

OFFICE FURNITURE (2023-2028)
Led by the State of Utah

Master Agreement #: MA3970

Contractor: **THE HON COMPANY LLC**

Participating Entity: **STATE OF SOUTH DAKOTA – CONTRACT 17726**

The following products or services are included in this contract portfolio:

- All products and accessories listed on the Contractor page of the NASPO ValuePoint website.

Master Agreement Terms and Conditions:

1. Scope: This addendum covers the **Office Furniture and Related Services (2023-2028)** led by the State of Utah 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 contracts with the prior approval of the State's Chief Procurement Official.
2. Participation: This NASPO ValuePoint Master Agreement may be used by all state agencies, institutions of higher institution, political subdivisions and other entities authorized to use statewide contracts in the **State of South Dakota**. Issues of interpretation and eligibility for participation are solely within the authority of the State Chief Procurement Official.

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. Primary Contacts: The primary contact individuals for this Participating Addendum are as follows (or their named successors):

Contractor

Name:	Dena Bates
Address:	The HON Company LLC 200 Oak Street Muscatine, IA 52761
Telephone:	563-299-2949
Fax:	563-272-5859
Email:	contractmanager@honcompany.com

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Participating Entity

Name:	Heather King
Address:	Office of Procurement Management 523 East Capitol Avenue Pierre, South Dakota 57501
Telephone:	(605) 773-2162
Fax:	(605) 773-4840
Email:	heather.king@state.sd.us

4. PARTICIPATING ENTITY MODIFICATIONS OR ADDITIONS TO THE MASTER AGREEMENT

[XX] The following changes are modifying or supplementing the Master Agreement terms and conditions.

Controlling Law of Venue. The laws of the state of South Dakota and applicable federal laws and regulations of the United States apply to any dispute arising out of this Participating Addendum, its subject matter, or its formation. The parties shall bring any dispute or claim, arising out of or related to this Participating Addendum, before a federal or Circuit Court, Sixth Judicial Circuit, Hughes County, South Dakota.

Restriction of Boycott of Israel. Pursuant to Executive Order 2020-01, for contractors, vendors, suppliers, or subcontractors with five (5) or more employees who enter into a contract with the State of South Dakota that involves the expenditure of one hundred thousand dollars (\$100,000.00) or more, by signing this Agreement vendor/contractor certifies and agrees that it has not refused to transact business activities, has not terminated business activities, and has not taken other similar actions intended to limit its commercial relations, related to the subject matter of this Agreement, with a person or entity that is either the State of Israel, or a company doing business in or with Israel or authorized by, licensed by, or organized under the laws of the State of Israel to do business, or doing business in the State of Israel, with the specific intent to accomplish a boycott or divestment of Israel in a discriminatory manner. It is understood and agreed that, if this certification is false, such false certification will constitute grounds for the State to terminate this Agreement. Vendor/contractor further agrees to provide immediate written notice to the State if during the term of this Agreement it no longer complies with this certification and agrees such noncompliance may be grounds for termination of this Agreement.

5. Lease Agreements: **Reserved**

6. Subcontractors: All contractors, dealers, and resellers authorized in the **State of South Dakota**, as shown on the dedicated Contractor (cooperative contract) website, are approved to provide sales and service support to participants in the NASPO ValuePoint Master Agreement. The contractor's dealer participation will be in accordance with the terms and conditions set forth in the aforementioned Master Agreement.

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7. Orders: Any order placed by a Participating Entity or Purchasing Entity for a product and/or service available from this Master Agreement shall be deemed to be a sale under (and governed by the prices and other terms and conditions) of the Master Agreement unless the parties to the order agree in writing that another contract or agreement applies to such order.

8. Design, Installation, and Reconfiguration Services: The Contractor shall provide, through their Authorized Dealer network, design, installation, layout, and reconfiguration services to Purchasing Entities. These service charges for all products offered through this Participating Addendum will be negotiated on a project-by-project basis with the Authorized Dealer. Installation and inside delivery charges will be included as a line item in the quote provided by the Authorized Dealer. Contractor shall provide, through their Authorized Dealer network or approved freight carrier(s) liftgate services and other non-standard delivery services which are outside of Contractor's standard freight costs, such as palletization, storage, special permits, etc.; should Contractor be able to accommodate the request, these services will be negotiated on a project-by-project basis and approved by the purchasing entity. Charges for non-standard delivery services will be included as a line item in the quote provided by the Authorized Dealer.

9. Discounts

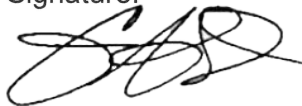
Tier	Total Order at List	Systems & Pedestals	Vertical & Lateral Files, Storage	Tables, Desking, Casegoods	HON Branded Seating
1	\$0 - \$50,000	68.00%	60.00%	56.00%	56.00%
2	\$50,001 - \$150,000	69.00%	62.00%	57.00%	57.00%
3	\$150,001 & Above	69.00%	62.00%	57.00%	57.00%

HON NOW Delivery	Systems	Other Product
HON NOW	64.0%	51.0%
HON NOW + Speed	58.0%	45.0%

PARTICIPATING ADDENDUM**OFFICE FURNITURE (2023-2028)**

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

Participating Entity: State of South Dakota	Contractor: The HON Company LLC
Signature: 	Signature: 
Name: Steven L. Berg	Name: Eric Schroeder
Title: Director of Procurement Management	Title: Vice President, Finance
Date: 11/02/2022	Date: 11/15/2022

For questions on executing a participating addendum, please contact:
NASPO ValuePoint

Cooperative Portfolio Manager:	Joel E. Atkinson
Telephone:	850-848-1250
Email:	jatkinson@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.]***