TENNESSEE TECHNOLOGICAL UNIVERSITY
OFFICE OF BUSINESS SERVICES
FACILITIES AND BUSINESS SERVICES BUILDING
P.O. Box 5041, 220 W. 10th St.
Cookeville, TN 38505-0001
Phone (931) 372-3491 Fax (931) 372-3727
www.tntech.edu/purchasing

ISSUED TO: Cookeville Limestone LLC
PO Box 187
1100 Old Calvary Rd
Cookeville TN 38503-0187

PURCHASE ORDER
PO Number: P0002864
Issue Date: 04/29/09
Page No: 1
Delivery Date:

Please supply the following items or services in accordance with terms of your quotation, to TENNESSEE TECHNOLOGICAL UNIVERSITY Cookeville, Tennessee. ALL DELIVERY CHARGES ARE TO BE PREPAID AND INCLUDED IN THE PRICES SHOWN UNLESS OTHERWISE INDICATED BELOW. Cash discounts, when authorized, will be computed from the date of delivery or from the date correct invoice is received, whichever is later.

SHIP TO:
220 W 10th St
Facilities
Cookeville TN 38505
ATTN: Attn: Don Shockley

SEND INVOICE IN DUPLICATE TO:
Tennessee Technological University
Business Office, Box 5037
Cookeville, Tennessee 38505-0001

TENNESSEE TECHNOLOGICAL UNIVERSITY IS AN EQUAL OPPORTUNITY, NON-RACIALLY IDENTIFIABLE, EDUCATIONAL INSTITUTION THAT DOES NOT DISCRIMINATE AGAINST INDIVIDUALS WITH DISABILITIES.

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CONTRACT - To provide the following to Tennessee Tech University from 6/27/09 thru 6/26/10, with the option to renew for 2 addl. years with mutual consent of the University and Contractor.

THIS IS NOT AN ORDER!! Orders will be placed on an "as needed" basis by University personnel. Quantities listed are approximate and do not represent a commitment to purchase.

Termination Due to Lack of Funds. The University reserves the right to cancel this purchase order at June 30 of any year covered by this purchase order including any renewals thereof, if sufficient funding is not available from state and/or federal funds.

TOTAL:

The terms and conditions printed on the reverse side of this purchase order and any duly authorized change orders shall be the sole terms and conditions that apply to this purchase and shall prevail over any subsequent terms and conditions set forth by the Vendor on invoices or in any other manner, unless otherwise expressly agreed to in writing by the University.

ACCOUNTING INFORMATION:

AUTHORIZED SIGNATURE:

FOR TENNESSEE TECHNOLOGICAL UNIVERSITY
The University reserves the right to cancel this contract with a 30-day written notice submitted by the Purchasing Office of Tennessee Technological University.

Governing Law. This Contract shall be construed in accordance with the laws and Constitution of the State of Tennessee.

Deliveries are to be made on orders as specified by Tennessee Technological University. At the time of delivery an itemized invoice referencing the Contract Number assigned, in duplicate is to be mailed to the Business Office (Box 5037) and a carbon copy or delivery ticket is to be given to the person accepting delivery.

TOTAL:

CONTINUED

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Prices quoted are to be firm for a one year period. At the time of renewal, vendor may request price increase to the extent such increase has been experienced by vendor and written substantiation of increase can be provided by manufacturer. University may accept requested price increase or choose to rebid, at its sole discretion.

Modification. This Contract may be modified only by a written amendment executed by all parties hereto and approved by the appropriate officials.

Termination for Cause. If the Contractor fails to fulfill in a timely and proper manner its obli-

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ISSUED TO: Cookeville Limestone LLC  
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immigrants and will not knowingly utilize the services of any subcontractor that does so in delivery of the goods/services under this order. If the Contractor is discovered to have breached this attestation, the Contractor shall be prohibited from supplying goods/services to any TBR institution/state for a period of one (1) year from date of discovery of the breach. (Rules of Finance and Administration, 0620).

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AUTHORIZED SIGNATURE:  
FOR TENNESSEE TECHNOLOGICAL UNIVERSITY

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<td>in writing by the University.</td>
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<td></td>
<td>Insurance. (850,000 or less) The Contractor, being an independent contractor and not an employee of the University, agrees to carry adequate public liability and other appropriate forms of insurance, to pay all taxes incurred in performance of this purchase order, and otherwise protect and hold the University harmless from any and all liability arising as a result of this purchase order which does not result from the University’s own negligence.</td>
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<td>Non-Discrimination. The parties agree to comply with Titles VI and VII of the Civil Rights Act of 1964. Title IX of the Education Amendments of</td>
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TOTAL: CONTINUED

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<td>1972, Section 504 of the Rehabilitation Act of 1973, Executive Order 11,246, Americans with Disabilities Act of 1990 and the related regulations to each. Each party assures that it will not discriminate against any individual including, but not limited to, employees or applicants for employment and/or students because of race, religion, creed, color, sex, age, disability, veteran status or national origin. The parties also agree to take affirmative action to ensure that applicants are employed and that employees are treated during their employment without regard to their race, religion, creed, color, sex, age, disability, veteran status or national origin. Such demotion or transfer,</td>
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<td>recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection available to employees and applicants for employment.</td>
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Audit. The Contractor shall maintain documentation for all charges against the University under this purchase order. The books, records and documents of the Contractor, insofar as they relate to work performed or money received under this purchase order, shall be maintained for a period of three (3) full years from the date of the final payment, and shall be subject to audit, at any reasonable time and upon notice, by the University or the Controller of the Treasury, or their duly appointed representatives.

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<tbody>
<tr>
<td>1</td>
<td>100.00</td>
<td>TON</td>
<td>Crusher Run-Rock (price for pickup by University) Delivery to Campus or Tech Farm: add $2.25 / ton Delivery to Craft Center: add $3.50 / ton</td>
<td>4.3500</td>
<td>435.00</td>
</tr>
<tr>
<td>2</td>
<td>100.00</td>
<td>TON</td>
<td>1 / 2 &quot; Stone (price for pickup by University) Delivery to Campus or Tech Farm: add $2.25 / ton Delivery to Craft Center: add $3.50 / ton</td>
<td>6.0000</td>
<td>600.00</td>
</tr>
<tr>
<td>3</td>
<td>100.00</td>
<td>TON</td>
<td>Block Mix (price for pickup by University) Delivery to Campus or Tech Farm: add $2.25 / ton</td>
<td>5.7500</td>
<td>575.00</td>
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BILLING
Tennessee Technological University
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<td>Delivery to Craft Center: add $3.50 / ton</td>
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DISCOUNT: .00

TOTAL: 1,610.00

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