

COMMONWEALTH OF VIRGINIA
DIVISION OF PURCHASES AND SUPPLY
1111 E. BROAD STREET
P. O. BOX 1199
RICHMOND, VIRGINIA 23218-1199

NOTICE OF CONTRACT RENEWAL
Includes Change 01 dated 12/20/2010 (see last two pages of contract)

EXEMPT FROM eVA

1. DATE October 29, 2010
2. COMMODITY NAME..... **Express Delivery Services**
3. CONTRACT NUMBER E194-264
4. CONTRACT PERIOD **November 1, 2010 through October 31, 2011**
5. SUPERSEDES 91026-10
6. AUTHORIZED USERS State Agencies, Institution of Higher Educations, Public Bodies, Community Service Boards and other entities authorized by the Code of Virginia.
7. CONTRACTOR **United Parcel Service (UPS)**
8. CONTRACTOR'S DUNS NUMBER See Page 8
9. CONTRACTOR/ CONTACT/ PHONE NUMBER..... See Page 8
10. TERMS Net 30
11. DELIVERY See Page 3
12. MINIMUM ORDER NONE
13. FOR FURTHER CONTRACT INFORMATION CONTACT: Matt Manion, CPPO, C.P.M., VCO
matt.manion@dgs.virginia.gov Fax (804) 786-5413 Phone (804) 786-2397
14. ADDITIONAL COPIES OF CONTRACTS AND ANY ASSOCIATED CONTRACT CHANGES MAY BE VIEWED AND PRINTED AT THE DPS WEBSITE: www.eva.virginia.gov
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.
17. **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.



Matt Manion, CPPO, C.P.M., VCO
Statewide Service Contract Officer

1. Purchase orders, this contract has been exempted from participation in the Commonwealth's electronic procurement system. Purchase orders will be submitted directly to the Contractor and must reference contract # E194-264. This contract is authorized for use by Institutions of Higher Education, localities, Virginia cities, counties, town and political subdivisions.

Written Purchase Orders Required by the Contractor. **When required by the contractor**, state agencies and public bodies will supply written purchase order forms for orders under \$5,000.

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 \$5,000.

Payment – It is desirable that the contractor accept payment through a Small Purchase Charge Card for payments not exceeding \$5000.00.

2. If this contract is authorized for use by public bodies (see line item 6, page 1), Institutions of Higher Education, Virginia cities, counties, towns and political subdivisions may use their own form to order items listed in this contract.
3. The applicable contract number 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 contractor with a copy to the Division of Purchases and Supply. Preprinted forms by which to facilitate the notification of the contractor and this office of complaints, are available from the Division of Purchases and Supply at www.eva.virginia.gov.
6. Renewals. No renewal options remain under the contract.
7. Price Adjustments. No base transportation (as specified in the Carrier Agreement) price adjustment during the current term of the contract is allowed.

INSTRUCTIONS

1. This contract has been established by competitive negotiations to provide a statewide contract for the pick up, shipment and delivery of documents and packages from using agencies and institutions to any address in the United States and its territories, via air and ground delivery. Air delivery is provided for international delivery services of documents and packages as well. 1st Class Mail consolidation services are also provided through UPS "Mail Innovations" for both domestic and international mail. Reference Request for Proposal (RFP) 91026-505 (eVA RFP 22) issue date June 24, 2005 and eProcurement Folder 437.

2. This contract is the result of a competitive negotiation program and its use is **mandatory** for all Agencies of the Commonwealth. Obtaining this service from any other source must have the prior approval of the Division of Purchases and Supply contract officer. Refer to Section 1.3, 1.4 and 13.7a of the *Agency Procurement and Surplus Property Manual*.
3. **The contractor is only authorized to provide the services that are specified in this Contract Award.** Vendors, which intentionally sell or attempt to sell goods or services to a state agency, which are under contract with another vendor, result in suspension and/or debarment. Refer to Section 1.4a of the *Agency Procurement and Surplus Property Manual*.
4. Contract Utilization/UPS Contact - To effectively utilize enclosed UPS rate charts as provided in this Contract Award, each agency **must** contact UPS Strategic Support at **1 800-877-1497** or virginia@ups.com to either verify or establish an assigned account number. Agencies should be prepared to provide the following information:
 - ◆ Agency name
 - ◆ Division name
 - ◆ Physical address
 - ◆ Contact name
 - ◆ Contact phone number
 - ◆ Average weekly volume by service (how many Next Day Air, 2nd Day Air, ground or international shipments are sent weekly from your location)

UPS Strategic Support will verify or assign an agency account number as well as provide the name of the assigned UPS Account Representative for the particular agency. The Account Representative will contact each Agency and will work closely to provide essential information such as: rate charts, time in transit maps, scheduling of routine and non-routine pick-ups, claims procedures and policies for lost shipments, invoice concerns, and UPS software products to assist in shipping and tracking documents/packages.
5. Price Adjustments –No base transportation price adjustments are permitted during the term of the contract.
6. Payment Methods:
 - a. **EDI** – All State agencies are encouraged to process their payments to UPS through the Electronic Data Interchange (EDI) program administered by DOA. EDI electronically transfers funds from the Commonwealth's bank account to UPS's designated bank account. Because of the numerous weekly payments to UPS, EDI is more cost efficient. EDI will allow UPS to have access to their funds on the due date. **Use FEI# 362407381 for all EDI payments.**
 - b. Bank of America (BOA) VISA Charge Card – **Use FEI # 131426500 for all Bank of America (BOA) VISA Purchasing Card payments and others.** Agencies are authorized to utilize the VISA corporate charge card program for this contract **provided** UPS is contacted (UPS Strategic Support **1 800-877-1497** or virginia@ups.com) to either verify or establish an agency account number and inform UPS that payment method will be via the VISA card. UPS will link the agency account number to the VISA card to insure contract rates are applied.
7. Agency Contracts - State agencies and institutions currently under contract for delivery

services may choose to receive delivery services under this contract upon expiration of their current contracts or before, if the cancellation notice is exercised according to contract terms.

8. Supplies - UPS will provide supplies (envelopes, pouches, tubes, forms, packages, boxes and labels) necessary for air and international express/expedited shipment of packages and documents. Sufficient supplies should be maintained at the Using agency at all times.
9. Insured Value - UPS automatically protects packages against loss or damage up to \$100 per package, at no extra cost. Additional coverage up to \$50,000 per package is available at \$2.10 for values between \$100.01 and \$300.00, and \$.70 per \$100.00 for values between \$300.01 and \$50,000.00. To insure a package having a value greater than \$100, show the full value in the Insured Value field as appropriate for your UPS shipping system.
10. Delivery Confirmation Service – Select the appropriate delivery confirmation service as identified in the UPS Rate Service Guide.
11. Hazardous Materials – UPS offers transportation of hazardous materials in passenger aircraft quantities prepared according to the requirements set forth in the *Code of Federal Regulations* Title 49 and the *UPS Guide for Shipping Ground and Air Hazardous Materials*. UPS Hazardous Materials service is provided by contract only and must be approved by UPS and DGS. A Hazardous Materials Guide can be down-loaded/viewed at www.ups.com/content/us/en/resources/prepare/hazardous/index.html. In some cases, UPS requirements are more restrictive than those of the U.S. Department of Transportation (DOT). UPS will not accept shipments containing KNOWN infectious diseases. Other shipments containing unknown or hazardous materials must be packaged in accordance with DOT Packaging Guidelines. Any questions in regards to packaging or acceptance of hazardous materials should be directed to UPS at (800) 554-9964.
12. Use of the ZIP Code – The ZIP Code is an important part of the address. Therefore, to help ensure dependable service, it is essential that the ZIP Code be included in the delivery address.
13. Deliveries Attempted Three Times Without Extra Charge – In case UPS is unable to complete delivery of a package, a UPS InfoNotice will be left at the consignee's address stating that delivery has been attempted. Thereafter, a second and, if necessary, a third attempt to deliver the package will be made without additional charge.
14. Return of Undeliverable Packages – packages refused by consignees or which for any other reason cannot be delivered will be promptly returned to the shipper and billed the applicable return rate.
15. Correction of Wrong Address – If UPS is unable to deliver any package because of an incorrect address, UPS will refer to the telephone directory and make every other reasonable effort to secure the correct address. If the correct address is secured, UPS will make another attempt at delivery and the shipper will be notified of the correction of address. An additional charge of \$10.00 ground and \$11.00 air will be assessed for each Address Correction or the current fee per the UPS Rate and Service Guide in effect at the time of shipment.

UPS has excellent tools to prevent address corrections. UPS has detailed address verification tools on both UPS Internet shipping (www.ups.com), UPS CampusShip (internet based) and UPS Worldship. Internet shipping and CampusShip will both verify the address prior to generating the shipping label. UPS Worldship will perform address verification through the "F8" key prior to label generation. These tools can reduce the address corrections immediately and could nearly eliminate them. This is the best means to reduce address correction cost.

WorldShip Technical Support (888) 553-1118
CampusShip Technical Support (800) 513-1819
Internet Shipping (877) 289-6418

16. Lost and Damaged Packages – Packing your packages properly is essential. In the event a package is damaged while in the trust of UPS, UPS will contact the Agency as soon as possible. A damage report will be mailed to the Agency the same day. Unless a greater value is declared in writing, in the space provided, on the shipping record provided to UPS, the Agencies declares the released value of each package to be no greater than \$100. Claims not made within nine months after delivery of the package or, in the case of non-delivery, within nine months after a reasonable time for delivery has elapsed, shall be deemed waived.
17. Fuel Surcharges – UPS will not impose any additional charges (including fuel surcharges) to the rates offered to the Commonwealth of Virginia.
18. Daily Pickup – Daily Pickup is available for a \$7.50 weekly service charge. Daily Pickup can be established by contacting UPS Strategic Support at (888) 461-5046
19. Calling for Same Day Pick-up: Normally, calls for same day pick-ups should be completed no later than 3:00 p.m. to insure pick-up by 5:00 p.m. Call UPS for all pick-ups at (800) 742-5877. (NOTE: UPS will accept requests as late as 7:00 p.m. for pick-up by 8:00 p.m. depending on the zip code.)
20. Brokerage Service: For Brokerage Service per shipment:
 - Routine customs clearance (including formal entries for shipments of up to five tariff lines) applies to UPS Worldwide Express Plus, UPS Worldwide Express, UPS Worldwide Express Saver, UPS Worldwide Expedited and UPS 3 Day Select Form Canada at no additional charge.
 - Additional charges may apply.
 - For UPS Standard to Canada shipments, UPS provides Customs Brokerage service unless otherwise specified by the importer. The importer is responsible for all brokerage charges, duties and taxes at time of import.
21. United Parcel Service (UPS) is authorized to provide document and package delivery services as indicated below. Delivery service is divided into Domestic and International Services.
22. 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.

23. STATE CORPORATION COMMISSION IDENTIFICATION NUMBER: Pursuant to *Code of Virginia*, §2.2-4311.2 subsection B, a bidder or offeror organized or authorized to transact business in the Commonwealth pursuant to Title 13.1 or Title 50 is required to include in its bid or proposal the identification number issued to it by the State Corporation Commission (SCC). Any bidder or offeror that is not required to be authorized to transact business in the Commonwealth as a foreign business entity under Title 13.1 or Title 50 or as otherwise required by law is required to include in its bid or proposal a statement describing why the bidder or offeror is not required to be so authorized.

Domestic Service Options

**IMPORTANT: Read below and use the appropriate service option.
It can save your entity money!**

DELIVERIES WITHIN VIRGINIA: The delivery timeframe, not the name of the delivery service option, should guide state agencies and other public bodies when selecting which option to send their package. For example:

UPS Ground guarantees delivery by end of the next business day for shipments within Virginia, and can be half the cost of UPS Next Day Air. If next business day delivery is all you require, use UPS Ground and save approximately 50% or more! UPS Ground deliveries within Virginia are generally made by noon the next business day for state agencies and other public bodies, but are guaranteed by end of day. UPS Next Day Air deliveries depend on the destination. While metro and suburban areas usually receive 10:30 AM delivery, delivery to more rural destinations may be by noon or end of day. Therefore, depending on the destination, UPS Next Day Air may be no quicker than UPS Ground, but could cost twice as much!

UPS Ground - For shipments within Virginia, guaranteed delivery by end of next business day. For outside Virginia, guaranteed day-definite delivery defined by zip code to every address in the U.S. 48 contiguous states and Canada's 10 provinces.

UPS Next Day Air Early A.M. - Guaranteed overnight delivery by 8:00 a.m. to major cities in the 48 contiguous states and by 8:30 a.m. to many other U.S. cities, including Anchorage, Alaska.

Note: An additional fee of \$31.00 will be added to the regular rate charge for this service.

UPS Next Day Air - Guaranteed overnight delivery by 10:30 a.m., noon, or end of day the next business day depending on destination (noon or 1:30 p.m. on Saturdays), to every address in all 50 states and Puerto Rico. For shipments within Virginia, metro and suburban deliveries are usually made by 10:30 a.m., and rural deliveries by noon or end of day.

UPS Next Day Air Saver - Affordable end of day guaranteed delivery to all 50 states and Puerto Rico (this service is not available to destinations where UPS Next Day Air is committed for end of day or is not available).

UPS 2nd Day Air A.M. - Guaranteed morning delivery on all your second business day shipments to commercial locations in the 50 states.

UPS 2nd Day Air- Guaranteed on-time delivery to every address in the United States (excluding intra-Alaska shipments) and Puerto Rico by the end of the second business day.

UPS 3 Day Select - Guaranteed delivery within three business days to and from every address in the 48 contiguous states.

Hundredweight Service: Hundredweight Service may be used for shipments of over 200 pounds total shipment weight (per package maximum weight is 150lb). Unlike "Less Than Truckload" (LTL) shipments available from trucking companies, Hundredweight Service shipment prices are based simply on the total shipment weight of what's being shipped. The packages are not palletized, and are sent as individual packages. Time in transit is guaranteed. See chart below for additional information.

	UPS Hundredweight	UPS Ground
Weight and Type	150-1000 pounds, non-palletized	1-150 pounds, single package
Pickup	Daily	Daily
Tracking	By Package or Shipment	By Package or Shipment
Pricing	Based on total shipment weight. Dimensional weight may apply.	Based on rate per each package. Dimensional weight may apply.
Inside Delivery	Included	Included
Liftgate	Not necessary	Not necessary
Delivery Attempts	3 attempts	3 attempts
Guaranteed Service	All shipments are guaranteed, no additional fee	All shipments are guaranteed, no additional fee
Shipment Preparation	Aggregation in UPS WorldShip or "Create Shipment"	Can process via multiple shipping systems

Return Services – UPS offers commercial Return Services for Next Day Air, Second Day Air, 3 Day Select and Ground.

UPS Mail Innovations - UPS Mail Innovations provides domestic US mail logistics through it work share relationship with the US Postal Service. Through Expedited Mail Services, UPS Mail Innovations expedites flats, mail that weighs less than 1 pound and bound printed matter. UPS Mail innovations offers convenience and reliability to customers by providing the upstream

mail processes, such as pickup, sorting, weighing, applying postage and inducting mail into the US Postal Service for final delivery in the US. Contact Dave Powell at 804-339-1883 or at dpowell2@ups-mi.com for more information or set up.

International Service Options

UPS Worldwide Express Plus - Guaranteed second business day delivery to 215 cities in 30 countries. Delivery is guaranteed by 8:30 or 9:00 a.m. For shipments to Canada, UPS guarantees delivery by 8:30 a.m. on the next business day

UPS Worldwide Express - Guaranteed 1-3 business day delivery to more than 50 countries and territories. Delivery is guaranteed by 10:30 a.m. for shipments to major business centers, and by end of day to most other destinations

UPS Worldwide Express Saver - Guaranteed 1-3 business day delivery to more than 215 countries and territories. Delivery is guaranteed by end of business day.

UPS Worldwide Expedited - For delivery to over 52 countries. Deliveries to Mexico and Canada are guaranteed to be delivered within three business days to most destinations. Deliveries to Europe and Asia are guaranteed to be delivered within four or five business days to most destinations

UPS Standard to Canada - For delivery of shipments to Canada, we offer low-cost, guaranteed ground delivery to most addresses in the 10 provinces

UPS Import Services – UPS provides import international services including Express, Expedited and Standard from Canada.

UPS Mail Innovations - UPS Mail Innovations provides international mail services. UPS Mail Innovations can process and transport US Outbound international mail within 24 hours of receipt from customers. UPS Mail Innovations may also provide savings for large mailings through OMNIsort International, Inc. Contact Dave Powell at 804-339-1883 or at dpowell2@ups-mi.com for more information or set up.

CONTRACTOR INFORMATION

United Parcel Service (UPS)
9601 Coach Rd.
Richmond, VA 23237

eVA Vendor Number: E3143
DUNS Number: 058053336

UPS Strategic Support:

- **Telephone:** 1 800-877-1497
- **Email:** virginia@ups.com Change 01
- Use your UPS account number for identification.
- If you do not remember your account number, or you need to establish an account number, then use the account W2810Y

for identification. This will help align your new account with the correct rates and support structure.

If UPS Strategic Support is unable to resolve your concern, contact Matt Manion, Statewide Services Contract Officer, DGS/DPS at 804-786-2397 or matt.manion@dgs.virginia.gov.

UPS Strategic Account Manager:

- Cassie Dyer
- Phone No. 404-519-9682 (Cell)
 - Email: cassiedyer@ups.com

Change 01

Other Contacts:

WorldShip Technical Support (888) 553-1118

CampusShip Technical Support (800) 513-1819

Internet Shipping (877) 289-6418