

Contract Terms and Conditions and Authority to Sign Contracts:

If the vendor's contract terms and condition conflict with the state's standard terms and condition, a WV-96 Addendum Form is required. The WV-96 Agreement Addendum should be used whenever a vendor submits alternative contractual terms and conditions for your signature. Often, these are on preprinted forms that have not been amended or reviewed by the Attorney General. The WV-96 was developed by the Attorney General's Office to eliminate the most common conflicts with State law that are found in contract documents submitted for review.

A WV-96 Agreement Addendum is not needed when Higher Education purchasing terms and conditions are the only ones being used, and it is not a substitute for any other terms and conditions. It is intended to amend documents submitted by a vendor, and has no significance standing alone.

As a general rule, the vendor should sign first on any contract documents.

Department personnel do not have signature authority and CANNOT sign a vendor's contract or the WV-96 Addendum. All contracts and WV-96's must be signed by someone in the Procurement Office.

If a vendor refuses to sign the WV-96, they must submit their objections and any proposed alternative language in writing to the Procurement Office. This information will be sent to the Attorney General's Office for review.