



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 |
| 708C0023 |

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| PAGE |
| 1 |

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|---|
| ADDRESS CORRESPONDENCE TO ATTENTION OF: |
| MICHAEL AUSTIN 304-558-2402 |

VENDOR

*709053211 304-372-9648
 WV SIGNAL & LIGHT INC
 PO BOX 134
 KENNA WV 25248

SHIP TO

DIVISION OF HIGHWAYS
 VARIOUS LOCALES AS INDICATED
 BY ORDER

| | | | | |
|------------------------------|-------------------|--------------------------|--------|---------------|
| DATE PRINTED | TERMS OF SALE | SHIP VIA | F.O.B. | FREIGHT TERMS |
| 05/01/2008 | NET 30; 5% NET 10 | Best Way Ground | Dest | Included |
| BID OPENING DATE: 05/14/2008 | | BID OPENING TIME 01:30PM | | |

| LINE | QUANTITY | UOP | CAT NO. | ITEM NUMBER | UNIT PRICE | AMOUNT |
|--|----------|-----|---------|-------------|--|---------|
| 0001 | 1 | EA | | 120-50 | \$84.50 | \$84.50 |
| LED BEACONS OR EQUAL OPEN END CONTRACT PROVIDE LED BEACONS OR EQUAL WHICH MAY BE REQUIRED BY THE WV DIVISION OF HIGHWAYS PER THE ATTACHED SPECIFICATIONS. THE MODEL/BRAND/SPECIFICATIONS NAMED HEREIN ESTABLISH THE ACCEPTABLE LEVEL OF QUALITY ONLY AND ARE NOT INTENDED TO REFLECT A PREFERENCE OR FAVOR ANY PARTICULAR BRAND OR VENDOR. VENDORS WHO ARE BIDDING ALTERNATES SHOULD SO STATE AND INCLUDE PERTINENT LITERATURE AND SPECIFICATIONS. FAILURE TO PROVIDE INFORMATION FOR ANY ALTERNATES MAY BE GROUNDS FOR REJECTION OF THE BID. THE STATE RESERVES THE RIGHT TO WAIVE MINOR IRREGULARITIES IN BIDS OR SPECIFICATIONS IN ACCORDANCE WITH SECTION 148-1-4(F) OF THE WEST VIRGINIA LEGISLATIVE RULES AND REGULATIONS. 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 | | | | | | |
| | | | | | If payment is made in NET 10 or less cost is \$80.00 ea At renewal a price increase not to exceed 8% may be required. | |

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 08 MAY 14 AM 9:32
 PURCHASING DIVISION
 STATE OF WV

| | | | |
|---|-----------------------------------|--------------|---------|
| SEE REVERSE SIDE FOR TERMS AND CONDITIONS | | | |
| SIGNATURE | TITLE | TELEPHONE | DATE |
| Vance Fitzsimmons | Sales Engineer | 304-372-9648 | 5/10/08 |
| FEIN | ADDRESS CHANGES TO BE NOTED ABOVE | | |
| 550646159 | | | |

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

**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 may be deemed null and void, and terminated without further order.
14. **HIPAA Business Associate Addendum** - The West Virginia 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



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| ADDRESS CORRESPONDENCE TO ATTENTION OF |
| MICHAEL AUSTIN 304-558-2402 |

PRIORITY

*709053211 304-372-9648
 WV SIGNAL & LIGHT INC
 PO BOX 134
 KENNA WV 25248

SHIP TO

DIVISION OF HIGHWAYS
 VARIOUS LOCALES AS INDICATED
 BY ORDER

| | | | | |
|------------------------------|---------------|--------------------------|-----|---------------|
| DATE PRINTED | TERMS OF SALE | SHIP VIA | FOB | FREIGHT TERMS |
| 05/01/2008 | | | | |
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| <p>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> <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,</p> | | | | | | |

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

| | | |
|--------------------------------------|---------------------------|-----------------------------------|
| SIGNATURE <i>Vance Fitzgibbon</i> | TELEPHONE 304-372-9648 | DATE 5/10/08 |
| TITLE Sales Engineer | FEIN 550646159 | ADDRESS CHANGES TO BE NOTED ABOVE |

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 304-558-2402**

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| <p>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> <p>REV. 04/11/2001</p> <p>EXHIBIT 10</p> <p>REQUISITION NO.:</p> <p>ADDENDUM ACKNOWLEDGEMENT</p> <p>I HEREBY ACKNOWLEDGE RECEIPT OF THE FOLLOWING CHECKED ADDENDUM(S) AND HAVE MADE THE NECESSARY REVISIONS TO MY PROPOSAL, PLANS AND/OR SPECIFICATION, ETC.</p> <p>ADDENDUM NO.'S:</p> | | | | | | |

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| | | |
|-----------------------------------|----------------------------------|-----------------------------------|
| SIGNATURE <i>Vance Johnson</i> | TELEPHONE 304-372-9648 | DATE 5/10/08 |
| TITLE <i>Sales Engineer</i> | FEIN 550646159 | ADDRESS CHANGES TO BE NOTED ABOVE |

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|---|----------|-----|----------|-------------|------------|--------|
| NO. 1 | | | | | | |
| NO. 2 | | | | | | |
| NO. 3 | | | | | | |
| NO. 4 | | | | | | |
| NO. 5 | | | | | | |
| <p>I UNDERSTAND THAT FAILURE TO CONFIRM THE RECEIPT OF TH ADDENDUM(S) MAY BE CAUSE FOR REJECTION OF BIDS.</p> <p>VENDOR MUST CLEARLY UNDERSTAND THAT ANY VERBAL REPRESENTATION MADE OR ASSUMED TO BE MADE DURING ANY ORAL DISCUSSION HELD BETWEEN VENDOR'S REPRESENTATIVES AND ANY STATE PERSONNEL IS NOT BINDING. ONLY THE INFORMATION ISSUED IN WRITING AND ADDED TO THE SPECIFICATIONS BY AN OFFICIAL ADDENDUM IS BINDING.</p> <p style="text-align: center;"> <i>Vance Fitzsimmons</i> SIGNATURE <i>West Virginia Signal Light, Inc.</i> COMPANY <i>5/10/08</i> DATE </p> | | | | | | |
| REV. 11/96 | | | | | | |
| VENDOR PREFERENCE CERTIFICATE | | | | | | |

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| TITLE Sales Engineer | FEIN 550646159 | ADDRESS CHANGES TO BE NOTED ABOVE |

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 304-558-2402**

***709053211 304-372-9648**
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| <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>(<input checked="" type="checkbox"/>) 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> <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> | | | | | | |

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

| | | |
|-----------------------------------|----------------------------------|-----------------------------------|
| SIGNATURE <i>Vance Simmons</i> | TELEPHONE 304-372-9648 | DATE 5/10/08 |
| TITLE <i>Sales Engineer</i> | FEIN 550646159 | ADDRESS CHANGES TO BE NOTED ABOVE |

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304-558-2402

PURCHASING

*709053211 304-372-9648
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| | | | | | | |
| <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 PURCHASING APPROPRIATE INFORMATION VERIFYING THAT BIDDER HAS PAID THE REQUIRED BUSINESS TAXES, PROVIDED</p> | | | | | | |

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

| | | |
|------------------------------------|----------------------------------|-----------------------------------|
| SIGNATURE <i>Vance Ferguson</i> | TELEPHONE 304-372-9648 | DATE 5/10/08 |
| TITLE <i>Sales Engineer</i> | FEIN 550646159 | ADDRESS CHANGES TO BE NOTED ABOVE |

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| <p>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>BIDDER: <u>West Virginia Signal & Light Inc.</u></p> <p>DATE: <u>5/10/08</u></p> <p>SIGNED: <u>Vance Fitzsimmons</u></p> <p>TITLE: <u>Sales Engineer</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 PURCHASING DIVISION</p> | | | | | | |

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| SIGNATURE <u>Vance Fitzsimmons</u> | TELEPHONE <u>304-372-9648</u> | DATE <u>5/10/08</u> |
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| | 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: 33 | | | | | |
| | RFQ. NO.: 708C0023 | | | | | |
| | BID OPENING DATE: 05/14/2008 | | | | | |
| | BID OPENING TIME: 1:30 PM | | | | | |
| | PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID: 304-372-9684 | | | | | |
| | CONTACT PERSON (PLEASE PRINT CLEARLY): Vance Fitzsimmons | | | | | |

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| ***** THIS IS THE END OF RFQ 708C0023 ***** TOTAL: | | | | | | <u>\$ 84.⁵⁰</u> |

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| | | |
|----------------------------------|----------------------------------|-----------------------------------|
| SIGNATURE <i>Vance Filson</i> | TELEPHONE 304-372-9648 | DATE 5/10/08 |
| TITLE <i>Sales Engineer</i> | FEIN 550646159 | ADDRESS CHANGES TO BE NOTED ABOVE |

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

708C0023

LED BEACON CLASS 1

Voltage 12V/24V

AMPS 1.5 MAX @ 12.8V

Led light source high intensity white with 360°visibility

Must have selectable flash patterns

Must have high/low intensity circuit

Overall height not to exceed 6"

Mounting Base shall be polycarbonate with flange not to exceed 7" with 3 bolt mounting spaced at 120° as well as a female 1" NPT pipe fitting

Circuit Board and Electronics shall be coated with a silicone material or equal to Provide moisture and corrosion resistance.

Optic Dome shall be Amber, made of polycarbonate meeting Standard 1079 or better.

Must meet SAE J845 May 1997, Class 1 in Amber and shall be

Whelen L21 12V or Equal \$ _____ ea. Ameca Certified

Whelen L21 12V or Equal \$ _____ ea. Ameca Certified

Warranty may be a factor in bid evaluation

Sample of bid unit may be required before award of Contract.

708C0023

ORDERING INFORMATION: Parts orders against this contract may be placed by the WVDOH Equipment Division and the Ten (10) WVDOH District locations as listed (attached) These parts orders may be placed by telephone and/or facsimile.

METHOD OF PAYMENT: The Purchasing card (Visa) is the preferred method of payment. Vendor must supply a credit receipt, sales receipt, or cash register receipt. Vendor shall not charge until parts are shipped

PURCHASING CARD ACCEPTANCE: The State of West Virginia currently utilizes a VISA Purchasing card program which is issued through a local bank. The successful vendor must accept the State of West Virginia VISA purchasing card for payment of all orders placed by any state agency.

REV 07/16/2007

Equipment Division

WV Division of Highways
PO Box 610
Buckhannon, WV 26201
ATTENTION: Kevin Riley (FOUR COPYS)

WV DOT/Division of Highways
D-1
1340 Smith St.
Charleston, WV 25301
Attn: Melissa Mullens

WV DOT/Division of Highways
D-2
Po. Box 880
Huntington, WV 25712
Attn: Keith Chapman

WV DOT/Division of Highways
D-3
626 Depot St.
Parkersburg, WV 26101
Attn: Mark Kimes

WV DOT/Division of Highways
D-4
P.O. BOX 2570
Clarksburg, WV 26301
Attn: John Bartlett

WV DOT/Division of Highways
D-5
PO BOX 99
BURLINGTON, WV 26710
Attn: Pat Broadhurst

WV DOT/Division of Highways
D-6
1 DOT Drive
Moundsville, WV 26041-2353
Attn: Carol Ryan

WV DOT/Division Highways
D-7
Drawer 1228
Weston, WV 26452
Attn: Melissa Jordan

WV DOT/Division of Highways
D-8
PO Box 1516
Elkins, WV 26241
Attn: Debbie Barnett

WV DOT/Division of Highways
D-9
103 ½ Church Street
Lewisburg, WV 24901
Attn: Keith Brown

WV DOT/Division of Highways
D-10
270 Hardwood Lane
Princeton, WV 24740
Attn: Tommy Camden

STATE OF WEST VIRGINIA
Purchasing Division

PURCHASING 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 owed 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: West Virginia Signal & Light, Inc.

Authorized Signature: Vance Fitzgibbon Date: 5/10/08



Lighting and Safety Products

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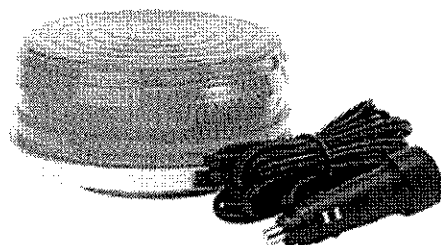
360° LED Beacon
Model 12.6253
Magnetic Mount

Features

Details

Prices

Instructions



Six Luminator LEDs in each compact light

Internal flasher with quad flash

Low amp draw (1.5 amp max.)

Waterproof

Five year "No Hassle" warranty

Aluminum base with 1.75" polycarbonate lens

Available in five colors: amber, blue, clear, green & red

Stud-mount model available upon request

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[Red Beacon](#)

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AUTHORIZATION

The testing was authorized by purchase order no. AA090607

MATERIAL SUBMITTED

The client submitted one sample. The sample was received by Intertek on September 7, 2007 in undamaged condition, and tested as received. The sample designation is S7026.

TEST ASSIGNMENT NUMBERS

Photometric Test: S7026

DATE OF TEST

September 25, 2007

DESCRIPTION OF DEVICE

The client submitted one 360 degree warning lamp for photometry testing only. The lamp uses six LEDs as the light source.

Mounting

The device was not submitted on a test stand

EQUIPMENT LIST

| Equipment Used | Model Number | Control Number | Calibration Date | Calibration Due Date |
|------------------------------------|--------------|----------------|------------------|----------------------|
| 60° Goniometer | ETL | N060 | 07/20/07 | 07/20/08 |
| International Light Radiometer 60' | IL1700 | L061 | Before Use | |
| DMM-Fluke | 87 | E259 | 01/31/07 | 01/31/08 |





TESTS AND TEST METHODS

Tests -The tests performed and detailed in this report are listed on page 1 under "Summary"

Test Methods -The test methods used for photometric, color and mechanical test of the submitted device are in accordance with applicable SAE and CAC Standards. The salient points are briefly described in the notes below. Appropriate notations as to specific test methods employed are shown on respective data pages provided under Results of Tests

STANDARD NOTES

NOTE 1 --Flash Energy Measurements (SAE) - 360 Warning Lamps

Flash energy measurements were made at a distance of 60 feet. The lamp was mounted so that the horizontal plane through the photometer axis passed through the center of the light source and the vertical axis through the center of the light source was perpendicular to this horizontal plane. The rotating element was turned on its vertical axis within its defined arc of coverage until the photometer indicated minimum candlepower. This was taken as the H-V point. The lamp was allowed to operate for at least 5 minutes and the flash energy was then measured. The flash energy is reported as the average of at least ten consecutive flashes. A one-time adjustment in lamp orientation from design position may be made as long as the adjustment does not exceed 1 degree in any direction.

RESULTS OF TESTS

Photometric

The submitted device complies with the SAE Standard listed under "Summary" for yellow Class 2 lamps.

Test data obtained from the photometric testing of the submitted device is presented on subsequent page.





RESULTS OF TESTS (cont'd)

Photometric (Test distance: 60 feet) - SAE J845 MAY1997)
 (Light Source: LEDs) -- 6 ct

| Device Color: Yellow, Class | | | | |
|----------------------------------|-----------------|------------|-----------------------|------------|
| Optical Warning Device | | | | |
| Flash Energy (candela · seconds) | | | | |
| Test Points deg. | Device Measured | | Specified Minimum SAE | |
| | Pt. by Pt. | Zone Total | 60% of Table 5 | Zone Total |
| 5.00U-V | 9 | | 1.2 | |
| 2.50U-V | 32 | | 7.2 | |
| H-V | 40 | 117.2 | 13.2 | 50 |
| 2.50D-V | 23 | | 7.2 | |
| 5.00D-V | 13 | | 1.2 | |

Device operated at test voltage.

Volts: 12.8

See Standard Note 1

Note: The flash consisted of a group of four pulses in 320 msec with a 50% duty cycle and the flash rate was 1.14 Hz.

In Charge of Tests:

Ernest Dykeman

Ernest Dykeman
 Senior Project Engineer
 Photometric Testing

Attachment: None

Report Reviewed by:

Jeremy N. Downs

Jeremy N. Downs, P.E.
 Engineering Team Leader
 Photometric Testing



SHO-ME®
MODEL NO. 12.6253
360° LED Beacon
General Specifications

LED Beacon

- Diameter 5.4"
- Height 2 8"
- Weight 1.6lb
- 6 - 3 Watt Luminator LEDs
- 5 Colors - Red, Blue, Green, White, Amber
- Aluminum Base plate
- 90lb pull magnet
- 12' Cord with lighted on/off switch
- Polycarbonate lens
- Low current draw - 1 amp
- Water resistant
- Made in U.S.A.



INTEK 1978

REPORT
Intertek ETL SEMKO
3933 US ROUTE 11 CORTLAND, NEW YORK 13045



Electrical 1249-01
Mechanical 1249-02

Order No 3133080

Date: September 27, 2007

REPORT NO. 3133080CRT-001

TEST OF 380° WARNING LAMP

RENDERED TO

MARKTECH OPTOELECTRONICS
3 NORTHWAY LANE
LATHAM, NY 12110

INTRODUCTION

This report contains the results of examination and test of the above device to demonstrate compliance with the applicable test requirements of the SAE Standards as given in the SAE Handbook, effective as of the date of this report and as requested by the client.

The following is a summary of the results of tests of the device performed in accordance with the following SAE

Summary

| Test | SAE Standards | Results |
|--|----------------------|----------|
| Photometric Optical Warning Device - Yellow | J845 MAY1997 Class 2 | Complies |

An independent organization testing for safety, performance, and certification.

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