



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  
**BPH70348**

PAGE  
**1**

ADDRESS CORRESPONDENCE TO ATTENTION OF  
**ROBERTA WAGNER  
 304-558-0067**

**\*709063426 304-622-7923**  
**MICHEL INC**  
**PO BOX 1140**  
**BRIDGEPORT WV 26330**

**HEALTH AND HUMAN RESOURCES**  
**BPH - TRAUMA & EMERGENCY CARE**  
**SYSTEM**  
**VARIOUS LOCALES AS INDICATED**  
**ON PURCHASE ORDER**

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
01/03/2007				

BID OPENING DATE: **02/06/2007** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	JB		285-39		
<p>OPEN END CONTRACT TO PROVIDE COMMUNICATION TOWERS</p> <p>OPEN END CONTRACT</p> <p>TO ESTABLISH AN OPEN END CONTRACT FOR VARIOUS STANDBY AC POWER GENERATORS FOR THE STATEWIDE MEDICAL COMMAND MICROWAVE SYSTEM AND INTEROPERABLE RADIO SYSTEM FOR SUBDIVISIONS. THIS CONTRACT WOULD BE FOR PURCHASE OF THE GENERATORS, ACCESSORIES, DELIVERY AND INSTALLATION TO SPECIFIC TOWER SITES AS PER THE ATTACHED SPECIFICATIONS.</p> <p>EXHIBIT 3</p> <p>LIFE OF CONTRACT: THIS CONTRACT BECOMES EFFECTIVE ON ..... AND EXTENDS FOR A PERIOD OF ONE (1) YEAR OR UNTIL SUCH "REASONABLE TIME" THEREAFTER AS IS NECESSARY TO OBTAIN A NEW CONTRACT OR RENEW THE ORIGINAL CONTRACT. THE "REASONABLE TIME" PERIOD SHALL NOT EXCEED TWELVE (12) MONTHS. DURING THIS "REASONABLE TIME" THE VENDOR MAY TERMINATE THIS CONTRACT FOR ANY REASON UPON GIVING THE DIRECTOR OF PURCHASING 30 DAYS WRITTEN NOTICE.</p> <p>UNLESS SPECIFIC PROVISIONS ARE STIPULATED ELSEWHERE IN THIS CONTRACT DOCUMENT, THE TERMS, CONDITIONS AND PRICING SET HEREIN ARE FIRM FOR THE LIFE OF THE CONTRACT.</p> <p>RENEWAL: THIS CONTRACT MAY BE RENEWED UPON THE MUTUAL WRITTEN CONSENT OF THE SPENDING UNIT AND VENDOR, SUBMITTED TO THE DIRECTOR OF PURCHASING THIRTY (30)</p>						

**RECEIVED**  
 2007 FEB -5 A 8:41  
 PURCHASING DIVISION  
 STATE OF WV

SEE REVERSE SIDE FOR TERMS AND CONDITIONS			
SIGNATURE <i>Thomas G. Meckel</i>	TELEPHONE 304-622-7923	DATE 2/6/07	
TITLE President	FEIN 61-1109182	ADDRESS CHANGES TO BE NOTED ABOVE	

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



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<p>DAYS PRIOR TO THE EXPIRATION DATE. SUCH RENEWAL SHALL BE IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE ORIGINAL CONTRACT AND SHALL BE LIMITED TO TWO (2) ONE (1) YEAR PERIODS.</p> <p>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.</p> <p>OPEN MARKET CLAUSE: THE DIRECTOR OF PURCHASING MAY AUTHORIZE A SPENDING UNIT TO PURCHASE ON THE OPEN MARKET, WITHOUT THE FILING OF A REQUISITION OR COST ESTIMATE, ITEMS SPECIFIED ON THIS CONTRACT FOR IMMEDIATE DELIVERY IN EMERGENCIES DUE TO UNFORESEEN CAUSES. (INCLUDING BUT NOT LIMITED TO DELAYS IN TRANSPORTATION OR AN UNANTICIPATED INCREASE IN THE VOLUME OF WORK.)</p> <p>QUANTITIES: QUANTITIES LISTED IN THE REQUISITION ARE APPROXIMATIONS ONLY, BASED ON ESTIMATES SUPPLIED BY THE STATE SPENDING UNIT. IT IS UNDERSTOOD AND AGREED 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.</p> <p>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 VENDOR AS AUTHORIZATION FOR SHIPMENT, A SECOND COPY MAILED TO THE PURCHASING DIVISION, AND A THIRD COPY RETAINED BY THE SPENDING UNIT.</p> <p>BANKRUPTCY: IN THE EVENT THE VENDOR/CONTRACTOR FILES</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
TITLE <b>President</b>	<b>304-622-7923</b>	<b>2/6/07</b>
FEIN <b>61-1109182</b>	ADDRESS CHANGES TO BE NOTED ABOVE	

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<p>FOR BANKRUPTCY PROTECTION, THIS CONTRACT IS AUTOMATICALLY NULL AND VOID, AND IS TERMINATED WITHOUT FURTHER ORDER.</p> <p>THE TERMS AND CONDITIONS CONTAINED IN THIS CONTRACT SHALL SUPERSEDE ANY AND ALL SUBSEQUENT TERMS AND CONDITIONS WHICH MAY APPEAR ON ANY ATTACHED PRINTED DOCUMENTS SUCH AS PRICE LISTS, ORDER FORMS, SALES AGREEMENTS OR MAINTENANCE AGREEMENTS, INCLUDING ANY ELECTRONIC MEDIUM SUCH AS CD-ROM.</p> <p>REV. 04/11/2001</p> <p>WRITTEN QUESTIONS SHALL BE ACCEPTED THROUGH CLOSE OF BUSINESS ON FRIDAY, 1/12/07. QUESTIONS MAY BE SENT VIA USPS, FAX, COURIER OR EMAIL. IN ORDER TO ASSURE NO VENDOR RECEIVES AN UNFAIR ADVANTAGE, NO SUBSTANTIVE QUESTIONS WILL BE ANSWERED ORALLY. IF POSSIBLE, EMAIL QUESTIONS ARE PREFERRED. ADDRESS INQUIRIES TO:</p> <p>ROBERTA WAGNER            DEPARTMENT OF ADMINISTRATION            PURCHASING DIVISION            2019 WASHINGTON STREET, EAST            CHARLESTON, WV 25311            FAX: 304-558-4115            EMAIL: RWAGNER@WVADMIN.GOV</p> <p>EXHIBIT 6</p> <p>PRICE ADJUSTMENT PROVISION:            THE STATE OF WEST VIRGINIA WILL CONSIDER BIDS THAT CONTAIN PROVISIONS FOR PRICE ADJUSTMENTS PRIOR TO THE ORIGINAL EXPIRATION OF THE CONTRACT, PROVIDED THAT SUC</p>						

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<p>PRICE ADJUSTMENT COVERS BOTH UPWARD AND DOWNWARD MOVEMENT OF THE COMMODITY PRICE, AND THAT ADJUSTMENT IS BASED ON THE "PASS THROUGH" INCREASE OR DECREASE OF RAW MATERIALS AND/OR LABOR, WHICH MAKE UP ALL OR A SUBSTANTIAL PART OF A PRODUCT. ADJUSTMENTS ARE TO BE BASED UPON AN ACTUAL DOLLAR FIGURE, NOT A PERCENTAGE. ALL PRICE ADJUSTMENT REQUESTS MUST BE SUBSTANTIATED IN A MANNER ACCEPTABLE TO THE DIRECTOR PURCHASING, E.G. GOVERNMENTAL BENCH MARKS, GENERAL MARKET INCREASE, PUBLISHED PRICE LISTS. SUCH REQUESTS FOR AND INCREASE SHOULD BE RECEIVED IN WRITING BY THE DIRECTOR OF PURCHASING AT LEAST 30 DAYS IN ADVANCE OF THE EFFECTIVE DATE OF THE INCREASE. ANY TIME THE VENDOR REQUESTS A PRICE ADJUSTMENT, THE PURCHASING DIVISION MAY EITHER ACCEPT THE PRICE ADJUSTMENT AND AMEND THE CONTRACT ACCORDINGLY OR REJECT THE ADJUSTMENT IN ITS ENTIRETY AND CANCEL THE CONTRACT.</p> <p>PREFERRED TERMS:          IT IS PREFERRED THAT THE PRICES ON THIS CONTRACT ARE FIRM FOR LIFE OF THE CONTRACT, AS INDICATED IN THE LIFE OF CONTRACT CLAUSE CONTAINED HEREIN, NOT TO EXCEED ONE (1) YEAR.</p> <p>IF THE VENDOR CANNOT GUARANTEE A FIRM PRICE FOR THE LIFE OF CONTRACT, HE MUST INDICATE ONE OF THE PARAGRAPHS LISTED BELOW. FAILURE TO QUALIFY THE PREFERRED TERMS WILL BIND THE VENDOR TO A FIRM PRICE FOR THE LIFE OF THE CONTRACT.</p> <p>ALTERNATE TERMS:          (X) THE PRICES ON THIS CONTRACT WILL REMAIN FIRM FOR <b>.365...</b> DAYS AFTER THE EFFECTIVE DATE OF THE</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Thomas A. ...</i>	TELEPHONE 304-622-7923	DATE 2/6/07
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TITLE President	FEIN 61-1109182	ADDRESS CHANGES TO BE NOTED ABOVE
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<p>CONTRACT. PRICES WILL REMAIN FIRM AFTER EACH PRICE ADJUSTMENT FOR A MINIMUM OF ..... DAYS.</p> <p>( ) THE VENDOR DOES NOT AGREE TO MAINTAIN A FIRM PRICE FOR THE LENGTH OF THE CONTRACT BUT OFFERS AN ALTERNATE PROPOSAL AS FOLLOWS:</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>VENDOR PREFERENCE CERTIFICATE</p> <p>CERTIFICATION AND APPLICATION* IS HEREBY MADE FOR PREFERENCE IN ACCORDANCE WITH WEST VIRGINIA CODE, 5A-3-37 (DOES NOT APPLY TO CONSTRUCTION CONTRACTS).</p> <p>A. APPLICATION IS MADE FOR 2.5% PREFERENCE FOR THE REASON CHECKED:</p> <p>( ) 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</p> <p>( X ) BIDDER IS A PARTNERSHIP, ASSOCIATION OR CORPORATION RESIDENT VENDOR AND HAS MAINTAINED ITS HEAD-QUARTERS 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</p>						

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<p>( ) BIDDER IS A CORPORATION 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.</p> <p>B. APPLICATION IS MADE FOR 2.5% PREFERENCE FOR THE REASON CHECKED:</p> <p>( X ) 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;</p> <p>OR</p> <p>( ) 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 BIDDERS' 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.</p> <p>BIDDER UNDERSTANDS IF THE SECRETARY OF TAX &amp; 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) RESCIND THE CONTRACT OR PURCHASE ORDER ISSUED; OR (B) ASSESS A PENALTY AGAINST SUCH</p>						

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President	304-622-7923	2/6/07
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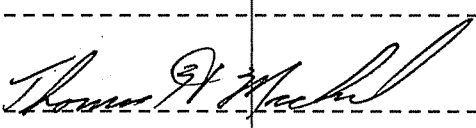
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<p>BIDDER IN AN AMOUNT NOT TO EXCEED 5% OF THE BID AMOUNT AND THAT SUCH PENALTY WILL BE PAID TO THE CONTRACTING AGENCY OR DEDUCTED FROM ANY UNPAID BALANCE ON THE CONTRACT OR PURCHASE ORDER.</p> <p>BY SUBMISSION OF THIS CERTIFICATE, BIDDER AGREES TO DISCLOSE ANY REASONABLY REQUESTED INFORMATION TO THE PURCHASING DIVISION AND AUTHORIZES THE DEPARTMENT OF TAX AND 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.</p> <p>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.</p> <p style="text-align: right;">Michel, Inc.</p> <p>BIDDER: -----</p> <p style="text-align: center;">2/6/07</p> <p>DATE: -----</p> <p>SIGNED:  -----</p> <p style="text-align: center;">President</p> <p>TITLE: -----</p> <p>* CHECK ANY COMBINATION OF PREFERENCE CONSIDERATION(S)</p>						

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<p>IN EITHER "A" OR "B", OR BOTH "A" AND "B" WHICH YOU ARE ENTITLED TO RECEIVE. YOU MAY REQUEST UP TO THE MAXIMUM 5% PREFERENCE FOR BOTH "A" AND "B". (REV. 12/00)</p> <p style="text-align: center;">NOTICE</p> <p>AN ORIGINAL, SIGNED BID MUST BE SUBMITTED TO:</p> <p style="text-align: center;">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: SEALED BID.</p> <p>BUYER: ROBERTA WAGNER - 22</p> <p>RFQ. NO.: BPH70348</p> <p>BID OPENING DATE AND TIME: 02/06/2007 @ 1:30 PM</p> <p>PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID:          304-624-1252</p> <p>-----          CONTACT PERSON (PLEASE PRINT CLEARLY):          Thomas H. Michel          -----</p>						

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** PLEASE ENCLOSE A CONVENIENCE COPY **						
***** THIS IS THE END OF RFQ BPH70348 ***** TOTAL:						<u>\$307,508.00</u>

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Thomas H. Michel</i>	TELEPHONE 304-622-7923	DATE 2/6/07
TITLE President	FEIN 61-1109182	ADDRESS CHANGES TO BE NOTED ABOVE

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The West Virginia Department of Health and Human Resources (DHHR), Bureau for Public Health (BPH), State Trauma and Emergency Care System (STECS) desires to establish an open-end contract for the purchase of various **standby AC power generators** for the Statewide Medical Command communications and interoperable radio system as well as all state agencies and political subdivisions.

## **SPECIFICATIONS**

### **1.0 General**

- 1.1 Quoted price for each generator shall include delivery and installation of generator unit onto concrete pad at specified tower sites through out West Virginia. Vendor shall include in quote all materials, delivery, and installation costs including, automatic transfer switch, connection of generator to transfer switch with appropriate conduit and wiring, as well as start-up test of generator.
- 1.2 Quote shall be valid for a period of one year, with option to renew for two (2) additional one year periods.
- 1.3 All generator units must meet applicable UL, NFPA, ISA, IEC, CSA, and OSHA guarding, standards.
- 1.4 Successful bidder must be able to provide parts and maintenance for the units quoted.
- 1.5 Units quoted must have a minimum warranty on parts and labor of one (1) year.
- 1.6 Bidder to include copy of unit specifications to confirm compliance with bid specifications.

### **2.0 Mandatory Engine features**

- 2.1 Liquid Propane (LP) fuel system
- 2.2 Heavy duty 4 cycle engine
- 2.3 Electronic distributorless ignition system
- 2.4 Liquid cooled
- 2.5 Electronic governor
- 2.6 12 volt DC electrical starting system
- 2.7 Twist-on full flow cartridge oil filter
- 2.8 Dry Air cleaner with disposable element
- 2.9 Low oil pressure shutdown
- 2.10 Low coolant level shutdown
- 2.11 High coolant temperature shutdown
- 2.12 Easily accessible coolant and oil drains piped to edge of base

### **3.0 Mandatory Electrical Unit Features**

- 3.1** Auto remote starting and stopping
- 3.2** Precise frequency and voltage regulation
- 3.3** Random voltage regulation of +/- 1%
- 3.4** Single phase 120/240 volts AC output
- 3.5** Gas pressure regulator
- 3.6** Radiator and cooling fan with guards
- 3.7** Volts adjust potentiometer
- 3.8** Safety shutdown and alarm indicators
- 3.9** Engine and generator instrumentation
- 3.10** Audible alarms for all faults
- 3.11** Auto start control panel

### **4.0 Mandatory Additional required features**

- 4.1** Weather protective enclosure with anticorrosive heavy duty weather resistant paint
- 4.2** Skid base with vibration isolation
- 4.3** Engine coolant/oil heater
- 4.4** Remote monitoring and auto start functions
- 4.5** Must include operation and maintenance manual with wiring diagrams
- 4.6** Automatic transfer switch shall be inclusive within the price quoted for each generator.

### **5.0 Size and type of generator units**

- 5.1** The following size generator units are being requested.

- a. 10 kW
- b. 15 kW
- c. 20 kW
- d. 30 kW
- e. 35 kW
- f. 45 kW
- g. 60 Kw

- 5.2** The ratings in item 5.1 are for "Standby" power as defined in ISO8528 and ISO 3046. Individual unit ratings may be +/- 2 kW, except 60 Kw unit may be +/- 5 Kw.

## 6.0 Bid Evaluation Sheet

Bid will be evaluated based on the Grand Total Price listed below. Award will be based on the lowest Grand Total Price which meets all specifications in items 1.0 through 5.0.

Note: Vendors should take particular note of the specifications in General Section 1.0 to assure compliance.

Qty	Size	Description	Unit Price	Total Price
2	10 kW	LP Generator	13,204.00	26,408.00
6	15 kW	LP Generator	13,204.00	79,224.00
4	20 kW	LP Generator	17,533.00	70,132.00
2	30 kW	LP Generator	19,884.00	39,768.00
2	35 kW	LP Generator	21,466.00	42,932.00
1	45 kW	LP Generator	22,597.00	22,597.00
1	60 kW	LP Generator	26,447.00	26,447.00
<b>GRAND TOTAL OF BID PRICE</b>				<b>307,508.00</b>

Above quantities are for sample purposes only. Actual ordered amounts may be more or less.

END OF SPECIFICATIONS

# A F F I D A V I T

**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 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.

**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, West Virginia Insurance Commission, or any other state agencies or political subdivision. Furthermore, the vendor must provide all necessary releases to obtain information to enable the Director or spending unit to verify that the vendor is licensed and in good standing with the above entities.

**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](http://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: Michel, Inc.

Authorized Signature:  Date: 2/6/07



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
BPH70348

PAGE
1

ADDRESS CORRESPONDENCE TO ATTENTION OF
ROBERTA WAGNER 304-558-0067

\*709063426 304-622-7923

VENDOR

MICHEL INC  
 PO BOX 1140

BRIDGEPORT WV 26330

SHIP TO

HEALTH AND HUMAN RESOURCES  
 BPH - TRAUMA & EMERGENCY CARE  
 SYSTEM  
 VARIOUS LOCALES AS INDICATED  
 ON PURCHASE ORDER

DATE PRINTED 01/16/2007	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
BID OPENING DATE: 02/06/2007		BID OPENING TIME 01:30PM		

LINE	QUANTITY	UOP	CAT NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
*****ADDENDUM #1*****						
1.				ANSWERS TO VENDOR QUESTIONS AS PER ATTACHED.		
2.				ADDENDUM ACKNOWLEDGEMENT IS ATTACHED. THIS DOCUMENT SHOULD BE SIGNED AND RETURNED WITH YOUR BID. FAILURE TO SIGN AND RETURN MAY RESULT IN DISQUALIFICATION OF YOUR BID.		
*****END OF ADDENDUM #1*****						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Thomas G. Michel</i>	TELEPHONE 304-622-7923	DATE 2/6/07
TITLE President	FEIN 61-1109182	ADDRESS CHANGES TO BE NOTED ABOVE

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

RESPONSE TO VENDOR QUESTIONS, AS FOLLOWS:

1. Question: Who installs the concrete generator pad referred to on P10?  
Response: The installation of the pad is not a part of the bid.
2. Question: Who supplies/installs the LP gas tank, gas piping, tank regulator and concrete tank pad?  
Response: The installation of the LP system is not a part of this bid.
3. Question: We need a list of the sites so that we can go to each site and determine what materials and labor are needed?  
Response: This is an open end contract and involves many different sites and many which are not yet determined. It is not practical to "visit" the sites. This is a generic open end bid for the generator and its installation and hook-up. All sites are essentially the same with only minor variations. This should be clear after reading response to questions 4 and 5, below.
4. Question: Should we include an allowance for a concrete pad or is it existing?  
Response: No. Do not include the cost of the concrete pad. It will already be in place. Also, the main large conduit from the generator to the building will be in place with pull cord in place. The average distance from the generator pad to the building is 50 feet.
5. Question: Are there any blueprints for this project?  
Response: There are drawings for some of the current sites. However, again this is an open end contract and my sites are not yet determined. For the purpose of this open end contract, there is adequate information with the above clarifications to provided a bid.
6. Question: What is the location of each Communication Tower Site? This is needed to determine freight.  
Response: As stated in the specifications, this is for many different sites throughout West Virginia. Since this is an open end contract, many of the sites are not known at this time.
7. Question: What are the Offloading conditions? This is needed to determine if boom truck or crane will be needed.  
Response: Off-loading is onto a concrete pad which is already provided. There is road access to the tower sites.
8. Question: Are these new generators replacing any old ones or are they all new installs?  
Response: All new.

9. Question: What is the layout of the project? We need this information to estimate materials for install, wiring, etc.

Response: As was answered before, each site could be slightly different, but for the purpose of the bid the generator will be an average of 50 feet from the building. The concrete pad will be in place and the large conduit from pad to building will be in place with pull string.

10. Question: What lead-time is required? The lead time may vary for each type, size of generator. What are your requirements?

Response: Lead time ASAP (4-6 weeks)



Vendor: Michel, Inc.

Spending Unit:

Requisition No.: BPH70348

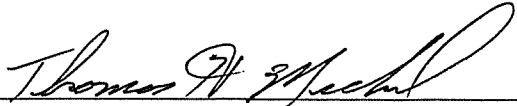
**ADDENDUM ACKNOWLEDGEMENT**

I hereby acknowledge receipt of the following checked addendum(s) and have made the necessary revisions to my proposal, plans and/or specifications, etc.

**Addendum No.'s:**

- No. 1   X
- No. 2
- No. 3
- No. 4
- No. 5

I understand that failure to confirm the receipt of the addendum(s) is cause for rejection of bids.

  
 \_\_\_\_\_  
 Signature  
  
 Michel, Inc.  
 \_\_\_\_\_  
 Company  
  
 2/6/07  
 \_\_\_\_\_  
 Date