

Request for Quotation

RFO NUMBER HHR70056

ADDRESS CORRESPONDENCE TO AT	FENTION OF
ROBERTA WAGNER	
504-558-0067	
W4-330-006/	

*709015003 304-291-6803 EASLEY & RIVERS INC 3800 MORGANTOWN INDUSTRIAL PAR MORGANTOWN WV 26501-2348

HEALTH AND HUMAN RESOURCES BUILDING MANAGEMENT ROOM B29 350 CAPITOL STREET CHARLESTON, WV

25301-3700 304-558-0234

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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.
- 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.
- 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. 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



Request for Quotation

HHR70056

ADDRESS COERESPONDENCE FOR BLENTION CO ROBERTA WAGNER 304-558-0067

¥709015003 304-291-6803 EASLEY & RIVERS INC 3800 MORGANTOWN INDUSTRIAL PAR

MORGANTOWN WY 26501-2348

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

304-291-6803

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ADDRESS CORRESPONDENCE TO ATTENTION OF

ROBERTA WAGNER

304-558-0067

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ROBERTA WAGNER
304-558-0067

*709015003 304-291-6803 EASLEY & RIVERS INC 3800 MORGANTOWN INDUSTRIAL PAR MORGANTOWN WV 26501-2348

HEALTH AND HUMAN RESOURCES BUILDING MANAGEMENT ROOM B29 350 CAPITOL STREET

CHARLESTON, WV 25301-3700

304-558-0234

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

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MORGANTOWN WV 26501-2348

HEALTH AND HUMAN RESOURCES BUILDING MANAGEMENT ROOM B29 350 CAPITOL STREET

CHARLESTON, WV

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ROBERTA WAGNER 304-558-0067

¥709015003 304-291-6803 EASLEY & RIVERS INC 3800 MORGANTOWN INDUSTRIAL PAR MORGANTOWN WV 26501-2348

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

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ADDRESS CORRESPONDENCE (O'A HENNON OF ROBERTA WAGNER 304-558-0067

¥709015003 MORGANTOWN WY

304-291-6803 EASLEY & RIVERS INC 3800 MORGANTOWN INDUSTRIAL PAR

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

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Exhibit 10 Rev. 11/96			



***709015003**

EASLEY & RIVERS INC

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

304-291-6803

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HHR70056

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

HEALTH AND HUMAN RESOURCES BUILDING MANAGEMENT ROOM B29 350 CAPITOL STREET CHARLESTON, WV

3800 MORGANTOWN INDUSTRIAL PAR MORGANTOWN WV 26501-2348 25301-3700 304-558-0234

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

304-291-6803

Request for Quotation

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ROBERTA WAGNER
304-558-0067

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EASLEY & RIVERS INC 3800 MORGANTOWN INDUSTRIAL PAR

MORGANTOWN WV 26501-2348

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

Request for AFONUMBER Quotation

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DATE

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ADDRESS CORRESPONDENCE TO ATTENTION OF

ROBERTA WAGNER 304-558-0067

*709015003 304-291-6803 EASLEY & RIVERS INC 3800 MORGANTOWN INDUSTRIAL PAR MORGANTOWN WV 26501-2348

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HEALTH AND HUMAN RESOURCES BUILDING MANAGEMENT ROOM B29 350 CAPITOL STREET CHARLESTON, WV 25301-3700 304-558-0234

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SEE REVERSE SIDE FOR TERMS AND CONDITIONS

TELEPHONE



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

304-291-6803

Request for RECNUMBER Quotation

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ROBERTA WAGNER 304-558-0067

HEALTH AND HUMAN RESOURCES **BUILDING MANAGEMENT** ROOM B29 þ 350 CAPITOL STREET CHARLESTON, WV 25301-3700 304-558-0234

MORGANTOWN WV 26501-2348

3800 MORGANTOWN INDUSTRIAL PAR

EASLEY & RIVERS INC

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EASLEY & RIVERS INC

MORGANTOWN WV

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

3800 MORGANTOWN INDUSTRIAL PAR

304-291-6803

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Request for FORWINGER Quotation

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ADDRESS CORRESPONDENCE TO A HENTION OF

ROBERTA WAGNER 304-558-0067

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HEALTH AND HUMAN RESOURCES BUILDING MANAGEMENT ROOM B29 350 CAPITOL STREET

CHARLESTON, WV

25301-3700 304-558-0234

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MORGANTOWN WV 26501-2348

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ROBERTA WAGNER 304-558-0067

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304-291-6803 EASLEY & RIVERS INC 3800 MORGANTOWN INDUSTRIAL PAR

MORGANTOWN WV 26501-2348

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Request for Quotation

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RDBERTA WAGNE 304-558-0067

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*709015003 304-291-6803 EASLEY & RIVERS INC 3800 MORGANTOWN INDUSTRIAL PAR

MORGANTOWN WV 26501-2348

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MORGANTOWN WV

EASLEY & RIVERS INC

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

3800 MORGANTOWN INDUSTRIAL PAR

304-291-6803

26501-2348

Request for Quotation

RFO NUMBER HHR70056

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ROBERTA WAGNER

304-558-0067

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HEALTH AND HUMAN RESOURCES BUILDING MANAGEMENT ROOM B29 350 CAPITOL STREET

CHARLESTON, WV 25301-3700

304-558-0234

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Interchange Corporate Center 450 Plymouth Road, Suite 400 Plymouth Meeting, PA. 19462-1644 Ph. (610) 832-8240

BID BOND

Bond Number:	
KNOW ALL MEN BY THESE PRESENTS, that we East	Ley & Rivers, Inc.
and LIBERTY MUTUAL INSURANCE COMPANY, a Mas "Surety"), are held and firmly bound unto	, as principal (the "Principal"), sachusetts stock insurance company, as surety (the
the penal sum of	, as obligee (the "Obligee"), in
5 percent of bid amount	
for the payment of which sum well and truly to be made, the heirs, executors, administrators, successors and assigns, joint payment of which successors are assigns, joint payment of which successors are successors and assigns, joint payment of which sum well and truly to be made, the	Dollars (\$), e said Principal and the said Surety, bind ourselves, our bintly and severally, firmly by these presents.
Buil 350	th & Human Resources ding Management Capitol Street 1eston, WV 25301
NOW, THEREFORE, if the Obligee shall accept the bid of period be specified, within sixty (60) days after opening, Obligee in accordance with the terms of such bid, and give or contract documents, or in the event of the failure of the bond or bonds, if the Principal shall pay to the Obligee hereof between the amount specified in said bid and such contract with another party to perform the work covered to otherwise to remain in full force and effect. In no event shall provide the period of the date of this bond. Any suit under the contract with another party to perform the date of this bond. If the provisions of this period of limitation available to sureties as a defense in the	and the Principal shall enter into a contract with the such bond or bonds as may be specified in the bidding he Principal to enter into such contract and give such the difference in money not to exceed the penal sum larger amount for which the Obligee may in good faith by said bid, then this obligation shall be null and void; If the liability hereunder exceed the penal sum hereof. DENT, that any claim by Obligee under this bond must of the Surety Law Department at the address above, his bond must be instituted before the expiration of one paragraph are void or prohibited by law the minimum.
DATED as of this 8th day of January	
Catherine Boyce	Easley & Rivers, Inc. (Principal (Seal) By: Nome: Title: Leonard Satterfield, Jr. Vice President (Surety) Attorney-In-Fact Peter Burke (Seal)

NOTICE FROM SURETY REQUIRED BY TERRORISM RISK INSURANCE ACT OF 2002

In accordance with the Terrorism Risk Insurance Act of 2002 (referred to hereinafter as the "Act"), this disclosure notice is provided for surety bonds on which one or more of the following companies is the issuing surety: Liberty Mutual Insurance Company; Liberty Mutual Fire Insurance Company; LM Insurance Corporation; The First Liberty Insurance Corporation; Liberty Insurance Corporation; Employers Insurance Company of Wausau (formerly "EMPLOYERS INSURANCE OF WAUSAU A Mutual Company"); Peerless Insurance Company; and any other company that is a part of or added to the Liberty Mutual Group for which surety business is underwritten by Liberty Mutual Surety (referred to collectively hereinafter as the "Issuing Sureties").

NOTICE FORMS PART OF BOND

This notice forms part of surety bonds issued by any one or more of the Issuing Sureties.

DISCLOSURE OF PREMIUM

The premium attributable to any bond coverage for "acts of terrorism" as defined in Section 102(1) of the Act is Zero Dollars (\$0.00).

DISCLOSURE OF FEDERAL PARTICIPATION IN PAYMENT OF TERRORISM LOSSES

The United States will reimburse the Issuing Sureties for ninety percent (90%) of any covered losses from terrorist acts certified under the Act exceeding the applicable surety deductible.

EST on any business day.

g

this Power of Attorney

To confirm the validity of this Por 1-610-832-8240 between 9:00 am

THIS POWER OF ATTORNEY IS NOT VALID UNLESS IT IS PRINTED ON RED BACKGROUND.

This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

LIBERTY MUTUAL INSURANCE COMPANY **BOSTON, MASSACHUSETTS POWER OF ATTORNEY**

KNOW ALL PERSONS BY THESE PRESENTS: That Liberty Mutual Insurance Company (the "Company"), a Massachusetts stock insurance
company, pursuant to and by authority of the By-law and Authorization hereinafter set forth, does hereby name, constitute and appoint
PETER BURKE, CAROLE A. SKELLY, RYAN BURKE, ALL OF THE CITY OF PITTSBURGH, STATE OF PENNSYLVANIA
물을 하는 사람들이 있는 사람들이 되었다. 그는 사람들이 살아가는 사람들이 살아가는 사람들이 살아가는 사람들이 되었다.

each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its execution of such undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents, shall be as binding upon the

Company as if they had been duly signed by the president and attested by the secretary of the Company in their own proper persons.

That this power is made and executed pursuant to and by authority of the following By-law and Authorization:

ARTICLE XIII - Execution of Contracts: Section 5. Surety Bonds and Undertakings.

Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

By the following instrument the chairman or the president has authorized the officer or other official named therein to appoint attorneys-in-fact:

Pursuant to Article XIII, Section 5 of the By-Laws, Garnet W. Elliott, Assistant Secretary of Liberty Mutual Insurance Company, is hereby authorized to appoint such attorneys-in-fact as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

That the By-law and the Authorization set forth above are true copies thereof and are now in full force and effect.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of Liberty Mutual Insurance Company has been affixed thereto in Plymouth Meeting, Pennsylvania this 24th day of November 2004

LIBERTY MUTUAL INSURANCE COMPANY

Garnet W. Elliott, Assistant Secretary

COUNTY OF MONTGOMERY On this 24th day of November <u>, 2004</u>, before me, a Notary Public, personally came <u>Garnet W. Elliott,</u> to me known, and acknowledged that he is an Assistant Secretary of Liberty Mutual Insurance Company; that he knows the seal of said corporation; and that he executed the above

IN TESTIMONY WHEREOF, Lhave hereunto subscribed my name and affixed my notarial seal at Plymouth Meeting, Pennsylvania, on the day and year A. Commonway

Power of Attorney and affixed the corporate seal of Liberty Mutual Insurance Company thereto with the authority and at the direction of said corporation.

first above written.

COMMONWEALTH OF PENNSYLVANIA

Motorial Seal Teresa Pastella, Notary Public Plymouth Twp., Montgomery County My Commission Expires Mar. 28, 2005 Member, Perinsylvania Association of Notaries

CERTIFICATE

I, the undersigned, Assistant Secretary of Liberty Mutual Insurance Company, do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy, is in full force and effect on the date of this certificate; and I do further certify that the officer or official who executed the said power of attorney is an Assistant Secretary specially authorized by the chairman or the president to appoint attorneys-in-fact as provided in Article XIII, Section 5 of the By-laws of Liberty Mutual Insurance Company.

This certificate and the above power of attorney may be signed by facsimile or mechanically reproduced signatures under and by authority of the following vote of the board of directors of Liberty Mutual Insurance Company at a meeting duly called and held on the 12th day of March, 1980.

VOTED that the facsimile or mechanically reproduced signature of any assistant secretary of the company, wherever appearing upon a certified copy of any power of attorney issued by the company in connection with surety bonds, shall be valid and binding upon the company with the same force and effect as though manually affixed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the said company, this _



David M. Carey, Assistant Secretary

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:

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: Easley & R	ivers, Inc.	•	
Authorized Signature:) ()	Date:	1/8/2007
No Deht Affidmit (Poviced 10/13/05)			