

SAMPLE CONTRACT

Contract for Commercial Off-The-Shelf Software

Between Florida Department of Management Services and Contractor

Contract Number: 252-035-14-1

This Contract is between the State of Florida, Department of Management Services (Department), Division of State Purchasing (Division), and agency of the State of Florida with offices at 4050 Esplanade Way, Tallahassee, FL 32399-0950, and (Contractor).

The Contractor responded to the Department's Invitation to Bid (ITB), No: 01-252-035-M, Commercial Off-The-Shelf Software. The Department has decided to accept the Contractor's bid and enter into this Contract in accordance with the terms and conditions of this solicitation.

Accordingly, and in consideration of the mutual promises contained in the Contract, the Department and Contractor agree as follows:

I. Scope of Work

The purpose of this State Term Contract is to provide an instrument for governmental entities, within the State of Florida, to use for the acquisition of Commercial Off-The-Shelf Software. It is intended that purchases under this agreement will meet the needs of Florida state agencies and Other Eligible Users in the performance of the respective entities' core responsibilities.

II. Contract Term

The initial term of Commercial Off-The-Shelf Software Contract will be for four years. The initial contract term shall begin on _____ or on the last date in which it is signed by all parties, whichever is later.

III. Renewal Terms

Upon mutual written agreement, the Department and the Contractor may renew the Contract in whole or in part, for a renewal term not to exceed four years at renewal pricing specified in the solicitation upon mutual agreement of the parties as set forth in the Contract.

IV. Contract

This document and the attached sections of the solicitation compose the complete Contract. Sections 1 and 2 of the solicitation are omitted.

V. Event of Dispute

This Contract sets forth the entire understanding of the parties. The following documents are not incorporated by reference as part of this Contract and none of terms and conditions of those documents shall be applicable unless specifically stated or adopted into this Contract. However, in the case of an ambiguity which requires extrinsic evidence to determine the intent of the parties, the following documents shall have priority in the order set forth below:

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- i. The Contract, and exhibits, and any amendments
- ii. ITB No. 01-252-035-M including any addendums

This Contract is executed upon signature of authorized officers as of the dates signed below:

Signature

Print Name

Date

STATE OF FLORIDA
DEPARTMENT OF MANAGEMENT SERVICES

Kelley J. Scott,
Director of State Purchasing and Chief Procurement Officer

Date