

STATE OF OHIO
DEPARTMENT OF ADMINISTRATIVE SERVICES
GENERAL SERVICES DIVISION
OFFICE OF PROCUREMENT SERVICES
4200 SURFACE ROAD, COLUMBUS, OH 43228-1395

AMENDMENT FOR CHANGE
AMENDMENT NO. 2

TO: ALL STATE AGENCIES, STATE INSTITUTIONS OF HIGHER EDUCATION AND PROPERLY REGISTERED COOPERATIVE PURCHASING MEMBERS.

FROM: HUGH QUILL, DIRECTOR, DEPARTMENT OF ADMINISTRATIVE SERVICES

SUBJECT: TERM CONTRACT - Office Supplies

Attached are pages 3, 7, 8, 9 and 11 to this contract. Remove these pages from the existing contract and replace with the attached pages on the effective and/or revision date.

This amendment is issued to correct the application of the PROCUREMENT FROM COMMUNITY REHABILITATION PROGRAMS (CRP), PROCUREMENT FROM OPI, OSS AND RSC/BE and ITEMS EXCLUDED FROM THIS CONTRACT clauses on pages 7 and 8 of this contract and to establish a revised net pricer containing items added to and deleted from the contract and a price adjustment for selected copy paper items..

All other prices, terms and conditions remain unchanged.

Questions regarding this Amendment and/or the Requirements Contract may be directed to:

Walter Schneider
walter.schneider@das.state.oh.us

This Amendment, the main Requirements Contract and any additional amendments thereto are available from the DAS Web site at the following address:



<http://www.ohio.gov/procure>

Affected Contractor(s):

0000176739

Staples Contract & Commercial, Inc.
operating as Staples Advantage
500 Staples Drive
Framingham, MA 01702-4478

michael.gigliotti@staples.com

jack.rottenberger@staples.com

STATE OF OHIO
PROGRAM ADDENDUM
FOR
OFFICE SUPPLIES

MASTER CONTRACT
NATIONAL JOINT POWERS ALLIANCE (NJPA) AND
STAPLES CONTRACT & COMMERCIAL, INC., OPERATING AS
STAPLES ADVANTAGE (“STAPLES”) CAN BE FOUND
BY CLICKING THE LINK BELOW

[**NJPA Original Invitation for Bid \(IFB\) #072005 Information**](#)

[**NJPA Acceptance of Bid and Award IFB #072005**](#)

[**NJPA Renewal of Agreement IFB #072005 Extension 08/01/2009**](#)

[**State of Ohio/National Joint Powers Alliance Staples Program Addendum**](#)

[**Calendar Year 2010 Office Supplies Contract Net Prices ****](#)

** Changed by amendment #2 to the contract effective 05/10/10

PAYMENT: State of Ohio agency orders totaling \$ 2,500.00 or less for materials and supplies subject to this contract may be paid for by state of Ohio Purchasing Card (P-Card) or Electronic Funds Transfer or issuance of state warrant. State of Ohio agency orders totaling greater than \$ 2,500.00 will be paid by issuance of state warrant or Electronic Funds Transfer. This clause applies for state of Ohio agencies only.

ORDER PLACEMENT: With the exception of provisions for retail outlet purchases provided by the **RETAIL OUTLETS** clause on page 8 of this contract, all state of Ohio agency orders will be placed only via the contractors' electronic online web-based catalog (StaplesLink). State of Ohio agencies will no longer place orders for supplies covered by this contract by phone, FAX, mail or other means. The period between April 1, 2010 and May 31, 2010 is a transition period during which state of Ohio agencies who do not have access to the contractors' electronic online web-based ordering catalog must work with each contractor to obtain access, sign on and passwords to the contractors' electronic online web-based catalog (StaplesLink). Effective June 1, 2010 contractors will no longer accept orders from state of Ohio agencies via phone, FAX, or other means. This clause applies for state of Ohio agencies only. This clause does not apply for orders placed by or for state of Ohio boards, commissions, deputy registrar locations or for DAS Cooperative Purchasing Program Members.

CONTRACTORS SUGGESTION OF SUBSTANTIALLY SIMILAR LOWER COST ITEMS: For orders placed by all persons using this contract and ordering by the contractors' electronic online web-based catalog (StaplesLink.com), contractor party to the contract shall on their electronic online web-based catalog provide purchasers the option to purchase lower cost items which are on this contract and which are substantially similar to the item or items the purchaser has selected. A substantially similar item is defined as an item which meets the same form, fit and function and which has the same or similar specifications, packaging and/or unit of measure as the item ordered by the purchaser but which has a lower sales price or cost to the ordering agency. State of Ohio purchasers will be informed by online message that a substantially similar item exists on the contract at a lower price point than the item they have selected, provided the description and pricing information on the substantially similar lower cost item and offered the option to purchase the substantially similar lower cost item in lieu of the item initially selected. This functionality applies for all items covered by this contract.

**** PROCUREMENT FROM COMMUNITY REHABILITATION PROGRAMS (CRP):** Certain supplies listed in this contract (Schedules I and II - Mandatory Purchase Items) are provided by CRP's, or their agents, that employ Ohioans with work-limiting disabilities. These supplies, as well as other products and services, are available to contract users as administered by the Office of Procurement from Community Rehabilitation Programs (OPCRP) (established in Ohio Revised Code Sections 125.60 through 125.6012). It is the intent of the Department of Administrative Services (DAS) to use this contract and the awarded contractor to direct and guide certain state of Ohio contract users as defined in Section 125.60 (B) of the Ohio Revised Code in compliance with their responsibility in accordance with the above Ohio Revised Code provisions. The awarded contractor agrees to work with DAS to identify items offered by the contractor on this contract which correspond to Schedules I and II - Mandatory Purchase Items - Office Supplies and Mandatory Purchase Items - Remanufactured Toner Items. The contractor agrees to restrict those items from purchase by state of Ohio contract users as identified in Section 125.60 (B) of the Ohio Revised Code. In addition the awarded contractor agrees to establish an online message to inform certain contract users as identified in Section 125.60 (B) of the Ohio Revised Code of the appropriate method of purchase in accordance with their responsibilities under the Ohio Revised Code provisions above. The contractor is prohibited from offering, to contract users as identified in Section 125.60 (B) of the Ohio Revised Code, products from other sources that are substantially similar to products offered by the CRP's or their agents. This provision will not apply to purchases made at Staples retail stores; however the compliance obligation for state of Ohio contract users as defined in Section 125.60 (B) of the Ohio Revised Code remains. State of Ohio contract users as defined in Section 125.60 (B) of the Ohio Revised Code must obtain a waiver from the Office of Procurement from Community Rehabilitation Programs to procure items available from CRP's or their agents through other sources, including this contract. Annually during the months of July and August the contractor and DAS will review and update the list of Schedule I and II - Mandatory Purchase items. Below are links to Schedules I and II - Mandatory Purchase Items (Office Supplies and Remanufactured Toner Items):

[**Schedule I – Mandatory Purchase Items - Office Supplies**](#)

[**Schedule II – Mandatory Purchase Items – Remanufactured Toner Items**](#)

**** PROCUREMENT FROM OPI, OSS, AND RSC/BE:** In accordance with the Ohio Revised Code Sections 5147.07; 5119.16 and 3304.28 through 3304.33 state agencies are required to purchase certain items through Ohio Penal Industries (OPI); Department of Mental Health (DMH) Office of Support Services (Central Warehouse and Pharmacy Services) and Rehabilitation Services Commission (RSC). State agencies must obtain a waiver from OPI, DMH Central Warehouse or Pharmacy Services, and/or RSC to procure items that are available from these sources, from this contract.

**** Changed by Amendment #1 to this contract effective May 10, 2010**

CONTRACTOR'S DUTY TO PROVIDE INFORMATION: At any time during and within forty-five (45) days after the expiration or cancellation of this contract, Contractor agrees to provide information regarding the activities, operation and execution of this contract at the written request of the state of Ohio Department of Administrative Services, State Purchasing. Said information may include but is not limited to names, addresses, contact information, shipment and volume information for agencies, institutions, state boards or commissions, political subdivisions and/or any other entity which is or has ordered supplies using this contract. Contractor agrees to provide such information as requested within a reasonable amount of time, but not to exceed seven (7) calendar days.

****ITEMS EXCLUDED FROM THIS CONTRACT:** The following items or groups of items are specifically excluded from this contract and are not to be offered to state agencies by the contractor under this contract. This clause does not apply for purchases made at Staples retail stores. Excluded items include, but are not necessarily limited to the following:

Any item or group of items for which a current state of Ohio term contract exists including but not limited to the following:

1. Batteries and Flashlights which are provided by state of Ohio contract Index Number GDC048.
2. Computers, personal computers, computer or PC hardware, peripherals, all software
3. Printers, copiers, scanners and single or multi-function printing devices
4. Telecommunications equipment including phones, cellular phones, headsets and other telecommunications equipment.
5. Record storage boxes
6. Office panels or paneling systems
7. Office furniture, including conference, folding, outdoor, occasional, computer, coffee, other type tables; lateral Files, vertical files, multi-purpose files, pedestals, filing cabinets, computer workstations, freestanding and wall mounted coat racks, desk chairs, guest and side chairs, stools, stackable chairs, desks, credenzas and hutches.
8. Paper products consisting of the following or similar items; toilet tissue, paper towels, paper napkins, paper or plastic plates cups, tableware
9. Food and/or coffee service items of any kind
10. Cleaning, janitorial and housekeeping supplies

With the exception of Schedules I and II – Mandatory Purchase items, the contractor shall take necessary action to prohibit the offering and ordering of any types of item(s) listed above to state agencies. Failure to implement shall be considered a contract violation. For Schedules I and II – Mandatory Purchase Items – Office Supplies and Remanufactured Toner Items, the contractor agrees to comply with the terms of the PROCUREMENT FROM COMMUNITY REHABILITATION PROGRAMS (CRP) clause above. This clause does not apply for purchases made at Staples retail stores.

USAGE REPORTS: Every three (3) months, in conjunction with the quarterly sales report above, the contractor must submit a report (written or on disk or via email in Excel format) indicating sales generated by this contract. The report shall list usage by customer, by line item, showing the quantities/dollars generated by this contract. The report shall be forwarded to the Office of Procurement Services, 4200 Surface Road, Columbus, OH 43228-1395, Attn: Walter Schneider; walter.schneider@das.state.oh.us.

RETAIL OUTLETS: State of Ohio Agencies, State institutions of higher education and properly registered members of the Cooperative Purchasing Program of the Department of Administrative Services may desire to purchase items on this contract at any of the contractor's retail outlets within the state of Ohio. This contract allows for those party to the contract to make purchases at the Contractor's retail outlets under the following conditions. Purchases made at retail outlets must be paid for by a state of Ohio Purchasing Card or a purchasing card of the appropriate jurisdiction or entity. Said Purchasing Card must be registered with the contractor (Staples Contract & Commercial, Inc., operating as Staples Business Advantage ("Staples") in order to identify the purchase as a "Contract Purchase". In order to register a Purchasing Card with Staples for use at a retail outlet, the Purchasing Card holder must contact Ms. Karie Rosshirt, Account Manager, Staples Advantage 2228 Citygate Drive, Columbus, OH 43219 - 614 472 2006, FAX 614 472 2001 karie.rosshirt@staples.com and follow Staples' process to register the Purchasing Card prior to making the purchase. Contractor agrees to protect contract pricing for items covered by this contract which are purchased at retail outlets by authorized users in accordance with the above.

RETAIL OUTLET LIMITATIONS: The state of Ohio acknowledges and agrees that the Contractor has no obligation to provide all items covered by this contract at its retail outlets. State of Ohio Agencies, State institutions of higher education and properly registered members of the Cooperative Purchasing Program of the Department of Administrative Services are advised that the Order Size Discount provided for orders exceeding \$ 300.00 on page 6 of this contract does not apply for purchases made at the Contractor's retail stores and that the Prompt Payment Discount on page 6 of this contract does not apply for purchases made at the Contractor's retail stores.

** Changed by Amendment #1 to this contract effective May 10, 2010

PRIMARY CONTACT:

The primary participating entity contact for this participating addendum is:

Walter Schneider - Purchasing Standards Analyst
Office of procurement Services – State of Ohio
4200 Surface Road, Columbus, OH 43228
Office: (614) 644-5151
FAX: (614) 644-1785
E-mail: walter.schneider@das.state.oh.us

The primary Contractor contact for this participating addendum is:

Name: Michael Gigliotti – District Sales Manager
Contractor Name: Staples Contract & Commercial Inc, Staples Business Advantage “Staples”
OAKS Vendor ID: 0000176739
Contact Address: 4170 Highlander Parkway, Richfield, OH 44286
Phone: (330) 523 3010
Cell: (330) 631 3690
Fax: (330) 523 3003
E-mail: michael.gigliotti@staples.com
Web Site: www.stapleslink.com

To Register Purchasing Cards for use at retail outlets, contract users shall contact:

Ms. Karie Rosshirt – Account Manager
Staples Advantage
2228 Citygate Drive
Columbus, OH 43219
Office: 614 472 2006
FAX: 614 472 2001
E-mail karie.rosshirt@staples.com

PRICE SCHEDULE

The following links contain pages with Office Supplies net pricing covered under this Contract.

[State of Ohio/National Joint Powers Alliance Staples Program Addendum](#)

[Calendar Year 2010 Office Supplies Contract Net Prices**](#)

UNSPSC Codes:
44100000 - Toner
44120000 – Office Supplies
14110000 – Copy Paper

Account Set-Up *

Karie Rosshirt
Account Manager
(614) 472 2006
karie.rosshirt@staples.com

* Changed by amendment #1 to the contract effective 04/07/10

** Changed by Amendment #2 to this contract effective May 10, 2010

SUMMARY OF AMENDMENTS

Amendment Number	Revision Date	Description
1	04/07/10	Issued to change the contact information for account set up and other contractor contact information on Pages 9 and 10 of the contract.
2	05/10/10	Issued to correct the application of the <u>PROCUREMENT FROM COMMUNITY REHABILITATION PROGRAMS (CRP), PROCUREMENT FROM OPI, OSS AND RSC/BE</u> and <u>ITEMS EXCLUDED FROM THIS CONTRACT</u> clauses on pages 7 and 8 of this contract and to establish a revised net pricer containing items added to and deleted from the contract and a price adjustment for selected copy paper items.