amendment is not properly executed it will be returned to you. Upon receipt of the properly executed document, and after signatures are obtained from the appropriate State authorities, a copy of the completed Amendment will be sent to your company.

If you have any questions, please feel free to contact me.

Sincerely,

Dustin Burns  
Acquisition Management Specialist  
Enclosure

## **INSTRUCTIONS**

### **Return the signed sets of documents to the OSP office.**

#### **REQUIRED SIGNATURES:**

- ◆ The documents must be signed by an **officer** of your company, e.g., president, vice president, assistant vice president, corporate secretary, assistant corporate secretary, treasurer, or assistant treasurer.
- ◆ If your company is a corporation, the signature of one corporate officer is binding. If your company is a partnership, the signature of one partner is binding.

If someone other than the corporate officers listed above signs the document (e.g., manager, sales manager, executive assistant, etc.), evidence of his or her authority to do so must accompany the document. The evidence can be either:

  - A corporate power of attorney, or
  - A **certified copy** of a board resolution authorizing the alternate signature with a letter attached and signed by a corporate officer stating the resolution is in force and effective.

**AMENDMENT NO. 1 TO MINNESOTA PARTICIPATING ADDENDUM NO. 170216, RELEASE NO. L-336(5)**

**THIS AMENDMENT** is by and between the State of Minnesota, acting through its commissioner of Administration ("State"), in cooperation with NASPO ValuePoint and Whelen Engineering Co., 51 Winthrop Road, Chester, CT 06412 ("Contractor").

**WHEREAS**, the State has a Contract with the Contractor identified as Minnesota Participating Addendum No. 170216, September 10, 2019, through August 31, 2021 ("Contract"), to provide Public Safety Vehicle Accessories and LED Emergency Light Bars, Siren Warning Accessories; and

**WHEREAS**, Minn. Stat. § 16C.03, subd. 5, affords the commissioner of Administration, or delegate pursuant to Minn. Stat. § 16C.03, subd. 16, the authority to amend contracts; and

**WHEREAS**, the terms of the Contract allow the State to amend the Contract as specified herein, upon the mutual agreement of the Office of State Procurement and the Contractor in a fully executed amendment to the Contract.

**NOW, THEREFORE**, it is agreed by the parties to amend the Contract as follows:

1. That Contract No. 170216 is extended through August 31, 2023.
2. The Whelen Engineering Co. NASPO Master Agreement Price lists dated December 18, 2019 are DELETED and REPLACED with Amendment No.1, Exhibit A: Whelen Engineering Co NASPO Master Agreement Price lists dated December 14, 2021.
3. The Contractor shall provide Public Safety Vehicle Accessories and LED Emergency Light Bars, Siren Warning Accessories at the prices set forth in Amendment No.1, Exhibit A Whelen Engineering Co. NASPO Master Agreement Price lists dated December 14, 2021, which is incorporated by reference and kept on file at the Minnesota Department of Administration, Office of State Procurement (OSP), 50 Sherburne Avenue, Suite 112, St. Paul, MN 55155.
4. All other specification, terms, and conditions remain the same.

This Amendment is effective beginning September 1, 2021, or upon the date that the final required signatures are obtained, whichever occurs later, and shall remain in effect through contract expiration, or until the Contract is canceled, whichever occurs first.

Except as herein amended, the provisions of the Contract between the parties hereto are expressly reaffirmed and remain in full force and effect.

**IN WITNESS WHEREOF**, the parties have caused this Amendment to be duly executed intending to be bound thereby.

**1. WHELEN ENGINEERING, CO.**

The Contractor certifies that the appropriate person(s) have executed this Amendment on behalf of the Contractor as required by applicable articles, bylaws, resolutions, or ordinances.

By: \_\_\_\_\_

Signature

**Ashish Jain**

Printed Name

Title: **CFO**

Date: **5/24/2021**

By: \_\_\_\_\_

Signature

Printed Name

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**2. OFFICE OF STATE PROCUREMENT**

In accordance with Minn. Stat. § 16C.03, subd. 3.

By: \_\_\_\_\_

*Dustin Burns*

288B69CD33E54E4...

Title: **Acquisition Management Specialist**

Date: **5/26/2021**

**3. COMMISSIONER OF ADMINISTRATION**

Or delegated representative.

By: \_\_\_\_\_

*Luke Jannett*

0266C0BD8EF44DE...

Date: **5/27/2021**

**STATE OF MINNESOTA – WORKFORCE CERTIFICATE INFORMATION**

Required by state law for ALL bids or proposals that could exceed \$100,000

**Complete this form and return it with your bid or proposal. The State of Minnesota is under no obligation to delay proceeding with a contract until a company becomes compliant with the Workforce Certification requirements in Minn. Stat. §363A.36.**

**BOX A – MINNESOTA COMPANIES** that have employed more than 40 full-time employees within this state on any single working day during the previous 12 months, check one option below:

- ☐ Attached is our current Workforce Certificate issued by the Minnesota Department of Human Rights (MDHR).
- ☐ Attached is confirmation that MDHR received our application for a Minnesota Workforce Certificate on \_\_\_\_\_ (date).

**BOX B – NON-MINNESOTA COMPANIES** that have employed more than 40 full-time employees on a single working day during the previous 12 months in the state where it has its primary place of business, check one option below:

- ☐ Attached is our current Workforce Certificate issued by MDHR.
- ☒ We certify we are in compliance with federal affirmative action requirements. Upon notification of contract award, you must send your federal or municipal certificate to MDHR at [compliance.MDHR@state.mn.us](mailto:compliance.MDHR@state.mn.us). If you are unable to send either certificate, MDHR may contact you to request evidence of federal compliance. The inability to provide sufficient documentation may prohibit contract execution.

Clarification: Whelen is in the process of creating an affirmative action plan, and is not currently required to have one, however, Whelen does submit an Equal Employment Opportunity EEO-1, see attached.

**BOX C – EXEMPT COMPANIES** that have not employed more than 40 full-time employees on a single working day in any state during the previous 12 months, check option below if applicable:

- ☐ We attest we are exempt. If our company is awarded a contract, we will submit to MDHR within 5 business days after the contract is fully signed, the names of our employees during the previous 12 months, the date of separation, if applicable, and the state in which the persons were employed. Send to [compliance.MDHR@state.mn.us](mailto:compliance.MDHR@state.mn.us).

By signing this statement, you certify that the information provided is accurate and that you are authorized to sign on behalf of your company.

Name of Company: Whelen Engineering Company, Inc. Date \_\_\_\_\_

Authorized Signature: \_\_\_\_\_ Telephone number: 860-718-2099

Printed Name: Ashish Jain Title: CFO

**For assistance with this form, contact:**

Minnesota Department of Human Rights, Compliance Services

Web: <http://mn.gov/mdhr/>

Email: [compliance.mdhr@state.mn.us](mailto:compliance.mdhr@state.mn.us)

TC Metro: 651-539-1095

Toll Free: 800-657-3704

TTY: 651-296-1283

# Amendment No. 1 Exhibit A

**m DEPARTMENT OF  
ADMINISTRATION  
STATE PROCUREMENT**

Office of State Procurement  
112 Administration Building  
50 Sherburne Avenue  
St. Paul, MN 55155  
Voice: 651.298.2600  
Fax: 651.297.3996

December 13, 2019

Mr. Craig Szymanski  
Whelen Engineering CO Inc.  
51 Winthrop Road,  
Chester, CT 06412

Dear Mr. Szymanski:

The following documents are enclosed for you to complete and return:

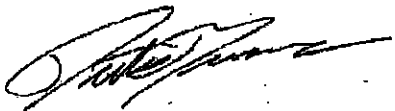
- Participating Addendum No. 170216 for Public Safety Vehicle Accessories and LED Emergency Light Bars, Siren Warning Accessories through NASPO ValuePoint Master Agreement Contract No. 165264 for Public Safety Vehicle Accessories and LED Emergency Light Bars, Siren Warning Accessories.
- Exhibit A, showing the Minnesota's Terms, Conditions, delivery, payment terms and specific items awarded.
- Diverse spend reporting required. Please send the information detailed in the attached Viva Welcome Letter to [support@starssmp.com](mailto:support@starssmp.com) within two business days. The Viva company will send by email a link to the portal, login information, portal guidance manual and information on accessing the training video. More information on the State's Tier 2 program is provided herein. Whelen will supply information per Aaron's email of 1/30/20 to Craig Szymanski, as it becomes available, this could take 6 to 9 months.

Please sign and return the documents, VIA EMAIL, to [dustin.burns@state.mn.us](mailto:dustin.burns@state.mn.us) at the following email address by **December 20, 2019**.

Instructions for properly completing the Contract documents are enclosed. Documents that are not properly executed will be returned to you. Failure to submit executed forms in the time required may result in cancellation of the award. Upon receipt of the properly executed forms, and after signatures are obtained from the appropriate State authorities, a copy of the completed Contract documents will be sent to your company.

If you have any questions, please contact me.

Sincerely,



Dustin Burns  
Acquisition Management Specialist

Enclosure

## INSTRUCTIONS

**Return the signed sets of documents to the OSP office.**

### **REQUIRED SIGNATURES:**

- ♦ The documents must be signed by an **officer** of your company, e.g., president, vice president, assistant vice president, corporate secretary, assistant corporate secretary, treasurer, or assistant treasurer.
- ♦ If your company is a corporation, the signature of one corporate officer is binding. If your company is a partnership, the signature of one partner is binding.

If someone other than the corporate officers listed above signs the document (e.g., manager, sales manager, executive assistant, etc.), evidence of his or her authority to do so must accompany the document. The evidence can be either:

- A corporate power of attorney, or
- A **certified copy** of a board resolution authorizing the alternate signature with a letter attached and signed by a corporate officer stating the resolution is in force and effective

Product questions, checking availability  
and order status:

Kristen Carver, Account Executive  
Whelen Engineering Company, Inc.  
kcarver@whelen.com  
Office 860-718-2379

Product questions and demonstrations:

Bill Reeves Authorized Managing Sales Representative  
W. Reeves & Associates LLC  
PO Box 477  
Norwalk, IA 50211  
bill@wreeves.com  
Office 515-981-5967  
Cell 51-577-4909

David Robbins, Regional Sales Manager  
Whelen Engineering Company, Inc.  
david.robbs@whelen.com  
Cell 860-661-2162

Participating Distributors:

Emergency Automotive Technology, Inc.  
2755 Geneva Avenue North  
Oakdale, MN 55128  
Patrick Ferguson  
651-765-2657  
patf@eatimn.com

Northern Safety Technology, Inc.  
5708 Upper 147th Stree west, Ste .107  
Apple Valley, MN 55124  
Denise Dow  
651-460-1293  
denisedow@nstmn.com

Karl Chevrolet, Inc.  
5983 NE Industiy Dr  
Des Moines, IA 50313  
Dennis Rudolph  
515-299-4409  
d.rudolph@karlchevrolet.com

## PARTICIPATING ADDENDUM

### NASPO ValuePoint

#### For Public Safety Vehicle Accessories and LED Emergency Light Bars,

#### Siren Warning Accessories

#### Between the State of Minnesota and Whelen Engineering Co Inc.

NASPO ValuePoint Contract No. 165264

State of Minnesota Contract No. 170216

1. **Scope:** This addendum covers the Public Safety Vehicle Accessories and Led Light Bars, Siren Warning Accessories led by the State of Minnesota for use by state agencies and other entities located in the Participating State authorized by that State's statutes to utilize State contracts with the prior approval of the State's Chief Procurement Official. Minnesota and Cooperative Purchasing Venture Program members, as defined in the attached Minnesota Exhibit A, may purchase the products and/or services available in the Participating Addendum. The Participating Addendum is not a purchase order, nor does it guarantee any purchases will be made.
2. **Changes:** The additional terms and conditions contained in Minnesota Exhibit A, which is attached and made part of the Participating Addendum, are hereby incorporated by reference. In the event of a conflict between the terms contained within Minnesota Exhibit A and the NASPO ValuePoint Master Agreement, Minnesota Exhibit A shall prevail. The parties agree that this provision of the Participating Addendum supersedes the Standard Contract Terms and Conditions set forth in the NASPO ValuePoint Master Agreement. In the event that any provision of the Participating Addendum or NASPO ValuePoint Master Price Agreement is contrary to Minnesota law, such provision shall be null and void. The Participating Addendum shall be governed by Minnesota law.

No price adjustments are allowed unless approved by the Lead State for the NASPO ValuePoint Master Agreement and adopted by the State of Minnesota through a fully executed Participating Addendum amendment.

3. **State's Authorized Representative and Primary Contact:** The State's Authorized Representative and the primary contact individual for the Participating Addendum is identified below. All notifications to the State shall be in writing and addressed as follows:

**Contractor:** \*\*\* For sales contacts and Participating Distributors, please see page 2 of this document

Name: Craig Szymanski  
Address: 51 Winthrop Road,  
Chester, CT 06412  
Telephone: 860.718.2304  
E-mail: cszymanski@whelen.com

**Participating Entity:**

Name: Dustin Burns or successor  
Title: Acquisition Management Specialist  
Address: Minnesota Department of Administration  
Office of State Procurement  
50 Sherburne Ave., 112 Administration Bldg.  
St. Paul, MN 55155  
Telephone: 651.201.2441  
Fax: 651.297.3998  
E-mail: dustin.burns@state.mn.us

4. **Subcontractors:** The Contractor's Authorized Distributors, in the State of Minnesota, are approved to provide sales and service. The Authorized Distributors' participation will be in accordance with the terms and conditions set forth in the Master Agreement and this Participating Addendum. The Contract Vendor will submit a list of Authorized Distributors with the Participating Addendum.

5. **Authorized Signature:** The Participating Addendum must be fully and properly executed by an officer or other authorized representative of the responder. If the responder is a corporation, a secretarial certificate or the corporate minutes showing that the signing officer has authority to contractually obligate the corporation should be furnished. Where the corporation has designated an attorney-in-fact, the power of attorney form should be furnished. If the responder is a partnership, a letter of authorization should be furnished signed by one of the general partners. A sole proprietor must sign the response. Proof of authority of the person signing the response must be furnished upon request.

6. **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.

The following documents, in order of precedence, are incorporated herein by reference and constitutes the entire Contract between the Contract Vendor and the State:

- The Minnesota Participating Addendum
- The NASPO ValuePoint Master Agreement
- The NASPO ValuePoint Solicitation
- Response to the NASPO ValuePoint Solicitation

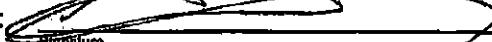
In the event of a conflict in language among any of these documents, the terms and conditions set forth and/or referenced in this Participating Addendum shall prevail over conflicting terms and conditions.

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

**1. Contract Vendor:**

**Whelen Engineering Co Inc.**

The Contract Vendor certifies that the appropriate person(s) have executed this Participating Addendum on behalf of the Contract Vendor as required by applicable articles, bylaws, resolutions, or ordinances.

By:   
Signature  
Ashish Jain  
Printed Name

Title: CFO

Date: 2/4/2020

By: \_\_\_\_\_  
Signature

Printed Name

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**2. Government Entity:**

**State of Minnesota**

**Office of State Procurement**

In accordance with Minn. Stat. § 16C.03, Subd. 3.

By: 

Title: Acquisition Management Specialist

Date: 2/4/2020

**3. State of Minnesota**

**Commissioner of Administration**

Or delegated representative.

By: Original signed

Date: \_\_\_\_\_

FEB 04 2020

By Kia Xiong

## Minnesota Exhibit A

**Terms:** Net 30

**Delivery:** Unless otherwise mutually agreed, in-stock items must be delivered within ten (10) business days after receipt of order and non-stock items must be delivered within twenty-five (25) business days after receipt of order. Delivery requirements for custom made items will be negotiated at time of order placement.

<u>Manufacturer Name</u>	<u>Manufacturer Price List</u>	<u>Off of Price List</u>
Whelen Engineering Co.	PL19.1DOTL 6/28/19, PL19.1WL 6/28/19, and PL19.1PAWL 6/28/19	42%

### Minnesota General Terms, Conditions:

#### 1. DEFINITIONS.

- a. **CPV Members.** The Cooperative Purchasing Venture (CPV) program was established by Minn. Stat. § 16C.03, subd. 10, which authorizes the commissioner of the Minnesota Department of Administration (Commissioner of Administration) through its Office of State Procurement (OSP) to enter into a cooperative purchasing agreement for the provision of goods, services, and utilities with one or more governmental units and other entities as described in Minn. Stat. § 471.59, subd. 1 and Minn. Stat. § 16C.03, subd. 10. Based on this authority, the Commissioner of Administration enters into a joint powers agreement that designates OSP as the authorized purchasing agent for the governmental unit or other entity. Governmental units and other entities joining the program are given an access code which identifies them as CPV members and permits them to access the OSP website to get information about commodities and/or services available on the State of Minnesota (State) contracts. Governmental units and other entities who are not members of the CPV program are not authorized to use the contract prices. The Contract Vendor agrees to provide the contract to CPV members at the same prices, terms, conditions, and specifications. For additional information, visit the OSP website at [www.mmd.admin.state.mn.us](http://www.mmd.admin.state.mn.us).
- b. **State Agencies.** This term applies only to State agencies and departments, as defined in Minn. Stat. §§ 15.01 and 15.021.
- c. **Ordering Entity.** This term applies to any State Agency or CPV Member when allowed in the Participating Addendum.
- d. **State and State of Minnesota.** These two terms apply to the Minnesota Department of Administration, Office of State Procurement (OSP), representing the State of Minnesota as the contracting agency for the Participating Addendum.
- e. **Contract Vendor and Contractor.** These two terms apply to the awarded vendor from the NASPO ValuePoint Master Agreement that OSP selects to receive a Participating Addendum.
- f. **Contract.** Contract is defined as the NASPO ValuePoint Master Agreement and the Minnesota Participating Addendum.

2. **EFFECTIVE DATE and CONTRACT PERIOD.** The Contract shall be effective upon the date of final execution by the State of Minnesota. The Contract term will begin on January 1, 2020, or on the date of Participating Addendum execution, whichever is later, to August 31, 2021, with the option to extend up to 36 months, upon agreement by all parties.
3. **SUBCONTRACTOR REPORTING.** The State of Minnesota is committed to diversity and inclusion in public procurement. If the total value of your contract may exceed \$500,000, including all extension options, you must track and report, on a quarterly basis, the amount you spend with diverse small businesses. When this applies, you will be provided free access to a portal for this purpose, and the requirement will continue as long as the contract is in effect.