



FLORIDA DEPARTMENT OF MANAGEMENT SERVICES

**state purchasing**

We serve those who serve Florida

**Alternate Contract Source (ACS)  
No. 31160000-18-ACS  
For  
Industrial & Commercial Supplies and Equipment**

This Contract is between the State of Florida, Department of Management Services (Department), an agency of the State of Florida and W.W. Grainger, Inc., 1657 Shermer Road, Northbrook, IL 60062 (Contractor), collectively referred to herein as the "Parties."

The Department is authorized by subsection 287.042(16), Florida Statutes, "to evaluate contracts let by the Federal Government, another state, or a political subdivision for the provision of commodities and contract services, and, if it is determined in writing to be cost-effective and in the best interest of the state, to enter into a written agreement authorizing an agency to make purchases under such contract."

The State of New York competitively procured Industrial & Commercial Supplies and Equipment and signed contract number 3900022918 with the Contractor, attached hereto as Exhibit C (Master Agreement). The Master Agreement is effective November 3, 2015, and terminates on September 30, 2020. Renewal options are available.

The Department evaluated the Master Agreement, and hereby acknowledges that use of the Master Agreement as an alternative contract source is cost-effective and in the best interest of the State.

Accordingly, the Parties agree as follows:

**1. Term and Effective Date.**

The initial term of this Contract will become effective on November 16, 2017 or on the date the document is signed by all Parties, whichever is later, consistent with the Master Agreement, unless terminated earlier in accordance with the General Contract Conditions.

**2. Renewal.**

Upon agreement of the Parties, this ACS may be renewed. Renewals must be in writing and are subject to the same terms, conditions, and modifications set forth in this ACS.

**3. Modifications or Additions to Master Agreement.**

As used in this document, "Contract" and "ACS" (whether or not capitalized) shall, unless the context requires otherwise, mean this document and all incorporated Exhibits, which set forth the entire understanding of the Parties and supersedes all prior agreements. All modifications to this Contract must be in writing and signed by all Parties. Amendments to the Master Agreement will be automatically incorporated into this ACS.

**Alternate Contract Source (ACS)  
No. 31160000-18-ACS  
For  
Industrial & Commercial Supplies and Equipment**

All Exhibits attached or listed below are incorporated in their entirety into, and shall form part of this Contract. Exhibits A and B modify or supplement the terms and conditions of the Master Agreement. The Parties agree that these modifications or additions shall apply to actions between the Contractor and the State of Florida (including participating Florida agencies and eligible users). In the event of a conflict, the following order of precedence shall apply:

- a) This ACS and amendments, with the latest issued having priority.
- b) Exhibit A: General Contract Conditions (Florida).
- c) Exhibit B: State of Florida Price Sheet.
- d) Exhibit C: Master Agreement.
- e) Purchase Orders.
- f) Exhibit D: Preferred Pricing Affidavit
- g) Exhibit E: Quarterly Sales Report

Where the laws and regulations of a state other than the State of Florida are cited or referenced in the Master Agreement, such citation or reference shall be replaced by the comparable Florida law or regulation. If comparable Florida law or regulation does not exist, such citation or reference will be deemed not applicable to this Contract.

#### **4. Purchase Orders.**

Upon execution of this Contract, Customers, as defined in Section 1.1 of the General Contract Conditions (Exhibit A), may purchase products and services under this ACS using this State of Florida ACS for Industrial & Commercial Supplies and Equipment. Customers acknowledge and agree to be bound by the terms and conditions of the Master Agreement except as otherwise specified in this ACS and its Exhibits.

#### **5. Primary Contacts.**

##### **Department's Contract Manager:**

Gerriod Griffin  
Division of State Purchasing  
Florida Department of Management Services  
4050 Esplanade Way, Suite 360  
Tallahassee, Florida 32399-0950  
Telephone: (850) 487-9847  
Email: Gerriod.Griffin@dms.myflorida.com

##### **Contractor's Contract Manager:**

Kevin Sandt  
W.W. Grainger, Inc.  
3924 W. Pensacola St.  
Tallahassee, FL 32304  
Telephone: (678) 540-0155

**Alternate Contract Source (ACS)  
No. 31160000-18-ACS  
For  
Industrial & Commercial Supplies and Equipment**

kevin.sandt@grainger.com

**6. Warranty of Authority.**

Each person signing this document warrants that he or she is duly authorized to do so and to bind the respective party.

**7. Entire Agreement of the Parties.**

This document and the attached exhibits constitute the ACS and the entire understanding of the Parties. Any amendments hereto must be in writing and signed by the Parties.

**IN WITNESS WHEREOF**, the Parties hereto have caused this agreement, which includes the attached and incorporated Exhibits, to be executed by their undersigned officials as duly authorized. This agreement is not valid and binding until signed and dated by the Parties.

**CONTRACTOR**

Kevin Sandt - Sr. Govt. Sals

11-1-17

Date:

**STATE OF FLORIDA,  
DEPARTMENT OF  
MANAGEMENT SERVICES**

David Zeckman  
David Zeckman, Chief of Staff

11/3/2017

Date: