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: DPS1025

PAGE: 1

ADDRESS CORRESPONDENCE TO ATTENTION OF:

JOHN ABBOTT
306-558-2544

RFQ COPY
TYPE NAME/ADDRESS HERE

Cybergenetics
160 N. Craig St
Suite 210
Pittsburgh, PA 15213

WEST VIRGINIA STATE POLICE

4124 KANAWHA TURNPIKE
SOUTH CHARLESTON, WV
25309   304-746-2141

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
02/14/2010				

BID OPENING DATE: 03/03/2010   BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	LS		205-64		

DNA EXPERT SYSTEM SOFTWARE

CONTRACT TO PROVIDE DNA EXPERT SYSTEM SOFTWARE FOR THE
FORENSICS LAB AT THE WEST VIRGINIA STATE POLICE, PER
THE ATTACHED SPECIFICATIONS.

NOTICE

A SIGNED BID MUST BE SUBMITTED TO:

        DEPARTMENT OF ADMINISTRATION
        PURCHASING DIVISION
        BUILDING 15
        2019 WASHINGTON STREET, EAST
        CHARLESTON, WV 25305-0130

RFQ No: DPS1025
Buyer: John Abbott
Opening Date: 3|3|10
Bid Opening Time: 1:30 pm

THE BID SHOULD CONTAIN THIS INFORMATION ON THE FACE OF
THE ENVELOPE OR THE BID MAY NOT BE CONSIDERED:

SEALED BID

BUYER: JOHN ABBOTT (32)-----------------

RFQ. NO.:   DPS1025--------------------------

RECEIVED 2010 MAR -3 P 12: 21
PURCHASING DIVISION STATE OF WV

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE		TELEPHONE	DATE
Ria David		412 683-3004	2 March 2010

TITLE President   FEIN 25-1877087   ADDRESS CHANGES TO BE NOTED ABOVE

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

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. Prior to any award, the apparent successful vendor must be properly registered with the Purchasing Division and have paid the required $125 fee.

4. 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

5. Payment may only be made after the delivery and acceptance of goods or services

6. Interest may be paid for late payment in accordance with the *West Virginia Code*.

7. Vendor preference will be granted upon written request in accordance with the *West Virginia Code*

8. The State of West Virginia is exempt from federal and state taxes and will not pay or reimburse such taxes

9. The Director of Purchasing may cancel any Purchase Order/Contract upon 30 days written notice to the seller

10. The laws of the State of West Virginia and the *Legislative Rules* of the Purchasing Division shall govern the purchasing process

11. Any reference to automatic renewal is hereby deleted The Contract may be renewed only upon mutual written agreement of the parties

12. **BANKRUPTCY:** In the event the vendor/contractor files for bankruptcy protection, the State may deem this contract null and void, and terminate such contract without further order

13. **HIPAA BUSINESS ASSOCIATE ADDENDUM:** The West Virginia State Government HIPAA Business Associate Addendum (BAA), approved by the Attorney General, is available online at www.state.wv.us/admin/purchase/vrc/hipaa.htm and 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

14. **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. Vendor further agrees to comply with the Confidentiality Policies and Information Security Accountability Requirements, set forth in http://www state.wv us/admin/purchase/privacy/noticeConfidentiality pdf

15. **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, and the West Virginia Insurance Commission. 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.

16. **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 material, 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.

INSTRUCTIONS TO BIDDERS

1. Use the quotation forms provided by the Purchasing Division Complete all sections of the quotation form

2. 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. Unit prices shall prevail in case of discrepancy All quotations are considered F O B destination unless alternate shipping terms are clearly identified in the quotation.

4. 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

5. Communication during the solicitation, bid, evaluation or award periods, except through the Purchasing Division, is strictly prohibited (W Va C S R §148-1-6 6).

Rev 12/15/09

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

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RFQ NUMBER	PAGE
DPS1025	2

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BID OPENING DATE: 3/3/2010----------------------

BID OPENING TIME: 1:30 PM----------------------

PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY
TO CONTACT YOU REGARDING YOUR BID:

CONTACT PERSON (PLEASE PRINT CLEARLY):

****** THIS IS THE END OF RFQ   DPS1025 ****** TOTAL:

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
Ria Daurd	412 683 3004	2 March 2010

TITLE *President*   FEIN 25 - 1877087   ADDRESS CHANGES TO BE NOTED ABOVE

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

Cybergenetics DNA Expert System Bid Response   DPS 1025

Cybergenetics Expert System Bid Response

Cybergenetics TrueAllele® Technology is grouped into three main modules:

Analysis. The TrueAllele Analysis module transforms the raw sequencer data into quality-checked peaks for upload to the rule-based expert databanking system or the statistical casework system.

Databank. The high-throughput NDIS-approved TrueAllele Databank expert system processes convicted offender and reference samples. The system uses rules to separate data into 'Pass' and 'Edit/Reject' sets, organizing the data for efficient review.

Casework. TrueAllele Casework system is a statistical technology based on a detailed probabilistic modeling of the data. TrueAllele Casework infers genotypes up to probability, and reports the DNA match statistic as a likelihood ratio.

The three major tasks that this software must be able to perform are the following:

1. Accurately and efficiently evaluate convicted offender profiles, identify the samples which 'do not' meet the laboratory defined parameters and display the failed parameters, and allow for simple segregation of failed samples from passing samples and the export of passed samples in a CODIS accessible format.

The Databank module applies rules to quantitatively analyzed data, inferring genotypes for good data and flagging problematic data. The user interface displays the failed parameters for problematic data. The data is segregated both in the user interface and exported data files based on 'accept' or 'reject' (as well as 'edit'). Accepted data can be exported into a CODIS readable computer file format.

2. Perform quality control evaluations for every sample, offender, casework and controls generated or accepted by the laboratory and be able to display reports of the various quality checks.

The TrueAllele Analysis module checks the quality of the size standard tracking, allelic ladders, positive controls and negative controls. Analysis uses rules to flag problematic ladders and controls for a more detailed analyst review. The system records sample status (e.g., 'Pass' or 'Edit/Reject') in files. Analysis can generate and display reports showing its quality check results.

3. Evaluate casework samples both single source and mixtures, to assist the analyst in the interpretation of the sample DNA profile.

TrueAllele Casework can evaluate both single source and mixture DNA data. The system objectively infers genotypes using probability modeling and statistical search. Afterwards, the system compares inferred genotypes (e.g., evidence vs. suspect) to

determine the extent of match, reported quantitatively as a LR. These genotype and match results reside on a TrueAllele database, and are presented to an analyst in a Visual User Interface (VUIer™) software client program. To assist the analyst in their DNA interpretation, the VUIer provides text and graphical interfaces for key variables, such as genotypes, mixture weights, match strength and the original data.

The vendor must prove that their software was approved by NDIS as an expert system prior to 12/31/2009.

• The New York State Police have submitted and received approval for multiple NDIS the TrueAllele Databank validations on various STR kits and DNA sequencer platforms.

• The Massachusetts State Police submitted a TrueAllele Databank expert system validation for the ABI 3130XL sequencer and the ABI Identifiler kit, and received approval on 13-March-2008.

• The Maryland State Police submitted a developmental validation of their TrueAllele Databank expert system, which was approved in August 2008.

The software must be able to compare the run data generated from a specific run on a genetic analyzer to itself to identify possible cross contamination. The level of concordance (number of shared alleles) that is displayed must be a customizable parameter. The result of the comparison must be exportable in a report format.

The TrueAllele Databank identifies possible cross contamination by checking for duplicate samples, as well as comparing against staff profiles. The Databank system compares all of the samples on the plate to each other, and flags those that exceed the user-determined customizable number of matching alleles. These flagged samples are listed in a resulting tab-delimited duplicate check report file.

The software must be able to compare the run data generated on a genetic analyzer to a database of profiles that can be augmented as required meaning that all data of a similar type can be housed in a single database even if the analysis parameters which generated the DNA profile are not identical (e. g. analyst database, consumable contamination database). The level of concordance (number of shared alleles) that is displayed must be a customizable parameter. While not required, it is preferable that the software allow the databases to be populated by manual data entry as well as import from various genetic analyzer runs. The results of the comparison must be exportable in a report format.

The TrueAllele Casework database is capable of storing STR data generated from a variety of kits and analysis parameters. Inferred TrueAllele genotypes are automatically uploaded to this database. The Data module provides for manual profile database upload using text files. The level of match concordance is determined using the gold-standard LR match statistic. Comparison can be made between a set of evidence

genotypes and a set of suspect genotypes (e.g., within a case, or SDIS profiles). A user can customize the LR statistic by selecting a set of ethnic population databases, and by setting a coancestry coefficient value. The Report module enables DNA match comparison between any two genotype profiles, visually displays text and graphical results, and exports report files suitable for inclusion in a case folder or exhibiting in court.

The software must include customizable security that allows the administrator to define security levels for access to parameter settings, sample data or select software functionalities. The security settings must be easily identified and the administrator should be able to review an individual's access rights from a single screen.

TrueAllele Analysis, Databank and Casework all support multiple levels of customizable security. These allow an administrator to set permissions on levels ranging from specific case access to complete database access. The security settings for access rights can be set and reviewed on a single computer screen.

The software must be capable of tracing any changes to security definitions, analysis parameters and any overrides of system flags/rule firings as well as any edits to allele calls or artifact identification. The edit record should include identification by user name and event time, action taken, the original value and the changed value, if appropriate. The software must be password protected.

The TrueAllele Analysis and Databank systems maintain extensive computer log audit trails to record computer and human decisions. When users sign onto the system, their actions are recorded. The human readable log files are in computer readable form.

The Analysis software records all of an analyst's actions with a comprehensive audit trail. User interfaces require initial user log in. Log files record who performed what actions, and when. User allele call edits are recorded, along with the analyst who made the change.

All allele calls, edits, rule firings, data quality issues, system parameters, process timings, and other critical audit trail information is preserved in files. One optional feature helps ensure that all flagged allele calls are actually checked by the user, and records detailed audit files of this required review activity.

Casework data is protected by individual password protected user accounts.

The software must be able to compare samples identified as a positive control against a predefined profile(s) and flag that sample if the profile does not match or if other evaluation criteria are failed.

TrueAllele Analysis checks each positive control against the expected profile. The program flags positive controls that don't match the profile, or that exhibit other data artifacts.

The software must be able to evaluate ladders to determine if they are suitable for analysis purposes. This includes the correct identification of all manufacturer defined alleles and the correct identification of all the software defined artifacts.

TrueAllele Analysis applies four separate rules to flag allelic ladders that do not meet expected ladder quality standards. Ladders for all current Promega and Applied Biosystems kits are supported.

The software must be able to evaluate the samples identified as reagent controls and negative controls and flag the samples if any peaks or artifacts above the defined thresholds are identified.

TrueAllele Analysis uses a specific rule to check negative controls and reagent blanks for possible contamination, as defined by user-settable parameters.

The software must have the capacity to evaluate a single DNA profile generated by an Applied Biosystems genetic analyzer using manufacturer supplied collection softwares and at a minimum the criteria used in the ABI Genemapper 3.2 software as well as evaluate and identify stutter, -A and noise.

TrueAllele Databank has the capability of importing data from both GeneMapper® ID v.3.2 and v.3.2.1. TrueAllele Databank can also import data directly from the AB data collection software. The software can apply up to 27 specific rules that check for data artifacts and anomalies. These different data quality rules include checks for spikes, stutter, high n peak (-A), noise and failed samples. Moreover, the TrueAllele Casework system models stutter and other variables as part of its statistical inference process.

The software must be able to segregate samples that have passed all evaluation criteria from those samples that did not pass in a manner that allows the analyst to bypass the problem free samples completely if desired.

The TrueAllele Databank expert system separates the data into 'Pass' and sorted 'Edit/Reject' sets. Databank organizes the samples in a 'worst-first' ordering so that the analyst can concentrate their data review on the problematic data.

The software must allow the analyst to easily upload only those samples that have been identified as passing review.

TrueAllele Databank electronically records those samples that have been passed by the expert system or the analyst. The analyst uses the AutoResults module to create CMF output from these 'accepted' samples.

The software must be able to present the analyst with all the rule firings/flags for each sample together on a single screen.

When TrueAllele rules flag a data sample, the Databank user interface shows the specific rules that fired. The rule window appears next to the original STR data electropherogram signal. Other computer interfaces can explain to the analyst why these rules fired.

The software must allow all evaluation parameters to be customizable by the laboratory.

TrueAllele Analysis allows a site administrator to customize all rules, thresholds and parameters for application to its data and processes.

The software must allow for multiple sets of analysis parameters that are easily accessible for analysis purposes.

TrueAllele Analysis supports multiple process templates. Each template defines all the analysis parameters for one process. These templates can be automatically applied once they have been created.

The software must allow the analyst to view the raw data at any time within the system.

The raw electropherogram data obtained from the sequencer can be viewed at any time in the TrueAllele Analysis, Databank or Casework modules.

The software must be able to deconvolute a mixture of two unknowns of a ratio of 2:1 or greater into two separate profiles and display some type of quality evaluation to the results. It is highly desirable for the software to be able to deconvolute mixtures containing one known profile and up to two unknown profiles.

TrueAllele Casework can infer genotypes from mixtures containing one, two, three or more unknown contributors. The VUIer software displays the results of the inference process, allowing an analyst to visually evaluate the quality of the inferred genotypes and mixture weight. The TrueAllele Casework interpretation process can also use known contributor genotypes (e.g., a victim reference).

The software must be server based and be able to handle at least ten client software connections simultaneously. The analyzed data should be available for viewing from any analysts workstation and not just the workstation where the data was originally generated or viewed.

TrueAllele Casework is based on a client-server database model. Based on Cybergenetics deployment experience and our understanding of the West Virginia State Police Forensic laboratory's requirements we estimate that your laboratory would require no more than six concurrent licenses. However, the TrueAllele database server can handle ten or more concurrent connections simultaneously, should that be desired. All data and results are stored on a central server that is securely accessible from any Viewstation or desktop computer connected to the network.

Cybergenetics DNA Expert System Bid Response   DPS 1025   6

The vendor must provide support for the validation of the software to meet NDIS approval within a mutually agreed upon timetable not to exceed 12 months.

Cybergenetics provides validation training that enables the site to perform and submit a complete developmental validation rapidly and effectively. The TrueAllele Databank system includes the powerful AutoValidate™ module that facilitates automated scientific validation, and provides flexible reporting tools.

Cybergenetics has assisted each laboratory in its initial developmental validation. The New York State Police, with Cybergenetics assistance, have submitted five validations since 2001. Their landmark 2004 JFS validation paper became the foundation for the NDIS expert system validation process. Cybergenetics has also helped the Massachusetts State Police and the Maryland State Police complete and submit to NDIS their successful, approved developmental validations.

The vendor must provide the cost and components of available maintenance plans including upgrades, trouble shooting and correction of software defects. Price quotes for the first year, second year and third years must be included as well as any discounts for multiple year agreements. The vendor must also detail what, if anything would not be included in these maintenance plans. The vendor should also give details on wait times for service by phone or on site service calls including maximum time allowed before vendor response to initial contact and average time before a vendor response to initial contact.

Cost breakdown of the TrueAllele Casework and TrueAllele Databank bid package is in the attached spreadsheet.

<u>TrueAllele support and maintenance (first year)</u>

The first year support and maintenance is included in the TrueAllele Casework and Databank package.

• Support for the TrueAllele Casework and Databank technology includes telephone and email communication, trouble shooting, technology upgrades, and software patches.
• Except in emergencies, ongoing user support will be provided Monday through Friday during normal business hours of 9-5 EST.
• Cybergenetics usually responds within about 4 business hours to any query about a problem with the TrueAllele system by phone or email.
• Cybergenetics will respond to queries about any problems with the system not more than 1 business day by phone or email.
• The maintenance agreement includes any technical problems encountered during the maintenance period.
• Cybergenetics hardware comes with a three year manufacturer's warranty.

Cybergenetics will use email, telephone and remote access software to help maintain and support the TrueAllele Databank technology system. In the event that a problem cannot be solved with telephone, email, machine replacement, or remote access software, Cybergenetics will endeavor to solve the problem to the best of its ability with an on-site visit.

Cybergenetics offers three annual maintenance and support plans for the TrueAllele Casework and Databank package for the West Virginia State Police Forensic laboratory. Cybergenetics has included the cost of the Technical and Software support for the West Virginia State Police Forensic laboratory for years two and three in the attached spreadsheet price quote. Support and maintenance for the first year is included in the price of the Casework and Databank package.

Technical Support

Includes maintenance and user support. Full maintenance includes all routine system upkeep and software patches. Extensive user support includes documentation and tutorials as well as access to unlimited telephone and email communication for technology support and troubleshooting. User support is provided Monday through Friday during normal business hours (9-5 EST). The cost is 25% of the server and client modules.

Software Support (requires technical support)

Includes technology upgrades for server and client software components, including compute and database servers, match engine, ViewStations and data analysis. Requires Technical support. The cost is 25% of the server and client modules.

Scientific Support (requires technical and software support)

Includes Cybergenetics assistance in conducting validations, as well as user process and data monitoring, workflow and process planning. Requires Technical and Software support. The cost is 25% of the server modules.

The software must allow the export of profiles in multiple formats including CMF 1.0 and other CMF formats that are accepted by the CODIS software.

The TrueAllele software can export profiles into CMF 1.0 and CMF 3.2 files, as well as other formats.

The software must also be able to export multiple profiles with sample names under a header including the loci designations tested.

The TrueAllele software provides this export format.

The vendor must list any known technical issues with any currently available Microsoft Operating Systems or Office Software as well as known issues with any other commercially available software and delineate if these issues are with the full installs on the server only or with the software loaded on the individual workstations as well.

Cybergenetics is not aware of any such technical issues with any other commercially available software. The TrueAllele technology is compatible with Windows® operating systems and Microsoft® Office.

The software must be compatible with Genemapper 3.2 or use the same peak detection and sizing algorithms as Genemapper 3.2.

TrueAllele Analysis can access and import Genemapper results.

The software version offered must have been accepted by NDIS as a validated expert system for convicted offender analysis.

NDIS has accepted multiple TrueAllele Databank expert system validations.

Otherwise the vendor must demonstrate that the new version performs as expected and that none of the changes would cause the system to NOT meet NDIS standards for expert systems. The vendor must provide the most recent version of the NDIS accepted software if more than one version has been approved.

We recommend that each end-user site customize rule settings and other parameters for their own data and process. With Cybergenetics assistance, a developmental NDIS TrueAllele Databank validation can be accomplished in one week (though some groups elect to allocate more time than this).

The vendor must provide instructional manuals detailing all software functions and how to utilize each of the functions. Instructions should also detail how to export data and how to access and use the data files and reports generated by the software.

TrueAllele Databank and TrueAllele Casework each have instruction manuals that explain the software functions and how to use the technology. These instructions include explanations on how to export data, how to access and use the data files and reports. The instructions include written and visual information. Each Databank interface provides on-line access to the extensive software documentation. Other TrueAllele documentation is also available for the software modules.

All training must occur at the West Virginia State Police Forensic laboratory and the quote must include training for ten individuals. If the convicted offender and casework applications are separate then two individuals should be trained for the convicted offender component and up to ten individuals for the casework component.

Cybergenetics will provide 4 days of TrueAllele Casework training at the West Virginia State Police Forensic laboratory site for 10 TrueAllele Casework users. Training will include all documentation and materials necessary for the Casework training.

Cybergenetics will provide 4 days of training to 2 TrueAllele Databank users at the West Virginia State Police Forensic laboratory site for the TrueAllele Databank technology.

The version of the software offered by the vendor must be available for installation no later than March 30, 2010.

The TrueAllele Analysis, Databank and Casework technology versions offered in this bid are ready for immediate installation.

Item	Description	Quantity	Cost per Item	Cost
TrueAllele Casework Technology				
Starter TA Casework Package		1	$35,000 per package	$35,000
	TA Compute and Database Server			
	TA ViewStation with Client Software			
	training in Pittsburgh for 2 users			
	help with 1 validation			
	1 yr support and maintenance			
Casework Client Software	additional licenses	5	$8,000 per license	$40,000
Casework Total				**$75,000**
TrueAllele Databank Technology				
Databank Technology Installation	set-up, optimization, 1 yr support and maintenance, help with NDIS validation	1	$15,000 for Databank	$15,000
Casework & Databank Total				**$90,000**
Training				
On-site Casework training	4 day Casework training course	5 students	$10,000	
Per additional student	(total of 7 students with 2 from Package)	3	$2,000 per student	$6,000
On-site Databank training	4 day Databank training course	2 students		$10,000
Training total				**$26,000**
Annual Support and Maintenance				
Year Two				
Technical (option 1)	Basic technical support. Description in bid			$20,000
Software (option 2)	Basic technical support and software upgrades			$40,000
Year Three				
Technical (option 1)	Basic technical support. Description in bid			$20,000
Software (option 2)	Basic technical support and software upgrades			$40,000

Bid Form DPS 1025

DPS 1025 NOTE: The vendor must prove that their software was approved by the National DNA Index System (NDIS) as an expert system prior to 12/31/09		BID OPENING:		
Item #	**Description**	***Estimated Annual Quantity**	**Unit Price**	**Extended Price**
1.	Software for DNA Expert System	1	$ 90,000	$ 90,000
	Address: 160 N. Craig Street, Suite 210 Pittsburgh, PA 15213 Phone #: 412 683-3004 Email Address: ria @ cybgen.com			

Contact Coordinator Information:

Name: Ria David
Address: 160 N. Craig Street, Suite 210
Pittsburgh, PA 15213
Phone #: 412 901 9765
Email Address: ria @ cybgen.com

*Quantities are estimated annual usage for bidding purposes and bidder's information.

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: **Cybergenetics**   Signed: **Ria David**

Date: **2 March 2010**   Title: **President**

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

RFQ No _DPS 1025_ **8**

STATE OF WEST VIRGINIA
Purchasing Division

PURCHASING AFFIDAVIT

West Virginia Code §5A-3-10a states: 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.

DEFINITIONS:
"Debt" means any assessment, premium, penalty, fine, tax or other amount of money owed to the state or any of its political subdivisions because of a judgment, fine, permit violation, license assessment, defaulted workers' compensation premium, penalty or other assessment presently delinquent or due and required to be paid to the state or any of its political subdivisions, including any interest or additional penalties accrued thereon

"Debtor" means any individual, corporation, partnership, association, limited liability company or any other form or business association owing a debt to the state or any of its political subdivisions. "Political subdivision" means any county commission; municipality; county board of education; any instrumentality established by a county or municipality; any separate corporation or instrumentality established by one or more counties or municipalities, as permitted by law; or any public body charged by law with the performance of a government function or whose jurisdiction is coextensive with one or more counties or municipalities. "Related party" means a party, whether an individual, corporation, partnership, association, limited liability company or any other form or business association or other entity whatsoever, related to any vendor by blood, marriage, ownership or contract through which the party has a relationship of ownership or other interest with the vendor so that the party will actually or by effect receive or control a portion of the benefit, profit or other consideration from performance of a vendor contract with the party receiving an amount that meets or exceed five percent of the total contract amount.

EXCEPTION: The prohibition of this section does not apply where a vendor has contested any tax administered pursuant to chapter eleven of this code, workers' compensation premium, permit fee or environmental fee or assessment and the matter has not become final or where the vendor has entered into a payment plan or agreement and the vendor is not in default of any of the provisions of such plan or agreement

Under penalty of law for false swearing (*West Virginia Code* §61-5-3), it is hereby certified that the vendor affirms and acknowledges the information in this affidavit and is in compliance with the requirements as stated.

WITNESS THE FOLLOWING SIGNATURE

Vendor's Name: _Cybergenetics_

Authorized Signature: _Ria Paund_   Date: _March 2, 2010_

State of _Pennsylvania_

County of _Allegheny_, to-wit:

Taken, subscribed, and sworn to before me this _2_ day of _March_, 20_10_

My Commission expires _May 30_, 20_13_.

AFFIX SEAL HERE   NOTARY PUBLIC _Donna J Scheuble_

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Donna J. Scheuble, Notary Public
City of Pittsburgh, Allegheny County
My Commission Expires May 30, 2013
Member Pennsylvania Association of Notaries   (Revised 12/15/09)

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

DPS1025

1

ADDRESS CORRESPONDENCE TO ATTENTION OF:

JOHN ABBOTT
304-558-2544

RFQ COPY
TYPE NAME/ADDRESS HERE
Cybergenetics
160 N. Craig Street
Suite 210
Pittsburgh, PA 15213

WEST VIRGINIA STATE POLICE

4124 KANAWHA TURNPIKE
SOUTH CHARLESTON, WV
   25309   304-746-2141

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
02/24/2010				

BID OPENING DATE: 03/03/2010   BID OPENING TIME   01:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
				ADDENDUM #01		
				THIS ADDENDUM IS ISSUED TO REVISE THE BID FORM AS PER THE ATTACHED DOCUMENT.		
				NO ADDITIONAL QUESTIONS WILL BE ACCEPTED		
0001		LS		205-64		
	1					
				DNA EXPERT SYSTEM SOFTWARE		
				***** THIS IS THE END OF RFQ DPS1025 ***** TOTAL:		

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE		TELEPHONE 412 683 3004	DATE 2 March 2010
TITLE President	FEIN 25-1877087		ADDRESS CHANGES TO BE NOTED ABOVE

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

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. Prior to any award, the apparent successful vendor must be properly registered with the Purchasing Division and have paid the required $125 fee.

4. 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.

5. Payment may only be made after the delivery and acceptance of goods or services.

6. Interest may be paid for late payment in accordance with the *West Virginia Code*.

7. Vendor preference will be granted upon written request in accordance with the *West Virginia Code*.

8. The State of West Virginia is exempt from federal and state taxes and will not pay or reimburse such taxes.

9. The Director of Purchasing may cancel any Purchase Order/Contract upon 30 days written notice to the seller.

10. The laws of the State of West Virginia and the *Legislative Rules* of the Purchasing Division shall govern the purchasing process.

11. Any reference to automatic renewal is hereby deleted. The Contract may be renewed only upon mutual written agreement of the parties.

12. BANKRUPTCY: In the event the vendor/contractor files for bankruptcy protection, the State may deem this contract null and void, and terminate such contract without further order.

13. HIPAA BUSINESS ASSOCIATE ADDENDUM: The West Virginia State Government HIPAA Business Associate Addendum (BAA), approved by the Attorney General, is available online at www.state.wv.us/admin/purchase/vrc/hipaa.htm and 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.

14. 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. Vendor further agrees to comply with the Confidentiality Policies and Information Security Accountability Requirements, set forth in http://www.state.wv.us/admin/purchase/privacy/noticeConfidentiality.pdf

15. 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, and the West Virginia Insurance Commission. 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.

16. 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.
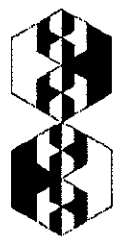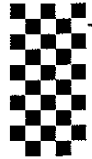
I certify that this bid is made without prior understanding, agreement, or connection with any corporation, firm, limited liability company, partnership, or person or entity submitting a bid for the same material, supplies, equipment or services and is in all respects fair and without collusion or fraud. I further certify that I am authorized to sign the certification on behalf of the bidder or this bid.

INSTRUCTIONS TO BIDDERS

1. Use the quotation forms provided by the Purchasing Division. Complete all sections of the quotation form.

2. 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. Unit prices shall prevail in case of discrepancy. All quotations are considered F.O.B. destination unless alternate shipping terms are clearly identified in the quotation.

4. 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

5. Communication during the solicitation, bid, evaluation or award periods, except through the Purchasing Division, is strictly prohibited (W.Va. C.S.R. §148-1-6.6).

Bid Form DPS 1025

DPS 1025 NOTE: The vendor must prove that their software was approved by the National DNA Index System (NDIS) as an expert system prior to 12/31/09			BID OPENING: 3-3-2010		
Item #	**Description**		***Estimated Annual Quantity**	**Unit Price**	**Extended Price**
1.	Software for DNA Expert System		1	$ 90,000	$ 90,000
2.	1ˢᵗ year maintenance		1	$ 0	$ 0
3.	2ⁿᵈ year maintenance		1	$ 20,000	$ 20,000
4.	3ʳᵈ year maintenance		1	$ 20,000	$ 20,000
5.	Training as per specifications		1	$ 26,000	$ 26,000
				Grand Total	$ 156,000

Address: 160 N. Craig Street, Suite 210
Pittsburgh, PA 15213
Phone #: 412 683 3004
Email Address: ria @ cybgen.com / donna @ cybgen.com

Contact Coordinator Information:

Name: Ria David
Address: 160 N. Craig Street, Suite 210
Pittsburgh, PA 15213
Phone #: 412 901 9765
Email Address: ria @ cybgen.com

fax

Date: 3 March 2010

To: Departent of Administration, Purchasing Division

Fax Number: 304-558-3970

Phone Number: 304-558-4785

From: Ria David

Re: RFQ DPS 1025 specific bid questions

Number of Pages: 4   , including cover page

Message:

Good afternoon. I have just faxed in a 19 page response to the RFQ DPS 1025 for a DNA Expert System for the West Virginia State Police. I am now faxing in your original question pages to be added to my fax. Your questions are included in my response section, but these pages were part of the original bid request.

I will also be mailing a hardcopy of the bid.

Thank you.

Ria David
President

Tel: 412-901-9765
ria@cybgen.com

Cybergenetics

The three major tasks that this software must be able to perform are the following:

TAD
TAC

1.   Accurately and efficiently evaluate convicted offender profiles, identify the samples which do not meet the laboratory defined parameters and display the failed parameters, and allow for simple segregation of failed samples from passing samples and the export of passed samples in a CODIS acceptable format.

QC

2.   Perform quality control evaluations for every sample, offender, casework, and controls generated or accepted by the laboratory and be able to display reports of the various quality checks.

3   Evaluate casework samples, both single source and mixtures, to assist the analyst in the interpretation of the sample DNA profile

The vendor must prove that their software was approved by NDIS as an export system prior 12/31/2009.

The software must be able to compare the run data generated from a specific run on a genetic analyzer to itself to identify possible cross contamination The level of concordance (number of shared alleles) that is displayed must be a customizable parameter. The results of the comparison must be exportable in a report format

The software must be able to compare the run data generated on a genetic analyzer to a database of profiles that can be augmented as required meaning that all data of a similar type can be housed in a single database even if the analysis parameters which generated the DNA profiles are not identical. (ex. analyst database, consumable contamination database.) The level of concordance (number of shared alleles) that is displayed must be a customizable parameter. While not required, it is preferable that the software allow the databases to be populated by manual data entry as well as import from various genetic analyzer runs The results of the comparison must be exportable in a report format.

security

The software must include customizable security that allows the administrator to define security levels for access to parameter settings, sample data or select software fuctionalities. The security settings must be easily identified and the administrator should be able to review an individual's access rights from a single screen

The software must be capable of tracking any changes to security definitions, analysis parameters and any overrides of system flags/rule firings as well as any edits to allele calls or artifact identification. The edit record should include identification by user name and event time, action taken, the original value and the changed value, if appropriate The software must be password protected

The software must be able to compare samples identified as a positive control against a predefined profile(s) and flag that sample if the profile does not match or if other evaluation criteria are failed

The software must be able to evaluate ladders to determine if they are suitable for analysis purposes. This includes the correct identification of all manufacturer-defined alleles and the correct identification of all the software defined artifacts

The software must be able to evaluate samples identified as reagent controls and negative controls and flag the samples if any peaks or artifacts above the defined thresholds are identified.

The software must have the capacity to evaluate a single DNA profile generated by an Applied Biosystems Genetic Analyzer using manufacturer supplied collection software and, at a minimum, the criteria used in the Applied Biosystems Genemapper 3 2 software as well as evaluate and identify stutter, -A and noise

The software must be able to segregate samples that have passed all evaluation criteria from those samples that did not pass in a manner that allows the analyst to bypass the problem free samples completely if desired.

The software must allow the analyst to easily upload only those samples that have been identified as passing review.

The software must be able to present the analyst with all the rule firings/flags for each sample together on a single screen

The software must allow all evaluation parameters to be customizable by the laboratory

The software must allow for multiple sets of analysis parameters that are easily assessible for analysis purposes

The software must allow the analyst to view the raw data at any time within the system

The software must be able to deconvolute a mixture of two unknowns of a ratio of 2:1 or greater into two separate profiles and display some type of quality evaluation to the results. It is highly desirable for the software to be able to deconvolute mixtures containing one known profile and up to two unknown profiles

The software must be server based and be able to handle at least ten client software connections simultaneously The analyzed data should be available for viewing from any analyst's workstation and not just the workstation where the data was originally generated or viewed

The vendor must provide support for the validation of the software to meet NDIS approval within a mutually agreed upon timetable not to exceed 12 months

The vendor must provide the cost and components of available maintenance plans including upgrades, trouble shooting and correction of software defects Price quotes for the first year, second year and third years must be included as well as any discounts for multiple year agreements. The vendor must also detail what, if anything would not be included in these maintenance plans. The vendor should also give details on wait times for service by phone or on site service calls including maximum time allowed before vendor response to initial contact and average time before a vendor response to initial contact

The software must allow the export of profiles in multiple formats including CMF 1 0 and other CMF formats that are accepted by the CODIS software. The software must also be able to export multiple profiles with sample names under a header including the loci designations tested

The vendor must list any known technical issues with any currently available Microsoft Operating Systems or Office software as well as known issues with any other commercially available software and delineate if these issues are with the full installs on the server only or with the software loaded on the individual workstations as well The software must be compatible with Genemapper 3 2 or use the same peak detection and sizing algorithms as Genemapper3 2

The software version offered must have been accepted by NDIS as a validated expert system for convicted offender analysis. Otherwise the vendor must demonstrate that the new version performs as expected and that none of the changes would cause the system to NOT meet NDIS standards for expert systems. The vendor must provide the most recent version of the NDIS accepted software if more than one version has been approved

The vendor must provide instructional manuals detailing all software functions and how to utilize each of the functions. Instructions should also detail how to export data and how to access and use the data files and reports generated by the software

All training must occur at the West Virginia State Police Forensic Laboratory and the quote must include training for ten individuals If the convicted offender and casework applications are separate then two individuals should be trained for the convicted offender component and up to ten individuals for the casework component

5

The version of the software offered by the vendor must be available for installation no later than March 30, 2010