

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

Request for Quotation

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ADDRESSIONRESPONDENCE TO A THEN HONIOR ROBERTA WAGNER 304-558-0067

WV Environmental Training Center Rich Weigand HC 88, Box 21 Ripley, WV 25271

HEALTH AND HUMAN RESOURCES BPH ENVIRO HLTH SERVICES CAPITOL AND WASHINGTON STREETS 1 DAVIS SQUARE, SUITE 200 CHARLESTON, WV 25301-1798 304-558-2981

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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 fee.
- 5. All services performed or goods delivered under State Purchase Order/Contracts are to be continued for the term of the Purchase Order/Contracts, 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 Cover Entity (45 CFR §160.103) and will be disclosing Protected Health Information (45 CFR §160.103) to the vendor.
- 15. WEST VIRGINIA ALCOHOL & DRUG-FREE WORKPLACE ACT: If this Contract constitutes a public improvement construction contract as set forth in Article 1D, Chapter 21 of the West Virginia Code ("The West Virginia Alcohol and Drug-Free Workplace Act"), then the following language shall hereby become part of this Contract: "The contractor and its subcontractors shall implement and maintain a written drug-free workplace policy in compliance with the West Virginia Alcohol and Drug-Free Workplace Act, as set forth in Article 1D, Chapter 21 of the West Virginia Code. The contractor and its subcontractors shall provide a sworn statement in writing, under the penalties of perjury, that they maintain a valid drug-free work place policy in compliance with the West Virginia and Drug-Free Workplace Act. It is understood and agreed that this Contract shall be cancelled by the awarding authority if the Contractor: 1) Fails to implement its drug-free workplace policy; 2) Fails to provide information regarding implementation of the contractor's drug-free workplace policy at the request of the public authority; or 3) Provides to the public authority false information regarding the contractor's drug-free workplace policy."

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 case 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: Department of Administration, Purchasing Division, 2019 Washington Street East, P.O. Box 50130, Charleston, WV 25305-0130



VENDOR

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Purchasing Division
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CAPITOL AND WASHINGTON STREETS
1 DAVIS SQUARE, SUITE 200
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Director

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### **COST SHEET**

Estimated Classes/ Students	Initial Training Class	Estimated Unit Cost (\$)	Estimated Total Cost
6 each	Total cost for one student to attend 1-week (40-hour) Initial Training Class who does require lodging. Total cost must be for ALL costs associated with student's attendance; including training manual, training accessories, meals, lodging, etc.	\$ 2,180	\$ 13,080
6 each	Total cost for one student to attend 1-week (40 hour) Initial Training Class who does not require lodging. Total cost must be for ALL costs associated with student's attendance; including training manual, training accessories, lunch, etc.	\$ 1,850	\$ 11,100
	Refresher Training Class	Cost (\$)	
6 each	Total cost for one student to attend 1-day (8-hour) Refresher Training Class. Total cost must be for all costs associated with student's attendance including training manual, training accessories, lunch, etc.	\$ 585	\$ 3,510

**Grand Total:** 

**\$** 27,690

NOTE: THIS IS AN OPEN END CONTRACT. ACTUAL NUMBER OF STUDENTS ARE UNKNOWN. VENDOR WILL PROVIDE CLASSES AS REQUIRED THROUGH MUTUAL DISCUSSION WITH AGENCY STAFF PER SPECIFICATIONS.

LINE ENDONEMENTAL TOURISM	(i
WV ENVIRONMENTAL TRAINING Vendor Name (printed or typed)	CENT
<b>V</b>	,
RICH WEIGAND	
Authorized Vendor Representative Name (printed or typed)	
Authorized Vendor Representative Signature	
Authorized Vendor Representative Signature	
11/18/08	

Date

## 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.
requirer against	understands if the Secretary of Revenue determines that a Bidder receiving preference has failed to continue to meet the ments for such preference, the Secretary may order the Director of Purchasing to: (a) reject the bid; or (b) assess a penalty such Bidder in an amount not to exceed 5% of the bid amount and that such penalty will be paid to the contracting agency cted from any unpaid balance on the contract or purchase order.
authorize the requ	nission of this certificate, Bidder agrees to disclose any reasonably requested information to the Purchasing Division and es the Department of Revenue to disclose to the Director of Purchasing appropriate information verifying that Bidder has paid lired business taxes, provided that such information does not contain the amounts of taxes paid nor any other information by the Tax Commissioner to be confidential.
and acc	penalty of law for false swearing (West Virginia Code, §61-5-3), Bidder hereby certifies that this certificate is true curate in all respects; and that if a contract is issued to Bidder and if anything contained within this certificate is during the term of the contract, Bidder will notify the Purchasing Division in writing immediately.
.48VA	V Environmental Training Center Signed: Victor L. Weigand
Date:	11/18/08 Title: Director

*Check any combination of preference consideration(s) in either "A" or "B", or both "A" and "B" which you are entitled to receive. You may request up to the

maximum of 5% preference for both "A" and "B".

## 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 for the Notice of Agency Confidentiality Policies.

Under penalty of law for false swearing (West Virginia Code §61-5-3), 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: WN Environmental T	raining Center		
Authorized Signature: Dechard	y Weigand	Date: 11/18/08	
Purchasing Affidavit (Revised 07/01/08)	<i>d</i> ,	······································	

NOV. 20. 2008 9:20AM WV DIV OF PURCH State of West Virginia
Department of Administration
Quotation Purchasing Division 2019 Washington Street East

Hequest for PRESERVINGER

ROBERTA WAGNER 304-558-0067

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HEALTH AND HUMAN RESOURCES BPH ENVIRO HLTH SERVICES CAPITOL AND WASHINGTON STREETS 1 DAVIS SQUARE, SUITE 200

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HEALTH AND HUMAN RESOURCES BPH ENVIRO HLTH SERVICES CAPITOL AND WASHINGTON STREETS 1 DAVIS SQUARE, SUITE 200 CHARLESTON, WV

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RIPLEY WV 25271 ROBERTA WAGNER B04-558-0067

HEALTH AND HUMAN RESOURCES BPH ENVIRO HLTH SERVICES CAPITOL AND WASHINGTON STREETS 1 DAVIS SQUARE, SUITE 200 CHARLESTON, WV 25301-1798 304-558-2981

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## STATE OF WEST VIRGINIA

Regulation/P.O. No.: Pages Acct. No.: File rw22

PURCHASE CONTINUATION SHEET WVDHHPURPH/Office of Environmental Health Services Spending Unit: P.O. Date: Amount Unit Price Description item No. Quantity ADDENDUM #2 - TO RESPOND TO VENDOR QUESTIONS AS FOLLOWS: Deliverable #2.A.4 states that benches must be provided at the Vendor Question #1: 40 hour course for a minimum number of 6 students. Deliverable #4E states a classroom capable of accommodating a minimum of 6 students shall be provided. What is the minimum number of students that must registered for a class, below which the class may be cancelled without further obligation to the vendor? OEHS Response to Question #1: Both the week long (40-hour) and one day (8-hour) courses will be held only if a minimum of 6 students have registered. Either course with less than 6 registered students should be cancelled and rescheduled. Vendor Question #2: What is the minimum number of pre-qualified students (per Deliverable #4.M) that must register for a 40-hour class, which the class may be cancelled without further obligation to the vendor? OEHS Response to Question #2: See response to Question #1. Vendor Question #3: Deliverable #2.8.4 states test benches for a minimum of 6 students shall be provided at the 8 hour Refresher course. What is the minimum number of students that must register for a class, below which the class may be cancelled without further obligation to the vendor? QEHS Response to Question #3; See response to Question #1. What is the minimum number of pre-qualified students (per Vendor Question #4: Deliverable #4.M) that must register for the 8 hour Refresher class below which the class can be cancelled without further obligation to the vendor. OEHS Response to Question #4: See response to question #1. The cost sheet is unclear regarding "Estimated Class/Students." if only one student attends a class will the vendor be reimbursed the unit cost or the total cost? OEHS Response to Question #5: If a minimum of 6 eligible students are registered for either the 40-hour or 8-hour course and only one student attends the class, the vendor will be reimbursed the total cost for that one student.

WV ETC HC8 8, Box 21 Ripley, WV 25271 Telephone: 304-372-7878 Fax: 304-372-7875



# facsimile transmittal

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HEALTH AND HUMAN RESOURCES BPH ENVIRO HLTH SERVICES
CAPITOL AND WASHINGTON STREETS
1 DAVIS SQUARE, SUITE 200
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State of West Virginia Department of Administration Quotation Purchasing Division 2019 Washington Street East Post Office Box 50130 Charleston, WV 25305-0130

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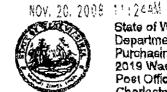
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