



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
FOR1061

PAGE
1

ADDRESS CORRESPONDENCE TO ATTENTION OF
**JOHN ABBOTT
 304-558-2544**

RFQ COPY
 TYPE NAME/ADDRESS HERE

**Biser's Radio Service
 P. O. Box 2
 Lorentz, WV 26229**

DIVISION OF FORESTRY

BUILDING 13
 4720 BRENDA LANE
 CHARLESTON, WV
 25312 558-2788

DATE PRINTED	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS
02/05/2007	N30	UPST FEDEX	DESTINATION	NO CHARGE

BID OPENING DATE: **02/22/2007** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOF	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
				REQUEST FOR QUOTATION		
				THE PURCHASING DIVISION IS SOLICITING BIDS FOR THE DIVISION OF FORESTRY TO PROVIDE A CONTRACT FOR FIELD PROGRAMMABLE HIGH BAND HAND HELD RADIOS.		
				ATTACHMENTS: 1. SPECIFICATIONS 2. AFFIDAVIT 3. BID FORM		
				NOTE: ANY SUCCESSFUL VENDOR MUST REGISTER WITH THE DIVISION OF PURCHASING AND PAY THEIR VENDOR REGISTRATION FEE OF \$125.00 PRIOR TO BEING AWARDED A CONTRACT.		
0001	1	LS		725-74	PRICING SEE	PAGE 10A & 10B
				FIELD PROGRAMMABLE HIGH BAND HAND HELD RADIO <i>MIDLAND STP-105 SEAVES</i>		
				THIS CONTRACT ALLOWS FOR ALL AUTHORIZED STATE, COUNTY, & CITY AGENCY TO PURCHASE OFF OF THIS CONTRACT SO LONG AS THE DIVISION OF FORESTRY RECEIVE ORDERS ON TIME AND AS STATED ON THE REQUEST.		
				THE DIVISION OF FORESTRY RESERVES THE RIGHT TO REQUEST SAMPLES TO BE DELIVERED AND PICKED FOR TESTING AT NO CHARGE TO THE AGENCY.		

RECEIVED
 FEB 22 A 10:02
 PURCHASING DIVISION
 STATE OF WV

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE *Shondan R Biser* TELEPHONE **304-472-4202** DATE **2/20/07**

TITLE **OWNER** FEIN **55-061-8055** ADDRESS CHANGES TO BE NOTED ABOVE

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



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<p>SHOULD AN "EQUAL TO" BRAND AND MODEL BE BID, COMPLETE SPECIFICATION DOCUMENTS SHALL BE PROVIDED AND IDENTIFYING ANY AND ALL LIKENESSES AND DIFFERENCES.</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) 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>						

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<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 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>						

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VENDOR

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SUBMIT TO

DIVISION OF FORESTRY

BUILDING 13
4720 BRENDA LANE
CHARLESTON, WV
25312 558-2788

Table with columns: DATE PRINTED (02/05/2007), TERMS OF SALE, SHIP VIA, F.O.B., FREIGHT TERMS.

BID OPENING DATE: 02/22/2007 BID OPENING TIME 01:30PM

Main bid table with columns: LINE, QUANTITY, UOP, CAT NO, ITEM NUMBER, UNIT PRICE, AMOUNT. Contains text about Vendor Preference Certificate and application details.

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

Signature and date fields

Title and FEIN fields, and address change notice

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<p>REASON CHECKED:</p> <p>() 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 & 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 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</p>						

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SHIP TO

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<p>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 PURCHASIN DIVISION IN WRITING IMMEDIATELY.</p> <p>BIDDER: <u>BISER'S RADIO SERVICE</u></p> <p>DATE: <u>2/20/07</u></p> <p>SIGNED: <u>Thomas A. Biser</u></p> <p>TITLE: <u>OWNER</u></p> <p>* CHECK ANY COMBINATION OF PREFERENCE CONSIDERATION(S) 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>NOTICE</p> <p>A SIGNED BID MUST BE SUBMITTED TO:</p> <p>DEPARTMENT OF ADMINISTRATION</p>						

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PURCHASING DIVISION BUILDING 15 2019 WASHINGTON STREET, EAST CHARLESTON, WV 25305-0130						
THE BID SHOULD CONTAIN THIS INFORMATION ON THE FACE OF THE ENVELOPE OR THE BID MAY NOT BE CONSIDERED: SEALED BID						
BUYER:				JOHN ABBOTT-----		
RFQ. NO.:				FOR1061-----		
BID OPENING DATE:				FEBRUARY 22, 2007-----		
BID OPENING TIME:				1:30 PM-----		
PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID: ----- 304-472-1875 -----						
CONTACT PERSON (PLEASE PRINT CLEARLY): ----- THEODORE (TED) R. BISER -----						

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***** THIS IS THE END OF RFQ FOR1061 ***** TOTAL: _____						
PRICING - SEE PAGES 10A & 10B						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE *Richard A. Biser* TELEPHONE **304-472-4202** DATE **2/20/07**

TITLE **OWNER** FEIN **55-061-8055** ADDRESS CHANGES TO BE NOTED ABOVE

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#1 Primary Bid option

FOR1061 - FIELD PROGRAMMABLE TWO-WAY RADIO - BID FORM - Bid Opening 2/22/2006; 1:30 PM			
Description	* Estimated Annual Purchase Qty.	** Price	Extended Price
Bendix King DPH-CMD hand-held radio OR EQUAL	120	\$ 950.00	\$ 114,000.00
Rapid battery charger for the above	120	\$ 59.00	\$ 7,080.00
AA battery holder for the above	120	\$ 35.00	\$ 4,200.00
Failure to use this form may result in disqualification			Total
Bidder / Vendor Information:			
Name:	BISERS RADIO SERVICE		
Address:	P.O. Box 2		
Phone#:	HORENTZ WV 26229		
Email Address:	304-472-4202		
	BISERS.RADIO@VERIZON.NET		
Contract Coordinator Information:			
Name:	THEODORE A. BISER		
Address:	P.O. Box 2		
Phone#:	HORENTZ WV 26229		
Email Address:	304-472-4202		
	BISERS.RADIO@VERIZON.NET		
* Quantities are estimated annual usage for bidding purposes and bidders information			
** Delivery is to be included in the price of the items listed on this form. Standard 30 day delivery required			

* 180 day lead time required

#2 Bid option

FOR1061 - FIELD PROGRAMMABLE TWO-WAY RADIO - BID FORM - Bid Opening 2/22/2006; 1:30 PM			
Description	* Estimated Annual Purchase Qty.	** Price	Extended Price
Bendix King DPH-CMD hand-held radio OR EQUAL	120	\$ * 1150.00	\$ 138,000.00
Rapid battery charger for the above	120	\$ 59.00	\$ 7,080.00
AA battery holder for the above	120	\$ ** 35.00	\$ 4,200.00
Total			\$

Failure to use this form may result in disqualification

Bidder / Vendor Information:

Name: BISEA'S RADIO SERVICE
Address: PO BOX 2
Phone#: KORENTZ WV 26729
Email Address: 304-472-4702
BISEA'S RADIO@VERIZON.NET

Contract Coordinator Information:

Name: THEODORE A. BISEA
Address: PO BOX 2
Phone#: KORENTZ WV 26729
Email Address: 304-472-4702
BISEA'S RADIO@VERIZON.NET

* Quantities are estimated annual usage for bidding purposes and bidder's information
** Delivery is to be included in the price of the items listed on this form. Standard 30 day delivery required

* Price includes: \$200.00 trade in price for any working radio, including radio's battery, antenna, beltclip, and charger

** 180 day lead time required

FOR1061 - SPECIFICATIONS

Completely field programmable hand held high band radio

Field cloning - transfers information from one radio to another automatically

Field cloning from RELM BK radios used by wildland fire suppression agencies and first responders across the nation *MEETS SPEC DEPENDING ON BENDIX KING MODEL NUMBER*

Radio must be capable of cloning to or from existing Bendix King radios, *MEETS SPEC DEPENDING ON BENDIX KING MODEL NUMBER*

On the Fly programming of command groups

- This is an option available only on Bendix King GPH CMD models. If required, this specification negates the field cloning options above because Bendix King GPH CMD models can not clone other Bendix King radios.

Two-line display

- Midland STP series P25 meets spec

Keypad for simplified field programming

- Midland STP series P25 meets spec

FLASH technology

- Midland STP series P25 meets spec

True digital-analog mixed mode operations

- Midland STP series P25 meets spec

Minimum 500 channels, 25 users groups with 20 channels per group

- Midland STP series P25 meets spec

136-174MHz VHF expanded frequency range

- Midland STP series P25 meets spec

5/2 watts RF output

- Midland STP series P25 meets spec

APCO P25 specifications

- Midland STP series P25 meets spec

FDMA Common Air Interface compatibility

- Midland STP series P25 meets spec

Emergency group calls

- Midland STP series P25 meets spec

Unit-to-unit calls with auto-callback

- Midland STP series P25 meets spec

Channel and priority scan, talkback scan

- Midland STP series P25 meets spec

Weatherproof design

- Midland STP series P25 meets spec

Long life lithium-ion battery

- Midland STP series P25 meets spec

Meets MIL-STD 810 certification specs

- Midland STP series P25 meets spec

Meets NIFC fire certification specs

- Bendix King GPH CMP is not NIFC certified

Meets California Dept of Forestry certification specs

- This specification conflicts with the specification to meet NIFC fire certification.

The Bendix King Field programmable hand-held portable radios has been adopted by most federal wildland fire suppression agencies and first responders across the nation, due to its reliability and ruggedness. This particular radio also has the feature to allow Division resource's the ability to clone and/or program the radio from the field. This advanced feature is necessary as our resources are mobilized to different geographic regions to suppression ongoing wildfires.

This is ability to communicate with others when placed in life-threaten situations is a must.

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 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: BISER'S RADIO SERVICE

Authorized Signature: *Richard R. Bine* Date: 2/20/07