



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

**State of New Hampshire**

**State Contract Number: 8000424**

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This Participating Addendum adds the State of New Hampshire (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.

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)



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

Contact: Loretta Head  
State/Political Entity: State of NH, Division Of Administrative Services, Purchase & Property  
Address: 25 Capitol Street, Room 102  
City, State, Zip: Concord NH 03301  
Phone: 603-271-3135  
Fax: 603-271-2700  
Email: Loretta.Head@NH.Gov

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

Contact: DJ Bowne  
State/Political Entity: Business Rental Sales Executive  
Address: 6 Perimeter Road - E  
City, State, Zip: Londonderry NH 03053  
Phone: 603-235-9909  
Fax: 603-781-915-0768  
Email: Donald.L.Bowne@ehi.com

**4. Contract Number: The contract number for the Participating State is 8000424.**

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.



**WCSA PARTICIPATING ADDENDUM  
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Signature: *Linda M. Hodgdon*

Name: Linda M. Hodgdon

Title: Commissioner

Date: 5/10/10

Signature: *Mercedith Perkins*

Name: Mercedith Perkins

Title: Assistant Secretary

Date: 8/25/10



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**STATE OF NH ATTACHMENT 1  
CLARIFICATION TO WCSA PARTICIPATING ADDENDUM**

**Vehicle Master Agreement, Paragraph 8.0 Remedies**

Delete Paragraph 8.1.1 in its entirety and replace with the following:

8.1.1 Recovery of any and all damages suffered as the result of Contractor's default, including but not limited to direct, indirect, incidental and consequential damages and damages provided by any other applicable New Hampshire law. Provided, however, Rental Agreements shall be governed by the substantive laws of the jurisdiction in which they are executed, or for Emerald Club rentals, the laws of the jurisdiction in which a vehicle is first received.

**Vehicle Master Agreement, Paragraph 20 Indemnification**

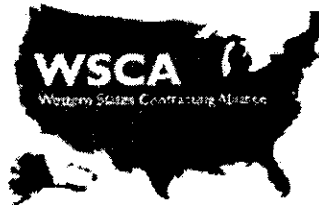
Delete Paragraph 20.2 in its entirety and replace with the following:

Provided, however, the New Hampshire Attorney General must give written authorization to any legal counsel purporting to act in the name of, or represent the interests of, the State of New Hampshire and/or its officers, employees and agents prior to such action or representation. Further, the State of New Hampshire, acting by and through its Department of Justice, may assume its own defense, including that of its officers, employees and agents, at any time when in the State of New Hampshire's sole discretion it determines that (I) proposed counsel is prohibited from the particular representation contemplated; (II) counsel is not adequately defending or able to defend the interests of the State of New Hampshire, its officers, employees and/or agents; (III) important governmental interests are at stake; or (IV) the best interests of the State of New Hampshire are served thereby.

**Vehicle Master Agreement, Paragraph 22. Governing Law, Venue and Consent to Jurisdiction**

Add the following:

This Participating Addendum and any dispute under the Price Agreement based upon a performance under this Participating Addendum, shall be governed by the laws of the State of New Hampshire. Venue for any claim, dispute or action concerning an order placed against this Participating Addendum or the effect of this Participating Addendum shall be in the State of New Hampshire. Provided, however, Rental Agreements shall be governed by the substantive laws of the jurisdiction in which they are executed, or for Emerald Club rentals, the laws of the jurisdiction in which a vehicle is first received.



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**Conditional Nature of Participating Agreement**

Notwithstanding any provision in the Participating Agreement to the contrary, all obligations of the State of New Hampshire, including, without limitation, the continuance of payments, are contingent upon the availability and continued appropriation of funds, and in no event shall the State be liable for any payments in excess of such available appropriated funds. In the event of a reduction or termination of those funds, the State of New Hampshire shall immediately notify the Contractor, have the right to withhold payment until such funds become available, if ever, and shall have the right to terminate the Participating Agreement immediately upon giving the Contractor notice of such termination. The State shall not be required to transfer funds from any other account to the account designated by the State for purpose of funding this Participating Agreement in the event funds in that Account are reduced or unavailable.

**Federal Funding Requirements**

If the Participating Agreement is funded in any part by monies of the United States, the Contractor shall comply with all the provisions of Executive Order No. 11246 ("Equal Employment Opportunity"), as supplemented by the regulations of the United States Department of Labor (41 C.F.R. Part 60), and with any rules, regulations and guidelines as the State of New Hampshire or the United States issues to implement these regulations. Upon reasonable notice not less than five (5) days, the Contractor further agrees to permit the State or United States, access to any of the Contractor's pertinent books, records, and accounts for the purpose of ascertaining compliance with all rules, regulations and orders, and covenants conditions of the Participating Agreement.

**Termination for Conflict of Interest**

The State may terminate the Participating Agreement by written notice if it determines that a conflict of interest exists, including but not limited to, a violation by any of the parties hereto of applicable laws regarding ethics in public acquisitions and procurement and performance of contracts.



**WCSA PARTICIPATING ADDENDUM  
Nationwide Vehicle Rental Services  
Oregon Master Price Agreement Number: 9949  
Hertz Corporation**

**State of New Hampshire**

**State Contract Number: 8000425**

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This Participating Addendum adds the State of \_New Hampshire\_ (hereinafter "Participating State") as a Participating entity to purchase from the Oregon Price Agreement, Number 9949, with Hertz Corporation (hereinafter "Contractor").

1. Scope: This addendum covers Nationwide Vehicle Rental Services within the scope of the WCSA 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.

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: Will Cosby  
Entity: The Hertz Corporation  
Address: 6151 W. Century Blvd, Suite 600  
City, State, Zip: Los Angeles, CA 90045  
Phone: 310-568-6490  
Fax: 888-333-1292  
Email: [wcosby@hertz.com](mailto:wcosby@hertz.com)



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Nationwide Vehicle Rental Services  
Oregon Master Price Agreement Number: 9949  
Hertz Corporation**

**State of New Hampshire**

**State Contract Number: 8000425**

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Signature: Linda M. Hodgdon

Name: Linda M. Hodgdon

Title: Commissioner

Date: 2/23/2010

Contractor: Hertz Corporation

Signature: Pamela C. Wright

Name: PAMELA C. WRIGHT

Title: SALES Strategy & OPERATIONS  
Vice President

Date: 2.2.10

This Participating Addendum adds the State of New Hampshire (hereinafter "Participating State") as a Participating entity to purchase from the Oregon Price Agreement, Number 9949, with Hertz Corporation (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.

3. Primary Contacts:

a. The primary contact for lead state:

Contact: Tim A. Hay  
State/Political Entity: Oregon Department of Admin. 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: Will Cosby  
Entity: The Hertz Corporation  
Address: 6151 W. Century Blvd, Suite 600  
City, State, Zip: Los Angeles, CA 90045  
Phone: 310-568-6490  
Fax: 888-333-1292  
Email: [wcosby@hertz.com](mailto:wcosby@hertz.com)

c. The primary contact for the Participating State:

Contact: Loretta Head  
State/Political Entity: State of NH, Division Of Administrative Services, Purchase & Property  
Address: 25 Capitol Street, Room 102  
City, State, Zip: Concord NH 03301  
Phone: 603-271-3135  
Fax: 603-271-2700  
Email: [Loretta.Head@NH.Gov](mailto:Loretta.Head@NH.Gov)

d. Contractor's Primary Contact for Participating State:

Contact: Loretta Head  
State/Political Entity: State of NH, Division Of Administrative Services, Purchase & Property  
Address: 25 Capitol Street, Room 102  
City, State, Zip: Concord NH 03301  
Phone: 603-271-3135  
Fax: 603-271-2700  
Email: [Loretta.Head@NH.Gov](mailto:Loretta.Head@NH.Gov)