



PRICE AGREEMENT NO. 15680

AMENDMENT NO.

ALBUQUERQUE PUBLIC SCHOOLS - PROCUREMENT DIVISION
PO BOX 25704
ALBUQUERQUE, NEW MEXICO 87125
PHONE (505) 881-8415
FAX (505) 830-1161

V
E
N
D
O
R

BSN Sports
PO BOX 7726
Dallas, TX 75209

SHIP TO

Ship to Location will Vary
See PO for Ship to Address

ATTENTION
OF

See PO for APS Contact

DATE	VENDOR CODE
1/25/2021	10427

The Procurement Code, Sections 13-1-28 through 13-1-199 NMSA 1978, imposes civil and criminal penalties for its violation. In addition, the New Mexico Criminal statutes impose felony penalties for illegal bribes, gratuities and kickbacks.

PLEASE SHOW PRICE AGREEMENT NUMBER ON ALL INVOICES, SHIPPING PAPERS, PACKAGES, CORRESPONDENCE, ETC. INVOICE IN DUPLICATE.

ITEMS, TERMS, & CONDITIONS

PRICE AGREEMENT

Athletic Equipment and Related Goods - Discount from List

Contract Term: January 25, 2021 - January 24, 2027

Per terms and conditions of: 21-036RR

Board Approved: 1/25/2021

Discount(s) Attached

SERVICES AND/OR GOODS TO BE PROVIDED: The Contractor shall provide the good(s) and/or service(s), as defined in this agreement, on an "as ordered" basis. This is not an order and no funds are obligated under this Pricing Agreement. Funds are obligated by approved purchase orders on an "as needed" basis. Contractor shall receive separate individual Purchase Orders for each individual requests.

MINIMUM AMOUNT: Albuquerque Public Schools does not guarantee a minimum amount of purchases in conjunction with this pricing agreement.

QUOTES AND PAYMENT: The Contractor shall include the APS Pricing Agreement Number on each quote and reflect the price as awarded. If a quote is based on a percentage discount, the quote should document the list price, discount percent, and final price. The invoice submitted for payment shall match the quote and shall note the purchase order number.

Amendments: This Pricing Agreement shall not be altered, changed, or amended except by written agreement signed by both parties.

Reason for Amendment:

Contact: Jackson Morris

Phone: 1-800-527-7510

Email: BSNBid@bsnsports.com

PROCUREMENT DIVISION AUTHORIZED SIGNATURE

VENDOR AUTHORIZED SIGNATURE

Robert Russell 1/27/21
Date

Jackson Morris 1/27/21
Date

JACKSON MORRIS
Bid Specialist
jacksonmorris@bsnsports.com

**Athletic Equipment and Related Goods
Discount off Manufacturers List**

Vendor Information and Pricing

**BSN SPORTS, LLC
PO BOX 7726
DALLAS, TX 75209-0726**

Firm Name: _____

Submit with your bid.

**US GAMES
A Division of BSN Sports, LLC
PO BOX 7726
DALLAS, TX 75209-0726**

1. Minimum Order, if applicable:

\$50 minimum per PO shipping to one location.

2. APS may on occasion, require inside delivery of supplies, equipment, and related materials, to a certain location. Can your company deliver these goods inside a building?

Yes. If item is a freight-truck item, add 17% freight charge to order if inside delivery is needed.

3. What is your Return Policy? Specify your policy regarding return of goods, restocking charges, exchanges, etc.

Return Policy attached.



BSN SPORTS TERMS AND CONDITIONS

Satisfaction Guarantee

We guarantee 100% satisfaction with your purchase! Products may be returned for a refund within 30 days of the date the product was shipped to you, when returned in accordance with our Return Policy set forth below.

Return Policy

All returns must be authorized by us and require a return authorization number. Call our Customer Care Team at 1-800-527-7510 for a return authorization number. Returns must be postmarked within 30 days of date the product was shipped to you; otherwise the return will not be eligible for credit. Items must be returned in their original condition, including all tags, packaging and accessories (if applicable). A restocking fee may apply and shipping charges will not be refunded unless the merchandise is defective or it was shipped incorrectly.

Custom orders may not be returned unless the merchandise is defective or we made an error when making the custom order product. The return authorization number must be included in all correspondence and returns. We are not responsible for misuse, customer installation, freight damage or improper storage.

24 Hour Quick Ship

Highlighted Products will ship within 24 hours upon verification of order and credit release.

Actual arrival time at your location depends on the method of shipment and distance from our warehouse. Standard freight rules apply.

Pricing and Specification

We will make every effort to honor catalog prices through June 30, 2018. We reserve the right to change prices due to increased costs, or to correct catalog errors in pricing and/or specification. When you send us your order request, we will begin processing it as quickly as possible. Despite our best efforts, a small number of items in our catalog may be mispriced. If an item's correct price is higher than our stated price, we will, at our discretion, either contact you for instruction before shipping or cancel your order and notify you of such cancellation. We will make every effort to send you only one invoice after all items on your order have shipped.

Sales Tax

Unless your organization is a branch of the federal government, you must provide to us for each state where you are not subject to sales tax either a resale certificate or state exempt organization certificate, as appropriate. Otherwise, state and local sales taxes will be added in the states and territories of AL, AR, AZ, CA, CO, CT, DC, FL, GA, HI, IA, ID, IL, IN, KS, KY, LA, MA, MD, ME, MI, MN, MO, MS, NC, ND, NJ, NM, NY, NV, OH, OK, PA, RI, SC, SD, TN, TX, UT, VA, WA, WI, WV and Puerto Rico. This list of sales tax states is subject to change at any time without further notice. If you are a new customer, your resale certificate or state exempt organization certificate must be sent with the Customer Information Sheet (CIS), or otherwise received by us with or before your first order, to document your status as not subject to sales tax. If we do not have on file a resale certificate or state exempt organization certificate, sales taxes will be added for orders shipped to any state or territory where we are required to charge sales tax.

Custom Orders

Custom orders require a customer signed order specification confirmation before any custom order is processed. If you decide to change a custom order after it has been placed, please call us immediately. We will contact the manufacturing facility to

determine if the order has already been processed or if the change can be made. If the order has been processed, we will not be able to change it and you will be responsible for paying for the order. If a change can be made, there may be a delay in delivery and/or an additional charge. Please be certain of your ordering needs prior to submission. We may require that you prepay for custom orders.

Substitutions

We strive to continually improve our products to give you the best value possible. On occasion, we may ship you a product that differs from the one pictured and described in our catalog. However, we will always substitute with a product of equal or better quality and value. If your requirements prohibit substitution, please let us know when you place the order.

Fast Service

We process orders the same day they are received and generally ship items that are in our inventory within 2-3 business days. If delivery is required by a specific date, please notify us when placing your order. Please call for information on express delivery. To ensure rapid processing of your order, be sure to complete all necessary information on the Order Form.

Easy Payment Terms

We offer net 30 day terms on approved credit, honor most major credit cards and accept prepaid orders. We accept VISA, MasterCard, American Express and Discover. We can also accept your check by phone. We require a written purchase order (or valid purchase order number, subject to verification, if ordering via the Internet). We may require that you prepay for custom orders. Orders received from outside the United States require prepayment before shipment. New customers requesting credit terms are required to complete a Customer Information Sheet (CIS) and require credit investigation and approval prior to order release. Customers agree to pay invoices within set terms. It is understood and agreed that payment in full is due upon receipt of the merchandise. Past due balances will be charged interest at the rate of eighteen percent (18%) per annum, or the highest rate permitted by applicable law, whichever is lower. Customers also agree to pay any and all fees, including attorney fees, incurred by us to collect past due invoices.

Freight Damage and Shipment Shortages

We will gladly assist you with your freight claim. If a shipment is short or damaged, the shortage or damage must be noted on the freight delivery document at the time the product is delivered to you. Please notify us immediately if you need assistance with your claim. Please call 1-800-719-3056 same day.

Duplicate Orders

To avoid accidental duplication of your Internet or phone order, DO NOT send written confirmation unless you are asked to do so by a member of our team. If you must send confirmation, you must mark the order as "Confirming Order, Do Not Duplicate." Unless your confirming order is marked clearly, you will be responsible for return freight charges and a restocking fee of up to 25% if the duplicate order is returned.

Off-Shore Destinations and APO/FPO Addresses

Sometimes the weight and size of items preclude postal shipment. Always provide alternative shipping instructions and addresses (allowing us to ship other than by postal service).

Force Majeure

Although we strive to meet obligations set forth in our catalog and promotional materials, we will not be liable for any failure to perform any such obligations by reasons of acts of God or the elements; acts, delays and failures to act by governmental authorities; riots, insurrections, terrorism, sabotage and war; labor strikes, interruption, suspension, curtailment or other disruption of utilities; or other matters beyond our reasonable control.



PENDING LITIGATION

As with any large company of this size, from time to time BSN SPORTS, LLC may be involved with various types of litigation. At no time will any litigation affect this company's contract or agreement with Boerne ISD.



BSN SPORTS

PERCENTAGE OFF BID FOR 2020 CATALOG ORDERS

This certificate entitles ALBUQUERQUE BOARD OF EDUCATION to:
(Name of institution)

10% off Catalog Price – Standard FOB Destination

With exceptions

*See Attached list of Exceptions

Prices **Will Include Inside Delivery (but not installation)**

There will be no extra charge for Inside Delivery on UPS shipments.

Inside Delivery charges for all Truck Shipments will be 17% of the order amount.

Non-standard shipping and handling will require additional charges.

Percentage Off Bid Prices will be honored from 12/15/2020 to 12/14/2021
(not to exceed a period of 12 months without prior approval).

Regarding catalog expiration dates:

Our Spring/Summer catalog expires July 31st of each year and our Fall/Winter catalog expires December 31st of each year. Our catalog pricing is valid only through the expiration date of each catalog. **Your current discount will remain unchanged** and any discounts will be taken from the most current catalog price.

Your Bid Number is: 20-58283

Purchase Orders **Must State**: "% Off Bid" and Your Bid Number.

Percentage Off Bid Prices **Will Not** be honored if these references are omitted.

If you add freight to your purchase order, you will be billed for freight. Freight charges cannot and will not be reversed once processed.

In order to have your special pricing activated this form must be signed and returned to the Bid Department prior to your first purchase order.

X: _____
(Authorized Purchasing Director or Buyer)

*Please include a list of all organizations and facilities with authorized purchasers that are expected or entitled to order from this agreement. Only the persons listed, ordering with the proper Bid number, during the specified time frame will be eligible for the discount.

ADDRESS – PO BOX 7726, DALLAS, TX 75209
E-MAIL – BSNBID@BSNSPORTS.COM
WEB SITE – WWW.BSNSPORTS.COM

PHONE – 800.527.7510
FAX – 800.365.7653



BSN SPORTS

BSN SPORTS EXCEPTIONS TO PERCENTAGE OFF BID FALL 2020 CATALOG – CATALOG PRICES VALID THRU 12/31/2020

<u>PAGE</u>	<u>ITEM</u>	<u>DISCOUNT</u>
	All ATEC & Jugs Products – Entire Catalog	As Listed
ALL	"While Supplies Last", Price Drop Limited Time Only Specials, & Closeout Items – Entire Catalog	As Listed
21	All Poly-Cap Fence Guard & Fence Crown Protective Fence Guard	Call for Pricing
27	BP Zone BasicTurf Protector – K13352	As Listed
29	DiamondTurf 10' Halo Kit with wings – BSHK10P	Call for Pricing
31	All Diamond Pro Products – Entire Page	Call for Pricing
34	All Hollywood Impact Quick Release, SoftTouch Progressive Release & Synthetic Turf Bases	As Listed
42	All True Pitch & ProMounds Portable Game Mounds – Entire Page	Call for Pricing
42	Pocket Radar Ball Coach – 1385511	As Listed
44-47	All ATEC & Jugs Pitching Machines & Products & Accessories – Entire Pages	As Listed
45	All Sports Attack Pitching Machines & Feeders	As Listed
52	All Easton 11" & 12" Softouch & Softstitch Incrediballs	As Listed
56	Easton MLF5 Maple Wood Fungo Bat – EAA110195	As Listed
56	Easton ADV & Alpha 360 BBCOR Bats – EAA112943 & EAA112949	As Listed
56	Rawlings Quatro, Velo & 5150 BBCOR Bats – RWBBZQ3 / RWBBZV3 / RWBBZ53	As Listed
57	Easton Ghost FP & Ghost Advanced FP Bats – EAA113579 & EAA113591	As Listed
64	Oakley Half Jacket Sunglasses – 1366561	As Listed
68	All-Star Pro-Elite CM3000 Gloves – 1369109 / 1396110 / 1396111	As Listed
71	Bow Net Soft Toss Screen & Big Mouth BMX Screen – 1347203 & 1397413	As Listed
81	All Bison T-Rex Adjustable/Portable Systems – 895444XX & 20026189	Call for Pricing
86	All Digital Scorer's Tables – 1390141 / 1390142 / 1390143 / 1390144	Call for Pricing
89	Hot Shot Basketball Shooting Machine – 1399645	Call for Pricing
94	Snap Attack Football Machine – 1390108	Call for Pricing
102	PowerDrive Beast – 1457883	Call for Pricing
107	EDown Digital Down Marker – 1453100	As Listed
110-13	All Razor Shoulder Pads & Back Plates & All Gear Pro-Tec Shoulder Pads – Entire Pages	As Listed
118-19	All Schutt Football Helmets – Entire Pages	As Listed
124	All End Zone Camera Systems	As Listed
125	All Porta Phone & MultiVoice Equipment – Entire Page	As Listed
140	All RageCage LaCrosse Goals – 1369693 & 1375528	As Listed
150	Select Blaze DB soccer ball 10/pack – 1456059	As Listed
171	All Sports Tutor Tennis Cube & Tennis Tutor Machines – Entire Page	As Listed
204	All EZ Flex Wrestling Mats – Entire Page	Call for Pricing
241	Polar OH1 Optical HR Sensor Kits – 1457024 & 1457025	As Listed
283	40' Standard Traverse Wall Package – 1188097	Call for Pricing

***Due to federal/local/departmental regulations in regard to conflict of interest, gratuities and kickbacks involving sealed bids: Internet & Catalog Promotional Offers and certificates cannot be used in conjunction with bid prices or bid awards.**