



CONTRACT RENEWAL LETTER

Date: July 31, 2024
Contract #: UCPJMU4636
Service: Scientific Equipment, Supplies, and Chemicals
Renewal Period: 8/1/2024 to 7/31/2026
Renewal #: 4 of 4 Two-Yr
Issued By: James Madison University
Adam Fleming, Buyer Senior Ph: 540-568-4280
Fx: 540-568-7935
Contractor: PerkinElmer U.S. LLC
Attn: Julia Hamilton
710 Bridgeport Avenue
Shelton, CT 06484
Contract Administrator: Patricia Crider, Biology

Description of Renewal Notice:

In accordance with the renewal provision of the original contract all terms, conditions, and specifications of the original contract remain the same during the contract renewal period, along with any modifications that have been incorporated up until this point. The contract pricing and discount structure will remain the same.

Pursuant to this renewal agreement, the following is hereby added to the above referenced contract:

- **Limitation of Liability** – IN NO EVENT SHALL PERKINELMER BE LIABLE TO CUSTOMER FOR ANY LOSS OF USE, REVENUE OR PROFIT, LOSS OF DATA OR DIMINUTION IN VALUE, OR FOR ANY CONSEQUENTIAL, INDIRECT, INCIDENTAL, SPECIAL, EXEMPLARY, OR PUNITIVE DAMAGES, WHETHER ARISING OUT OF BREACH OF CONTRACT, TORT (INCLUDING NEGLIGENCE) OR OTHERWISE, REGARDLESS OF WHETHER SUCH DAMAGES WERE FORESEEABLE AND WHETHER OR NOT PERKINELMER HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES, AND NOTWITHSTANDING THE FAILURE OF ANY AGREED OR OTHER REMEDY OF ITS ESSENTIAL PURPOSE. IN NO EVENT SHALL PERKINELMER'S AGGREGATE LIABILITY ARISING OUT OF OR RELATED TO THIS AGREEMENT, WHETHER ARISING OUT OF OR RELATED TO BREACH OF CONTRACT, TORT (INCLUDING NEGLIGENCE) OR OTHERWISE, EXCEED THREE (3) TIMES THE AMOUNTS PAID TO PERKINELMER FOR THE PRODUCTS GIVING RISE TO SUCH CLAIM UPON WHICH LIABILITY IS BASED. The aforementioned limitations of liability shall not apply to liability resulting from PerkinElmer's gross negligence or willful misconduct.

All invoices shall be submitted within ninety days of contract renewal term expiration as well as for each subsequent contract renewal period. Any invoices submitted after the ninety day period will not be processed for payment.

Return one executed renewal notice to my attention within ten days.

PerkinElmer U.S. LLC

By: *Julia Hamilton*

Julia Hamilton

Name (print)

Manager Contracts Administration 7/31/24

Title

Date Signed

James Madison University

By: *Adam Fleming*

Adam Fleming,

Name (print)

Buyer Senior

Title

07/31/2024

Date Signed