

STATE OF MONTANA TERM CONTRACT

Department of Administration
 State Procurement Bureau
 165 Mitchell Building
 PO Box 200135
 Helena, MT 59620-0135
 Phone: (406) 444-2575 Fax: (406) 444-2529
 TTY Users-Dial 711
<http://gsd.mt.gov/>

T.C. #: MA-054
Title: Background Screening Services
This is a non-exclusive contract.

CONTRACT TERM	FROM	July 21, 2011	CONTRACT STATUS	NEW (X)
	TO	April 19, 2014		RENEW ()
VENDOR ADDRESS	Accurate Background, Inc. 6 Orchard, Suite 200 Lake Forest, CA 92630		ORDER ADDRESS	
ATTN:	Amy Harrison		ATTN:	
PHONE:	800-784-3911		PHONE:	
FAX:	800-784-3593		FAX:	
E-MAIL:	aharrison@accuratebackground.com		E-MAIL:	

PRICES: PER MASTER WSCA CONTRACT. Current Pricing Schedule may be viewed by visiting the following WSCA site: <http://www.aboutwsca.org>

DELIVERY: PER MASTER WSCA CONTRACT

F.O.B.: N/A

TERMS: NET 30 DAYS

- REMARKS: Current pricing may be viewed by going to www.aboutwsca.org, clicking on "current contracts", scroll down to "Background Screening Services (WSCA-UT)", click on the company contract.

IFB/RFP No.: WSCA

Rick Dorvall, CONTRACTS OFFICER

DATE: 9/28/11

AUTHORIZED SIGNATURE

This document represents an overview of the Western States Contracting Alliance, Background Screening Services. This document is not intended to replace or append the contract, rather to provide an overview and summary of the agreement.

1.0 BACKGROUND

The State of Montana is a member of the Western States Contracting Alliance (WSCA), which establishes the means by which participating states may join together in cooperative multi-state contracting in order to achieve cost-effective and efficient acquisition of quality products and services. This contract is a result of cooperative procurement conducted by the State of Utah on behalf of WSCA.

2.0 PURPOSE

The purpose of this contract is to provide state agencies and all registered cooperative purchasing organizations with an expedited means of Background Screening Services.

3.0 NON-EXCLUSIVE CONTRACT

The intent of this contract is to provide state agencies with an expedited means of procuring supplies and/or services. This contract is for the convenience of the state agencies and is considered by the State Procurement Bureau to be a "Non-Exclusive" use contract. Therefore, agencies may obtain this product/service from sources other than the contract holder(s) as long as they comply with Title 18, MCA, and their delegation agreement. The State Procurement Bureau does not guarantee any usage.

4.0 LIAISON

The primary contractor contact for this participating addendum is as follows:

Amy Harrison
6 Orchard, Suite 200
Lake Forest, CA 92630
Phone: 949-609-2225
Email: aharrison@accuratebackground.com

State Liaison

Rick Dorvall, Contracts Officer
State of Montana, General Services Division, State Procurement Bureau
125 North Roberts, Mitchell Bldg., Room 165
Helena, MT 59620
Phone: 406-444-3366
Fax: 406-444-2529
Email: rickdorvall@mt.gov

5.0 CONTRACT TERM

This contract shall take effect on July 21, 2011 and terminate on April 14, 2014. (Mont. Code Ann. § 18-4-313).

6.0 CONTRACT RENEWAL

This contract may, upon mutual agreement between the parties and according to the terms of the existing contract, be renewed in one-year intervals, or any interval that is advantageous to the State. This contract, including any renewals, may not exceed a total of six years.

7.0 PRICING

For current pricing, please see the Master WSCA Contract at the website listed below.

8.0 CONTRACT

The entire contract can be found at the following website: <http://www.aboutwsca.org>

**PARTICIPATING ADDENDUM
WESTERN STATES CONTRACTING ALLIANCE
BACKGROUND INVESTIGATIONS
Administered by the State of Utah (hereinafter "Lead State")**

MASTER PRICE AGREEMENT
Accurate Background, Inc
Utah Contract Number: MA054
(hereinafter "Contractor")
And
State of Montana
(hereinafter "Participating State")

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1. Scope: This addendum covers the WSCA Background Investigations contract lead by the State of Utah for use by state agencies and other entities located in the Participating **State/Entity** authorized by that state's statutes to utilize **state/entity** 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/entity** 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.

3. State of Montana Modifications or Additions to Master Price Agreement:
(These modifications or additions apply only to actions and relationships within the Participating Entity.)

ACCESS AND RETENTION OF RECORDS: The contractor agrees to provide the department, Legislative Auditor, or their authorized agents, access to any records necessary to determine contract compliance. (Section 18-1-118, MCA). The contractor agrees to create and retain records supporting the services rendered or supplies delivered for a period of three years after either the completion date of the contract or the conclusion of any claim, litigation, or exception relating to the contract taken by the State of Montana or third party.

ASSIGNMENT, TRANSFER AND SUBCONTRACTING: The contractor shall not assign, transfer or subcontract any portion of the contract without the express written consent of the department. (Section 18-4-141, MCA.)

REDUCTION OF FUNDING: The State must terminate this contract if funds are not appropriated or otherwise made available to support the State's continuation of performance in a subsequent fiscal period. (See section 18-4-313(4), MCA.)

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VENUE: This solicitation is governed by the laws of Montana. The parties agree that any litigation concerning this bid, request for proposal, limited solicitation, or subsequent contract, must be brought in the First Judicial District in and for the County of Lewis and Clark, State of Montana, and each party shall pay its own costs and attorney fees. (Section 18-1-401, MCA.)

4. Purposely Left Blank

5. Primary Contact: The primary contact for this participating addendum is as follows (or their named successors):

Rick Dorvall
State/Political Entity: Montana
Address: 125 North Roberts St.
City, State, Zip: Helena, MT 59620
Phone: 406-444-3366
Fax: 406-444-2529
Email: rickdorvall@mt.gov

Lead State

Name	Jennifer Porter
Address	Utah Division of Purchasing & General Services 3150 State Office Building, Capitol Hill Salt Lake City, UT 84114
Telephone	801-538-3064
Fax	801-538-3882
E-mail	jenniferporter@utah.gov

Contractor

Name	Amy Harrison
Address	Accurate Background 6 Orchard Street, Suite 200 Lake Forest, CA 92630
Telephone	949-609-2225
Fax	949-380-2325
E-mail	aharrison@accuratebackground.com

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<u>Participating Entity</u>	
Name	State of Montana
Address	125 North Roberts, Mitchell Bldg. Rm 165, Helena, MT 59620
Telephone	406-444-3366
Fax	406-444-2529
E-mail	rickdorvall@mt.gov

6. Purposely Left Blank

7. Purchase Order Instructions:

All orders should contain the following (1) Mandatory Language "PO is subject to WSCA Contract # MA054".

8. Price Agreement Number:

All purchase orders issued by purchasing entities within the jurisdiction of this participating addendum shall include the price agreement number: MA054.

This Participating Addendum and the Master Price Agreement number MA054 (administered by the State of Utah) 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.

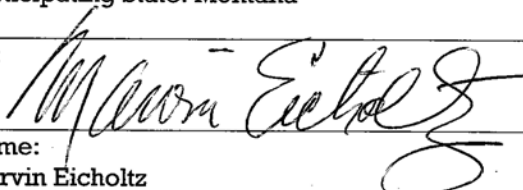
9. Purposely Left Blank.

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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: Montana	Contractor: <i>Accurate Background, Inc</i>
By: 	By: <i>Amy Harrison</i>
Name: Marvin Eicholtz	Name: <i>Amy Harrison</i>
Title: Administrator	Title: <i>Corporate Account Executive</i>
Date: <i>10/6/2011</i>	Date: <i>9.22.11</i>