

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 SOS2012002 1

ADDRESS CORRESPONDENCE TO ATTENTION OF:

FRANK WHITTAKER 304-558-2316

J

SECRETARY OF STATE VARIOUS LOCALES AS INDICATED BY ORDER

558-6000

RFQ COPY TYPE NAME/ADDRESS HERE

West Publishing Corporation d/b/a West, a Thomson Reuters business 610 Opperman Drive Eagan, MN 55123

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FREIGHT TERMS DATE PRINTED TERMS OF SALE SHIP VIA F.O.B. 10/05/2011 **BID OPENING DATE:** 10/26/2011 BID OPENING TIME 01:30PM CAT. QUANTITY AMOUNT LINE UOP: ITEM NUMBER UNIT PRICE NO. CONTRACT. RENEWAL: THIS CONTRACT MAY BE RENEWED UPON THE MUTUAL WRITTEN CONSENT OF THE SPENDING UNIT AND VENDOR, \$UBMITTED TO THE DIRECTOR OF PURCHASING THIRTY (30) DAYS PRIOR TO THE EXPIRATION DATE. SUCH RENEWAL SHALL BE IN ACCORDANCE WITH THE TERMS AND COMDITIONS OF THE ORIGINAL CONTRACT AND SHALL BE LIMITED TO ONE (1) ONE (1) YEAR PERIOD. CANCELLATION THE DIRECTOR OF PURCHASING RESERVES THE RIGHT TO CANCEL THIS CONTRACT IMMEDIATELY UPON WRITTEN NOTICE TO THE VENDOR IF THE COMMODITIES AND/OR SERVICES SUPPLIED ARE OF AN INFERIOR QUALITY OR DO NOT CONFORM TO THE SPECIFICATIONS OF THE BID AND CONTRACT HEREIN. PPEN MARKET CLAUSE: THE DIRECTOR OF PURCHASING MAY AUTHORIZE A \$PENDING UNIT TO PURCHASE ON THE OPEN MARKET, WITHOUT THE FILING OF A REQUISITION OR COST ESTIMATE, ITEMS SPECIFIED ON THIS CONTRACT FOR tmmediate delivery in emergencies due to unforeseen CAUSES (INCLUDING BUT NOT LIMITED TO DELAYS IN TRANS-PORTATION OR AN UNANTICIPATED INCREASE IN THE VOLUME OF WORK.) **DUANTITIES: DUANTITIES|LISTED IN THE REQUISITION ARE** APPROXIMATIONS ONLY, BASED ON ESTIMATES SUPPLIED BY IT IS UNDERSTOOD AND AGREED THE STATE SPENDING UNIT. THAT THE CONTRACT SHALL COVER THE QUANTITIES ACTUALLY ORDERED FOR DELIVERY DURING THE TERM OF THE CONTRACT, WHETHER MORE OR LESS THAN THE QUANTITIES SHOWN. ordering procedure: spending unit(s) shall issue a WRITTEN STATE CONTRACT ORDER (FORM NUMBER WV-39) TO THE VENDOR FOR COMMODITIES COVERED BY THIS CONTRACT. THE ORIGINAL COPY OF THE WV-39 SHALL BE MAILED TO THE SEE REVERSE SIDE FOR TERMS AND CONDITIONS TELEPHONE (651) 687-7636 DATE SIGNATURE Man

10/24/2011

Manager, Govt. Relations

41-1426973

ADDRESS CHANGES TO BE NOTED ABOVE



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Eagan, MN 55123

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Department of Administration
Purchasing Division
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Request for Quotation

Provide 2,500 copies of the 2011 Edition of the "West Virginia Election Laws and Reference Manual" with color soft cover and color foil print. The book, which shall include all annotations, functions of the Office of Secretary of State section, a table of contents, summary pages, a letter and photo from the Secretary of State and an index, will be approximately 900 pages with outside dimensions of 6.5" wide by 10" tall. It will be made up of all sections of West Virginia State Code as they relate to election law as well as election rules as on file with the West Virginia Secretary of State and the Constitution of West Virginia.

The book shall contain all legislative updates from 2009, 2010 and 2011 legislative sessions, including special sessions. The vendor will be responsible for appending all updates. The successful vendor will be provided a copy of the last edition upon award for reference for all sections to be included. A list of sections will be available upon request.

Pricing shall be inclusive of the cost to mail each of the 55 counties a number equal to the amount of precincts within each county (see attached list). The remaining will be bulk shipped to the Secretary of State's office. The vendor shall also include one copy of the book in Word format to be posted for public access on our website. The vendor shall also include a price schedule that provides an option for the purchase of additional books, inclusive of mailing to the Secretary of State's office, in increments of 100 that will remain in effect for the duration of the contract.

Award will be made on the lowest total price.

All books must be delivered by January 31, 2012.

Bid Pricing:

	Lot Price		<u>Total</u>
Price for 2,500 copies:	\$_9.00	X 1 lot of 2,500	\$_22,500.00
Price per lot of 100 copies: (4 lots of 100 is an approximat be more or less. It is understoo shall cover the quantities actual the term of the contract)	od and agreed th	nat the contract	\$_6,000.00_

Total Price:

\$ 28,500.00

West Publishing Corporation d/b/a West, a Thomson Reuters business 610 Opperman Drive Eagan, MN 55123

County Code	County	No. Precincts
01	Barbour	23
02	Berkeley	66
03	Boone	37
04	Braxton	22
05	Brooke	27
06	Cabell	72
07	Calhoun	10
08	Clay	13
09	Doddridge	12
10	Fayette	39
11	Gilmer	12
12	Grant	15
13	Greenbrier	29
14	Hampshire	23
15	Hancock	28
16	Hardy	14
17	Harrison	82
18	Jackson	36
19	Jefferson	32
20	Kanawha	160
21	Lewis	24
22	Lincoln	35
23	Logan	35
24	Marion	77
25	Marshall	49
· 26	Mason	38
27	McDowell	43
28	Mercer	59

County Code	County	No. Precincts
29	Mineral	32
30	Mingo	39
31	Monongalia	71
32	Monroe	18
33	Morgan	13
34	Nicholas	28
35	Ohio	39
3.6	Pendleton	13
37	Pleasants	11
38	Pocahontas	15
39	Preston	34
40	Putnam	48
41	Raleigh	63
42	Randolph	27
43	Ritchie	19
44	Roane	20
45	Summers	15
46	Taylor	18
47	Tucker	11
48	Tyler	12
49	Upshur	29
50	Wayne	37
51	Webster	14
52	Wetzel	22
53	Wirt	9
54	Wood	84
55	Wyoming	36
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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.

NOT 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 preced-
	ing 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.
require 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 stand from any uppend balance on the contract or purchase order.
authori the req	mission of this certificate, Bidder agrees to disclose any reasonably requested information to the Purchasing Division and zes the Department of Revenue to disclose to the Director of Purchasing appropriate information verifying that Bidder has paid uired business taxes, provided that such information does not contain the amounts of taxes paid nor any other information d by the Tax Commissioner to be confidential.
Under and ac chang	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 es during the term of the contract, Bidder will notify the Purchasing Division in writing immediately.
	West Publishing Corporation d/b/a : West, a Thomson Reuters business Signed:
	10/24/2011 Title: Manager, Govt. Relations
*Check	any combination of preference consideration(s) indicated above, which you are entitled to receive.

RFQ No. SOS2012002

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: West	Publishing Corporation d/b	/a West, a Th		1
Authorized Signature:	Da Dhay		_ Date: _ 10/24/2011	
State of Minnesota				
County of	, to-wit:			
Taken, subscribed, and	sworn to before me this 24th day of _	October	, 20 11.	
My Commission expires	January 31	_, 2016		1
AFFIX SEAL HERE	NO	TARY PUBLIC	gel Meyn	while



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 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).



TOOSEMA

RFQ COPY

610 Opperman Drive

TYPE NAME/ADDRESS HERE

West Publishing Corporation d/b/a

West, a Thomson Reuters business

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

WV PURCHASING ACA SECT Fax 304-558-4115
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Oct 20 2011 02:14pm P001/002 PAGE

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Eagan, MN 55123 DATE PRINTED TERMS OF SALE SHIP VIA FREIGHT TERMS 10/20/2011 **BID OPENING DATE** 10/26/2011 BID OPENING TIME 01:30PM LINE QUANTITY ITEM NUMBER UNIT PRICE THUOMA. ************** ADDENDUM NO. 1 **** THIS ADDENDUM IS ISSUED TO PROVIDE THE ATTACHED TECHNICAL QUESTION AND ANSWER. 0001 LS 966-50 1 PRINTING: BOOKS, CATALOGS, MAGAZINES, PAMPHLETS, ETC See Request for Quotation page for pricing. THIS IS THE END OF RFQ SOS2012002 ***** TOTAL: \$28,500,00 SEE REVEASE SIDE FOR TERMS AND CONDITIONS SIGNATURE TELEPHONE 10/24/2011 687-7636 41-1426973 ADDRESS CHANGES TO BE NOTED ABOVE Relations

Question:

After some search, we find a previous version:

http://www.sos.wv.gov/elections/historyresource/Documents/WV%20Election%20Laws%20text.pdf

Is it possible we can obtain an actual printed copy of the previous version? This sample book will help us better understand your need and decide the cost accordingly. I can drive over to pick the book up.

Answer:

Vendors wishing to obtain a copy of the current version of the book may submit requests to:

Brian Messer West Virginia Secretary of State's Office 1900 Kanawha Blvd, East Building 1, Suite 157-K Charleston, WV 25305

Phone: 304-558-6000

Email: bmesser@wvsos.com

Book price is \$25.00. Books may be picked up in person from 8:30 am to 5:00 pm, Monday through Friday, or will be mailed with vendor paying any applicable postage.