

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 636000062

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ADDRESS CORRESPONDENCE TO ATTENTION OF JOHN JOHNSTON 304-558-2402

*919142208 IMAGESERV LLC VENDOR 1116 SMITH STREET #205

304-414-2222

CHARLESTON WV 25301

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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. All quotations are governed by the West Virginia Code and the Legislative Rules of the Purchasing Division.
- 4. Prior to any award, the apparent successful vendor must be properly registered with the Purchasing Division and have paid the required registration fee. (Effective June 8, 2006, the fee will change from \$45.00 to \$125.00 pursuant to House Bill 4031.)
- 5. All services performed or goods delivered under State Purchase Orders/Contracts are to be continued for the term of the Purchase Order/Contract, 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.
- 6. Payment may only be made after the delivery and acceptance of goods or services.
- 7. Interest may be paid for late payment in accordance with the West Virginia Code.
- 8. Vendor preference will be granted upon written request in accordance with the West Virginia Code.
- 9. The State of West Virginia is exempt from federal and state taxes and will not pay or reimburse such taxes.
- 10. The Director of Purchasing may cancel any Purchase Order/Contract upon 30 days written notice to the seller.
- 11. The laws of the State of West Virginia and the *Legislative Rules* of the Purchasing Division shall govern all rights and duties under the Contract, including without limitation the validity of this Purchase Order/Contract.
- 12. Any reference to automatic renewal is hereby deleted. The Contract may be renewed only upon mutual written agreement of the parties.
- 13. BANKRUPTCY: In the event the vendor/contractor files for bankruptcy protection, this contract is automatically null and void, and is terminated without further order.
- 14. HIPAA Business Associate Addendum The West Viginia State Government HIPAA Business Associate Addendum (BAA), approved by the Attorney General, and available online at the Purchasing Division's web site (http://www.state.wv.us/admin/purchase/vrc/hipaa.htm) is hereby made part of the agreement. Provided that, the Agency meets the definition of a Covered Entity (45 CFR §160.103) and will be disclosing Protected Health Information (45 CFR §160.103) to the vendor.

INSTRUCTIONS TO BIDDERS

- 1. Use the quotation forms provided by the Purchasing Division.
- 2. SPECIFICATIONS: 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. Complete all sections of the quotation form.
- 4. Unit prices shall prevail in cases of discrepancy.
- 5. All quotations are considered F.O.B. destination unless alternate shipping terms are clearly identified in the quotation.
- 6. DUPLICATE BIDS: All quotations must be delivered by the bidder to the respective offices 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.

ORIGINAL SIGNED BID TO:

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

DUPLICATE BID TO:

State Auditor's Office Bid Observer Building 1 Room W114 1900 Kanawha Boulevard, East Charleston, WV 25305-0230

NOTICE: Beginning June 8, 2006, there is no need to submit a duplicate bid to the State Auditor's Office pursuant to House Bill 4031.



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1 Description of Needs

The West Virginia Department of Transportation (WVDOT) is soliciting bids for hardware maintenance for (10) Bell & Howell Copiscan Specturm Series 8080 scanners and (10) Kofax Adrenaline 650i cards with VRS 3.5. This equipment is installed at 1606 Washington Street, located near the State Capitol Complex.

The vendor shall include necessary preventive maintenance, emergency service repairs and provide consumables to maintain the equipment described in section 1.3 of this RFQ. In addition, the vendor shall be authorized to service and support Bell & Howell equipment. Consumables shall include but not be limited to belts, lamps, rollers, pads, etc. This is an all inclusive maintenance contract.

1.1 Award

Award shall be based on the lowest bid meeting specs for the scanner maintenance RFQ. Award shall be to a single vendor. This shall be a one year maintenance contract with the option of two consecutive renewal options.

Quote shall be all-inclusive. No separate reimbursement will be made to the vendor for travel or other expenses.

1.2 Confidentiality of Data

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

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

Vendor may only disclose WVDOT'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.

Vendor will access WVDOT'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 WVDOT's Project Administrator. Upon receiving access 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 WVDOT to perform the required services.

Vendor will limit access to WVDOT' Confidential Information, computer network, systems/applications and equipment to only those of its employees or agents that are directly involved in performing the

contracted work. 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 other necessary steps to ensure that the terms of this agreement 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. WVDOT may at any time request the return of any or all Confidential Information or may revoke access permissions. Upon completion and acceptance of all work or upon completion or termination of Contract, Vendor must relinquish all Confidential Information and access to computer networks, systems/applications and equipment of WVDOT.

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

1.3 Hardware Support Requirements

Scanner	Location
Bell & Howell 8080 Copiscan	DMV – 1606 Washington Street
Spectrum (10) with VRS	
Kofax Adrenaline Cards	
650i Board (10)	DMV – 1606 Washington Street

NOTE: Hardware location could be subject to change within the Charleston Complex Area.

- 1.4.1 The vendor shall provide WVDOT with a local or toll free number for software support. This number shall be available between the hours of 8:30 a.m. and 4:00 p.m., Monday through Friday, excluding Holidays.
- 1.4.2 Vendor shall be an authorized Bell & Howell service provider and must have experience working with Kofax products.
- 1.4.3 The vendor shall provide onsite support between the hours of 8:30 a.m. to 4:00 p.m., Monday through Friday (excluding Holidays)
- 1.4.4 The vendor shall provide four hour call back and next business day onsite response to diagnose hardware problems. If parts are necessary and the equipment will be out of production for more than three days, WVDOT shall have the option of requesting the vendor provide loaner equipment.
- 1.4.5 The vendor will be required to schedule and perform two (2) preventative maintenance inspections per contract year. The vendor will be required to contact the DOT project manager in advance, to schedule these maintenance visits. Preventive maintenance shall include but not be limited to cleaning, inspection and replacement of serviceable parts if needed.
- 1.4.6 The vendor will be required to provide service repairs, make adjustments and perform other actions necessary to maintain the hardware in good working condition throughout the life of the contract. This

service contract shall include at no additional charge, any parts or consumables necessary to keep the hardware in full operation.

- 1.4.7 The vendor will be required to install firmware upgrades/updates if required to maintain the operability of the scanning equipment. Installation of such updates/upgrades shall be mutually agreed upon by the WVDOT project manager and the service provider.
- 1.4.8 Vendor will provide technical assistance in the event any of the scanners are physically relocated or if replacement workstations are needed. The vendor will be required to relocate Adrenaline cards and install scanner drivers in the event equipment is relocated.
- 1.4.9 The vendor will be required to ensure that the Bell & Howell scanning is communicating with Kofax. In the event that connectivity issues arise, the vendor will be required to troubleshoot the problem and resolve the connection.
- 1.4.10 Vendor will be required to provide WVDOT project manager with copies of all service and maintenance reports.

2 Cost Summary

The vendor shall provide an annual unit cost for coverage of each item under this contract. The vendor will be required to bill all maintenance costs quarterly in arrears.

Quote shall be all-inclusive. No separate reimbursement will be made to the vendor for travel or other expenses.

Hardware Item	Annual Cost
Bell & Howell 8080 Spectrum Copiscan (10)	# 28. 252. °
Kofax Adrenaline Cards	
650I Board (10)	51200.W

TOTAL ANNUAL COST:

\$ 5129 452,00

QUARTERLY COSTS BILLED IN ARREARS:

\$ 57,363.

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 owned 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.

LICENSING:

The vendor must be licensed in accordance with any and all state requirements to do business with the state of West Virginia.

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. Vendors should visit www.state.wv.us/admin/purchase/privacy for the Notice of Agency Confidentiality Policies.

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

Vendor's Name:	MAGE	JERV.		LCA_				
Authorized Signature:	Mac	alla	<u></u> Qu	9/(A	//c_Date:	June	21	2006
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No Debt Affidavit Revised 02/08/06