

**PARTICIPATING ADDENDUM  
WESTERN STATES CONTRACTING ALLIANCE  
WSCA POLICE RADAR, LIDAR, PARTS & EQUIPMENT  
Administered by the State of Washington (hereinafter "Lead State")**

MASTER PRICE AGREEMENT  
Stalker Radar (Applied Concepts, Inc.)  
Washington Contract Number: 01611  
(hereinafter "Contractor")

And

**[State of South Dakota]**  
(hereinafter "Participating State")  
**State Contract Number 16872**

1. Scope: This addendum covers the WSCA Police Radar, Lidar, Parts and Equipment Contract lead by the State of Washington for use by state agencies and other entities located in the Participating **State of South Dakota** authorized by that state's statutes to utilize **State of South Dakota** contracts.

2. Participation: Use of specific **WSCA** cooperative contracts by agencies, political subdivisions and other entities (including cooperatives) authorized by an individual state's statutes to use **State of South Dakota** contracts are subject to the approval of the respective State Chief Procurement Official. Issues of interpretation and eligibility for participation are solely within the authority of the State Chief Procurement Official.

**INDIVIDUAL CUSTOMER**: Each State agency and political subdivision, as a Participating Entity, that purchases products/services will be treated as if they were Individual Customers. Except to the extent modified by this Participating Addendum, each agency and political subdivision will be responsible to follow the terms and conditions of the Master Agreement; and they will have the same rights and responsibilities for their purchases as the Lead State has in the Master Agreement. Each agency and political subdivision will be responsible for their own charges, fees, and liabilities. Each agency and political subdivision will have the same rights to any indemnity or to recover any costs allowed in the contract for their purchases. The Contractor will apply the charges to each Participating Entity individually.

Eligible participants in this agreement include all agencies, institutions, officers, boards, commissions and public universities of the State of South Dakota, and all political subdivisions of the State, including counties, municipalities and public school corporations within the State of South Dakota.

**All state agency purchases from this agreement must be processed through the Bureau of Administration, Office of Procurement Management (OPM). Moratorium exemption approval from the Bureau of Information and Telecommunications (BIT) is required. A purchase order issued by OPM will authorize state agency purchases from this agreement.**

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Institutions under the control of the Board of Regents may make direct purchases from this agreement using their own procurement guidelines.

Political subdivisions of the State of South Dakota may purchase directly from the Contractor according to their own procurement procedures.

The Contractor may, at the Contractor's discretion, extend pricing from this agreement to Indian tribal governments and non-profit organizations in South Dakota. Any sales made to Indian tribes and non-profit organizations from this agreement shall be included in any required reports and shall be subject to the NASPO Valuepoint administrative fee.

3. Participating State Modifications or Additions to Master Price Agreement:

**No Changes Are Required**

4. Lease Agreements: **Leasing is NOT included as an option under this contract.**

5. Primary Contacts: The primary contact individual for this participating addendum are as follows (or their named successors):

Lead State

Name	Richard Worthy
Address	PO Box 41411, Olympia, WA 98504-1411
Telephone	(360) 407-9430
Fax	
E-mail	richard.worthy@des.wa.gov

Contractor

Name	Jan Achilles
Address	2609 Technology Dr. Plano, TX 75074

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Telephone	800-782-5537 x191
Fax	972-398-3781
E-mail	Jana@stalkerradar.com

Participating Entity

Name	Lisa Hubbard
Address	State of South Dakota PMB 01231 Bureau of Administration Office of Procurement Management 523 East Capitol Ave Pierre, SD 57501-3128
Telephone	(605) 773-4580
Fax	(605) 773-4840
E-mail	Lisa.Hubbard@state.sd.us

**6. Subcontractors:**

All Contactor's dealers and resellers authorized in the **State of South Dakota**, as shown on the dedicated NASPO ValuePoint website, are approved to provide sales and service support to participants in the WSCA Master Price Agreement. The Contractor's dealer's participation will be in accordance with the terms and conditions set forth in the aforementioned Master Price Agreement.

**7. Purchase Order Instructions:**

All orders should contain the following (1) Mandatory Language "PO is subject to WSCA Contract # 01611" (2) Your Name, Address, Contact, & Phone-Number (3) Purchase order amount. Please channel your PO through one of our authorized resellers so they can arrange for proper ordering and installation of your unit.

**8. Price Agreement Number:**

All purchase orders issued by purchasing entities within the jurisdiction of this participating addendum shall include the Participating State contract number:

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**16872** and the Lead State price agreement number: 01611.

This Participating Addendum and the Master Price Agreement number 01611 (administered by the State of Washington ) 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 Price Agreement, together with its exhibits, shall not be added to or incorporated into this Addendum or the 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 Price Agreement and its exhibits shall prevail and govern in the case of any such inconsistent or additional terms within the Participating State.

9. Compliance with reporting requirements of the "American Recovery and Reinvestment Act of 2009" ("ARRA"): If or when contractor is notified by ordering entity that a specific purchase or purchases are being made with ARRA funds, contractor agrees to comply with the data element and reporting requirements as currently defined in Federal Register Vol 74 #61, Pages 14824-14829 (or subsequent changes or modifications to these requirements as published by the Federal OMB). Ordering entity is responsible for informing contractor as soon as the ordering entity is aware that ARRA funds are being used for a purchase or purchases. Contractor will provide the required report to the ordering entity with the invoice presented to the ordering entity for payment. The contractor, as it relates to purchases under this contract, is not a subcontractor or subgrantee, but simply a provider of goods and related services.

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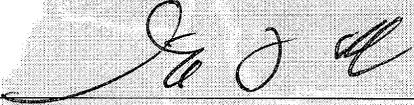
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IN WITNESS WHEREOF, the parties have executed this Addendum as of the date of execution by both parties below.

Participating State: <b>South Dakota</b>	Contractor: Stalker Radar (Applied Concepts, Inc.)
By: 	By: 
Name: <b>Steven L. Berg</b>	Name: Jan Achilles
Title: <b>Procurement Director</b>	Title: Sales Administration Manager
Date: <i>10-15-15</i>	Date: 10/2/2015

For questions on executing a participating addendum, please contact:

NASPO ValuePoint

Cooperative Development Coordinator	Tim Hay
Telephone	503-428-5705
E-mail	thay@naspovaluepoint.org

**[Please email fully executed PDF copy of this document to  
PA@naspovaluepoint.org to support documentation of participation and  
posting in appropriate data bases]**