

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF GENERAL SERVICES
DIVISION OF PURCHASES AND SUPPLY
P.O. BOX 1199
RICHMOND, VIRGINIA 23218-1199

NOTICE OF CONTRACT AWARD

- 1. DATE February 23, 2009
 - 2. COMMODITY NAME..... FURNITURE SYSTEMS – HERMAN MILLER
 - 3. CONTRACT NUMBER..... 42502-09
 - 4. SUPERSEDES..... 42502-40
 - 5. CONTRACT PERIOD MARCH 1, 2009 THROUGH FEBRUARY 28, 2014
 - 6. AUTHORIZED USERS:.....LIMITED TO STATE AGENCIES AND PUBLIC BODIES WITH EXISTING HERMAN MILLER FURNITURE AND PUBLIC BODIES WHO WISH TO PURCHASE NEW HERMAN MILLER FURNITURE.
 - 7. CONTRACTOR.....HERMAN MILLER, INC.
855 E. MAIN AVE
ZEELAND, MI 49464
- ALL ORDERS TO BE ISSUED TO THE AUTHORIZED HERMAN DEALER IN YOUR AREA, SEE PAGE FOUR (4) FOR YOUR LOCAL DEALER'S ADDRESS
- 8. CONTRACTOR'S PHONE NUMBER SEE ATTACHED
 - 9. TERMS..... NET 30
 - 10. DELIVERY.....8 – 10 WEEKS ARO
 - 11. F.O.B..... AGENCY
 - 12. MINIMUM ORDERN/A
 - 13. FOR FURTHER CONTRACT INFORMATION CONTACT: Ashley E. Todd, VCO
Phone: (804) 786-3897 / Fax: (804) 786-5712
Email: ashley.todd@dgs.virginia.gov
 - 14. ADDITIONAL COPIES OF CONTRACTS AND ANY ASSOCIATED CONTRACT CHANGES MAY BE VIEWED AND PRINTED AT THE DPS WEBSITE: www.eva.state.va.us/dps.
 - 15. NOTICE TO ALL STATE AGENCIES: This contract is the result of a competitive bid program and its use is mandatory for all State Agencies (unless otherwise indicated in item 6 above) in the purchase of any commodity listed herein. If the commodity or services available under this contract cannot be used by an agency, a request to purchase other goods or services of a similar nature shall be submitted to the appropriate DGS/DPS contract/purchase officer for approval. A complete and factual written justification is necessary to support the request. Refer to Section 13.7a of the Agency Procurement and Surplus Property Manual.
 - 16. **Note:** This public body does not discriminate against faith-based organizations in accordance with the *Code of Virginia*, § 2.2-4343.1 or against a bidder or offeror because of race, religion, color, sex, national origin, age, disability, or any other basis prohibited by state law relating to discrimination in employment.



By: _____
Statewide Commodity Contract Officer

INSTRUCTIONS

1. Orders. Unless otherwise instructed by the Division of Purchases and Supply, all departments, institutions and agencies of the Commonwealth of Virginia may order items listed by issuing agency purchase orders (Form DPS-41-056) or by issuing their own purchase order form.

Written Purchase Orders Required by the Contractor. A purchase order must be issued for orders exceeding \$2,000 and when required by the Contractor for orders under \$2,000.

Verbal/Facsimile Orders. When a written purchase order is not required by the contractor, state agencies have the authority to place verbal and/or facsimile orders for requirements valued at less than \$2,000.

2. If this contract is authorized for use by localities (see line item 6, page 1), Virginia cities, counties, towns and political subdivisions may use their own form to order items listed in this contract.
3. The applicable contract number, federal employer identification number (FEI), and item number (for itemized contracts) must be shown on each purchase order and copy, each facsimile transmission or given verbally when telephonic orders are placed.
4. Inspection on delivery and approval of vendor's invoice is the responsibility of receiving state agency, Virginia City, county, town or political subdivision.
5. Any complaint as to quality, faulty or delinquent delivery, or violation of contract provisions by contractor shall be reported to the Division of Purchases and Supply for handling with the contractor. Preprinted forms (DGS-41-024), by which to facilitate the notification of the contractor and this office of complaints, are available from the Division of Purchases and Supply (786-4634).
6. Price Adjustments. During the current term of the contract, price escalation may be allowed every 365 days, if justified. The contract officer makes the decision to allow or deny a request for increase based upon the documentation submitted by the contractor. The contractor is required to pass on any price reductions immediately. **IMPORTANT!** All price increases must be approved by the contract officer. Contract users will be sent a Notice of Contract Change from this office as official notification of such changes, if approved.

TERMS AND CONDITIONS

A. eVA BUSINESS-TO-GOVERNMENT CONTRACTS AND ORDERS: The solicitation/contract will result in multiple purchase order(s) with the eVA transaction fee specified below assessed for each order.

- a. For orders issued prior to August 16, 2006, the Vendor Transaction Fee is 1%, capped at a maximum of \$500 per order.
- b. For orders issued August 16, 2006 thru June 30, 2011, the Vendor Transaction Fee is:
 - (i) DMBE-certified Small Businesses: 1%, Capped at \$500 per order.
 - (ii) Businesses that are not DMBE-certified Small Businesses: 1%, Capped at \$1,500 per order.
- c. For orders issued July 1, 2011 thru June 30, 2012, the Vendor Transaction Fee is:
 - (i) DMBE-certified Small Businesses: 0.75%, Capped at \$500 per order.
 - (ii) Businesses that are not DMBE-certified Small Businesses: 0.75%, Capped at \$1,500 per order.
- d. For orders issued July 1, 2012, and after, the Vendor Transaction Fee is:
 - (i) DMBE-certified Small Businesses: 1%, Capped at \$500 per order.
 - (ii) Businesses that are not DMBE-certified Small Businesses: 1%, Capped at \$1,500 per order.

The specified vendor transaction fee will be invoiced, by the Commonwealth of Virginia Department of General Services, approximately 30 days after the corresponding purchase order is issued and payable 30 days after the invoice date. Any adjustments (increases/decreases) will be handled through purchase order changes.

The eVA Internet electronic procurement solution, website portal www.eva.virginia.gov, streamlines and automates government purchasing activities in the Commonwealth. The portal is the gateway for vendors to conduct business with state agencies and public bodies.

Vendors desiring to provide goods and/or services to the Commonwealth shall participate in the eVA Internet e-procurement solution and agree to comply with the following:

If this solicitation is for a term contract, failure to provide an electronic catalog (price list) or index page catalog for items awarded will be just cause for the Commonwealth to reject your bid/offer or terminate this contract for default. The format of this electronic catalog shall conform to the eVA Catalog Interchange Format (CIF) Specification that can be accessed and downloaded from www.eVA.virginia.gov. Contractors should email Catalog or Index Page information to eVA-catalog-manager@dgs.virginia.gov.

B. AUTHORIZATION TO CONDUCT BUSINESS IN THE COMMONWEALTH: A contractor organized as a stock or nonstock corporation, limited liability company, business trust, or limited partnership or registered as a registered limited liability partnership shall be authorized to transact business in the Commonwealth as a domestic or foreign business entity if so required by Title 13.1 or Title 50 of the *Code of Virginia* or as otherwise required by law. Any business entity described above that enters into a contract with a public body pursuant to the *Virginia Public Procurement Act* shall not allow its existence to lapse or its certificate of authority or registration to transact business in the Commonwealth, if so required under Title 13.1 or Title 50, to be revoked or cancelled at any time during the term of the contract. A public body may void any contract with a business entity if the business entity fails to remain in compliance with the provisions of this section.

HERMAN MILLER AUTHORIZED DEALER FOR ALL AREAS

American Office South, Inc.--

Charlottesville

Suite 100

400 Preston Avenue

Charlottesville, VA 22903

Tel: 434 327 1180

Fax: 434 327 1181

Greg Parsons

gparsons@americanoffice.com

www.americanoffice.com

American Office South, Inc.--Norfolk

Suite 150

5701 Cleveland Street

Virginia Beach, VA 23462

Tel: 757 419 3500

Fax: 757 419 3501

Greg Parsons

gparsons@americanoffice.com

www.americanoffice.com

American Office South, Inc.--Richmond

Suite 100

7100 Forest Avenue

Richmond, VA 23226

Tel: 804 346 2267

Fax: 804 270 2845

Greg Parsons

gparsons@americanoffice.com

www.americanoffice.com

GOVSOLUTIONS, Inc.

568 Central Drive, Suite 103

Virginia Beach, VA 23454

Tel: 757 430 7890

Fax: 757 257 0350

Donna Long

donna@govsolutionsinc.com

www.govsolutionsinc.com

Harris Office Furniture

520 Kimball Avenue

Roanoke, VA 24016

Tel: 540 344 5549

Fax: 540 342 9521

Doug Hyre

dhyre@harrisofficefurniture.com

Contemporary Galleries --Charleston

1210 smith Street
Charleston, WV 25301

Paul Contgal
Office 304-344-1234
Fax: 304-344-1262

paulcontgal@netscape.net

CONTRACT PRICING

ALL DISCOUNTS ARE BASED ON HERMAN MILLERS CURRENT COMMERCIAL PRICE LISTS DATED AUGUST 4, 2008 AS LISTED BELOW, CONTACT YOUR LOCAL DEALER FOR COPIES OF ALL PRICE LISTS

1. ACTION OFFICE 1 & 2, PROSPECTS, ETHOPSACE, HMI PEDESTALS, EAMES & AVIVE TABLES, DEDUCT 68% OF LIST PRICE IN EFFECT 08/04/2008.
2. ARRIO, DEDUCT 54% OFF LIST PRICE IN EFFECT 08/04/2008.
3. ERGON 3, EQUA 2 DEDUCT 57% OFF LIST PRICE IN EFFECT 08/04/2008.
4. HMI B & F FRONT LATERAL FILES, DEDUCT 49% OFF LIST PRICE IN EFFECT 08/04/2008.
5. AERON SEATING, MIRRA SEATING, AMBI SEATING, DEDUCT 51% OFF LIST PRICE IN EFFECT 08/04/2008.
6. CLT TABLES, KIVA, PASSAGE, BURDICK GROUP, DEDUCT 47% OFF LIST PRICE IN EFFECT 08/04/2008.
7. EAMES SEATING, DEDUCT 51% OFF THE LIST PRICE IN EFFECT 08/04/2008.
8. MERIDIAN 5000 DESKS, DEDUCT 51% OFF THE LIST PRICE IN EFFECT 08/04/2008.
9. MERIDIAN LATERAL FILES, MERIDIAN STORAGE, DEDUCT 52% OFF THE LIST PRICE IN EFFECT 08/04/2008.
10. MERIDIAN PEDESTALS, DEDUCT 54% OFF THE LIST PRICE IN EFFECT ON 08/04/2008.
11. CAPER CHAIRS, LIMERICK, ASIDE, REACTION SEATING, DEDUCT 52% OFF THE LIST PRICE IN EFFECT ON 08/04/2008.
12. CO-STRUC, ACTION LAB, CASEWORK, DEDUCT 51% OFF THE LIST PRICE IN EFFECT ON 08/04/2008.
13. CARTS, DEDUCT 10% OFF THE LIST PRICE IN EFFECT ON 08/04/2008.
14. GEIGER PRODUCTS:
TRIUNA, ECO, PETRI FURNITURE, PETRI CASE SYSTEMS, TABLES AND SEATING PRODUCTS, DEDUCT 50% OFF THE LIST PRICE IN EFFECT ON 08/04/2008.
15. GEIGER EXPRESS PROGRAM: KEYEIRA, PRESTO CASEGOODS, LIMITED VOCABULARY ECO, SEATING/TABLES PRODUCTS, DEDUCT 50% OF THE LIST PRICE IN EFFECT ON 08/04/2008.
16. VIVO INTERIORS 68% OF LIST PRICE IN EFFECT ON 08/04/2008.
17. MY STUDIO ENVIRONMENTS 47% OF LIST PRICE IN EFFECT ON 08/04/2008.
18. RESOLVE SYSTEM 53% OF LIST PRICE IN EFFECT ON 08/04/2008.
19. TU FILES, STORAGE & TOWERS, DISCOUNT 65% OFF LIST IN EFFECT ON 08/04/2008.
20. TENE0 STORAGE FURNITURE, DISCOUNT 45% OFF LIST IN EFFECT ON 08/04/2008.
21. INNOVATIVE PRODUCTS, DISCOUNT 40% OFF LIST IN EFFECT ON 08/04/2008.
22. INTERNATIONAL COLLECTION, DISCOUNT 46% OFF LIST IN EFFECT ON 08/04/2008.
23. CELESTE SEATING DEDUCT 47%. PRICE LIST IN EFFECT ON 08/04/2008.
24. CELLA SEATING, DEDUCT 51%, PRICE LIST IN EFFECT ON 08/04/2008.
25. INTERSECT FREESTANDING PRODUCT, DEDUCT 51%, PRICE LIST IN EFFECT ON

08/04/2008.

26. ABAK ENVIRONMENTS, DEDUCT 56%, PRICE LIST IN EFFECT ON 08/04/2008.
27. EMBODY CHAIR, DEDUCT 49%, PRICE LIST IN EFFECT ON 08/04/2008.
28. BE COLLECTION, DEDUCT 53.5%, PRICE LIST IN EFFECT ON 08/04/2008

ADDITIONAL CHARGES

A) Services Provided by the Contractor:

- 1) Layout Design Service - \$36.50 Per Man Hour
- 2) Installation: For new orders, with work performed during normal business hours, (Monday-Friday 8:00AM – 5:00PM), the agency must add back 9% of the net purchase price of goods.
- 3) Relocation and rearrangement of existing furniture or set-up systems - \$31.50 Per Man Hour.
- 4) Relocation and Rearrangement: for work done other than normal working hours for new and existing furniture or set-up systems shall be \$46.50 Per Man Hour.
- 5) Sundays and Holidays: \$61.50 Per Man Hour