

### Request for Quotation

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FOR1063	
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ADDRESS CORRESPONDENCE TO ATTENTION OF

BUTCH CHITTUM 304-558-8806

RFQ COPY TYPE NAME/ADDRESS HERE Continental Wireless, Inc. 2355 Merritt Dr. Suite 200 Garland, TX 75041

DIVISION OF FORESTRY

BUILDING 13 4720 BRENDA LANE CHARLESTON, WV

25312 558-2788

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RFQ. COPY

TYPE NAME/ADDRESS HERE Continental Wireless, Inc.

Garland, TX 75041

2355 Merritt Dr. Suite 200

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

Request for BEONUMBER

FOR1063

ADDRESS CORRESPONDENCE TO ATTENTION OF BUTCH CHITTUM

304-558-8806

DIVISION OF FORESTRY

BUILDING 13 4720 BRENDA LANE CHARLESTON, WV

25312 558-2788

DATE PRINTED TERMS OF SALE SHIP VIA F.O.B FREIGHT TERMS 04/11/2007 BID OPENING DATE: 04/26/2007 BID OPENING TIME CAT LINE QUANTITY UOP ITEM NUMBER UNIT PRICE AMOUNT 0004 ΕA 725-14 \$85.94 \$10,312.80 120 BATTERY CHARGER FOR RADIOS LAA0325, BENDIX KING (OR EQUAL) RAPID BATTERY CHARGER FOR RADIOS. 0005 EΑ 287-12 \$95.49 \$11,458.80 120 RECHARGEABLE BATTERY FOR RADIOS LAA0171, BENDIX KING (OR EQUAL) LITHIUM-ION RECHARGEABLE BATTERY FOR RADIO. PER ATTACHED SPECIFICATIONS EXHIBIT 3 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. UNLESS SPECIFIC PROVISIONS ARE STIPULATED ELSEWHERE SEE REVERSE SIDE FOR TERMS AND CONDITIONS. SIGNATURE TELEPHONE 04/25/07 ADDRESS CHANGES TO BE NOTED ABOVE 75-2879004 Presiden



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TYPE NAME/ADDRESS HERE

Garland, TX 75041

Continental Wireless, Inc.

2355 Merritt Dr. Suite 200

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

Request for REGINUMBER Quotation

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ADDRESS CORRESPONDENCE TO ATTENTION OF:

BUTCH CHITTUM

304-558-8806

DIVISION OF FORESTRY

BUILDING 13 4720 BRENDA LANE CHARLESTON, WV

25312

558-2788

SHIP VIA FREIGHT TERMS DATE PRINTED TERMS OF SALE FO8 04/11/2007 BID OPENING DATE: 04/26/2007 BID OPENING TIME QUANTITY UOP. ITEM NUMBER UNITPRICE AMOUNT IN THIS CONTRACT DOCUMENT, THE TERMS, CONDITIONS AND PRICING SET HEREIN ARE FIRM FOR THE LIFE OF THE CONTRACT. 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. 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 OF DO NOT CONFORM TO THE SPECIFICATIONS OF THE BID AND CONTRACT HEREIN. 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 TRANS-PORTATION OR AN UNANTICIPATED INCREASE IN THE VOLUME OF WORK.) QUANTITIES: QUANTITIES LISTED IN THE REQUISITION ARE APPROXIMATIONS ONLY, BASED ON ESTIMATES SUPPLIED BY IT IS UNDERSTOOD AND AGREED THE STATE SPENDING UNIT. 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. ORDERING PROCEDURE: SPENDING UNIT(S) SHALL ISSUE A WRITTEN STATE CONTRACT ORDER (FORM NUMBER WV-39) TO SEE REVERSE SIDE FOR TERMS AND CONDITIONS SIGNATURE DATE 972-926-7443 TITLE FEIN ADDRESS CHANGES TO BE NOTED ABOVE 5<u>-2879004</u> WHEN RESPONDING TO RFQ, INSERT NAME AND ADDRESS IN SPACE ABOVE LABELED 'VENDOR'



FOR1063

DIVISION OF FORESTRY

BUTCH CHITTUM 304-558-8806

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BUILDING 13 4720 BRENDA LANE CHARLESTON, WV

04/11/		IMS OF SALE	SHIP VIA	FUB	FHEIGHT TEHMS
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RFQ COPY

TYPE NAME/ADDRESS HERE Continental Wireless, Inc.

Garland, TX 75041

2355 Merritt Dr. Suite 200

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

Request for Quotation

FOR1063

PAGE 5

BUTCH CHITTUM 304-558-8806

DIVISION (

DIVISION OF FORESTRY

H+P TO

BUILDING 13 4720 BRENDA LANE CHARLESTON, WV

25312

558-2788

ADDRESS CORRESPONDENCE TO ATTENTION OF ...

FREIGHT TERMS DATE PRINTED TERMS OF SALE SHIP VIA FOB. 04/11/2007 BID OPENING DATE: BID OPENING TIME 04/26/2007 CAT: NO: UNITPRICE AMOUNT TIME **QUANTITY** UOP. ITEM NUMBER EXHIBIT 6 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 SUCH PRICE ADJUSTMENT COVERS BOTH UPWARD AND DOWNWARD MOVEMENT OF THE COMMODITY PRICE, AND THAT ADJUSTMENT IS BASED ON THE "PA\$S 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. GOVERNMENTAĻ BENÇH MARKS, GENERAL MARKET INCREASE, SUCH REQUESTS FOR AND INCREASE PUBLISHED PRICE LISTS! SHOULD BE RECEIVED IN WRITING BY THE DIRECTOR OF PURCHASING AT LEAST 30 DAYS IN ADVANCE OF THE EFFECTIVE ANY TIME THE VENDOR REQUESTS A DATE OF THE INCREASE. PRICE ADJUSTMENT THE PURCHASING DIVISION MAY EITHER ACCEPT THE PRICE ADJUSTMENT AND AMEND THE CONTRACT ACCORDINGLY OR REJECT THE ADUSTMENT IN ITS ENTIRETY AND CANCEL THE CONTRACT. 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. IF THE VENDOR CANNOT GUARANTEE A FIRM PRICE FOR THE LIFE OF CONTRACT, HE NUST INDICATE ONE OF THE FAILURE TO QUALIFY THE PARAGRAPHS LISTED BELOW. PREFERRED TERMS WILL BIND THE VENDOR TO A FIRM PRICE SEE REVERSE SIDE FOR TERMS AND CONDITIONS SIGNATURE TELEPHONE DATE 04/25/07 ADDRESS CHANGES TO BE NOTED ABOVE 75-2879004 President



State of West Virginia
Department of Administration
Purchasing Division
2019 Washington Street East
Post Office Box 50120

Request for
Quotation
FOR 1 0 63 Post Office Box 50130 Charleston, WV 25305-0130

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ADDRESS CORRESPONDENCE TO ATTENTION OF BUTCH CHITTUM 304-558-8806

DIVISION OF FORESTRY

BUILDING 13 4720 BRENDA LANE CHARLESTON, WV 25312

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Request for Quotation

FOR1063

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ADDRESS CORRESPONDENCE TO ATTENTION OF

BUTCH CHITTUM 304-558-8806 ATTENTION OF

RFQ COPY
TYPE NAME/ADDRESS HERE
Continental Wireless, Inc.
2355 Merritt Dr. Suite 200
Garland, TX 75041

DIVISION OF FORESTRY

BUILDING 13 4720 BRENDA LANE CHARLESTON, WV 25312

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### Request for Quotation

RFC NUMBER FOR 1063 PAGE 8

ADDRESS.CORRESPONDENCE TO ATTENTION OF BUTCH CHITTUM

BUTCH CHITTUM 304-558-8806

DIVISION OF FORESTRY

OH T-TO

BUILDING 13 4720 BRENDA LANE CHARLESTON, WV

25312

558-2788

RFQ COPY TYPE NAME/ADDRESS HERE Continental Wireless, Inc. 2355 Merritt Dr. Suite 200 Garland, TX 75041

	TERMS OF SALE	SHIP VIA	FOB:	FREIGHT TERMS
04/11/				
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TYPE NAME/ADDRESS HERE

Garland, TX 75041

Continental Wireless, Inc.

2355 Merritt Dr. Suite 200

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

Request for PRONUMBER

FOR1063

9

ADDRESS CORRESPONDENCE TO ATTENTION OF

BUTCH CHITTUM 304-558-8806

DIVISION OF FORESTRY

BUILDING 13 4720 BRENDA LANE CHARLESTON, WV

25312 558-2788

DATE PRINTED TERMS OF SALE SHIP VIA FOB. 04/11/2007 BID OPENING DATE: 04/26/2007 BID OPENING TIME LINE QUANTITY HOP ITEM NUMBER HART PRICE AMOUNT 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. 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. Continental Wireless, Inc. BIDDER: DATE SIGNED: President TITLE: \* CHECK ANY COMBINATION OF PREFERENCE CONSIDERATION (S) IN EITHER "A" OR "B", OR BOTH "A" AND "B" WHICH YOU AR YOU MAY REQUEST UP TO THE MAXIMUM ENTITLED TO RECEIVE. 5% PREFERENCE FOR BOTH "A" AND "B". (REV. 12/00) NOTICE SEE REVERSE SIDE FOR TERMS AND CONDITIONS .... SIGNATURE TITLE ADDRESS CHANGES TO BE NOTED ABOVE 75-2879004



RFQ COPY

TYPE NAME/ADDRESS HERE

GArland, TX 75041

Continental Wireless, Inc.

2355 Merritt Dr. Suite 200

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

Request for Quotation

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PAGE

10

ADDRESS CORRESPONDENCE TO ATTENTION OF BUTCH CHITTUM

BUTCH CHITTUM 304-558-8806

DIVISION OF FORESTRY

S H I P T O

BUILDING 13 4720 BRENDA LANE CHARLESTON, WV

25312

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DATE PRINTED TERMS OF SALE SHIP VIA F.O.E.

Request for Quotation

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PAGE 11

BUTCH CHITTUM 304-558-8806

DIVISION OF FORESTRY

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BUILDING 13 4720 BRENDA LANE CHARLESTON, WV

25312

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Continental Wireless, Inc.
2355 Merritt Dr. Suite 200
Garland, TX 75041

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rresiden			7:5-	287900					ADDRESS C		TO BE NOTED ABOVE

### **SPECS FOR PURCHASE REQUISTITION - FOR1063**

Must be a completely field programmable hand held high band radio with keypad for simplified programming.

Radio must be capable of cloning to or from existing Bendix King portable radio models GPH, GMH, EPH, and LPH.

Prior to award of contract, vendor must demonstrate clonability of their radio to the Div. of Forestry's existing Bendix King radios at a location in the Charleston, WV area. The date, time, and exact location for the demonstration will be determined following the bid opening.

Radio must meet all APCO Project 25 requirements.

One-line Alpha-Numeric display
FLASH technology
True digital-analog mixed mode operations
Must have minimum 400 channels, 25 users groups with 16 channels per group
Must have 136-174MHz VHF expanded frequency range
Radio must have 5/1.5 watts RF output
Unit-to-unit calls with auto-callback
Metal case
Channel and priority scan, talkback scan
Weatherproof design

Must have molded extended band antenna for 136 to 174MHv VHF coverage, approx. 9 1/2" long

Radio must meet MIL-STD 810 and NIFC fire certification specs.

High capacity battery life 18+ hours, long life rechargeable lithium-ion battery. Batteries must be able to recharge from existing BK rapid rate chargers.

Availability of OTAR option (option not included in the price of bid)

Availability of DES/AES Encryption (option not included in the price of bid)

Pricing must be guaranteed for a minimum of one (1) year.

All orders must be delivered, in their entirety, within thirty (30) business days of the vendor receiving the purchase order. Partial delivery will result in a cancelled order.

Vendor must list all part numbers, model numbers, descriptions and serial numbers on the delivery ticket.

All radios and chargers must have a one (1) year warranty with the option to purchase additional warranty



2355 Merritt Drive, Suite #200, Garland, TX 75041
Phone 972-926-7443 • Fax 972-926-0624 • Toll-Free 800-527-2000
www.cntlwire.com

D/M/WBE Certification (Woman-Owned) # WFDB26753Y0306 CISV / CMBL / HUB Certification # 1752879004500 / 07035 Fed ID # 75-2879004 © Tax # 32002367426 © D/B # 844529946 SIC # 4812 © NAICS # 517310 © NIGP # 725-74/78/82 © Cage Code # 1RH34

**Company Background**: Continental Wireless, Inc., is an organization made up of locally experienced personnel. We have assisted business, industry, education, and government throughout the U.S. with all of their communications requirements. We design, sell, install, and maintain communication systems, both large and small; additionally, we are authorized to represent Motorola, Icom, Kenwood, E.F. Johnson, Telex/Vega, David Clark, Otto, Cisco, Proxim, and Tropos. With over 50 years of industry-wide experience, we are capable of handling any situation offering you cost-effective solutions.

Dedication to world class service has resulted in our acquisition of an impressive base of customers in diversified markets. Our existing accounts include:

Abbott Labs dba Hospira Coca-Cola Kohl's Dept. Stores Sky West Airlines Accor/Motel 6/Red Roof Inn Continental Airlines LaQuinta Inns Southwest Airlines Alaska Airlines Fleetwood Homes Little Rock School Dist. Texas Woman's University Alliance Airport Fort Worth (City of) LSG Sky Chefs Trammell Crow Frito Lay Mesa Airlines ASA Delta Airlines TXI Industries Frontier Airlines Newell Rubbermaid **Baylor Hospitals** United Airlines Campbell Soup Halliburton Northwest Airlines Unocal Cargill Quaker Oats Huish Detergents, Inc. Wal-Mart Distribution Clayton Homes Sara Lee Bakery Jones Lang LaSalle Waste Management Club Corp Kimberly-Clark Signature Flight Support Zachry Construction

Continental Wireless provides real time solutions to industry and businesses throughout the United States, as well as providing maintenance for major airlines that require 24-hour service. Our commitment to customer service continues to be our main passion in pursuit of our corporate goals.

References: Motorola: 800-927-2744

David Clark: 800-900-3434 lcom: 425-454-8155 Kenwood: 310-639-4200

### Technology Pariners

### Conventional and Trunked Radio Solutions from Continental Wireless

- Motorola, Inc. Portable, Mobile, Base Stations, Repeaters
- Kenwood Communications Portable, Mobile, Base Stations, Repeaters
- ICOM America, Inc Portable, Mobile, Base Stations, Repeaters
- **EF Johnson** Portable, Mobile, Base Stations, Repeaters
- David Clark Company, Inc. Headsets
- Telex Headsets and Audio Accessories
- OTTO Communications Headsets and Audio Accessories

### Wireless Transmission Solutions from Continental Wireless

- Motorola Inc. Canopy Wireless Broadband
- Cisco Systems Aironet Wireless LAN
- Proxim Wireless Networks Wireless and Broadband Networks
- Tropos Networks Metro-Scale Mesh Wi-Fi Networking

### Digital Networking Products and Solutions from Continental Wireless

- Cisco Networking Products Routers, Switches, Firewalls and Wireless
- Engage Communications T1/E1 over IP and Ethernet, T1 WAN Routers, LAN to LAN IP Bridge, SS7 over IP, LAN Governors
- Viadux, Inc. In Building Distribution Products
- coaXmedia In Building Coaxial Distribution Products
- QTelNet, Inc. QTelNet VolP Solutions
- IVC Co. Industrial Video and Control Surveillance Solutions
- InfiNET Wireless Ltd. Broadband Wireless Access

### Radio Dispatch & Signaling Equipment

• Telex/Vega – Nexus IP Consoles, Network Recorders

### Intercom Systems

- RTS Digital Matrix
- RTS Two-Wire
- Audiocom
- Radiocom

### Microwave, Point to Point and Multipoints

Harris Corp.

### HF Transmitters, Receivers and Transceivers

- Harris Corp.
- Motorola Micom

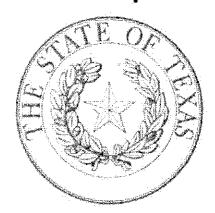
### Ruggedized Lapine RCS

- Panasonic
- Motorola

### Solar Power Systems

Northern Power

# State of Texas Historically Underutilized Business Certification and Compliance Program



The Texas Building & Procurement Commission (TBPC), hereby certifies that

### **CONTINENTAL WIRELESS INC**

has successfully met the established requirements of the State of Texas Historically Underutilized Business (HUB) Certification and Compliance Program to be recognized as a HUB.

This certificate, printed 31-Aug-06, supersedes any registration and certificate previously issued by the TBPC's HUB Certification and Compliance Program. If there are any changes regarding the information (i.e., business structure, ownership, day-to-day management, operational control, addresses, phone and fax numbers or authorized signatures) provided in the submission of the business' application for registration/certification as a HUB, you must immediately (within 30 days of such changes) notify the TBPC's HUB program in writing. The Commission reserves the right to conduct a compliance review at any time to confirm HUB eligibility. HUB certification may be suspended or revoked upon findings of ineligibility.

Certificate/VID Number: 1752879004500

File/Vendor Number:

07035

Approval Date:

15-JULY-2003

**Expiration Date:** 

15-JULY-2007

Paul A. Gibson

HUB Certification & Compliance Manager Texas Building & Procurement Commission

(512) 305-9071

Note: In order for State agencies and institutions of higher education (universities) to be credited for utilizing this business as a HUB, they must award payment under the Certificate/VID Number identified above. Agencies and universities are encouraged to validate HUB certification prior to issuing a notice of award by accessing the Internet (http://www.tbpc.state.tx.us) or by contacting the TBPC's HUB Certification and Compliance Program at (888) 863-5881 or (512) 463-5872.

# Disadvantaged Business **Enterprise Certification** NCTRCA

Continental Wireless, Inc.



Disadvantaged Business Enterprise

has filed with the Agency an Affidavit as defined by 49 CFR part 26 and is hereby certified to provide service(s) in the following areas:

517310;

Telecommunications Resellers;

and superseded any registration or listing previously issued. This certification must be updated annually by submission of an Annual Update Affidavit. At any time there is a charge in ownership or control of the firm, notification must be made immediately to the North Central Texas Regional Certification Agency or an TUCP certifying entity. April 2006 This Certification is valid beginning

Certificate expiration	April	, 20 07	100 CM
Issued date	Apri	, 20 06	Certification Administrator

WFDB30410Y0407

CERTIFICATION NO.



Less Enterprise National Council

in partnership with Women's Business Council – Southwest

certifies that the criteria for certification as a





























# CONTINENTAL WIRELESS INC



8/31/2007 243358 **Expiration Date:** Certificate Number:

SIC Code(s): NAICS Codes:

334220

Authorized by Debbie Hurst, President, WBC Southwest













### 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 \$125.00 registration fee.
- 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.
- 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. BID SUBMISSION: All quotations must be delivered by the bidder to the office 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.

### SIGNED BID TO:

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

## AFFIDAVIT

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

"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 aggregate 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

"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

The prohibition of this section does not apply where a vendor has contested any tax administered pursuant to total contract amount. 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.

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.

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

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.

Under penalty of law for false sw acknowledges the information in t	nis said affidavit and are in compliance with an
Vendor's Name:	Date:
Authorized Signature:	