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Form D

BID OFFERING And ACCEPTANCE AND AWARD IFB # 100907

HEAVY, AGRICULTURE, SNOW, UTILTIY EQUIPMENT AND RELATED ACCESSORIES AND SUPPLIES

Bid Offering (To be Completed Only by Bidder)

In compliance with the Invitation for Bid (IFB) for **HEAVY, AGRICULTURE, SNOW, UTILTIY EQUIPMENT AND RELATED ACCESSORIES AND SUPPLIES**, the undersigned warrants that I/we have examined the IFB and, being familiar with all of the instructions, terms and conditions, general specifications, expectations, technical specifications, service expectations and any special terms, do hereby offer and agree to furnish the defined products and services in compliance with all terms, conditions of the IFB, any applicable amendments of this IFB, and all Bidder's response documentation. Bidder further understands they are the sole offeror herein and that the performance of any sub-contractors employed by the Bidder in fulfillment of this offer is the sole responsibility of the Bidder.

Company Name: Caterpillar, Inc Date: October 1, 2007

Company Address: 100 NE Adams Street

City: Peoria State: IL Zip: 61629

Contact Person: Clark Ricke Title: VP, Sales – Federal Contracts Corp.

Authorized Signature (ink only): *Eric W. Turner* Eric W. Turner
(Name printed or typed)

Contract Acceptance and Award (To be completed only by NJPA)

Your bid offering is hereby accepted and awarded. As the awarded Bidder, you are now bound to provide the defined goods and services contained in your bid offering according to all terms, conditions, and pricing set fort in the IFB, any amendments to the IFB, and the Bidder's Response. NJPA will now offer to establish a Vendor Contract with you. As the awarded Bidder, you are herby cautioned not to commence any billable work or provide any goods or services under this contract until a Vendor Contract is fully executed. The Vendor Contract will serve to further define responsibilities of the parties with regard to marketing, administration fees, and final terms and conditions. By execution of the Vendor Contract, the parties intend this IFB, Bidder's response to IFB, and Vendor Contract to constitute the final and complete agreement between the NJPA and the awarded Vendor and no other agreements, oral or otherwise, regarding the subject matter of this contract shall bind any of the parties hereto. The term of the agreement shall commence on the date of this award and continue for a maximum term of four years AND which is subject to annual renewal at the option of both parties. Annual renewal dates will be _____, 20____, _____, 20____, _____, 20____, and final maturity for this contract will be _____, 20____.

National Joint Powers Alliance® (NJPA)

NJPA Authorized signature: *[Signature]* _____
(Name printed or typed)

Title: _____

NJPA Authorized signature: *Mia Dani* _____

Title: _____

Awarded this 18th day of October, 2007 Contract Number # 100907