



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
FOR11009

PAGE
1

ADDRESS CORRESPONDENCE TO ATTENTION OF

FRANK WHITTAKER
304-558-2316

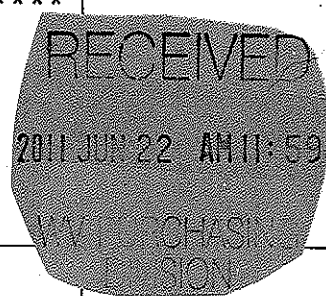
*709052115 304-523-6069
F&L ELECTRONICS INC
235 FOURTH AVENUE
HUNTINGTON WV 25701

DIVISION OF FORESTRY
VARIOUS LOCALES AS INDICATED
BY ORDER

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
05/05/2011				

BID OPENING DATE: 06/01/2011 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
ADDENDUM NO. 1						
THIS ADDENDUM IS ISSUED TO:						
1.) TO ADD THE FOLLOWING SPECIFICATIONS TO REQUEST FOR QUOTATION FOR11009:						
"A NON-MANDATORY PREBID MEETING WILL BE HELD ON MAY 12, 2001 AT 3:00 PM AT THE GUS R. DOUGLASS AGRICULTURAL COMPLEX LOCATED AT 255 GUS R. DOUGLASS LANE IN CHARLESTON, WEST VIRGINIA. THE MEETING WILL BE IN BUILDING 5.						
VENDORS MAY ALSO OPT TO PARTICIPATE IN THE MEETING VIA CONFERENCE CALL. VENDORS WISHING TO PARTICIPATE IN THIS MANNER MAY CALL 1-866-206-0240 AND ENTER PIN 121086#. PHYSICAL ATTENDANCE IS PREFERRED."						
2.) TO EXTEND THE DEADLINE FOR TECHNICAL QUESTIONS TO 05/16/2011 AT THE CLOSE OF BUSINESS,						
3.) TO EXTEND THE BID OPENING DATE						
BID OPENING IS EXTENDED TO: 06/01/2011						
BID OPENING TIME REMAINS: 1:30 PM						
***** END ADDENDUM NO. 1 *****						
0001	1	LS		939-72		
RADIO EQUIPMENT MAINTENANCE AND REPAIR						



SEE REVERSE SIDE FOR TERMS AND CONDITIONS			
SIGNATURE <i>Frank Whittaker</i>	TELEPHONE 304-523-6069	DATE 6/20/11	
TITLE President	FAX 55-0626897	ADDRESS CHANGES TO BE NOTED ABOVE	

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



State of West Virginia
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WV PURCHASING ACT SECT. 5 Fax 304-558-4115

Jun 1 2011 09:39am P001/008

**Request for
Quotation**

RFQ NUMBER

FOR11009

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1

ADDRESS CORRESPONDENCE TO ATTENTION OF:

FRANK WHITTAKER
304-558-2316

*709033859

304-252-4075

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DIVISION OF FORESTRY
VARIOUS LOCALES AS INDICATED
BY ORDER

DATE PRINTED	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS
06/01/2011				

BID OPENING DATE:

06/22/2011

BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
***** ADDENDUM NO. 2 *****						
THIS ADDENDUM IS ISSUED TO:						
1) REPLACE THE ORIGINAL SPECIFICATIONS AND PRICING PAGES WITH THE ATTACHED REVISED SPECIFICATION AND PRICING PAGES.						
2) EXTEND THE DEADLINE FOR TECHNICAL QUESTIONS TO 06/08/2011 @ 4:00 PM. ALL TECHNICAL QUESTIONS MUST BE DIRECTED TO KRISTA FERRELL IN THE WV PURCHASING DIVISION VIA EMAIL OR FAX AT: KRISTA.S.FERRELL@WV.GOV OR FAX AT 304-558-4115. ALL TECHNICAL QUESTIONS WILL BE ADDRESSED BY ADDENDUM AFTER THE DEADLINE.						
3) EXTEND THE BID OPENING DATE AND TIME TO: 06/22/2011 AT 1:30 PM						
***** END ADDENDUM NO. 2 *****						
0001	1	LS	939-72	RADIO EQUIPMENT MAINTENANCE AND REPAIR		

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Frank Whittaker</i>	TELEPHONE 304 523 6069	DATE 6/20/11
TITLE President	FEN 55 0626857	ADDRESS CHANGES TO BE NOTED ABOVE

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304-558-2316

*709052115 304-523-6069

F&L ELECTRONICS INC
235 FOURTH AVENUE

HUNTINGTON WV 25701

DIVISION OF FORESTRY
VARIOUS LOCALES AS INDICATED
BY ORDER

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
04/13/2011				

BID OPENING DATE: 05/19/2011

BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	LS		939-72		
RADIO EQUIPMENT MAINTENANCE AND REPAIR						
THE WEST VIRGINIA PURCHASING DIVISION, FOR THE AGENCY, THE WEST VIRGINIA DIVISION OF FORESTRY, IS SOLICITING BIDS FOR THE UPGRADE OF MOTOROLA REPEATERS AND CONTROL STATIONS TO P25 COMPLIANCE PER THE ATTACHED SPECIFICATIONS.						
ALL TECHNICAL QUESTIONS MUST BE SUBMITTED IN WRITING TO FRANK WHITTAKER IN THE WV PURCHASING DIVISION VIA EMAIL AT FRANK.M.WHITTAKER@WV.GOV OR VIA FAX AT 304-558-4115. DEADLINE FOR ALL TECHNICAL QUESTIONS IS 04/26/2011 AT 4:00 PM. ALL TECHNICAL QUESTIONS WILL BE ADDRESSED BY ADDENDUM AFTER THE DEADLINE.						
EXHIBIT 10						
REQUISITION NO.: FOR11009						
ADDENDUM ACKNOWLEDGEMENT						
I HEREBY ACKNOWLEDGE RECEIPT OF THE FOLLOWING CHECKED ADDENDUM(S) AND HAVE MADE THE NECESSARY REVISIONS TO MY PROPOSAL, PLANS AND/OR SPECIFICATION, ETC.						
ADDENDUM NO. 'S:						
NO. 1 ✓ F&L						
NO. 2 ✓ F&L						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
Frank Scam...	304-523-6069	6/20/11
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE
President	55-0626897	

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304-558-2316

*709052115 304-523-6069

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235 FOURTH AVENUE

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04/13/2011				

BID OPENING DATE:

05/19/2011

BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
NO. 3					
NO. 4					
NO. 5					
I UNDERSTAND THAT FAILURE TO CONFIRM THE RECEIPT OF THE ADDENDUM(S) MAY BE CAUSE FOR REJECTION OF BIDS.						
VENDOR MUST CLEARLY UNDERSTAND THAT ANY VERBAL REPRESENTATION MADE OR ASSUMED TO BE MADE DURING ANY ORAL DISCUSSION HELD BETWEEN VENDOR'S REPRESENTATIVES AND ANY STATE PERSONNEL IS NOT BINDING. ONLY THE INFORMATION ISSUED IN WRITING AND ADDED TO THE SPECIFICATIONS BY AN OFFICIAL ADDENDUM IS BINDING.						
<p>..... SIGNATURE</p> <p>F&L Electronics, Inc. COMPANY</p> <p>6/20/11 DATE</p>						
NOTE: THIS ADDENDUM ACKNOWLEDGEMENT SHOULD BE SUBMITTED WITH THE BID.						
REV. 09/21/2009 BANKRUPTCY: IN THE EVENT THE VENDOR/CONTRACTOR FILES FOR BANKRUPTCY PROTECTION, THE STATE MAY DEEM THE CONTRACT NULL AND VOID, AND TERMINATE SUCH CONTRACT WITHOUT FURTHER ORDER.						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
Frank Scam...	304 526 6009	6/20/11
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE
President	55-0626897	

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304-558-2316

*709052115 304-523-6069

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235 FOURTH AVENUE

HUNTINGTON WV 25701

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BID OPENING DATE: 05/19/2011 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>NOTICE</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: 44</p> <p>RFQ. NO.: FOR11009</p> <p>BID OPENING DATE: 05/19/20</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:</p> <p>304-523-6100</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	Frank Scary	TELEPHONE	304 523 6069	DATE	6/20/11
TITLE	President	FAX	55-0626897	ADDRESS CHANGES TO BE NOTED ABOVE	

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



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304-558-2316

*709052115 304-523-6069

F&L ELECTRONICS INC
235 FOURTH AVENUE

HUNTINGTON WV 25701

DIVISION OF FORESTRY
VARIOUS LOCALES AS INDICATED
BY ORDER

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS		
04/13/2011						
BID OPENING DATE: 05/19/2011		BID OPENING TIME 01:30PM				
LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
CONTACT PERSON (PLEASE PRINT CLEARLY): <i>Frank Scarberry</i>						
***** THIS IS THE END OF RFQ FOR11009 ***** TOTAL: _____						
SEE REVERSE SIDE FOR TERMS AND CONDITIONS						
SIGNATURE <i>Frank Scarberry</i>				TELEPHONE 304-523-6069	DATE 6/20/11	
TITLE President		FEIN 55-0626897		ADDRESS CHANGES TO BE NOTED ABOVE		

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

FOR11009
Bid Specifications for Narrow-band Compliance Upgrade
West Virginia Division of Forestry

The West Virginia Division of Forestry (WVDOF) wishes to update its repeater system to narrow-band compliance to meet new FCC regulations. The WVDOF also wishes to have an inventory of physical needs required to bring each repeater or control station to like-new performance. The WVDOF is NOT considering P25 compliance with this bid request.

The WVDOF owns twenty-one (21) radio repeaters and six (6) control stations as part of its repeater system. The current equipment being utilized is Motorola Quantar T-5365A. The repeaters and control stations are on a variety of state-owned and state-leased sites. The WVDOF considers the tower to be part of the repeater system.

The WVDOF utilizes P25 compliant Bendix King DPH X5102X hand held radios and Bendix King DMH 5992X mobile units with this repeater system. Compatibility with these radios and units must be maintained.

The WVDOF believes all existing repeaters and control stations have a wireline card included with the equipment. A list of repeaters and control stations and their locations is included in Attachment B; a map of the repeaters and control stations by District is included in Attachment C.

In fulfillment of this Purchase Order, the successful Vendor will be responsible for:

- Upgrading repeater and control station software to narrow-band compliance;
- Performing any necessary calibration;
- Preparing a report of physical needs for each site for repair or replacement of any components damaged by age, vermin, wear, weather, etc.;
- Providing firmware and module identification;
- Testing to ensure complete compatibility and operability.

Completion of this Purchase Order will be determined by complete compatibility and operability of the repeater system in narrow-band operation as tested by WVDOF personnel, as well as submission of the report of physical needs to the state project manager.

The inventory of physical needs for each site shall be a visual or electronic inspection, and should include items such as, but not limited to, approximate length and type of cable in need of replacement and any other components in need of repair or replacement which may be necessary to bring the repeater to like-new performance, as well as any modifications recommended for enhanced operation and extended life of the repeater.

The firmware and module identification information should include the station control board module ID, the wireline board module ID, station (backplane) ID, station control firmware version, wireline firmware version, exciter firmware version, codeplug version, exciter hardware version, UHSO hardware version, and presence of SIMM module in P651 (Y/N).

The WVDOF reserves the right to make a split award for this Purchase Order. Upgrades of repeaters and control stations in each District will be awarded to the Vendor submitting

the lowest bid for the District. Vendors may be awarded a Purchase Order for multiple Districts, based on the low bid for each District. Districts will not be split.

Vendors should submit a job cost bid for an entire District on Attachment A. The bid should include: Cost of the software upgrade; training of agency personnel in basic diagnostics of the equipment; cost of the report of physical needs; and labor and travel costs to the repeaters and control stations in the District. No separate reimbursement will be made to the Vendor for travel, training, or other expenses.

The WVDOF is also exploring the option of converting the French Creek control station (District 3) to act as both a control station and a repeater. The Vendor should include the cost to complete this conversion. This cost must include the cost of any necessary equipment and the labor to install, configure, and test the equipment. No separate reimbursement will be made to the Vendor for travel, training, or other expenses. The cost of the conversion will not be used to determine the low bid for District 3. The WVDOF reserves the right to complete this conversion outside of this Purchase Order if it is determined to be in the best interests of the WVDOF.

The Vendor must coordinate with the WVDOF state project manager or his designee on timing of site visits, installations, and testing to minimize the impact on agency duties.

Regardless of Purchase Order dates, all work should be completed by June 30, 2012, to meet FCC regulations and capture federal funding for this project.

CONFIDENTIAL INFORMATION

The WVDOF may grant Vendor and its employee's specific access to WVDOF's physical facilities, its computer network, systems/applications, and equipment and its information in various oral, written, or electronic forms as required for implementation of Purchase Order. All information disclosed or provided by the WVDOF will be considered to be Confidential Information regardless of whether it was provided before or after the date of this Purchase Order or how it was provided. Confidential Information will not include information that:

- Is generally known about the WVDOF and West Virginia State Government;
- Is now or subsequently becomes generally available to the public through no wrongful act of the Vendor;
- The Vendor rightfully had in its possession prior to the disclosure to the Vendor by the WVDOF;
- Is independently created by the Vendor without direct or indirect use of the Confidential Information; or
- The Vendor rightfully obtains from a third party who has the right to transfer or disclose it.

The Vendor may only disclose the WVDOF's Confidential Information to its employees and agents that have a need to know in relation to work they are performing under this Purchase Order.

The Vendor will access the WVDOF's and State of West Virginia's governmental facilities, computer network, systems/applications, equipment, and information only after requesting and being granted permission. Vendor must request permission from WVDOF

personnel. Upon receiving permission, Vendor will be instructed as to the limitations of the approved access and Vendor will not exceed those limitations.

Vendor will only use the information and physical or network accesses approved by the WVDOF to perform the required services.

Vendor will limit access to the WVDOF's Confidential Information, computer network, systems/applications, and equipment to only those of its employees or agents that are directly involved in performing work under this Purchase Order. Vendor will inform those employees and agents of their responsibility to not disclose the information and to protect the permitted accesses from unauthorized use, and will take all necessary steps to ensure that the terms of this Purchase Order are not violated by such personnel.

Vendor will keep track of Confidential Information, computer network, systems/applications, and equipment to which it has been granted access. The WVDOF may at any time request the return of any or all Confidential Information or revoke access permissions. Upon completion and acceptance of all work or upon completion or termination of Purchase Order, Vendor must relinquish all Confidential Information and access to computer networks, systems/applications, and equipment of the WVDOF.

If Vendor loses or makes unauthorized disclosure of the WVDOF's Confidential Information, Vendor will immediately notify the WVDOF's Privacy Officer and will take all necessary steps to retrieve the lost or improperly disclosed information. Likewise, if Vendor discovers that their access to the WVDOF's computer network, systems/applications, and equipment has been used by any unauthorized individual or entity, Vendor will immediately notify the WVDOF's Privacy Officer and will take all reasonable and necessary steps to terminate the unauthorized access.

WVDOF reserves the right to initiate termination of the Purchase Order for unacceptable performance according to specifications, untimely delivery times on product, or lack of technical support.

**FOR11009
ATTACHMENT A (PAGE 1 OF 2)
COST SUMMARY**

On this Attachment, the Vendor should submit a job cost bid for each District on which they wish to bid. The bid price should include: Cost of the software upgrade; training of agency personnel in basic diagnostics of the equipment; cost of the report of physical needs; and labor and travel costs to the repeaters and control stations in the District. No separate reimbursement will be made to the Vendor for travel, training, or other expenses, with the exception of the noted optional French Creek control station conversion.

DISTRICT 1

Includes: Moundsville and Caddell Mountain repeaters and Idamay control station

DISTRICT 1 JOB COST \$ 900.00

DISTRICT 2

Includes: Cacapon Mountain, Skyline, Nathaniel Mountain, and North Mountain repeaters and Romney control station

DISTRICT 2 JOB COST \$ 2,500.00

DISTRICT 3

Includes: Stuart Knob, Cottle Knob, and Point Mountain repeaters and French Creek control station

DISTRICT 3 JOB COST \$ 2,500.00

DISTRICT 4

Includes: Gauley Mountain, Ivy Knob, Keeney Knob, Windmill Gap, and Bolt Mountain repeaters and Tams control station

DISTRICT 4 JOB COST \$ 750.00

DISTRICT 5

Includes: Bee Mountain, Gartin Knob, and Mingo Mountain repeaters and Barker Ridge control station

DISTRICT 5 JOB COST \$ 300.00

DISTRICT 6

Includes: Salem Hill, Glenville, Chestnut Ridge, and Spencer repeaters and Sandhill control station

DISTRICT 6 JOB COST \$ 750.00

**FOR11009
ATTACHMENT A (PAGE 2 OF 2)
COST SUMMARY**

OPTIONAL ITEM

The following item is an option and may be included in the Purchase Order if it is determined to be in the best interests of the WVDOF:

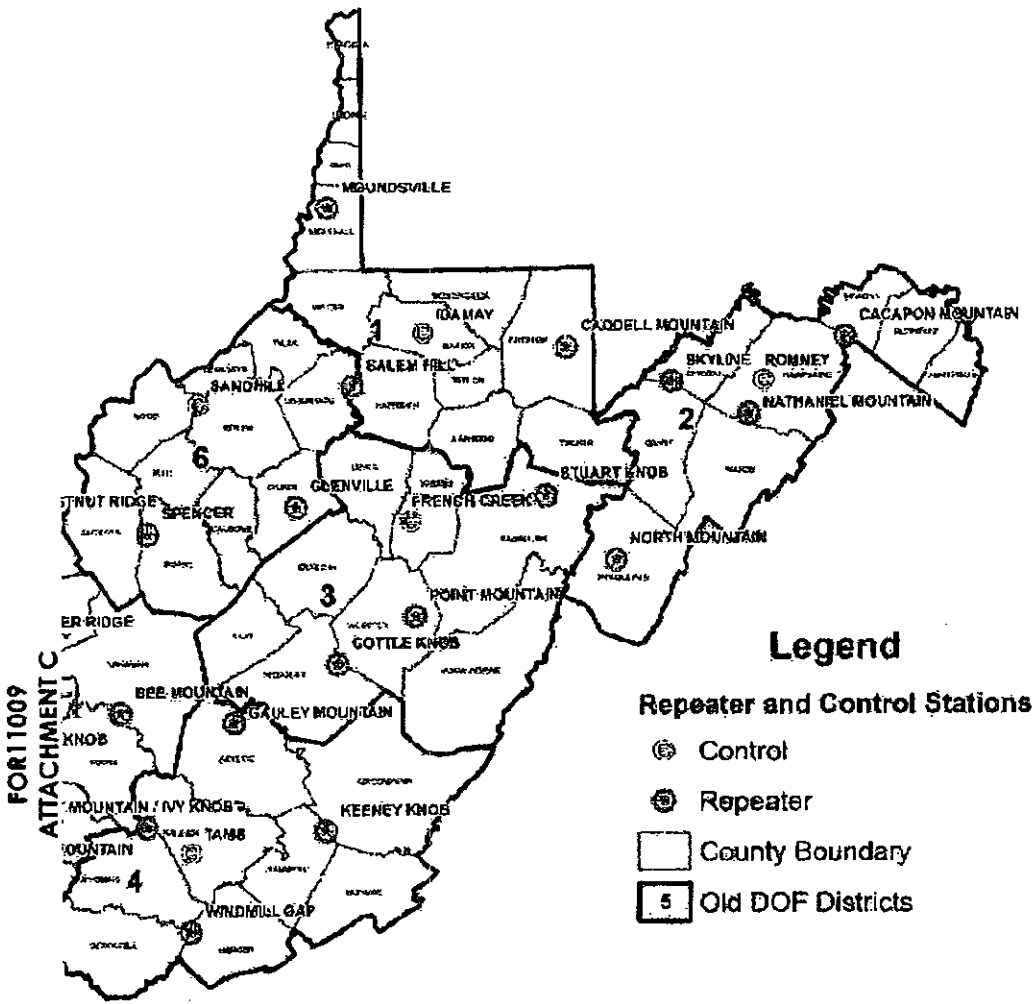
FRENCH CREEK CONTROL STATION CONVERSION

Cost of the conversion of the French Creek control station (District 3) to act as both a control station and a repeater. This cost must include the cost of any necessary equipment and the labor to install, configure, and test the equipment.

FRENCH CREEK CONTROL STATION CONVERSION COST \$_____

FOR11009
ATTACHMENT B

REPEATER		CITY	MANU.	MAKE	MODEL#	SERIAL#	UTM LOCATION			TOWER OWNER
							ZONE	E/W	N/S	
MOUNDSVILLE	REPEATER	MOUNDSVILLE	MOTOROLA	QUANTAR	T-5365A	448CZT0108	17	527715	4421610	WV STATE POLICE
IDAMAY	CONTROL	FAIRMONT	MOTOROLA	QUANTAR	T-5365A	448CW70012	17	564616	4372486	MARION COUNTY COMMISSION
CADDELL MOUNTAIN	REPEATER	KINGWOOD	MOTOROLA	QUANTAR	T-5365A	448CWT0008	17	619258	4367025	WVDOF/WVDNR
ROMNEY	CONTROL	ROMNEY	MOTOROLA	QUANTAR	T-5365A	448CW00080	17	696689	4354293	WVDOF/WV STATE POLICE
CACAPON MOUNTAIN	REPEATER	GREAT CACAPON	MOTOROLA	QUANTAR	T-5365A	448CW00040	17	728203	4371036	WVDNR
SKYLINE	REPEATER	SKYLINE	MOTOROLA	QUANTAR	T-5365A	509CFM1848	17	660858	4353728	WVDOH
NATHANIEL MOUNTAIN	REPEATER	ROMNEY	MOTOROLA	QUANTAR	T-5365A	448CW00041	17	690797	4341155	WVDOF
NORTH MOUNTAIN	REPEATER	FRANKLIN	MOTOROLA	QUANTAR	T-5365A	448CW00039	17	638941	4285931	WVDOH
STUART KNOB	REPEATER	ECKINS	MOTOROLA	QUANTAR	T-5365A	448CZT0107	17	611731	4310612	WVDOF/USDAFS
FRENCH CREEK	CONTROL	FRENCH CREEK	MOTOROLA	QUANTAR	T-5365A	448CW00082	17	559614	4301183	WVDNR
COTTIE KNOB	REPEATER	CRAIGESVILLE	MOTOROLA	QUANTAR	T-5365A	448CWT0009	17	530808	4245806	WVDOF
POINT MOUNTAIN	REPEATER	WEBSTER SPRINGS	MOTOROLA	QUANTAR	T-5365A	448CW00017	17	561073	4264389	WVDOF
GAULEY MOUNTAIN	REPEATER	ANSTED	MOTOROLA	QUANTAR	T-5365A	448CW00014	17	490047	4222961	TWO WAY RADIO
IVY KNOB *	REPEATER	BOLT	MOTOROLA	QUANTAR	T-5365A	448CCV0017	17	456156	4182376	WVDOF
TAMS	CONTROL	BECKLEY	MOTOROLA	QUANTAR	T-5365A	448CWT0011	17	473427	4172385	WVDOF
KEENEY KNOB	REPEATER	ALDERSON	MOTOROLA	QUANTAR	T-5365A	448CZT0107	17	525960	4180736	WVDOF
WINDMILL GAP	REPEATER	BECKLEY	MOTOROLA	QUANTAR	T-5365A	448CW00015	17	472874	4141847	WVDOF
BOLT MOUNTAIN *	REPEATER	BOLT	MOTOROLA	QUANTAR	T-5365A	448CB80092	17	456156	4182376	WVDOF
BARKER RIDGE	CONTROL	MILTON	MOTOROLA	QUANTAR	T-5365A	448CW00016	17	401603	4255423	PEGASIS TOWER/F&L ELECTRONICS
BEE MOUNTAIN	REPEATER	HERNSHAW	MOTOROLA	QUANTAR	T-5365A	448CW00052	17	446157	4226894	WV STATE POLICE
GARTIN KNOB	REPEATER	HARTS	MOTOROLA	QUANTAR	T-5365A	448CW80066	17	394530	4208981	WVDOF
MINGO MOUNTAIN	REPEATER	GILBERT	MOTOROLA	QUANTAR	T-5365A	448CW80067	17	412331	4166203	POCAHONTAS LAND
SANDHILL	CONTROL	VOLCANO	MOTOROLA	QUANTAR	T-5365A	448CW00081	17	476804	4345239	LLOYDS ELECTRONICS
SALEM HILL	REPEATER	SALEM	MOTOROLA	QUANTAR	T-5365A	448CWT0010	17	536980	4352308	LLOYDS ELECTRONICS
GLENVILLE	REPEATER	GLENVILLE	MOTOROLA	QUANTAR	T-5365A	448CEK0087	17	514767	4306380	LLOYDS ELECTRONICS
CHESTNUT RIDGE	REPEATER	MT ALTO	MOTOROLA	QUANTAR	T-5365A	448CCK01046	17	421019	4300987	WVDOF
SPENCER	REPEATER	MT ZION	MOTOROLA	QUANTAR	T-5365A	448CZT0106	17	456770	4296397	WV STATE POLICE
IVY KNOB AND BOLT MOUNTAIN ARE LOCATED AT THE SAME LOCATION										



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.

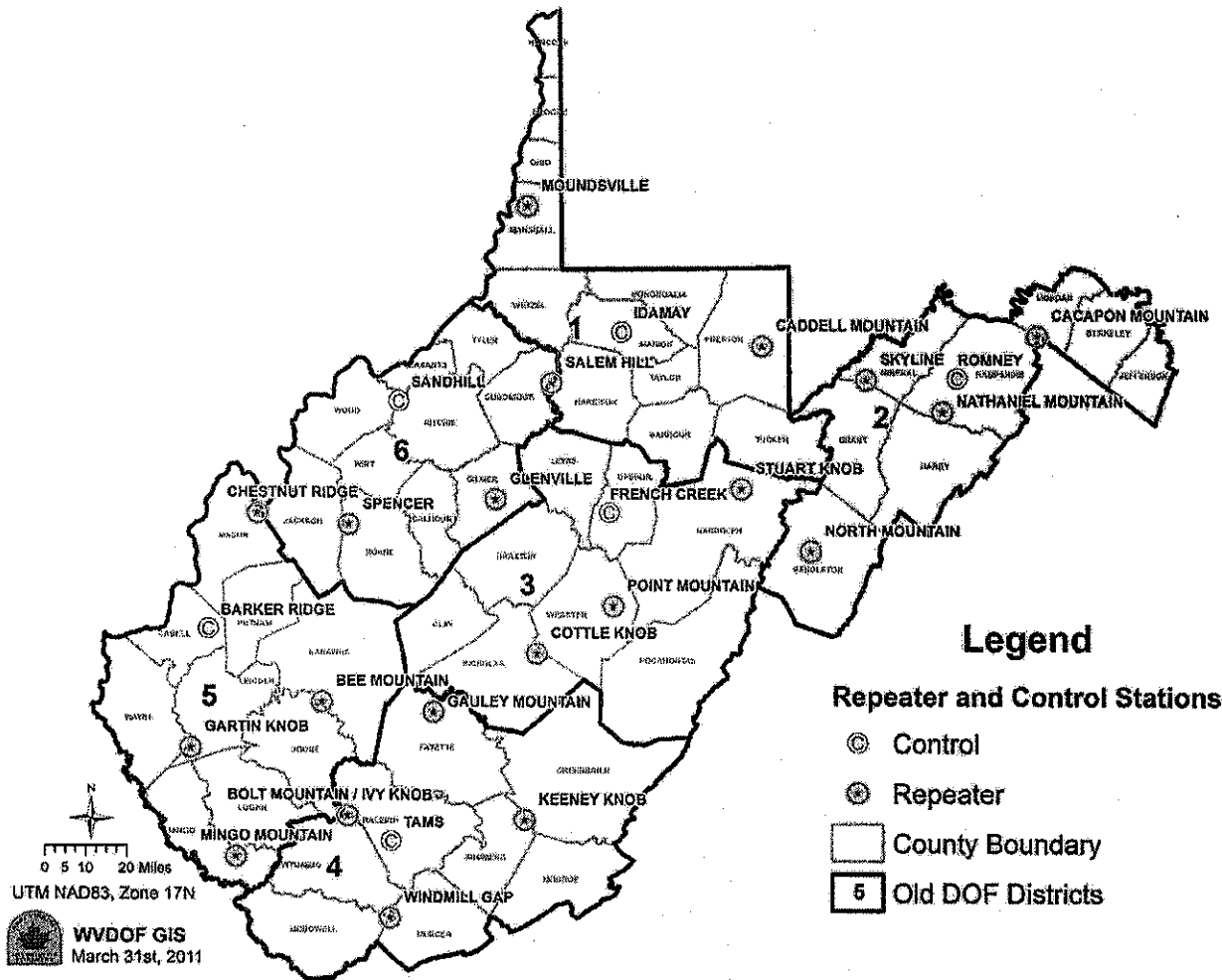
Under penalty of law for false swearing (West Virginia Code, §61-5-3), Bidder hereby certifies that this certificate is true and accurate in all respects; and that if a contract is issued to Bidder and if anything contained within this certificate changes during the term of the contract, Bidder will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

Bidder: F + L Electronics, Inc. Signed: Frank Scanlon

Date: 6-20-11 Title: President

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

FOR11009
ATTACHMENT C



RFQ No. FOR11009STATE 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 exceeds five percent of the total contract amount.

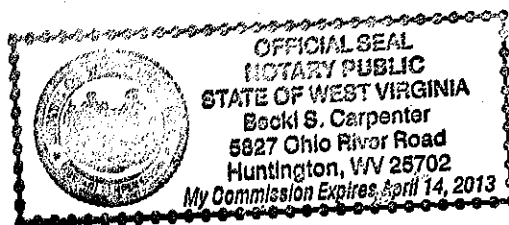
EXCEPTION: The prohibition of this section does not apply where a vendor has contested any tax administered pursuant to chapter eleven of this code, workers' compensation premium, permit fee or environmental fee or assessment and the matter has not become final or where the vendor has entered into a 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 SIGNATUREVendor's Name: F+L Electronics, Inc.Authorized Signature: Frank Scan Date: 6/20/11State of WVCounty of Cabell, to-wit:Taken, subscribed, and sworn to before me this 20 day of June, 2011My Commission expires April 14, 202013

AFFIX SEAL HERE

NOTARY PUBLIC

Becki S. Carpenter

Purchasing Affidavit (Revised 12/15/09)