

Office of Procurement and Contracts
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Item: Facilities MRO and Industrial Supplies
Agency/Business Unit: Statewide
Period of Contract: October 22, 2024 through August 31, 2026

Contractor: Sid Tool Co Inc Db a MSC Industrial Supply Co
75 Maxess Road
Melville, NY 11747-3151

Vendor ID: 0000006521

FEIN: On file

Contact Person: Jason Neal
E-Mail: nealja@mscdirect.com
Toll Free Telephone: (888) 707-1325
Local Telephone: (303) 638-0905
Fax: (800) 255-5067

Payment Terms: Net 30

Political Subdivisions: Pricing is available to the political subdivisions of the State of Kansas.

Procurement Cards: Agencies may use a P-Card for purchases from this contract.

Administrative Fee:

Participating Addendum Number MA 758 25000004 11 for
Facilities MRO and Industrial Supplies

Between State of Kansas and
Sid Tool Co., Inc. d/b/a MSC Industrial Supply Co.

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This Participating Addendum is entered into by State of Kansas ("Participating Entity") and the following Contractor (each a "Party" and collectively the "Parties") for the purpose of participating in NASPO ValuePoint Master Agreement Number MA 758 2500000411, executed by Contractor and the Commonwealth of Kentucky ("Lead State") for Facilities MRO and Industrial Supplies ("Master Agreement"):

Sid Tool Co., Inc. d/b/a MSC Industrial Supply Co. ("Contractor")
525 Harbour Place Drive
Davidson, NC 28036

I. PARTICIPATING ADDENDUM CONTACTS.

Contractor's contact for this Participating Addendum is:

Jason Neal
Area Manager
nealja@mscdirect.com
303-638-0905

Participating Entity's contact for this Participating Addendum is:

Kelly Johnson
Deputy Director
Kelly.Johnson@ks.gov
785-296-4168

- II. TERM.** This Participating Addendum is effective as of the date of the last signature below, and will terminate upon termination of the Master Agreement, as amended, unless the Participating Addendum is terminated sooner in accordance with the terms set forth herein.
- III. PARTICIPATION AND USAGE.** This Participating Addendum may be used by all state agencies, institutions of higher education, cities, counties, districts, and other political subdivisions of the state, and nonprofit organizations within the state if authorized herein and by law. Participating Entity has sole authority to determine which entities are eligible to use this Participating Addendum. If Contractor becomes aware that an entity's use of this Participating Addendum is not authorized, Contractor will notify NASPO ValuePoint to initiate outreach to the appropriate parties.
- IV. GOVERNING LAW.** The construction and effect of this Participating Addendum and any Orders placed hereunder will be governed by, and construed in accordance with, Participating Entity's laws.
- a) The laws of the State of Kansas shall govern this Participating Addendum.
 - b) State of Kansas Contractual Provisions Attachment, DA-146a attached and incorporated into this Participating Addendum as Attachment A will have prior precedence over the Order of Precedence for the Master Agreement (MA 758 250000411).
 - c) Travel expenses if applicable, shall be reimbursed under the same rates and conditions as noted in the "Employee Travel Expense Reimbursement Handbook" found at: <https://admin.ks.gov/offices/accounts-reports/state-employees/state-employees-travel-center> unless otherwise agreed upon with the Purchasing Entity.
 - d) Leasing is outside the scope of the NASPO ValuePoint Agreement and this Participating Addendum.
 - e) Business Procurement Card: Agencies may use a Business Procurement Card (Visa) in lieu of a state warrant to pay for its purchases. No additional charges will be allowed for using the card.

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f) Reports and Administrative Fees:

The Contractor shall submit calendar quarterly reports to the Division of Purchases for all acquisitions, less returned product ("actual, net invoice sales"), made from this Participating Addendum. This report should include as a minimum the agency name, quantity, description, and amount. The report will be provided electronically, and a check sent payable to the State of Kansas - Office of Procurement and Contracts for an amount equal to one percent (1.0%) of the total actual sales. The report is to be sent to: reports@ks.gov. The report and fee shall be submitted by these quarterly dates:

Quarter #1: July 1st through September 30th, due by November 30th

Quarter #2: October 1st through December 31st, due by February 28th

Quarter #3: January 1st through March 31st, due by May 31st

Quarter #4: April 1st through June 30th, due by August 31st

- g) This contract is not an exclusive contract. The State of Kansas is not precluded from the purchase of goods and services from other sources.
- h) A State of Kansas, Tax Clearance Certificate is required to execute this contract.
- i) The contractor shall sign and submit a "Policy Regarding Sexual Harassment Acknowledgment form" per Executive Order 18-04. This form is required to execute this contract.
- j) The contractor shall sign and submit a "Boycott of Israel certification Form" per HB 2482, 2018 Legislature. This form is required to execute this contract.
- k) The contractor shall sign and submit a "Certificate of Procurement Form" pursuant to Public Law 115-2332, Section 889 of the John S. McCain National Defense Authorization Act of 2019. This form is required to execute this contract.
- l) The contractor acknowledges the assigned State of Kansas contract number is:
0000000000000000000056763.

V. SCOPE. Except as otherwise stated herein, this Participating Addendum incorporates the scope, pricing, terms, and conditions of the Master Agreement and the rights and obligations set forth therein as applied to Contractor and

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terms of the Master Agreement, apply only to the Parties and shall have no effect on Contractor's participating addenda with other participating entities or Contractor's Master Agreement with the Lead State.

- VI. ORDERS.** Purchasing Entities may place orders under this Participating Addendum by referencing the Participating Addendum Number on an Order. Each Order placed under this Participating Addendum is

1.1 Important

The parties agree that the following provisions are hereby incorporated into the contract to which it is attached and made a part thereof, said contract being the 22nd day of October 2024.

1.2. Terms Herein Controlling Provisions

It is expressly agreed that the terms of each and every provision in this attachment shall prevail and control over the terms of any other conflicting provision in any other document relating to and a part of the contract in which this attachment is incorporated. Any terms that conflict or could be interpreted to conflict with this attachment are nullified.

1.3. Kansas Law and Venue

This contract shall be subject to, governed by, and construed according to the laws of the State of Kansas, and jurisdiction and venue of any suit in connection with this contract shall reside only in courts located in the State of Kansas.

1.4. Termination Due to Lack of Funding Appropriation ~~16.3~~ 16.3 (1) 6. att.eMC /7.

