



2113 Wells Branch Parkway  
Site 4400, Austin, TX 78728  
Fax: 512.251.6842



# Fax

ATT: CHUCK BOWMAN

To: PURCHASING DIVISION From: David Holt (512.302.4333 ext 101)

Fax: 304-558-3970 Pages: \_\_\_\_\_

Phone: \_\_\_\_\_ Date: \_\_\_\_\_

Re: DEP 14467 CC: \_\_\_\_\_

Urgent     For Review     Please Comment     Please Reply     Please Recycle

• Comments: FAKES 4:45 PM CST 10-20-08

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2008 OCT 21 P 12: 31  
PURCHASING DIVISION  
STATE OF WV

RECEIVED



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

**Request for  
Quotation**

BID NUMBER  
**DEP14467**

PAGE  
**1**

ADDITIONAL CORRESPONDENCE TO BE RETURNED TO  
**CHUCK BOWMAN  
304-558-2157**

RFQ COPY  
TYPE NAME/ADDRESS HERE

**ENVIRONMENTAL PROTECTION  
DEPARTMENT OF  
OFFICE OF WATER RESOURCES  
601 57TH STREET SE  
CHARLESTON, WV  
25304 304-926-0499**

ORIGINATED	DATE OF SALE	STATUS	FORM	PROJECT/TERMS	
10/02/2008					
BID OPENING DATE: 10/22/2008		BID OPENING TIME 01:30PM			
LINE	QUANTITY	UNIT	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	10	EA	885-95	\$ 5,050	50,500.00
<p><b>MULTI-PARAMETER WATER QUALITY SONDE</b></p> <p>THE WEST VIRGINIA PURCHASING DIVISION, FOR THE AGENCY, THE WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION'S DIVISION OF WATER RESOURCES, IS SOLICITING BIDS FROM INTERESTED AND QUALIFIED VENDORS TO PROVIDE TEN (10) MULTI-PARAMETER WATER QUALITY SONDES PER THE FOLLOWING SPECIFICATIONS, BID REQUIREMENTS, AND TERMS AND CONDITIONS.</p> <p>VENDOR IS TO INDICATE LUMP SUM PRICE FOR TEN (10) SONDES INCLUSIVE OF ALL FREIGHT AND DELIVERY COSTS.</p> <p><b>BANKRUPTCY:</b> IN THE EVENT THE VENDOR/CONTRACTOR FILES FOR BANKRUPTCY PROTECTION, THIS CONTRACT MAY BE DEEMED NULL AND VOID, AND TERMINATED WITHOUT FURTHER ORDER.</p> <p>THE MODEL/BRAND/SPECIFICATIONS NAMED HEREIN ESTABLISH THE ACCEPTABLE LEVEL OF QUALITY ONLY AND ARE NOT INTENDED TO REFLECT A PREFERENCE OR FAVOR ANY PARTICULAR BRAND OR VENDOR. VENDORS WHO ARE BIDDING ALTERNATES SHOULD SO STATE AND INCLUDE PERTINENT LITERATURE AND SPECIFICATIONS. FAILURE TO PROVIDE INFORMATION FOR ANY ALTERNATES MAY BE GROUNDS FOR REJECTION OF THE BID. THE STATE RESERVES THE RIGHT TO WAIVE MINOR IRREGULARITIES IN BIDS OR SPECIFICATIONS IN ACCORDANCE WITH SECTION 148-1-4(F) OF THE WEST VIRGINIA LEGISLATIVE RULES AND REGULATIONS.</p>					
SEE REVERSE SIDE FOR TERMS AND CONDITIONS					
SIGNATURE		TELEPHONE		DATE	
TITLE		FBN		ADDRESS CHANGES TO BE NOTED ABOVE	

WHEN RESPONDING TO RFQ, INSERT NAME AND ADDRESS IN SPACE ABOVE LABELED 'VENDOR'





2113 Wells Branch Pkwy  
 Suite 4400  
 Austin, Texas 78728

# QUOTATION

Date	Rep	Quotation #
10/20/2008	DPH	2078

Name / Address
WV DEP Chuck Bowman Division of Water & Waste Mgmt. 601 57th Street, S.E. Charleston WV 25304 United States

Ship To
WV DEP Chuck Bowman Division of Water & Waste Mgmt. 601 57th Street, S.E. Charleston WV 25304 United States

Item	Description	Qty	Cost	Total				
MANTA2-3.5	MANTA2, Multiprobe 3.5 in., Includes weighted sensor guard, storage and calibration cups, temperature assembly, imbedded memory, I/O cable, electronic manual, Manta2 control software and standard two year warranty.	10	2,000.00	20,000.00				
M2-PH Sensor	M2 PH SENSOR	10	300.00	3,000.00				
M2-PH REFERE...	M2 PH REFERENCE ASSEMBLY	10	150.00	1,500.00				
M2-Conductivity	M2 CONDUCTIVITY SENSOR	10	400.00	4,000.00				
M2 ODO SENSOR	M2 OPTICAL DO SENSOR ASSEMBLY w/cleaner	10	1,600.00	16,000.00				
MANTA 2 BATT...	Manta 2 battery pack	10	600.00	6,000.00				
Z-Shipping	Shipping and Handling Per RFQ# DEP14467		125.00	125.00				
<table border="1" style="width:100%"> <tr> <td>Phone #</td> <td>Web Site</td> </tr> <tr> <td>(512) 302-4333</td> <td>www.eurekaenvironmental.com</td> </tr> </table>		Phone #	Web Site	(512) 302-4333	www.eurekaenvironmental.com	<b>Total</b>		\$50,625.00
Phone #	Web Site							
(512) 302-4333	www.eurekaenvironmental.com							

QUOTATION VALID FOR 30 DAYS. SHIPPING CHARGES ARE APPROXIMATED.  
 ACTUAL SHIPPING CHARGES ARE PREPAID AND ADDED TO YOUR INVOICE.  
 GSA ORDERS ARE FOB DESTINATION.

**RFQ# DEP14467**  
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STATE OF WEST VIRGINIA  
Purchasing Division

**PURCHASING AFFIDAVIT**

**VENDOR OWING A DEBT TO THE STATE:**

*West Virginia Code §5A-3-10a* provides that: No contract or renewal of any contract may be awarded by the state or any of its political subdivisions to any vendor or prospective vendor when the vendor or prospective vendor or a related party to the vendor or prospective vendor is a debtor and the debt owed is an amount greater than one thousand dollars in the aggregate.

**PUBLIC IMPROVEMENT CONTRACTS & DRUG-FREE WORKPLACE ACT:**

*West Virginia Code §21-1D-5* provides that: Any solicitation for a public improvement construction contract shall require each vendor that submits a bid for the work to submit at the same time an affidavit that the vendor has a written plan for a drug-free workplace policy in compliance with Article 1D, Chapter 21 of the West Virginia Code. A public improvement construction contract may not be awarded to a vendor who does not have a written plan for a drug-free workplace policy in compliance with Article 1D, Chapter 21 of the West Virginia Code and who has not submitted that plan to the appropriate contracting authority in timely fashion. For a vendor who is a subcontractor, compliance with Section 5, Article 1D, Chapter 21 of the West Virginia Code may take place before their work on the public improvement is begun.

**ANTITRUST:**

In submitting a bid to any agency for the state of West Virginia, the bidder offers and agrees that if the bid is accepted the bidder will convey, sell, assign or transfer to the state of West Virginia all rights, title and interest in and to all causes of action it may now or hereafter acquire under the antitrust laws of the United States and the state of West Virginia for price fixing and/or unreasonable restraints of trade relating to the particular commodities or services purchased or acquired by the state of West Virginia. Such assignment shall be made and become effective at the time the purchasing agency tenders the initial payment to the bidder.

I certify that this bid is made without prior understanding, agreement, or connection with any corporation, firm, limited liability company, partnership or person or entity submitting a bid for the same materials, supplies, equipment or services and is in all respects fair and without collusion or fraud. I further certify that I am authorized to sign the certification on behalf of the bidder or this bid.

**LICENSING:**

Vendors must be licensed and in good standing in accordance with any and all state and local laws and requirements by any state or local agency of West Virginia, including, but not limited to, the West Virginia Secretary of State's Office, the West Virginia Tax Department, West Virginia Insurance Commission, or any other state agencies or political subdivision. Furthermore, the vendor must provide all necessary releases to obtain information to enable the Director or spending unit to verify that the vendor is licensed and in good standing with the above entities.

**CONFIDENTIALITY:**

The vendor agrees that he or she will not disclose to anyone, directly or indirectly, any such personally identifiable information or other confidential information gained from the agency, unless the individual who is the subject of the information consents to the disclosure in writing or the disclosure is made pursuant to the agency's policies, procedures and rules. Vendors should visit [www.state.wv.us/admin/purchase/privacy](http://www.state.wv.us/admin/purchase/privacy) for the Notice of Agency Confidentiality Policies.

Under penalty of law for false swearing (West Virginia Code §81-5-3), it is hereby certified that the vendor acknowledges the information in this said affidavit and is in compliance with the requirements as stated.

Vendor's Name: \_\_\_\_\_

Authorized Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**RFQ# DEP14467**  
**P. 4**

**Logging (Deployable) Multi-parameter Water Quality Sondes**  
**Quantity: 10**  
**(YSI 6920-V2-1 or equivalent)**

- Internally powered to allow automatic hourly logging of data for at least 75 days.
- Includes temperature, pH, specific conductance, and dissolved oxygen (Optical DO with cleaner/wiper for extended deployments) sensors (see ind. sensor specs below). All sensors must be field replaceable.
- Capability to add other optical sensors: Chlorophyll, Turbidity, Rhodamine, and Blue-green algae.
- Includes storage cup, calibration cup, weighted sensor guard, and maintenance kits
- RS-232 and SDI-12 interface
- Operating temperature: -5 to 50° C
- Internal memory: 120,000 measurements minimum
- Maximum depth: 200m

**Sensors**

**Conductivity**

Range: 0-100 mS/cm  
Accuracy: ± (0.5% of reading + 0.001 mS/cm)  
Resolution: 0.001 mS/cm

**pH**

Range: 0 to 14 pH units  
Accuracy: +/- 0.2 units  
Resolution: 0.01 units

**DO-Optical**

Range: 0 to 50 mg/L  
Accuracy: +/- 0.1 mg/L for 20mg/L or less  
+/- 0.2 mg/L for over 20 mg/L  
Resolution: 0.01 mg/L

**Temperature**

Range: -5 to 50 degrees C  
Accuracy: +/- 0.15 degrees C  
Resolution: 0.01 degrees C

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RFQ# DEP14467

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Rev. 09/08

### State of West Virginia VENDOR PREFERENCE CERTIFICATE

Certification and application\* is hereby made for Preference in accordance with *West Virginia Code, §5A-3-37*. (Does not apply to construction contracts). *West Virginia Code, §5A-3-37*, provides an opportunity for qualifying vendors to request (at the time of bid) preference for their residency status. Such preference is an evaluation method only and will be applied only to the cost bid in accordance with the *West Virginia Code*. This certificate for application is to be used to request such preference. The Purchasing Division will make the determination of the Resident Vendor Preference, if applicable.

- 1. **Application is made for 2.5% resident vendor preference for the reason checked:**  
 Bidder is an individual resident vendor and has resided continuously in West Virginia for four (4) years immediately preceding the date of this certification; or  
 Bidder is a partnership, association or corporation resident vendor and has maintained its headquarters or principal place of business continuously in West Virginia for four (4) years immediately preceding the date of this certification; or 80% of the ownership interest of Bidder is held by another individual, partnership, association or corporation resident vendor who has maintained its headquarters or principal place of business continuously in West Virginia for four (4) years immediately preceding the date of this certification; or  
 Bidder is a nonresident vendor which has an affiliate or subsidiary which employs a minimum of one hundred state residents and which has maintained its headquarters or principal place of business within West Virginia continuously for the four (4) years immediately preceding the date of this certification; or.
- 2. **Application is made for 2.5% resident vendor preference for the reason checked:**  
 Bidder is a resident vendor who certifies that, during the life of the contract, on average at least 75% of the employees working on the project being bid are residents of West Virginia who have resided in the state continuously for the two years immediately preceding submission of this bid; or,
- 3. **Application is made for 2.5% resident vendor preference for the reason checked:**  
 Bidder is a nonresident vendor employing a minimum of one hundred state residents or is a nonresident vendor with an affiliate or subsidiary which maintains its headquarters or principal place of business within West Virginia employing a minimum of one hundred state residents who certifies that, during the life of the contract, on average at least 75% of the employees or Bidder's affiliate's or subsidiary's employees are residents of West Virginia who have resided in the state continuously for the two years immediately preceding submission of this bid; or,
- 4. **Application is made for 5% resident vendor preference for the reason checked:**  
 Bidder meets either the requirement of both subdivisions (1) and (2) or subdivision (1) and (3) as stated above; or,
- 5. **Application is made for 3.5% resident vendor preference who is a veteran for the reason checked:**  
 Bidder is an individual resident vendor who is a veteran of the United States armed forces, the reserves or the National Guard and has resided in West Virginia continuously for the four years immediately preceding the date on which the bid is submitted; or,
- 6. **Application is made for 3.5% resident vendor preference who is a veteran for the reason checked:**  
 Bidder is a resident vendor who is a veteran of the United States armed forces, the reserves or the National Guard, if, for purposes of producing or distributing the commodities or completing the project which is the subject of the vendor's bid and continuously over the entire term of the project, on average at least seventy-five percent of the vendor's employees are residents of West Virginia who have resided in the state continuously for the two immediately preceding years.

Bidder understands if the Secretary of Revenue determines that a Bidder receiving preference has failed to continue to meet the requirements for such preference, the Secretary may order the Director of Purchasing to: (a) reject the bid; or (b) assess a penalty against such Bidder in an amount not to exceed 5% of the bid amount and that such penalty will be paid to the contracting agency or deducted from any unpaid balance on the contract or purchase order.

By submission of this certificate, Bidder agrees to disclose any reasonably requested information to the Purchasing Division and authorizes the Department of Revenue to disclose to the Director of Purchasing appropriate information verifying that Bidder has paid the required business taxes, provided that such information does not contain the amounts of taxes paid nor any other information deemed by the Tax Commissioner to be confidential.

Under penalty of law for false swearing (*West Virginia Code, §61-5-3*), Bidder hereby certifies that this certificate is true and accurate in all respects; and that if a contract is issued to Bidder and if anything contained within this certificate changes during the term of the contract, Bidder will notify the Purchasing Division in writing immediately.

Bidder: EUREKA ENVIRONMENTAL Signed: [Signature]

Date: 10-20-08 Title: DIRECTOR OF SALES

\*Check any combination of preference consideration(s) indicated above, which you are entitled to receive.

OCT. 8. 2008 1:32PM

WV DIV OF PURCH

NO. 4977 P. 4



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

### Request for Quotation

RFQ NUMBER  
**DEP14467**

PRICE  
**2**

ADDRESS CORRESPONDENCE TO ATTENTION OF  
**CHUCK BOWMAN  
304-558-2157**

RFQ COPY  
TYPE NAME/ADDRESS HERE

**EUREKA ENVIRONMENTAL  
2113 WELLS BRANCH PARKWAY  
SUITE 4400  
AUSTIN, TX 78728**

**ENVIRONMENTAL PROTECTION  
DEPARTMENT OF  
OFFICE OF WATER RESOURCES  
601 57TH STREET SE  
CHARLESTON, WV  
25304 304-926-0499**

DATE PRINTED	TERMS OF SALE	SHIP VIA	FOB	FRIGHT TERMS	
10/02/2008					
BID OPENING DATE: 10/22/2008		BID OPENING TIME 01:30PM			
LINE	QUANTITY	UNIT	DESCRIPTION	UNIT PRICE	AMOUNT
<p><b>NOTICE</b></p> <p>A SIGNED BID MUST BE SUBMITTED TO:</p> <p>DEPARTMENT OF ADMINISTRATION PURCHASING DIVISION BUILDING 15 2019 WASHINGTON STREET, EAST CHARLESTON, WV 25305-0130</p> <p>THE BID SHOULD CONTAIN THIS INFORMATION ON THE FACE OF THE ENVELOPE OR THE BID MAY NOT BE CONSIDERED:</p> <p>SEALED BID</p> <p>BUYER: CB-23</p> <p>RFQ. NO.: DEP14467</p> <p>BID OPENING DATE: 10/22/2008</p> <p>BID OPENING TIME: 1:30 PM</p> <p>PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID: 512-251-6842</p> <p>CONTACT PERSON (PLEASE PRINT CLEARLY): DAVID HOLT</p>					
SEE REVERSE SIDE FOR TERMS AND CONDITIONS					
SIGNATURE <i>[Signature]</i>			TELEPHONE 512-302-4333	DATE 10/20/08	
TITLE DIR OF SALES		FAX 32-0020911		ADDRESS CHANGES TO BE NOTED ABOVE	

WHEN RESPONDING TO RFQ, INSERT NAME AND ADDRESS IN SPACE ABOVE LABELED 'VENDOR'