



State of Oklahoma  
Office of Management and Enterprise Services

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**ADDENDUM 1 TO  
STATE OF OKLAHOMA CONTRACT WITH  
KAPLAN EARLY LEARNING COMPANY  
RESULTING FROM SOLICITATION NO. 0900000350**

This Addendum 1 (“Addendum”) is an Amendment to the Contract awarded to Kaplan Early Learning Company (“Supplier”) in connection with Solicitation 0900000350 (“Solicitation”) and is effective February 12, 2019.

**Recitals**

Whereas, the State issued a Solicitation for proposals for Science, Technology, Engineering and Math (STEM) Educational Tools and Products for use by all Oklahoma educational entities; and

Whereas, the State and Supplier have negotiated the final terms under which Supplier will perform the Services under the Contract.

Now, therefore, in consideration of the foregoing and the mutual promises set forth herein, the receipt and sufficiency of which are hereby acknowledged the parties agree as follows:

**1. Addendum Purpose.**

This Addendum memorializes the agreement of the parties with respect to negotiated terms of the Contract that is being awarded to Supplier as of even date with execution of this Addendum. The parties agree that Supplier has not yet begun performance of work contemplated by the Solicitation.

**2. Negotiated Documents of the Contract.**

2.1. The parties have negotiated certain terms of the Contract as follows:

- i. certain negotiated exceptions to the Solicitation as contained in Attachment A to this Addendum;
- ii. confirmation that any pricing increase during a given term shall not exceed the lower of either 2% or the current CPI, provided that pricing may be renegotiated during a subsequent renewal term;

- iii. confirmation that Added Value products as identified on page 8/12 of Supplier's response shall be included in the Contract at a 17% discount for all discount eligible products and
- iv. confirmation that Supplier did not provide the State any bank statement, as referenced on page 11/12 of Supplier's response.

2.2. Accordingly, any reference to a Contract Document refers to such Contract Document as it may have been amended. If and to the extent any provision is in multiple documents and addresses the same or substantially the same subject matter but does not create an actual conflict, the more recent provision is deemed to supersede earlier versions.

**State of Oklahoma**

By: James L. Reese, II

Name: James L. Reese, II

Title: Chief Information Officer

Date: 2-17-2019

**Kaplan Early Learning Company**

By: Kate Shelton

Name: Kate Shelton

Title: Director of Bids & Contracts

Date: 2/8/19

**ATTACHMENT A TO  
ADDENDUM 1 TO  
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**Negotiated Exceptions to the Solicitation**

The Solicitation is hereby amended as set forth below and supersedes all prior Exceptions submitted by Supplier or discussed by the parties.

<b>RFP Section</b>	<b>Exception</b>
<b>A. General Provisions, A.13 Delivery, Inspection and Acceptance</b>	<b>A. General Provisions, A.13.1 Delivery, Inspection and Acceptance</b> <b>Second sentence is hereby deleted in its entirety and replaced with the following:</b>  A.13.1 The Supplier shall prepay all packaging, handling, shipping and delivery charges and price quote shall include all such charges, provided that for orders under \$300.00, 15% of the order total shall be added for shipping costs.