

Michael W. Hancock, P.E., President  
Secretary, Kentucky Transportation Cabinet

Bud Wright, Executive Director



444 North Capitol Street NW, Suite 249, Washington, DC 20001  
(202) 624-5800 Fax: (202) 624-5806 · transportation.org · centennial.transportation.org

May 1, 2014

State of West Virginia  
Department of Administration  
Purchasing Division  
209 Washington Street East  
Charleston, WV 25305-0130

Dear Sir or Madam,

The American Association of State Highway and Transportation Officials (AASHTO) is pleased to present this response to your Request for Quotation DPS1341. We have carefully reviewed the terms and conditions of your solicitation and the specifications provided by the West Virginia State Police, Division of Health and Human Resources and the Division of Homeland Security and Emergency Management to provide the frequency coordination services listed for an initial period of one (1) year from the date of award with an option to extend the services for up to two (2) optional one year periods. AASHTO further agrees to extend any services that may be provided under contract award to additional agencies and entities as enumerated in section 48 of the INSTRUCTIONS TO VENDORS SUBMITTING BIDS.

AASHTO began as the American Association of State Highway Officials following an Atlanta meeting in November 1914 and became a formal organization in December of that year. West Virginia was one of the 14 states attending the initial Atlanta meeting and subsequent formational meeting at the Raleigh Hotel in Washington, D.C. The 16 states attending the December 12<sup>th</sup> meeting, with Chief Road Engineer, A. D. Williams representing West Virginia, selected our nation's capital as the association's headquarters where we maintain offices to this day. West Virginia has maintained an unbroken history of membership in the association over the past 100 years.

AASHTO's Articles of Incorporation and Bylaws state "The members of the corporation shall be composed only of instrumentality's of government." Our Bylaws further define this requirement by stating "in which the official transportation responsibility is lodged." As the West Virginia Department of Transportation (WVDOT) is a member of the Association, all WVDOT employees enjoy full membership privileges of the association. AASHTO is recognized and certified as a not-for-profit organization under section 501(c)(3) of the Internal Revenue Service Code of 1954 *et al* with a Tax ID of 53-0204654.

AASHTO is unique in that our coordination services are provided under contract by RadioSoft, Inc., a Delaware corporation with primary offices at 8900 Dicks Hill Parkway, Toccoa, Georgia 30577-9055. RadioSoft's tax ID number is 46-5288823. As AASHTO's authorized

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West Virginia Purchasing Division

representative, all coordination work and work item administration will be conducted by RadioSoft, Inc. from their offices. As our designated agent, RadioSoft will perform all invoicing and collection of monies that may become due under this or any other agreement between AASHTO, RadioSoft and the State of West Virginia in regards to frequency coordination services. RadioSoft shall be responsible for preparation and dissemination of reports required under Item 50 of the INSTRUCTIONS TO VENDORS SUBMITTING BIDS. AASHTO, as the FCC certified frequency advisory committee (FAC or Coordinator) will perform all contract administration activities and be the primary point-of-contact for all contractual issues and resolution of any disputes arising from this effort.

AASHTO's Contract Manager is:

Strat Cavros  
Contracts Manager  
(202) 624-5800  
[scavros@aaashto.org](mailto:scavros@aaashto.org)

AASHTO's Primary Point-of-Contact for this contract:

William Brownlow  
Telecommunications Manager  
(202) 624-5817  
(202) 624-5469  
[wbrownlow@aaashto.org](mailto:wbrownlow@aaashto.org)

AASHTO, like all recognized Frequency Advisory Committees, was certified by the Federal Communications Commission to recommend radio frequencies for licensing with primary responsibility for radio frequencies designated as Highway Maintenance under Title 47, Code of Federal Regulations, Part 90, section 90.20 in 1986<sup>1</sup>. AASHTO is fully qualified under Sections 3.1 and 3.2 of the specifications to perform frequency coordination activities for all items listed in both section 4.1 and 4.1.2 of the specification. AASHTO can provide a wide range of services under section 4.1.2.13 including RF engineering. The AASHTO/RadioSoft team has the engineering expertise with the required degrees and experience levels on staff at our offices as required under section 4.1.2.14.

RadioSoft also has a qualified Part 101.103 and Part 90.1331 microwave coordinator on staff and is pleased to be able to provide both the coordination services requested as well as the Frequency Protection Services as detailed in section 4.1.2.9.1 in the Specifications. AASHTO is the **only** respondent able to provide the full range of services required by the state in this solicitation at one location thereby greatly simplifying the State's Contract Administration duties and negating the need to issue separate contracts for both microwave and private land mobile radio services (PLMR).

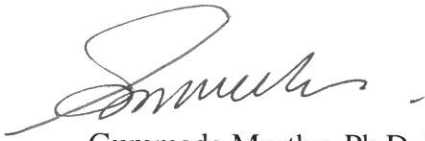
Additionally, AASHTO is the only public safety coordinator that can extend coordination services for frequencies under section 90.35 of the FCC rules and regulations using in house personnel. These assignments are handled through our direct association with The American

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<sup>1</sup> FCC 86-143 Report and Order *In the Matter of Frequency Coordination in the Land Mobile Radio Services* PR Docket 83-737 *et al.*

Automobile Association (AAA) and Manufacturer's Radio Frequency Advisory Committee (MRFAC) whose coordinations are handled through RadioSoft.

Sincerely,

A handwritten signature in black ink, appearing to read 'Gummada Murthy', with a long horizontal flourish extending to the right.

Gummada Murthy, Ph.D. P.E.  
Associate Program Director, Operations  
gmurthy@ashto.org

## Request for Taxpayer Identification Number and Certification

Give Form to the  
 requester. Do not  
 send to the IRS.

Print or type See Specific Instructions on page 2.	Name (as shown on your income tax return) <b>American Association of State Highway and Transportation Officials</b>	
	Business name/disregarded entity name, if different from above	
	Check appropriate box for federal tax classification: <input type="checkbox"/> Individual/sole proprietor <input checked="" type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate  <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶ _____  <input type="checkbox"/> Other (see instructions) ▶ _____	Exemptions (see instructions):  Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____
	Address (number, street, and apt. or suite no.) <b>444 North Capitol St. NW, Ste. 249</b>	Requester's name and address (optional)
City, state, and ZIP code <b>Washington, DC 20001</b>		
List account number(s) here (optional)		

<b>Part I Taxpayer Identification Number (TIN)</b>																			
Enter your TIN in the appropriate box. The TIN provided must match the name given on the "Name" line to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see <i>How to get a TIN</i> on page 3.	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td colspan="9" style="text-align: center;">Social security number</td></tr> <tr><td style="width: 20px; height: 20px;"> </td><td style="width: 20px; height: 20px;"> </td><td style="width: 20px; height: 20px;"> </td><td style="width: 20px; height: 20px;"> </td><td style="width: 20px; height: 20px;"> </td><td style="width: 20px; height: 20px;"> </td><td style="width: 20px; height: 20px;"> </td><td style="width: 20px; height: 20px;"> </td><td style="width: 20px; height: 20px;"> </td></tr> </table>	Social security number																	
Social security number																			
Note. If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td colspan="9" style="text-align: center;">Employer identification number</td></tr> <tr><td style="width: 20px; height: 20px;">5</td><td style="width: 20px; height: 20px;">3</td><td style="width: 20px; height: 20px;">-</td><td style="width: 20px; height: 20px;">0</td><td style="width: 20px; height: 20px;">2</td><td style="width: 20px; height: 20px;">0</td><td style="width: 20px; height: 20px;">4</td><td style="width: 20px; height: 20px;">6</td><td style="width: 20px; height: 20px;">5</td></tr> </table>	Employer identification number									5	3	-	0	2	0	4	6	5
Employer identification number																			
5	3	-	0	2	0	4	6	5											

<b>Part II Certification</b>	
Under penalties of perjury, I certify that:	
1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and 2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and 3. I am a U.S. citizen or other U.S. person (defined below), and 4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.	
<b>Certification instructions.</b> You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 3.	
Sign Here	Signature of U.S. person ▶
	Date ▶ <u>April 1 / 2014</u>

**General Instructions**

Section references are to the Internal Revenue Code unless otherwise noted.

**Future developments.** The IRS has created a page on IRS.gov for information about Form W-9, at [www.irs.gov/w9](http://www.irs.gov/w9). Information about any future developments affecting Form W-9 (such as legislation enacted after we release it) will be posted on that page.

**Purpose of Form**

A person who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, payments made to you in settlement of payment card and third party network transactions, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

- Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
- Certify that you are not subject to backup withholding, or
- Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income, and

4. Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct.

Note. If you are a U.S. person and a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

**Definition of a U.S. person.** For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien,
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States,
- An estate (other than a foreign estate), or
- A domestic trust (as defined in Regulations section 301.7701-7).

**Special rules for partnerships.** Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax under section 1446 on any foreign partners' share of effectively connected taxable income from such business. Further, in certain cases where a Form W-9 has not been received, the rules under section 1446 require a partnership to presume that a partner is a foreign person, and pay the section 1446 withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid section 1446 withholding on your share of partnership income.

## DPS1431 FREQUENCY COORDINATION SERVICES

<b>DPS 1431 Frequency Coordination Services</b>				
<b>Revised by Addendum No. 1</b>				
Item #	Description	Estimated Annual Requests (each)	Unit Price	Extended Price
4.1.1.1	Below 520 MHz frequency coordination (Per frequency, VHF)	5	\$98	\$490
4.1.1.2	Below 520 MHz frequency coordination (Per pair, no VHF)	5	\$98	\$490
4.1.1.3	769-775/799-805 MHz frequency coordination (Per frequency)	2	\$0	\$0
4.1.1.4	769-775/799-805 MHz frequency coordination (Per pair)	2	\$40	\$80
4.1.1.5	806-817/851-862 MHz (NPSPAC) frequency coordination (Per frequency)	2	\$0	\$0
4.1.1.6	806-817/851-862 MHz (NPSPAC) frequency coordination (Per pair)	2	\$40	\$80
4.1.1.7	806-817/851-862 MHz (Non-NPSPAC, General Pool) frequency coordination (Per frequency)	2	\$0	\$0
4.1.1.8	806-817/851-862 MHz (Non-NPSPAC, General Pool) frequency coordination (Per pair)	2	\$150	\$300
4.1.1.9	License Preparation Fee	5	\$100	\$500
4.1.1.10	Interoperable License Administrative Fee	5	\$0	\$0
4.1.1.11	Public Safety Communications Council inter-service Fee	5	\$80	\$400
4.1.1.12	Miscellaneous services – Hourly Rate	5	\$100	\$500
4.1.2.1	Microwave frequency coordination, Interference Analysis (Single frequency)	5	\$240	\$1200
4.1.2.2	Microwave frequency coordination, Prior coordination, 1 <sup>st</sup> path	5	\$800	\$4000
4.1.2.3	Microwave frequency coordination, each additional path	5	\$500	\$2500
4.1.2.4	Microwave frequency coordination, Minor changes and modifications	2	\$250	\$500
4.1.2.5	Microwave frequency coordination, Prior coordination, No response	2	\$500	\$1000
4.1.2.6	Microwave frequency coordination, 6 month renewal notice, 1 <sup>st</sup> path	2	\$400	\$800
4.1.2.7	Microwave frequency coordination, Verbal coordination – expedited	2	\$1500	\$3000
4.1.2.8	Microwave frequency coordination, Verbal coordination, each additional	2	\$1500	\$3000
4.1.2.9	Microwave frequency coordination, Frequency Protection	100	\$75	\$7500
4.1.2.10	Microwave frequency coordination, License Audits	2	\$2500	\$5000
4.1.2.11	Microwave frequency coordination, Interference Analysis	2	\$240	\$480
4.1.2.12	Microwave frequency coordination, License Preparation Fee	2	\$480	\$960
4.1.2.13	Microwave frequency coordination, Miscellaneous Services – Hourly Rate	2	\$160	\$320
<b>Failure to use this form may result in disqualification</b>			<b>OVERALL TOTAL COST:</b>	<b>\$33,100.00</b>

## DPS1431 FREQUENCY COORDINATION SERVICES

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	<p><b>Bidder / Vendor Information:</b></p> <p>Name: American Association of State Highway &amp; Transportation Officials Address: 444 N. Capitol St. N.W. Suite 249 Washington, DC 20001 Phone/Fax # (202) 624-5817 / (202) 624-5469 (Fax) Email Address: WBrownlow@ashto.org</p> <hr/> <p><b>Contact Coordinator Information:</b></p> <p>Name: Peter W. Moncure Address: 8900 Dicks Hill Pkwy Toccoa, GA 30577 Phone/Fax #: (888) 601-3676 / (706) 754-2745 Email Address: coordination@radiosoft.com</p>	
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Michael W. Hancock, P.E., President  
Secretary, Kentucky Transportation Cabinet

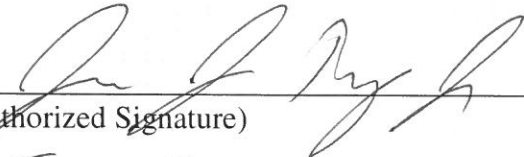
Bud Wright, Executive Director

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**CERTIFICATION AND SIGNATURE PAGE**

American Association of State Highway Officials

  
\_\_\_\_\_  
(Authorized Signature)

*James Tymon Dir. Program Finance & Management*  
\_\_\_\_\_  
(Name, Title)

(202) 624-5800 / (202) 624-5806

*5/12/2014*  
\_\_\_\_\_  
(Date)

RFQ No. DPS 1431

STATE OF WEST VIRGINIA  
Purchasing Division

**PURCHASING AFFIDAVIT**

**MANDATE:** Under W. Va. Code §5A-3-10a, 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: (1) the debt owed is an amount greater than one thousand dollars in the aggregate; or (2) the debtor is in employer default.

**EXCEPTION:** The prohibition listed above does not apply where a vendor has contested any tax administered pursuant to chapter eleven of the W. Va. 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.

**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.

**"Employer default"** means having an outstanding balance or liability to the old fund or to the uninsured employers' fund or being in policy default, as defined in W. Va. Code § 23-2c-2, failure to maintain mandatory workers' compensation coverage, or failure to fully meet its obligations as a workers' compensation self-insured employer. An employer is not in employer default if it has entered into a repayment agreement with the Insurance Commissioner and remains in compliance with the obligations under the repayment agreement.

**"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.

**AFFIRMATION:** By signing this form, the vendor's authorized signer affirms and acknowledges under penalty of law for false swearing (W. Va. Code §61-5-3) that neither vendor nor any related party owe a debt as defined above and that neither vendor nor any related party are in employer default as defined above, unless the debt or employer default is permitted under the exception above.

**WITNESS THE FOLLOWING SIGNATURE:**

Vendor's Name: AASHTO

Authorized Signature: [Signature] Date: 5/12/2014

District of Columbia  
State of Columbia

County of \_\_\_\_\_, to-wit:

Taken, subscribed, and sworn to before me this 12 day of May, 2014.

My Commission expires \_\_\_\_\_, 20\_\_.

AFFIX SEAL HERE

CLARISSE O. BERNARDES COBLE  
NOTARY PUBLIC DISTRICT OF COLUMBIA  
My Commission Expires April 14, 2019

[Signature]





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 Vendor Preference, if applicable.

**1. Application is made for 2.5% 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% 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% 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% 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% 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% 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.

**7. Application is made for preference as a non-resident small, women- and minority-owned business, in accordance with *West Virginia Code* §5A-3-59 and *West Virginia Code of State Rules*.**

Bidder has been or expects to be approved prior to contract award by the Purchasing Division as a certified small, women- and minority-owned business.

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: AASHTO

Signed: [Signature]

Date: 5/2/2014

Title: Director of Management + Program Finance