

OrchardSoftware



April 15, 2008

Roberta Wagner
Department of Administration
Purchasing Division
2019 Washington Street, East
Charleston, WV 25311

RE: Response for Request for Quotation #BHS80102 – dated March 21, 2008

Thank you for including Orchard Software in your request to submit a quotation for a Laboratory Information System for the Bateman and Welch Hospitals. We have reviewed your RFQ dated March 21, 2008, and are at this time, choosing **not** to respond with a quotation.

While numerous hospitals, clinics, regional reference labs, student health facilities, and public health agencies utilize Orchard Software's Harvest Laboratory Information System, we believe that the necessary features and requirements stated within your RFQ are broader than what the Harvest system has been designed to do at this time. If after further review of other systems, you should revise your requirements, please contact us and give us the opportunity to review your revisions.

Once again, thank you for this opportunity and for considering Orchard Software. If you have any additional questions, please feel free to contact me at (800) 856-1948.

Sincerely,

A handwritten signature in cursive script that reads "Christine L. Stalcup".

Christine L. Stalcup
Product Specialist
Orchard Software Corporation

RECEIVED

2008 APR 22 A 10: 15

PURCHASING DIVISION
STATE OF WV

Wagner, Roberta A

From: Christine Stalcup [cstalcup@orchardsoft.com]
Sent: Tuesday, April 15, 2008 3:32 PM
To: Wagner, Roberta A
Subject: Request for Quotation No. BHS801102

Ms. Wagner,

Thank you for including Orchard Software in your request to submit a quotation for a Laboratory Information System for the Bateman and Welch Hospitals and the State of West Virginia. We have reviewed your RFQ dated March 21, 2008, and are at this time, choosing **not** to respond with a quotation.

While numerous hospitals, clinics, regional reference labs, student health facilities, and public health agencies utilize Orchard Software's Harvest Laboratory Information System, we believe that the necessary features and requirements stated within your RFQ are broader than what the Harvest system has been designed to do at this time. If after further review of other systems, you should revise your requirements, please contact us and give us the opportunity to review your revisions.

Once again, thank you for this opportunity and for considering Orchard Software. If you have any additional questions, please feel free to contact me at (800) 856-1948.

Best Regards,

Christine Stalcup

Product Specialist
Orchard Software Corporation
(800) 856-1948 x.2541
cstalcup@orchardsoft.com
www.orchardsoft.com

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2008 APR 16 A 9:17
PURCHASING DIVISION
STATE OF WV

**GENERAL TERMS & CONDITIONS
REQUEST FOR QUOTATION (RFQ) AND REQUEST FOR PROPOSAL (RFP)**

1. Awards will be made in the best interest of the State of West Virginia.
2. The State may accept or reject in part, or in whole, any bid.
3. All quotations are governed by the *West Virginia Code* and the *Legislative Rules* of the Purchasing Division.
4. Prior to any award, the apparent successful vendor must be properly registered with the Purchasing Division and have paid the required \$125.00 registration fee.
5. All services performed or goods delivered under State Purchase Orders/Contracts are to be continued for the term of the Purchase Order/Contract, contingent upon funds being appropriated by the Legislature or otherwise being made available. In the event funds are not appropriated or otherwise available for these services or goods, this Purchase Order/Contract becomes void and of no effect after June 30.
6. Payment may only be made after the delivery and acceptance of goods or services.
7. Interest may be paid for late payment in accordance with the *West Virginia Code*.
8. Vendor preference will be granted upon written request in accordance with the *West Virginia Code*.
9. The State of West Virginia is exempt from federal and state taxes and will not pay or reimburse such taxes.
10. The Director of Purchasing may cancel any Purchase Order/Contract upon 30 days written notice to the seller.
11. The laws of the State of West Virginia and the *Legislative Rules* of the Purchasing Division shall govern all rights and duties under the Contract, including without limitation the validity of this Purchase Order/Contract.
12. Any reference to automatic renewal is hereby deleted. The Contract may be renewed only upon mutual written agreement of the parties.
13. **BANKRUPTCY:** In the event the vendor/contractor files for bankruptcy protection, this Contract may be deemed null and void, and terminated without further order.
14. **HIPAA Business Associate Addendum** - The West Virginia State Government HIPAA Business Associate Addendum (BAA), approved by the Attorney General, and available online at the Purchasing Division's web site (<http://www.state.wv.us/admin/purchase/vrc/hipaa.htm>) is hereby made part of the agreement. Provided that, the Agency meets the definition of a Covered Entity (45 CFR §160.103) and will be disclosing Protected Health Information (45 CFR §160.103) to the vendor.

INSTRUCTIONS TO BIDDERS

1. Use the quotation forms provided by the Purchasing Division.
2. **SPECIFICATIONS:** Items offered must be in compliance with the specifications. Any deviation from the specifications must be clearly indicated by the bidder. Alternates offered by the bidder as **EQUAL** to the specifications must be clearly defined. A bidder offering an alternate should attach complete specifications and literature to the bid. The Purchasing Division may waive minor deviations to specifications.
3. Complete all sections of the quotation form.
4. Unit prices shall prevail in cases of discrepancy.
5. All quotations are considered F.O.B. destination unless alternate shipping terms are clearly identified in the quotation.
6. **BID SUBMISSION:** All quotations must be delivered by the bidder to the office listed below prior to the date and time of the bid opening. Failure of the bidder to deliver the quotations on time will result in bid disqualifications.

SIGNED BID TO:

Department of Administration
Purchasing Division
2019 Washington Street East
Post Office Box 50130
Charleston, WV 25305-0130