

# STATE OF MONTANA TERM CONTRACT

**Department of Administration**  
**State Procurement Bureau**  
**165 Mitchell Building**  
**PO Box 200135**  
**Helena, MT 59620-0135**  
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<http://gsd.mt.gov/>

**T.C. #: WSCA#9949-B**  
**Title: NATIONWIDE VEHICLE RENTAL**  
**This is a non-exclusive contract.**

<b>CONTRACT TERM</b>	FROM	February 16, 2010	<b>CONTRACT STATUS</b>	NEW (xx)
	TO	October 18, 2012		RENEW ( )
<b>VENDOR ADDRESS</b>	HERTZ CORPORATION 6151 WEST CENTURY BLVD, STE 600 LOS ANGELES, CA 90045		<b>VENDOR ADDRESS</b>	
<b>ATTN:</b>	WILL COSBY		<b>ATTN:</b>	
<b>PHONE:</b>	310-568-6490		<b>PHONE:</b>	
<b>FAX:</b>	888-333-1292		<b>FAX:</b>	
<b>E-MAIL:</b>	wcosby@hertz.com		<b>E-MAIL:</b>	

**REMARKS:**


The complete contract, PAs, and pricing can be found at the following website:

[http://www.oregon.gov/DAS/SSD/SPO/wsca.shtml#vehicle\\_rentals](http://www.oregon.gov/DAS/SSD/SPO/wsca.shtml#vehicle_rentals)

The Participating Addendum for the State of Montana is attached.

Information on the Hertz Gold Club can be found at the following website:

[Hertz Gold Club](#)

<b>WSCA#9949-B</b>	JEANNIE LAKE, CONTRACTS OFFICER 	DATE: <i>8/4/2011</i>
<b>AUTHORIZED SIGNATURE</b>		

## NATIONWIDE VEHICLE RENTAL

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The State of Montana has signed two Participating Addendums (PAs) under the Western States Contracting Alliance (WSCA) Nationwide Vehicle Rental. The addendums allow employees of the State of Montana, while conducting official state business, to rent vehicles at a reduced rate. This applies to both in-state and out-of-state. In-state rentals should be limited to instances where the State motor pool is unable to provide necessary vehicles.

This document represents an overview of the Western States Contracting Alliance Nationwide Vehicle Rental. 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 Oregon on behalf of WSCA.

### 2.0 PURPOSE

The purpose of this contract is provide state agencies and all registered cooperative purchasing organizations with an expedited means of obtaining nationwide vehicle rental 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 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:

George Breazeale  
One Parkway South  
Greenville, SC 29615  
864-458-6487  
864-458-5119

## NATIONWIDE VEHICLE RENTAL

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### State Liaison

Jeannie Lake, Contracts Officer  
State of Montana, General Services Division, State Procurement Bureau  
125 N. Roberts, Mitchell Bldg., Room 165  
Helena, MT 59620  
Phone: 406-444-0110  
Fax: 406-444-2529  
Email: JeannieLake@mt.gov

### 5.0 ORDERING PROCEDURE

In accordance with the terms of the contract, an agency purchase order must be issued to the contractor for all required products. The purchase order must reference the contract number WSCA 9949B and identify all items desired, the purchase order date, the delivery date, shipping locations and prices.

### 6.0 CONTRACT TERM

This contract shall take effect on February 16, 2010 and terminate on October 18, 2012. (Mont. Code Ann. § 18-4-313.)

### 7.0 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 may be extended for four renewal periods, if mutually agreed upon.



**WSCA PARTICIPATING ADDENDUM  
Nationwide Vehicle Rental Services  
Oregon Master Price Agreement Number: 9950  
Enterprise Rent-A-Car and National Car Rental**

**State of Montana**

**State Contract Number: 9950**

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This Participating Addendum adds the State of Montana (hereinafter "Participating State") as a Participating entity to purchase from the WSCA Price Agreement, Number 9950, with Enterprise Rent-A-Car and National Car Rental (hereinafter "Contractor").

1. **Scope:** This addendum covers Nationwide Vehicle Rental Services within the scope of the WSCA Master Agreement for State Agencies and Political Subdivisions.
2. **Changes:** (Insert any specific additions or deletions to the Master Price Agreement, or a statement that no changes are required.

**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.)

**HOLD HARMLESS/INDEMNIFICATION:** The contractor agrees to protect, defend, and save the State, its elected and appointed officials, agents, and employees, while acting within the scope of their duties as such, harmless from and against all claims, demands, causes of action of any kind or character, including the cost of defense thereof, arising in favor of the contractor's employees or third parties on account of bodily or personal injuries, death, or damage to property arising out of services performed or omissions of services or in any way resulting from the acts or omissions of the contractor and/or its agents, employees, representatives, assigns, subcontractors, except the sole negligence of the State, under this agreement.

**PAYMENT TERM:** All payment terms will be computed from the date of delivery of supplies or services OR receipt of a properly executed invoice, whichever is later. Unless otherwise noted in the solicitation document, the State is allowed 30 days to pay such invoices. All contractors will be required to provide banking information at the time of contract execution in order to facilitate State electronic funds transfer payments.

**TAX EXEMPTION:** The State of Montana is exempt from Federal Excise Taxes (#81-0302402).



**WSCA PARTICIPATING ADDENDUM  
Nationwide Vehicle Rental Services  
Oregon Master Price Agreement Number: 9950  
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**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.)

**TERMINATION OF CONTRACT:** Unless otherwise stated, the State may, by written notice to the contractor, terminate the contract in whole or in part at any time the contractor fails to perform the contract.

**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.)

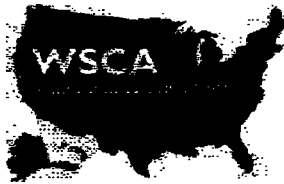
**3. Primary Contacts:**

**a. The primary contact for lead state:**

Contact: Tim A. Hay  
State/Political Entity: Oregon Department of Administrative Services, State Procurement Office  
Address: 1225 Ferry St SE U140  
City, State, Zip: Salem, OR 97301-4285  
Phone: 503-378-4650  
Fax: 503-373-1626  
Email: [tim.hay@state.or.us](mailto:tim.hay@state.or.us)

**b. The primary contact for the Contractor:**

Contact: Davion L. Leese  
Entity: Business Rental Account Development, Enterprise Holdings  
Address: 20400 S.W. Teton Avenue  
City, State, Zip: Tualatin, OR 97602  
Phone: 503-612-8195  
Fax: 503-467-5547  
Email: [davion.l.leese@ehi.com](mailto:davion.l.leese@ehi.com)



**WSCA PARTICIPATING ADDENDUM  
Nationwide Vehicle Rental Services  
Oregon Master Price Agreement Number: 9950  
Enterprise Rent-A-Car and National Car Rental**

**State of Montana**

**State Contract Number: 9950**

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**c. The primary contact for the Participating State:**

**Contact:** Rhonda R. Grandy  
**State/Political Entity:** State of Montana  
**Address:** 125 N. Roberts, Room 165 Mitchell Building  
**City, State, Zip:** Helena, MT 59620  
**Phone:** 406-444-3320  
**Fax:** 406-444-2529  
**Email:** rhgrandy@mt.gov

**d. Contractor's Primary Contact for Participating State:**

**Contact:** Erin Kramarich  
**Entity:** Business Rental Account Development, Enterprise Holdings  
**Address:** 2123 1<sup>st</sup> Avenue North  
**City, State, Zip:** Billings, MT 59101  
**Phone:** 406-896-0752  
**Fax:** 866-240-9398  
**Email:** [erin.kramarich@ehi.com](mailto:erin.kramarich@ehi.com)

**4. Contract Number: The contract number for the Participating State is \_9950**

This participating addendum and the WSCA Master Price Agreement, (administered by the State of Oregon) 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 thereof. Terms and conditions inconsistent with, contrary or in addition to the terms and conditions of this Addendum or the Master Price Agreement, together with its exhibits, shall not be added to or incorporated into this Addendum or the Master Contract 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 Master Price Agreement and its exhibits shall prevail and govern in the case of any such inconsistent or additional terms.

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

State of: Montana

Contractor: Enterprise Rent-A-Car and National Car Rental



**WSCA PARTICIPATING ADDENDUM**  
**Nationwide Vehicle Rental Services**  
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**State of Montana**

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Signature: *Marvin Eckholtz*

Name: MARVIN ECKHOLTZ

Title: ADMINISTRATOR

Date: 2/16/10

Signature: *Tom Don*

Name: Authorized Officer

Title: Assistant Secretary

Date: JAN 26 2010