CALIFORNIA PARTICIPATING ADDENDUM
WESTERN STATES CONTRACTING ALLIANCE (WSCA)
SMALL PACKAGE DELIVERY SERVICE
(Express Messenger Systems dba)
ONTRAC
MASTER SERVICE AGREEMENT
CONTRACT #7-11-99-12

1. Scope:

This Participating Addendum covers the purchase of Small Package Delivery Services for all State Agencies and will include all California political subdivisions/local governments. A subdivision/local government is defined as any city, county, city and county, district, or other local governmental body or corporation, including the California State Universities (CSU) and University of California (UC) systems, K-12 schools and community colleges empowered to expend public funds. Each political subdivision/local government should make its own determination whether the WSCA program is consistent with its procurement policies and regulations.

2. Terms and Conditions:

For changes under this Participating Addendum by any Eligible Entity listed in Section 1, Scope, the following Changes apply:

a. The State of California GTC-610, State of California CCC-307 and Exhibit B – Budget Detail and Payment Provisions, as part of the State of Utah, Solicitation No. DR11031 remain part of this agreement.

b. The State of California GTC-610, State of California CCC-307 and Exhibit B shall prevail if there is a conflict between the terms and conditions of the contractor's WSCA State of Utah contract.

c. State of Utah contract number MA 2016 changed for California to Contract Number 7-11-99-12.

d. DGS Termination of Contract:

The State may terminate this contract at any time upon 30 days prior written notice. Upon termination or other expiration of this contract, each party will assist the other party in orderly termination of the contract and the transfer of all assets, tangible and intangible, as may facilitate the orderly, non-disrupted business continuation of each party. This provision shall not relieve the contractor of the obligation to perform under any purchase order or other similar ordering document executed prior to the termination becoming effective.

At the State's sole option, the Department of General Services (DGS) reserves the right to invoke negotiations pursuant to Public Contract Code Section 6611, in accordance with existing guidelines and procedures adopted by DGS.

e. Reports & Administrative Fee:

Contractor shall submit report to the State of California Contract Administrator for all California purchases providing the following information:

- account number, agency/entity name and address,
- shipping volume by type of service, i.e. ground, express air, etc.,
- pieces, weight and net charges,
- individual account and total dollar expenditure.

The Contractor shall submit a check, in addition to the report, payable to the State of California, Contract Administrator for the calculated administrative fee for an amount equal to one percent (0.01) of the sales for the quarterly period. This fee shall be included as an adjustment to contractors WSCA pricing and not invoiced or charged to the purchasing entity.

A report is due even when there is no activity. Any report that does not follow the required format or that excludes information will be deemed incomplete. Failure to submit reports and fees on a timely basis shall constitute grounds for suspension of this agreement. Reports and fee delivery will be in accordance with the following schedule. **Reports are to be submitted electronically to: Elaine.hall@dgs.ca.gov.**

Calendar Quarter 1	(Jan 1 to Mar 31)	Due Apr 30
Calendar Quarter 2	(Apr 1 to Jun 30)	Due Jul 30
Calendar Quarter 3	(Jul 1 to Sept 30)	Due Oct 30
Calendar Quarter 4	(Oct 1 to Dec 31)	Due Jan 30

The administrative fee check should be submitted to the following address:

Elaine Hall
Department of General Services
Procurement Division
Multiple Awards Program
707 Third Street, 2nd Floor, MS # 202, West Sacramento, CA 95605-2811

f. The primary state government contact for this Participating Addendum is as follows:

Department of General Services, Procurement Division
Multiple Awards Program
707 Third Street, 2nd Floor, MS # 202
West Sacramento, CA 95605

Contact: Elaine Hall
E-mail: elaine.hall@dgs.ca.gov
Phone: (916) 375-4378
Fax: (916) 375-4663

g. The primary ONTRAC customer contact for this Participating Addendum is as follows:

ONTRAC

Address: 4069 W. Shaw Ave. #109
Fresno, CA 93722

Contact: Christine Hord

E-Mail: CHORD@ontrac.com

Phone: 559-269-1925

Fax: 559-276-1679

CALIFORNIA PARTICIPATING ADDENDUM
WESTERN STATES CONTRACTING ALLIANCE (WSCA)
SMALL PACKAGE DELIVERY SERVICE
(Express Messenger Systems dba)
ONTRAC
MASTER SERVICE AGREEMENT
CONTRACT #7-11-99-12

h. Master Service Agreement Number:

The Master Service Agreement Number for California is 7-11-99-12. The Master Service Agreement Number MUST be shown on all Purchase Orders issued against this Agreement.

This Participating Addendum and the WSCA Master Price Agreement (administered by the State of Utah) together with its exhibits, set forth the entire agreement between the parties with respect to the subject matter of all previous communications, representations or agreements, whether oral or written, with respect to the subject matter hereof. Terms and conditions inconsistent with, contrary or in addition to the terms and conditions of this Addendum and the WSCA Master Price Agreement, together with its exhibits, shall not be added to or incorporated into this Addendum or the WSCA Master Price Agreement and its exhibits, by any subsequent purchase order or otherwise, and any such attempts to add or incorporate such terms and conditions are hereby rejected. The terms and conditions of this Addendum and the WSCA Master Price Agreement and its exhibits shall prevail and govern in the case of any such inconsistent or additional terms.

i. Effective Dates:

This Participating Addendum shall be effective **08/28/2011 through 08/27/2012** with four (4) additional one-year renewal options, or upon approval by the Department of General Services and will continue until End Date of the WSCA Master Price Agreement, unless terminated early in accordance with the terms and conditions of the WSCA Master Price Agreement or this Participating Addendum.

j. Subcontractors:

Contractor(s) that utilizes sub-haulers(s) must provide the State of California the appropriate information in accordance with WSCA bid #DR11031 "Proposal Requirements and Company Qualifications – B. Insurance".

By Signing below, ONTRAC agrees to offer the same services as on the State of Utah contract number MA 2016 at prices equal to or lower than the prices on that contract.

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

GENERAL SERVICES
LEGAL SERVICES

STATE OF CALIFORNIA		ONTRAC	
By:	for James Archuleta	By:	
Name:	Jim Butler	Name:	Christine Hord
Title:	Deputy Director	Title:	Director of Sales
Date:	9/13/11	Date:	8/17/2011