



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

**Solicitation**

NUMBER
EBA483

PAGE
1

ADDRESS CORRESPONDENCE TO ATTENTION OF
EVELYN MELTON 304-558-2306

RFQ COPY

TYPE NAME/ADDRESS HERE

VENDOR

**New Tech Solutions Inc.**  
 4179 Business Center Dr.  
 Fremont, CA 94538  
 Ph: 510 - 353-4070  
 Fax: 510 - 353-4076  
 www.ntsca.com  
 www.ntsgov.com

SHIP TO

**EDUCATIONAL BROADCASTING AUTHORITY**  
 600 CAPITOL STREET  
 CHARLESTON, WV  
 25301-1223 304-558-3400

DATE PRINTED
03/05/2014

BID OPENING DATE: 04/03/2014

BID OPENING TIME 1:30PM

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
THE WEST VIRGINIA PURCHASING DIVISION IS SOLICITING BIDS ON BEHALF OF THE WEST VIRGINIA EDUCATIONAL BROADCASTING AUTHORITY (WVEBA) TO ESTABLISH A CONTRACT FOR THE ONE TIME PURCHASE OF ETHERNET SWITCHES FOR DEPLOYMENT WITHIN THEIR INTERNAL LAN STRUCTURE.						
0001	3	EA	285-79	NETGEAR PROSAFE NETWORK MANAGEMENT SYSTEM	0	0
				PART # NMS300 OR EQUAL		
0002	3	EA	285-79	NETGEAR 10GBASE-T ETHERNET SWITCH	\$4,289.00	\$12,867.00
				PART # XSM7224-100NES OR EQUAL		
0003	1	EA	285-79	NETGEAR 10GBASE-T ETHERNET SWITCH	\$845.00	\$845.00
				PART # XS708E-100NES OR EQUAL		

04/01/14 10:16:49AM  
 West Virginia Purchasing Division

SIGNATURE	TELEPHONE	DATE
<i>[Signature]</i>	510-353-4070	3/28/14
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE
CONTRACTS MANAGER	94-328-4085	

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



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

**Solicitation**

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ADDRESS CORRESPONDENCE TO ATTENTION OF
EVELYN MELTON 304-558-2306

RFQ COPY

TYPE NAME/ADDRESS HERE

VENDOR

SHIP TO

EDUCATIONAL BROADCASTING  
 AUTHORITY  
 600 CAPITOL STREET  
 CHARLESTON, WV  
 25301-1223 304-558-3400

DATE PRINTED
03/05/2014

BID OPENING DATE: 04/03/2014

BID OPENING TIME 1:30PM

LINE	QUANTITY	UOP	CAT NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
0004	3	EA		285-79 NETGEAR 1GBASE-T ETHERNET SWITCH PART # GSM7252S-100NES OR EQUAL	\$1,964.00	\$5,892.00
0005	6	EA		285-79 NETGEAR 1GBASE-T ETHERNET SWITCH PART # GSM7228S-100NES OR EQUAL	\$1,218.00	\$7,308.00
***** THIS IS THE END OF RFQ EBA483 ***** TOTAL:						\$20,912.00

SIGNATURE <i>Art Van</i>	TELEPHONE 510-353-4070	DATE 3/28/14
TITLE CONTRACTS MANAGER	FEIN 94-328-4685	ADDRESS CHANGES TO BE NOTED ABOVE

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

All Vendors should arrive prior to the starting time for the pre-bid. Vendors who arrive after the starting time but prior to the end of the pre-bid will be permitted to sign in, but are charged with knowing all matters discussed at the pre-bid.

Questions submitted at least five business days prior to a scheduled pre-bid will be discussed at the pre-bid meeting if possible. Any discussions or answers to questions at the pre-bid meeting are preliminary in nature and are non-binding. Official and binding answers to questions will be published in a written addendum to the Solicitation prior to bid opening.

4. **VENDOR QUESTION DEADLINE:** Vendors may submit questions relating to this Solicitation to the Purchasing Division. Questions must be submitted in writing. All questions must be submitted on or before the date listed below and to the address listed below in order to be considered. A written response will be published in a Solicitation addendum if a response is possible and appropriate. Non-written discussions, conversations, or questions and answers regarding this Solicitation are preliminary in nature and are non-binding.

Question Submission Deadline: March 18, 2014 - end of business day

Submit Questions to: Evelyn P. Melton

2019 Washington Street, East

Charleston, WV 25305

Fax: 304-558-4115

Email: [evelyn.p.melton@wv.gov](mailto:evelyn.p.melton@wv.gov)

5. **VERBAL COMMUNICATION:** Any verbal communication between the Vendor and any State personnel is not binding, including that made at the mandatory pre-bid conference. Only information issued in writing and added to the Solicitation by an official written addendum by the Purchasing Division is binding.
6. **BID SUBMISSION:** All bids must be signed and delivered by the Vendor to the Purchasing Division at the address listed below on or before the date and time of the bid opening. Any bid received by the Purchasing Division staff is considered to be in the possession of the Purchasing Division and will not be returned for any reason. The Purchasing Division will not accept bids, modification of bids, or addendum acknowledgment forms via e-mail. Acceptable delivery methods include hand delivery, delivery by courier, or facsimile. The bid delivery address is:

Department of Administration, Purchasing Division

2019 Washington Street East

Charleston, WV 25305-0130

The bid should contain the information listed below on the face of the envelope or the bid may not be considered:

SEALED BID

BUYER:

NEW TECH SOLUTIONS

SOLICITATION NO.:

EBF483

BID OPENING DATE:

4/3/2014

BID OPENING TIME:

1:30PM

FAX NUMBER:

510-353-4070

In the event that Vendor is responding to a request for proposal, the Vendor shall submit one original technical and one original cost proposal plus \_\_\_\_\_ convenience copies of each to the Purchasing Division at the address shown above. Additionally, the Vendor should identify the bid type as either a technical or cost proposal on the face of each bid envelope submitted in response to a request for proposal as follows:

BID TYPE:  Technical  
 Cost

7. **BID OPENING:** Bids submitted in response to this Solicitation will be opened at the location identified below on the date and time listed below. Delivery of a bid after the bid opening date and time will result in bid disqualification. For purposes of this Solicitation, a bid is considered delivered when time stamped by the official Purchasing Division time clock.

Bid Opening Date and Time: April 3, 2014 - Thursday @ 1:30 P.M.

Bid Opening Location:

Department of Administration, Purchasing Division  
 2019 Washington Street East  
 Charleston, WV 25305-0130

8. **ADDENDUM ACKNOWLEDGEMENT:** Changes or revisions to this Solicitation will be made by an official written addendum issued by the Purchasing Division. Vendor should acknowledge receipt of all addenda issued with this Solicitation by completing an Addendum Acknowledgment Form, a copy of which is included herewith. Failure to acknowledge addenda may result in bid disqualification. The addendum acknowledgement should be submitted with the bid to expedite document processing.
9. **BID FORMATTING:** Vendor should type or electronically enter the information onto its bid to prevent errors in the evaluation. Failure to type or electronically enter the information may result in bid disqualification.

REQUEST FOR QUOTATION  
RFQ EBA483 Ethernet Switches

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**10. VENDOR DEFAULT:**

- a. The following shall be considered a vendor default under this Contract.
  - i. Failure to perform Contract Services in accordance with the requirements contained herein.
  - ii. Failure to comply with other specifications and requirements contained herein.
  - iii. Failure to comply with any laws, rules, and ordinances applicable to the Contract Services provided under this Contract.
  - iv. Failure to remedy deficient performance upon request.
- b. The following remedies shall be available to Agency upon default.
  - i. Cancellation of the Contract.
  - ii. Cancellation of one or more release orders issued under this Contract.
  - iii. Any other remedies available in law or equity.

**11. MISCELLANEOUS:**

- a. **Contract Manager:** During its performance of this Contract, Vendor must designate and maintain a primary contract manager responsible for overseeing Vendor's responsibilities under this Contract. The Contract manager must be available during normal business hours to address any customer service or other issues related to this Contract. Vendor should list its Contract manager and his or her contact information below.

**Contract Manager:** ANITA VASANTRAI  
**Telephone Number:** 510-353-4070  
**Fax Number:** 510-353-4070  
**Email Address:** ANITA@NTS

REQUEST FOR QUOTATION  
RFQ EBA483 Ethernet Switches

Pricing Page

Item#	Equipment Description	Qty.	Unit Cost*	Extended Cost
1	NetGear ProSAFE Network Management System, part# NMS300 or equal	3	0	0
2	NetGear 10GBase-t Ethernet switch, part# XSM7224-100NES or equal	3	\$4,289	\$12,867
3	NetGear 10GBase-t Ethernet switch, part# XS708E-100NES or equal	1	\$845	\$845
4	NetGear 1GBase-t Ethernet switch, part# GSM7252S-100NES or equal	3	\$1,964	\$5,892
5	NetGear 1GBase-t Ethernet switch, part# GSM7228S-100NES or equal	6	\$1,218	\$7,308
<b>Total Cost</b>				\$26,912

\*Unit Costs must include ALL charges, including any fees, government surcharges, taxes, travel, shipping, or any other charge associated with the contract item. The Vendor will only be paid what is on the Pricing Page.

**Note: Award will be made to the Vendor with the lowest overall Total Cost meeting specifications.**

**VENDOR NAME:** NEW TECH SOLUTIONS

**VENDOR ADDRESS:** 4179 BUSINESS CENTER DRIVE  
FREMONT, CA 94538

**FAX NUMBER:** 510-353-4070

**PHONE NUMBER:** 510-353-4070

**VENDOR EMAIL:** AMITA@NTSCA.COM

**SIGNATURE:**  **DATE:** 3/28/14

**CERTIFICATION AND SIGNATURE PAGE**

By signing below, I certify that I have reviewed this Solicitation in its entirety; understand the requirements, terms and conditions, and other information contained herein; that I am submitting this bid or proposal for review and consideration; that I am authorized by the bidder to execute this bid or any documents related thereto on bidder's behalf; that I am authorized to bind the bidder in a contractual relationship; and that to the best of my knowledge, the bidder has properly registered with any State agency that may require registration.

NEW TECH SOLUTIONS

(Company)



(Authorized Signature)

ANITA VASANTRAI, CONTRACTS MANAGER

(Representative Name, Title)

510-353-4070      510-353-4070

(Phone Number)

(Fax Number)

3/28/14

(Date)

RFQ No. EBA483

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 exceeds 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: NEW TECH SOLUTIONS

Authorized Signature: *Aut Val* Date: 3/28/14

State of \_\_\_\_\_

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

Taken, subscribed, and sworn to before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

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

**AFFIX SEAL HERE**

**NOTARY PUBLIC** \_\_\_\_\_



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.
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: NEW TECH SOLUTIONS

Signed: [Signature]

Date: 3/28/14

Title: CONTRACTS MANAGER

**ADDENDUM ACKNOWLEDGEMENT FORM**  
**SOLICITATION NO.: EBA483**

**Instructions:** Please acknowledge receipt of all addenda issued with this solicitation by completing this addendum acknowledgment form. Check the box next to each addendum received and sign below. Failure to acknowledge addenda may result in bid disqualification.

**Acknowledgment:** I hereby acknowledge receipt of the following addenda and have made the necessary revisions to my proposal, plans and/or specification, etc.

**Addendum Numbers Received:** NONE  
 (Check the box next to each addendum received)

- |                          |                |                          |                 |
|--------------------------|----------------|--------------------------|-----------------|
| <input type="checkbox"/> | Addendum No. 1 | <input type="checkbox"/> | Addendum No. 6  |
| <input type="checkbox"/> | Addendum No. 2 | <input type="checkbox"/> | Addendum No. 7  |
| <input type="checkbox"/> | Addendum No. 3 | <input type="checkbox"/> | Addendum No. 8  |
| <input type="checkbox"/> | Addendum No. 4 | <input type="checkbox"/> | Addendum No. 9  |
| <input type="checkbox"/> | Addendum No. 5 | <input type="checkbox"/> | Addendum No. 10 |

I understand that failure to confirm the receipt of addenda may be cause for rejection of this bid. I further 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.

NEW TECH SOLUTIONS

\_\_\_\_\_  
Company

*Art Val*

\_\_\_\_\_  
Authorized Signature

3/28/14

\_\_\_\_\_  
Date

NOTE: This addendum acknowledgment should be submitted with the bid to expedite document processing.



**SBA 8(a) & SDB Certified**

4179 Business Center Drive  
Fremont, CA 94538  
Tel: 877 639 8324 / 877-NEW-TECH  
www.ntsca.com / www.nts.gov.com

Quotation For - Solicitation Number: EBA483  
Title: Ethernet Switches

Quote Date : 3/27/2014  
Quoted By: David  
NTS Quote No.: 14005013

<b>Quoted To:</b> Evelyn Melton Email: Evelyn.P.Melton@wv.gov Tel: 304-558-2306 Fax: 304-558-4115	<b>Contract Related Contact:</b> Anita Vasantry Tel: 510-353-4070 x327 anita@ntsca.com	<b>Technical Questions Contact:</b> David Tel: 510-353-4070 x302 david@ntsca.com
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CLIN	Part No.	Manufacturer	Product Desc	Qty	Unit Price	Ext Price
001	NMS00	Netgear, Inc.	Netgear prosafe network management system***NMS300 is actually free for download on Netgear's website for up to 200 devices***	3	\$0.00	\$0.00
002	XSM7224-100NES	Netgear, Inc.	NETGEAR ProSafe M7100-24X - Switch - managed - 24 x 100/1000/10000 + 4 x 10 Gigabit Ethernet / 1 Gigabit Ethernet SFP+ - desktop, rack-mountable	3	\$4,289.00	\$12,867.00
003	XS708E-100NES	Netgear, Inc.	NETGEAR ProSafe Plus XS708E - Switch - unmanaged - 8 x 100/1000/10000 + 1 x combo SFP+ - desktop, rack-mountable - AC 100/230 V	1	\$845.00	\$845.00
004	GSM7252S-100NES	Netgear, Inc.	Netgear ProSafe Next-Gen Edge Managed Switch M5300-52G - Switch - 44 x 10/100/1000 + 4 x combo SFP + 2 x combo SFP/SFP+ - rack-mountable	3	\$1,964.00	\$5,892.00
005	GSM7228S-100NES	Netgear, Inc.	Netgear ProSafe Next-Gen Edge Managed Switch M5300-28G - Switch - 20 x 10/100/1000 + 4 x combo SFP + 2 x combo SFP/SFP+ - rack-mountable	6	\$1,218.00	\$7,308.00

**Total: \$26,912.00**

**FOB Destination:** YES

**Warranty:** Standard Manufacture Warranty

**Price Valid Upto:** 30 days

**Delivery Time:** 25 days

**Payment Term:** Net 30

Items quoted with OPEN MARKET pricing

**Address Purchase Orders to:** New Tech Solutions Inc. 4179 Business Center Dr. Fremont, CA 94538

Federal Tax ID#: 94-328-4685,  
Duns#: 020149303,  
Cage Code: 1QN24

STATE OF INCORPORATION: CALIFORNIA  
ERATE SPIN NUMBER : 143030241

8(a) Minority Owned SDB Certified # 302504  
SBA Certified 8A Program Participant EXP Date: 04/04/2017  
SBA Certified Small Disadvantaged Business EXP Date: 04/04/2017  
Registered in SAM.GOV

**Remit To:**

**Note:** NTS is registered in WAWF and we accept invoice in WAWF system.

**PAYMENT BY EFT**

**PAYMENT BY CHECK**

**BANK ACH/EFT/WIRE INFORMATION**

UNION BANK, SAN FRANCISCO CA 94104

**Bank Routing #** 021052053

**ACCT#** 40783446

NEW TECH SOLUTIONS INC

4179 Business Center Drive

FREMONT CA 94538

**Phone:** 510-353-4070

**Fax:** 510-353-4076

**Note:** New Tech Solutions has completed the annual representations and certifications electronically via the Online Representations and Certifications Application (ORCA).

4179 Business Center Drive, Fremont, CA 94538 Phone: 1-510-353-4070 Fax: 1-510-353-4076 www.ntsca.com  
**SBA 8(a) & SDB Certified**