

CITY OF LOS ANGELES

City of Los Angeles Purchasing Agent
 111 E 1ST STREET
 ROOM 110
 LOS ANGELES CA 90012



ANNUAL REQUIREMENTS CONTRACT

| Contract Number | Description | RFQ Number |
|---|---|---|
| ARC 40 18000000346 2 | Apple Products | |
| Contract Dates | Payment Terms | Delivery Days ARO |
| 06-08-18 to 06-30-19 | 0% Net 30 | 7 |
| Central Purchasing | Vendor | Bill To |
| Contact: Jeffrey Chan Phone: (213) 928-9595 E-mail: jeffrey.chan@lacity.org | 000038423 ZONES INC 1102 15TH ST SW STE 102 AUBURN, WA 98001 | City of Los Angeles Supply Svcs., Accounts Payable 555 Ramirez St., Space 312 Los Angeles CA 90012 |

Extended Description

You are hereby notified of the award of this contract with the City of Los Angeles in accordance with RFQ Number 180000930066, to furnish the City's annual requirements for the items and/or services identified in this document. The entire RFQ (including Attachment A and specifications) or any items thereof, addendums, and general conditions comprise the contract. The Quotation document signed by the appropriate contractor and by duly authorized City officials is on file in the Purchasing Agent's office.

Annual Requirements Contract for: ****Apple Products**** Award No. 180000000346.

NOTE: SALES TAX WILL BE ADDED AT TIME OF ORDER.

The following listed item(s) cover the only product(s) or service(s) approved for purchase under this contract. Products or services requested by the City and not listed in the contract require a separate City Purchase Order in order for the supplier to receive payment.

Reason for Modification

- Per Amendment 1:
- Discounts are entered in the Markdown fields for all CLs.
 - Corrected discounts for CL 1, 2, 4, 7, 10 - 15, 21, 23 - 26.
 - Added CL lines 27-29.

Renewal Period Options

| Option | Effective Date | Expiration Date |
|--------|----------------|-----------------|
| 1 | 07-01-19 | 06-30-20 |
| 2 | 07-01-20 | 06-30-21 |
| 3 | 07-01-21 | 06-30-22 |
| 4 | 07-01-22 | 06-30-23 |

Line Items

| Line | Commodity Code | CL Description | UOM | Unit Price | Markdown % | Markup % |
|--|----------------|-----------------|-----|------------|------------|----------|
| 1 | 431718 | iMac 21.5" | | \$0.0000 | (-) 6.75% | |
| Extended Description: APPLE PRODUCT - PRICED AT APPLE'S HIGHER EDUCATION/GOVERNMENT MSRP MINUS 7%. PRICE LIST CAN BE FOUND HERE, PLEASE CLICK ON HIGHER EDUCATION PRICE LIST: https://www.apple.com/education/pricelists/ | | | | | | |
| 2 | 431718 | iMac Pro 5K 27" | | \$0.0000 | (-) 6.5% | |
| Extended Description: APPLE PRODUCT - PRICED AT APPLE'S HIGHER EDUCATION/GOVERNMENT MSRP MINUS 7%. PRICE LIST CAN BE FOUND HERE, PLEASE CLICK ON HIGHER EDUCATION PRICE LIST: https://www.apple.com/education/pricelists/ | | | | | | |

| Line | Commodity Code | CL Description | UOM | Unit Price | Markdown % | Markup % |
|--|----------------|-------------------------------------|-----|------------|------------|----------|
| 3 | 431718 | Mac Pro 3.5 | | \$0.0000 | (-) 7% | |
| Extended Description: APPLE PRODUCT - PRICED AT APPLE'S HIGHER EDUCATION/GOVERNMENT MSRP MINUS 7%. PRICE LIST CAN BE FOUND HERE, PLEASE CLICK ON HIGHER EDUCATION PRICE LIST: https://www.apple.com/education/pricelists/ | | | | | | |
| 4 | 431718 | MacBook Silver 12" | | \$0.0000 | (-) 6.75% | |
| Extended Description: APPLE PRODUCT - PRICED AT APPLE'S HIGHER EDUCATION/GOVERNMENT MSRP MINUS 7%. PRICE LIST CAN BE FOUND HERE, PLEASE CLICK ON HIGHER EDUCATION PRICE LIST: https://www.apple.com/education/pricelists/ | | | | | | |
| 5 | 431718 | MacBook Air 13.3" | | \$0.0000 | (-) 6% | |
| Extended Description: APPLE PRODUCT - PRICED AT APPLE'S HIGHER EDUCATION/GOVERNMENT MSRP MINUS 6%. PRICE LIST CAN BE FOUND HERE, PLEASE CLICK ON HIGHER EDUCATION PRICE LIST: https://www.apple.com/education/pricelists/ | | | | | | |
| 6 | 431718 | MacBook Pro 15.4" | | \$0.0000 | (-) 5% | |
| Extended Description: APPLE PRODUCT - PRICED AT APPLE'S HIGHER EDUCATION/GOVERNMENT MSRP MINUS 5%. PRICE LIST CAN BE FOUND HERE, PLEASE CLICK ON HIGHER EDUCATION PRICE LIST: https://www.apple.com/education/pricelists/ | | | | | | |
| 7 | 431718 | MacBook Pro 13.3" | | \$0.0000 | (-) 6.5% | |
| Extended Description: APPLE PRODUCT - PRICED AT APPLE'S HIGHER EDUCATION/GOVERNMENT MSRP MINUS 7%. PRICE LIST CAN BE FOUND HERE, PLEASE CLICK ON HIGHER EDUCATION PRICE LIST: https://www.apple.com/education/pricelists/ | | | | | | |
| 8 | 431718 | iPad Wi-Fi 9.7" | | \$0.0000 | (-) 5% | |
| Extended Description: APPLE PRODUCT - PRICED AT APPLE'S HIGHER EDUCATION/GOVERNMENT MSRP MINUS 5%. PRICE LIST CAN BE FOUND HERE, PLEASE CLICK ON HIGHER EDUCATION PRICE LIST: https://www.apple.com/education/pricelists/ | | | | | | |
| 9 | 431718 | iPad 9.7" | | \$0.0000 | (-) 5% | |
| Extended Description: APPLE PRODUCT - PRICED AT APPLE'S HIGHER EDUCATION/GOVERNMENT MSRP MINUS 5%. PRICE LIST CAN BE FOUND HERE, PLEASE CLICK ON HIGHER EDUCATION PRICE LIST: https://www.apple.com/education/pricelists/ | | | | | | |
| 10 | 431718 | iPad Mini 4 7.9" | | \$0.0000 | (-) 4.75% | |
| Extended Description: APPLE PRODUCT - PRICED AT APPLE'S HIGHER EDUCATION/GOVERNMENT MSRP MINUS 5%. PRICE LIST CAN BE FOUND HERE, PLEASE CLICK ON HIGHER EDUCATION PRICE LIST: https://www.apple.com/education/pricelists/ | | | | | | |
| 11 | 431718 | iPad mini 4 7.9" [Wi-Fi + Cellular] | | \$0.0000 | (-) 4.5% | |
| Extended Description: APPLE PRODUCT - PRICED AT APPLE'S HIGHER EDUCATION/GOVERNMENT MSRP MINUS 5%. PRICE LIST CAN BE FOUND HERE, PLEASE CLICK ON HIGHER EDUCATION PRICE LIST: https://www.apple.com/education/pricelists/ | | | | | | |
| 12 | 431718 | iPad Pro 10.5" | | \$0.0000 | (-) 7.5% | |
| Extended Description: APPLE PRODUCT - PRICED AT APPLE'S HIGHER EDUCATION/GOVERNMENT MSRP MINUS 8%. PRICE LIST CAN BE FOUND HERE, PLEASE CLICK ON HIGHER EDUCATION PRICE LIST: https://www.apple.com/education/pricelists/ | | | | | | |
| 13 | 431718 | iPad Pro 10.5" [Wi-Fi + Cellular] | | \$0.0000 | (-) 7.5% | |
| Extended Description: APPLE PRODUCT - PRICED AT APPLE'S HIGHER EDUCATION/GOVERNMENT MSRP MINUS 8%. PRICE LIST CAN BE FOUND HERE, PLEASE CLICK ON HIGHER EDUCATION PRICE LIST: https://www.apple.com/education/pricelists/ | | | | | | |
| 14 | 431718 | iPad Pro 12.9" | | \$0.0000 | (-) 7.5% | |
| Extended Description: APPLE PRODUCT - PRICED AT APPLE'S HIGHER EDUCATION/GOVERNMENT MSRP MINUS 8%. PRICE LIST CAN BE FOUND HERE, PLEASE CLICK ON HIGHER EDUCATION PRICE LIST: https://www.apple.com/education/pricelists/ | | | | | | |
| 15 | 431718 | iPad Pro 12.9" [Wi-Fi + Cellular] | | \$0.0000 | (-) 7.5% | |
| Extended Description: APPLE PRODUCT - PRICED AT APPLE'S HIGHER EDUCATION/GOVERNMENT MSRP MINUS 8%. PRICE LIST CAN BE FOUND HERE, PLEASE CLICK ON HIGHER EDUCATION PRICE LIST: https://www.apple.com/education/pricelists/ | | | | | | |

| Line | Commodity Code | CL Description | UOM | Unit Price | Markdown % | Markup % |
|---|----------------|------------------------------------|-----|------------|------------|----------|
| 16 | 64121514 | AppleCare+ for iMac/iMac Pro | | \$0.0000 | (-) 28% | |
| Extended Description: APPLE PRODUCT - PRICED AT APPLE'S HIGHER EDUCATION/GOVERNMENT MSRP MINUS 28%. PRICE LIST CAN BE FOUND HERE, PLEASE CLICK ON HIGHER EDUCATION PRICE LIST: https://www.apple.com/education/pricelists/ | | | | | | |
| 17 | 64121514 | AppleCare+ for Mac Pro | | \$0.0000 | (-) 28% | |
| Extended Description: APPLE PRODUCT - PRICED AT APPLE'S HIGHER EDUCATION/GOVERNMENT MSRP MINUS 28%. PRICE LIST CAN BE FOUND HERE, PLEASE CLICK ON HIGHER EDUCATION PRICE LIST: https://www.apple.com/education/pricelists/ | | | | | | |
| 18 | 64121514 | AppleCare+ for MacBook/MacBook Air | | \$0.0000 | (-) 28% | |
| Extended Description: APPLE PRODUCT - PRICED AT APPLE'S HIGHER EDUCATION/GOVERNMENT MSRP MINUS 28%. PRICE LIST CAN BE FOUND HERE, PLEASE CLICK ON HIGHER EDUCATION PRICE LIST: https://www.apple.com/education/pricelists/ | | | | | | |
| 19 | 64121514 | AppleCare+ for MacBook Pro (13") | | \$0.0000 | (-) 28% | |
| Extended Description: APPLE PRODUCT - PRICED AT APPLE'S HIGHER EDUCATION/GOVERNMENT MSRP MINUS 28%. PRICE LIST CAN BE FOUND HERE, PLEASE CLICK ON HIGHER EDUCATION PRICE LIST: https://www.apple.com/education/pricelists/ | | | | | | |
| 20 | 64121514 | AppleCare+ for MacBook Pro (15") | | \$0.0000 | (-) 28% | |
| Extended Description: APPLE PRODUCT - PRICED AT APPLE'S HIGHER EDUCATION/GOVERNMENT MSRP MINUS 28%. PRICE LIST CAN BE FOUND HERE, PLEASE CLICK ON HIGHER EDUCATION PRICE LIST: https://www.apple.com/education/pricelists/ | | | | | | |
| 21 | 64121514 | AppleCare+ for iPad/iPad Mini | | \$0.0000 | (-) 28.75% | |
| Extended Description: APPLE PRODUCT - PRICED AT APPLE'S HIGHER EDUCATION/GOVERNMENT MSRP MINUS 29%. PRICE LIST CAN BE FOUND HERE, PLEASE CLICK ON HIGHER EDUCATION PRICE LIST: https://www.apple.com/education/pricelists/ | | | | | | |
| 22 | 64121514 | AppleCare+ for iPad Pro | | \$0.0000 | (-) 28% | |
| Extended Description: APPLE PRODUCT - PRICED AT APPLE'S HIGHER EDUCATION/GOVERNMENT MSRP MINUS 28%. PRICE LIST CAN BE FOUND HERE, PLEASE CLICK ON HIGHER EDUCATION PRICE LIST: https://www.apple.com/education/pricelists/ | | | | | | |
| 23 | 64121514 | AppleCare+ (Other) | | \$0.0000 | (-) 2.5% | |
| Extended Description: APPLE PRODUCT - PRICED AT APPLE'S HIGHER EDUCATION/GOVERNMENT MSRP MINUS 3%. PRICE LIST CAN BE FOUND HERE, PLEASE CLICK ON HIGHER EDUCATION PRICE LIST: https://www.apple.com/education/pricelists/ | | | | | | |
| 24 | 261117 | Accessories | | \$0.0000 | (-) 2.5% | |
| Extended Description: APPLE ACCESSORIES - PRICED AT APPLE'S HIGHER EDUCATION/GOVERNMENT MSRP MINUS 3%. PRICE LIST CAN BE FOUND HERE, PLEASE CLICK ON HIGHER EDUCATION PRICE LIST: https://www.apple.com/education/pricelists/ | | | | | | |
| 25 | 261117 | Portable Accessories | | \$0.0000 | (-) 2.25% | |
| Extended Description: APPLE ACCESSORIES - PRICED AT APPLE'S HIGHER EDUCATION/GOVERNMENT MSRP MINUS 2%. PRICE LIST CAN BE FOUND HERE, PLEASE CLICK ON HIGHER EDUCATION PRICE LIST: https://www.apple.com/education/pricelists/ | | | | | | |
| 26 | 4316 | Software | | \$0.0000 | (-) 0.75% | |
| Extended Description: APPLE ACCESSORIES - PRICED AT APPLE'S HIGHER EDUCATION/GOVERNMENT MSRP MINUS 1%. PRICE LIST CAN BE FOUND HERE, PLEASE CLICK ON HIGHER EDUCATION PRICE LIST: https://www.apple.com/education/pricelists/ | | | | | | |
| 27 | 76122408 | eWaste Fee - 4" - 14" | EA | \$5.0000 | | |
| Extended Description: Electronic Waste Recycling Fee (E-Waste) | | | | | | |

| Line | Commodity Code | CL Description | UOM | Unit Price | Markdown % | Markup % |
|---|----------------|-------------------------|-----|------------|------------|----------|
| 30 | 76122408 | eWaste Fee - 15" to 34" | EA | \$6.0000 | | |
| Extended Description: Electronic Waste Recycling Fee (E-Waste) | | | | | | |
| 31 | 76122408 | eWaste Fee - 35" and up | EA | \$7.0000 | | |
| Extended Description: Electronic Waste Recycling Fee (E-Waste) | | | | | | |

Authorized By

Annual Requirements Contract Clauses, Terms, and Conditions

Line Item Provisions

Clauses and Comments on PDF

Document Provisions

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Supporting Documents

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ARC 18000000346 CONTRACT COMMENTS:

Procurement Analyst: Jeffrey Chan

Phone Number: (213) 928-9595

E-mail address: Jeffrey.Chan@lacity.org

Fax Number: (213) 928-9511

Requirements Contract for: ****Apple Products****

Award No. 18000000346

Payment Terms: 0% 30 Days Delivery: 7 Days A R O

RFQ No.: 180000930066

Previous Contract Numbers: N/A

Renewal Options Granted: 4

You are hereby notified of the award of this contract with the City of Los Angeles in accordance with RFQ Number 180000930066, to furnish the City's annual requirements for the items and/or services identified in this document. The entire RFQ (including Attachment A and specifications) or any items thereof, addendums, and general conditions comprise the contract. The Quotation document signed by the appropriate contractor and by duly authorized City officials is on file in the Purchasing Agent's office.

SUPPLIER CONTACT:

Contact Person: Imran Yunus

Title: Vice President – Public Sector

Telephone No.: (253) 545-7015

Fax No.: (253) 545-6015

E-Mail Address: Imran.Yunus@zones.com

24-Hour Contact No.: (800) 381-9663

CONTRACT PURCHASE ORDERS:

Contract Purchase Orders will be issued during the contract period for materials or services as required. Supplier shall deliver no goods or services until a City department issues a Contract Purchase Order.

CPO DELIVERY AND PAYMENT TERMS:

Payment Terms: 0% 30 Days

Delivery: 7 Days A R O

APPROVED CONTRACT ITEM PURCHASES:

The listed items cover the only products approved for purchase under this contract.

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The City of Los Angeles will not pay any invoice covering the delivery of any merchandise that is not explicitly authorized by this contract. Any products requested by the City not listed in the contract require a separate City Purchase Order in order for the supplier to receive payment.

RENEWAL OPTION:

The City reserves the right to renew this contract for four (4) additional one (1) year periods. All renewals shall be on an annual basis and under the same terms and conditions of the original contract.

OTHER GOVERNMENT AGENCY PURCHASES:

Other government agencies may make purchases using the prices, terms and conditions of this contract.

Any allowance of other government agencies to make purchases using the prices, terms and conditions of any contracts awarded from this RFQ/RFB is subject to the following:

- 1) A one percent (1%) quarterly rebate due to the City of Los Angeles Department of General Services.
- 2) A one percent (1%) transaction fee, with a \$40,000 maximum over the term of the contract, per government entity, due to EASI.

The one percent (1%) quarterly rebate and one percent (1%) transaction fee shall be based on actual purchases, as documented on Supplier's Quarterly Report.

Quarterly rebates shall be delivered by the 25th of the following month to City of Los Angeles Purchasing Agent, 111 E. First St., Attn: Procurement Analyst, Room 110, City Hall South, Los Angeles, California, 90012-4111. The Supplier shall reference the City's contract number on all checks.

QUARTERLY REPORTS FOR OTHER GOVERNMENT PURCHASES:

The supplier shall provide the City Purchasing Agent with quarterly reports, to include the following:

- 1) Expenditure Report that indicates Manufacturer name, description, product/part number, quantity, unit price and extended price of all items sold to the City (contract inception to report date).
- 2) Environmentally Preferable Product (EPP) Report that indicates the quantity and description of products sold to the City that are considered EPP. This information may be included in the Expenditure Report.
- 3) Business Inclusion Program Report that indicates the quantity and description of products sold to the City that were manufactured by or obtained from MBE, WBE, SBE, EBE, DVBE and OBE sub-suppliers. This information may be included in the Expenditure Report.
- 4) Expenditure Report that indicates Manufacturer name, description, product/part number, quantity, unit price and extended price of all items sold to any Other Government Agencies using the prices, terms and conditions of any contracts resulting from this RFQ (contract inception to report date).

Note: Item 4 is only applicable if Other Government Purchases are allowed.

Reports shall be created in a MS/Excel spreadsheet format as provided by the Purchasing Agent, and delivered by the 10th of the following month to City of Los Angeles Purchasing Agent, 111 E. First St., Attn: Procurement Analyst, Room 110, City Hall South, Los Angeles, California, 90012-4111. The

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supplier shall reference the City's contract number on all reports.

SUBCONTRACTORS:

All subcontractors shall be approved by the City Purchasing Agent prior to working on City projects. A subcontractor is defined as a person, partnership, corporation or other entity, which enters into a contract with a contractor for performance of some or all of the City contracted work.

Supplier shall provide a list of all proposed subcontractors with the Quotation, including the following information: Subcontractor Name, Complete Address, Contact Name and Title, E-mail Address, Phone Number, and Fax Number.

The Contractor shall identify subcontracted work by subcontractor name and dollar amount subcontracted on all [monthly/quarterly](#) reports. Wholly owned subsidiaries of the contractor shall not be considered as subcontractors, but the City shall be notified in advance of their usage. The Contractor shall not change any of the approved subcontractors or reduce their level of work without the City Purchasing Agent's written approval. City approval shall not be unreasonably withheld.

All procurement agreements with a value in excess of \$25,000 and having a term in excess of three (3) months are subject to the Sweat-Free Procurement Ordinance. Subcontractor information for these agreements shall be provided in both hardcopy and electronic versions. Information for these contractors/subcontractors will be posted on the City Purchasing Agent's Internet website.

PRICE AGREEMENT CONDITIONS:

Prices charged the City are based on a percentage discount from / mark up to the manufacturer's published price list. Percentage discount/mark up is to remain firm for the duration of the contract, subject to "Threshold Amount Level Volume Percentage Adjustments". However, manufacturer's price lists are subject to change in accordance with price adjustments made by the manufacturer.

The City is to be given benefit of any decline in prices immediately upon the manufacturer's effective date of such decline.

The Request for Quotation specifications, requirements, terms and conditions shall supersede and take precedence over any conflicting conditions in manufacturer's price lists.

- FOR INTERNET / ON-LINE CATALOGS AND PRICE LISTS:

The supplier shall provide, in its quotation, access to a secured (https) website for the City of Los Angeles Purchasing Agent to identify and confirm product prices online. The online price list must have a cross reference or search function to identify items and prices by Product/Part Number and/or Product Description.

The successful supplier shall provide website access to all City customers placing orders. The website must allow for printing any page on the customer's computer screen so as to create a "hard copy" record of the items and prices. City staff is required to print the price page for each item ordered and attach it to their Purchase Order for City auditing purposes.

ESTIMATED EXPENDITURES AND THRESHOLD ADJUSTMENT:

Total expenditures for the life of this contract, including the initial term and all renewals or extensions,

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are estimated to be \$1,000,000.00. No guarantee can be given that this total will be reached or that it will not be exceeded. Supplier agrees to furnish more or less in accordance with actual contract requirements.

Based on the City's estimate, the supplier shall state an additional volume percentage adjustment if the City meets the following threshold amount levels:

| Threshold Amount Level: | Volume Percent Adjustment: |
|-----------------------------------|----------------------------|
| \$ 1,000,000.01 - \$ 1,100,000.00 | <u>0</u> % |
| \$ 1,100,000.01 - \$ 1,200,000.00 | <u>0.5</u> % |
| \$ 1,200,000.01 and over | <u>1</u> % |

During the term of the contract, including any and all extensions thereto, the above volume percentage adjustment shall be made to the base discount/mark up allowed above as each threshold is attained. Each threshold level and volume adjustment will be cumulative after the first threshold is attained. The appropriate adjustment shall become effective once a given threshold is met. The City shall notify the supplier in writing of the applicable adjustment, revised prices, and the effective date of such change.

STANDARD PRODUCT WARRANTY:

The manufacturer's standard warranty shall be included with all products delivered to the City of Los Angeles. If an express warranty does not exist for the products delivered, the supplier provides the following warranty for defects in material and labor/workmanship.

Warranty for material defects: 1 Year

Warranty for labor/workmanship defects: 1 Year

In no case shall the supplier's warranty period be less than, but may be longer than any express warranty or implied warranty of merchantability or fitness for use.

ENVIRONMENTALLY PREFERABLE PRODUCTS REPORTING:

The City of Los Angeles seeks to conserve and enhance our local and global natural resources; promote and support a vibrant, diverse, and equitable economy; safeguard human health and the environment; and improve the livability of the City's neighborhoods without compromising the ability of future generations to do the same. (City of Los Angeles Administrative Code Division 10, Chapter 1, Article 6, Section 10.32)

The City therefore promotes the use of environmentally preferable products in its acquisition of goods and services. City employees are required to purchase environmentally preferable products from this contract whenever feasible, consistent with the City's Environmentally Preferable Products Purchasing Program.

The Supplier is required to identify environmentally preferable products that may be suitable for inclusion under this contract to the City of Los Angeles, if such products become available during the contract term.

QUARTERLY REPORTS

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The supplier shall provide the City Purchasing Agent with quarterly reports, to include the following:

- 1) Expenditure Report that indicates Manufacturer name, description, product/part number, commodity code, quantity, unit price and extended price of all items sold to the City (contract inception to report date).
- 2) Environmentally Preferable Product (EPP) Report that indicates the quantity and description of products sold to the City that are considered EPP. This information may be included in the Expenditure Report.
- 3) Business Inclusion Program Report that indicates the quantity and description of products sold to the City that were manufactured by or obtained from MBE, WBE, SBE, EBE, DVBE and OBE sub-suppliers. This information may be included in the Expenditure Report.
- 4) Expenditure Report that indicates Manufacturer name, description, product/part number, quantity, unit price and extended price of all items sold to Other Government Agencies using the prices, terms and conditions of any contracts resulting from this RFQ/RFB (contract inception to report date).

Note: Item 4 is only applicable if Other Government Purchases are allowed.

Reports shall be created in a MS/Excel spreadsheet format as provided by the Purchasing Agent, and delivered by the 10th of the following month to City of Los Angeles Purchasing Agent, 111 E. First St., Attn: Procurement Analyst, Room 110, City Hall South, Los Angeles, California, 90012-4111. The supplier shall reference the City's contract number on all reports.

Quotes are requested for furnishing the requirements of the City of Los Angeles for the goods and/or services described within this document.

DO NOT INCLUDE SALES/USE TAX IN YOUR QUOTATION PRICES. ANY APPLICABLE TAXES WILL BE ADDED AT THE TIME OF ORDER.

CONTRACT PERFORMANCE REVIEWS:

The supplier agrees to attend periodic Contract performance reviews, facilitated by the City's Contract Manager. Reviews may be held a minimum of once per calendar quarter, focusing on the supplier's and the City's meeting product and service quality levels stated in the Contract, adherence to the Contract terms and conditions, and providing a forum to informally discuss opportunities for improving products, services, Contract terms and conditions, and other related issues in an effort to create economies and cost reductions for the supplier and the City.

LIQUIDATED DAMAGES FOR LATE DELIVERY:

Delivery delays beyond the Contract/Purchase Order delivery date will result in added expense to the City. The City of Los Angeles shall be paid damages for such delay. Inasmuch as the amount of damage is extremely difficult to ascertain, the supplier agrees to compensate the City in the amount of \$100.00 per calendar day beyond the delivery date specified. This amount shall be fixed as liquidated damages that the City will suffer by reason of such delay, and not as a penalty. The City shall have the right to deduct and retain the amount of such liquidated damages from any monies due the supplier.

The supplier shall be entitled to a reasonable extension of time for unavoidable delay in delivery due to causes not reasonably foreseeable by the parties at the time of the Contract/Purchase Order execution, and

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that are entirely beyond the control and without the fault or negligence of the supplier, including, but not limited to, acts of God or the public enemy, war or other national emergency making delivery temporarily impossible or illegal, acts or omissions of other suppliers, strikes and labor disputes not brought on by any act or omission of the supplier, fire, flood, epidemics, quarantines, or freight embargoes.

OFF-PEAK DELIVERY AND PICK-UP HOURS:

The City of Los Angeles requires off-peak delivery and pickup of all commodities by City suppliers between the hours of 9:00 AM and 3:30 PM, Monday through Friday, to reduce traffic and vehicle emissions during morning and afternoon commute times. Suppliers are determined in compliance if the actual delivery or pickup time provides for arrival at the City location on or after 9:00 AM and on or before 3:30 PM.

Unless otherwise instructed by authorized City personnel, suppliers are required to schedule deliveries and/or pickups during the off-peak period. City departments sharing facilities that order products from the same supplier shall make every effort to coordinate off-peak deliveries and pickups with the supplier.

Emergency and critical need orders, or other non-conforming deliveries and pickups specifically requested by City departments shall not constitute a violation of this requirement. In addition, circumstances that are outside of the supplier's control and documented by the supplier to the ordering department's or the City Purchasing Agent's satisfaction shall not constitute a violation of this requirement.

Noncompliance with this requirement may result in cancellation of a Purchase Order(s) or termination of Contract(s) between the City and the supplier.

If circumstances related to department operations preclude regularly scheduled deliveries between the hours of 9:00 AM and 3:30 PM, Monday through Friday, the affected City department shall notify the supplier of any allowable exception(s).

VENDOR PAYMENT:

When submitting Invoices to the Payment Services Section, the following must be referenced on the Invoice:

1. Contract Number
2. Contract Purchase Order (CPO) Number
3. Correct Contract pricing should be reflected on the invoice. Price discrepancies will also cause payment delays.
4. Partial Shipments: If partial quantities are shipped, invoices should only reflect the quantity shipped.

It should be noted that before an invoice can be processed for payment, items must be received and accepted by City Personnel.

In addition to providing accurate and complete information on invoices, the City requires that every vendor doing business in the City obtain a Business Tax Registration Certificate or a Vendor Registration Number. Payment to vendors not complying with this requirement will be delayed until the information is provided.

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Where to Send Invoices

All Invoices for SMS orders should be sent to the SMS Payment Services Section Piper Technical Center, 555 Ramirez Street, Suite 312, Los Angeles, 90012