

## Term Contract No. 430A

STATE OF NORTH CAROLINA, DEPARTMENT OF ADMINISTRATION		
DIVISION OF PURCHASE AND CONTRACT		
116 West Jones Street, Raleigh, NC 27603-8002		
<b>Term Contract</b>	<b>430A</b>	<b>Gases, Welding, Medical and Specialty</b>
<b>Effective Dates</b>	December 1, 2008 through November 30, 2012	
<b>Bid Number</b>	801664	
<b>Administrator</b>	Dewey R. Bennett, CPPB	
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<b>Last Updated</b>	November 17, 2011	

### 1. General Information

**CYLINDER INVENTORY:** Contractors shall offer and provide a cylinder inventory system acceptable to the agency and/or State. If this service is determined to be unacceptable, the State reserves the right to exempt the agency from this contract, and to bid the agency's requirements separately. The cylinder inventory system shall be conducted at no charge, upon request by any large user. Cylinders shall remain the property of the contractor, and using agencies shall return empty cylinders at contractor's expense. State agencies are not required to pay deposits on cylinders.

### 2. Scope of Contract

The scope of this contract is to cover the State's normal requirements for Industrial, Medical, and Specialty Gases. This contract covers rental tanks only in standard sizes, as shown on the contract. This contract is for use by all state agencies, departments, institutions, universities, community colleges, and certain non-state agencies.

#### **NON-STATE AGENCIES ELIGIBLE TO PARTICIPATE IN THIS CONTRACT**

In accordance with North Carolina General Statutes, certain non-state entities described below, may participate in this contract on a voluntary basis. Any of the non-state entities that choose to participate in this contract must abide by the terms and conditions that are set forth in this contract.

Nonprofit corporations operating charitable hospitals, local nonprofit community sheltered workshops or centers that meet standards established by the Division of Vocational Rehabilitation of the Department of Health and Human Services, private nonprofit agencies licensed or approved by the Department of Health and Human Services as child placing agencies, residential child-care facilities, private nonprofit rural, community, and migrant health centers designated by the Office of Rural Health and Resource Development, private higher education institutions, counties, cities, towns, governmental entities, volunteer fire departments, rescue squads, public schools, and other subdivisions of the State and public agencies thereof.

### 3. Taxes

Prices or Discounts shown herein do not include any North Carolina sales or use taxes.

### 4. Abnormal Quantities

Any agency requirement that exceeds \$12,000.00 must be forwarded to the Division of Purchase and Contract for processing. The Division, at its sole discretion, may process any such requirement in one of the following ways:

1. Purchase may be authorized at the current level of pricing with the current contract vendor(s.)
2. Additional discounts from the current level of pricing may be negotiated with the current contract vendor(s.)
3. A separate Invitation for Bids may be issued for the requirement.

## 5. Minimum Orders

There is no minimum order.

## 6. Delivery

Machine and Welding Supply/Andy Oxygen Company	3 days maximum
LifeGas LLC	3 days maximum
National Welders Supply Company, d/b/a Airgas National Welders	3 days maximum

For all gases, charges for delivery will be paid in accordance with the following rate:

Each cylinder delivery has a minimum charge of **\$6.75**. Each cylinder is **\$2.25** per cylinder. The maximum delivery charge is **\$18.00**.

In the event the delivery is not received within the contract delivery period, the contractor may be held in default in accordance with paragraph 1, DEFAULT AND PERFORMANCE BOND in the North Carolina General Contract Terms and Conditions, and the state may procure the articles or services from other sources and hold the contractor responsible for excess cost occasioned thereby.

## 7. Transportation Charges

For all gases, charges for delivery will be paid (same as above) in accordance with the following rate:

Each cylinder delivery has a minimum charge of \$6.75. Each cylinder is \$2.25 per cylinder. The maximum delivery charge is \$18.00. (Note: No gas surcharge applies anymore.)

## 8. Item Information

Item Pricing Information is available on the E-Procurement service web page. Pricing Information is also provided in the public view section of the NC e-procurement system.

**THE E-PROCUREMENT PUBLIC VIEW IS THE ONLY PLACE (FOR NON E-PROCUREMENT USERS) TO VIEW THE ITEM PRICING INFORMATION ON THIS CONTRACT. THE PUBLIC VIEW LINK & SEARCH TIPS WILL REMAIN HERE. E-PROCUREMENT USERS WILL FIND ALL GASES IN THE ORDERING SIDE OF E-PROCUREMENT AS USUAL.**

**PLEASE LET ME KNOW (919-807-4530 or [dewey.bennett@doa.nc.gov](mailto:dewey.bennett@doa.nc.gov)) IF YOU HAVE ANY PROBLEMS LOCATING THESE CONTRACT ITEMS.**

**REVIEW THE SEARCH TIPS, THEN CLICK THE PUBLIC VIEW LINK BELOW TO GO TO THE [SEARCH BOX](#).**

SEARCH TIPS (TYPE ONLY 1 OF THE TIPS IN THE SEARCH BOX)	SEARCH RESULTS
430A	ALL ITEMS ON THIS CONTRACT
Medical Gases	ALL MEDICAL GASES ON THIS CONTRACT
430A LifeGas	ALL ITEMS OFFERED BY LifeGas ON THIS CONTRACT
430A Machine and Welding Supply	ALL ITEMS OFFERED BY Machine and Welding Supply ON THIS CONTRACT
430A National Welders Supply	ALL ITEMS OFFERED BY National Welders Supply ON THIS CONTRACT

Above are just a few examples of how you may locate the items. If you would like more information on searching, there are two links available on the Public View page that may help: [General Search Tutorial](#) and [Searching Techniques](#). Once you feel comfortable searching, you may want to try the ADVANCED SEARCH located across from the search box in the Public View. With the advanced search, you can search by keyword, commodity code, price and supplier.

[PUBLIC VIEW](#)

Description for Industrial Gases	Awarded Vendor	
Nitrogen, Liquid Various Sizes	Machine and Welding Supply/Andy Oxygen Company	
Acetylene, commercial grade w/necessary valves Small & Large Sizes	Machine and Welding Supply/Andy Oxygen Company	
Oxygen, commercial grade w/necessary valves. Small & Large Sizes	Machine and Welding Supply/Andy Oxygen Company	
Argon & Argon Mixes, commercial grade w/necessary valves. Ar/Co2 & Ar/O2 mixes (But Argon Refrigerated Liquid is <b>not</b> on contract)  Small & Large Sizes Available	Machine and Welding Supply/Andy Oxygen Company	

Description for Medical Gases	Awarded Vendor
Oxygen, medical grade w/necessary valves. Must meet FDA and/or U.S.P. requirements  Small & Large Sizes	LifeGas LLC
Nitrous Oxide, medical grade w/necessary valves. Must meet FDA and/or U.S.P. requirements Medium & Large Sizes	Airgas National Welders
CO2, medical grade w/necessary valves. Must meet FDA and/or U.S.P. requirements  Small & Large Sizes	Airgas National Welders
CO2-O2, medical grade w/necessary valves. Must meet FDA and/or U.S.P. requirements  Large Size	Airgas National Welders
Helium, medical grade w/necessary valves. Must meet FDA and/or U.S.P. requirements  Small & Large Sizes	Airgas National Welders
Air breathing  Small & Large Sizes	Airgas National Welders

Description for Specialty Gases	Awarded Vendor	Purity
Nitrogen 99.999% min.	Airgas National Welders	99.999%
Air, Zero gas	Airgas National Welders	N/A

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Description for Specialty Gases	Awarded Vendor	Purity
Helium, UHP	Airgas National Welders	99.999%
Hydrogen, UHP	Airgas National Welders	99.999%

Sterilizing gas, the product to be furnished shall be composed of approximately 10% Ethylene Oxide with balance HCFC blend. Product offered shall be manufactured for and suitable for use in gas sterilizers of the type used in hospitals. The products shall be furnished in clean cylinders containing no sediments or solids and packaged in standard types and size cylinders generally furnished for hospital use. The product as furnished shall be a fresh and effective mixture, (delivered at the maximum of not more than 60 days after manufacture date) first quality, and suitable for the intended use.

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Annual Lease		
Industrial Gases	All	\$50.00 per year
Liquid Cylinders	All	\$400.00 per year
Medical and Specialty Gases	Small	\$35.00 per year
	Med/Large	\$70.00 per year

**CYLINDER RENTAL:** The cylinder rental for State accounts will be based on the daily cylinder rent fee. This rent fee will be applied to the actual number of cylinders in the possession of the State account on the last day of the month. This method of cylinder rental will charge the agency only for actual number of days they have the cylinders in their possession.

		Per Day	Per Month
Industrial Gases		\$.23	\$7.00
Liquid Cylinders		\$1.64	\$50.00
Medical and Specialty Gases	Small	\$.115	\$3.50
	Med/Large	\$.23	\$7.00

## 9. Catalogs and Descriptive Literature

The successful contractor must furnish descriptive literature/product information to any agency within seven (7) consecutive days after request of the agency.

## 10. Contractors

Awarded Contractor information is available on the E-Procurement service web page and below as follows:

All known minority, women and disabled owned businesses, as well as disabled business enterprises and nonprofit work centers for the blind and severely disabled, including dealers, will be identified with "Minority owned" "Woman owned", "Disabled Owned", "DBE" or "BSD" as appropriate after the vendor number. This is being done in an effort to recognize these businesses and to encourage and promote their use to the greatest extent permitted by law.

When more than one supplier is listed for a particular item, selection should be made, whenever possible, from any of the groups identified above, consistent with agency needs and price considerations.

Contractor Name/ Number	Address	Contact / E-Mail / Phone / Fax	Terms (Days)
LifeGas, LLC	1120 West Chatham St. Cary, NC 27511	Allan Morris <a href="mailto:allan.morris@lifegas.com">allan.morris@lifegas.com</a> 866-543-3427 919-380-7411 919-380-3779 Fax	Net 30

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National Welders Supply Company, Inc., d/b/a Airgas National Welders	P.O. Box 31007 Charlotte, NC 28231	Beth Bryson <a href="mailto:beth.bryson@airgas.com">beth.bryson@airgas.com</a> 800-866-4422 704-644-3368 704-342-3682 Fax	Net 30
Machine and Welding Supply Co/Andy Oxygen CO	P.O. Box 1708 Dunn, NC 28335	Tommy Stewart <a href="mailto:tommy.stewart@MWSC.com">tommy.stewart@MWSC.com</a> 910-980-6102 910-892-4016 910-892-0594 Fax	Net 30

**11. Warranty**

Bidder guarantees items offered to be free from any and all defects in material, packaging and workmanship and agrees to replace defective items promptly at no charge to the State, for a period of one year from date of acceptance. Such replacement shall include parts, freight, labor, and round-trip travel to the user's site, which will all be the responsibility of the contractor.

**12. Contract Addenda**

Effective Date	Addendum Number	Description
September 1, 2009	1	New prices go into effect today for gases provided by Machine & Welding Supply Company. The cost of Oxygen, Nitrogen, CO2, Argon and Helium have increased by 3% due to the same cost increase from the supplier to Machine & Welding Supply. The cost of Acetylene has increased by 3.25%. The new, higher prices are loaded in the NC e-procurement system effective today.
October 7, 2009	2	Contact name, email address, phone and fax number changes for Airgas National Welders per vendor's request.
October 1, 2010	3	New prices go into effect today for gases provided by Machine & Welding Supply Company. The cost of industrial gases increased by 3% in August but the new, higher prices for this contract only go into effect starting today. These higher prices are due to the same 3% cost increase from the supplier to Machine & Welding Supply.
November 2, 2010	4	New prices go into effect today for gases provided by Airgas National Welders. Nearly all prices went up by 6% while a few prices did not change. Helium prices went up 13% due to many market factors and now will be governed more by the BLM (Bureau of Land Management.)
April 12, 2011	5	New prices go into effect today for acetylene provided by Machine & Welding Supply Company. There is a substantial acetylene shortage in the US due to a fire at the Carbide Industries plant in Louisville, KY. Until the shortage is over, higher prices will be in effect for all customers in the US. We are hopeful that market conditions will improve in the months ahead. At some future date, we hope to see the prices go back down.
July 6, 2011	6	Contract has been renewed for one additional year as provided by renewal options in the original bid.
November 17, 2011	7	Helium UHP prices have increased due to disruptions in the global helium supply chain and ongoing shortages. No expected relief in the near future. Thus, the contract price has increased effective today by a modest amount. New pricing is now available in e-procurement.