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Member

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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BEP08062

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JOHN ABBOTT 304-558-2544

*709041713 304-346-0441 ARNETT & FOSTER PLLC PO BOX 2629

CHARLESTON WV 25329

BUREAU OF EMPLOYMENT PROGRAMS OFFICE OF ADMIN. SUPPORT-5302

ADDRESS CHANGES TO BE NOTED ABOVE

112 CALIFORNIA AVENUE CHARLESTON, WV 25305-0112 558-2634

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55-0486667

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.
- 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 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 RECEIVED

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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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304-346-0441 ARNETT & FOSTER PLLC

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JOHN ABBOTT

304-558-2544

BUREAU OF EMPLOYMENT PROGRAMS OFFICE OF ADMIN. SUPPORT-5302

DATE

112 CALIFORNIA AVENUE CHARLESTON, WV 25305-0112 558-2634

TERMS OF SALE DATE PRINTED SHIP VIA F.O.B. FREIGHT TERMS 10/29/2007 BID OPENING DATE: 11/14/2007 BID DPENING TIME 01:30PM CAT LINE QUANTITY UOP TEM NUMBER UNIT PRICE AMOUNT 5A-3-37 (DOES NOT APPLY TO CONSTRUCTION CONTRACTS). APPLICATION IS MADE FOR 2.5% PREFERENCE FOR THE REASON CHECKED: 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 BIDDER IS A PARTNERSHIP, ASSOCIATION OR CORPORA-TION 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 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 HEAQUARTERS OR PRINCIPAL PLACE OF BUSINESS WITHIN WEST VIRGINIA CONTINUOUSLY FOR THE FOUR (4) YEARS IMMEDIATELY PRECEDING THE DATE OF THIS CERTIFICATION. APPLICATION IS MADE FOR 2.5% PREFERENCE FOR THE REASON CHECKED: BIDDER IS A RESIDENT VENDOR WHO CERTIFIES THAT, (X)DURING THE LIFE OF THE CONTRACT, ON AVERAGE AT LEAST 75% OF THE EMPLOYEES WORKING ON THE PROJECT BEING BID

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SEE REVERSE SIDE FOR TERMS AND CONDITIONS



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<u>304-558-2544</u>

*709041713 304-346-0441 ARNETT & FOSTER PLLC PD BOX 2629

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TELEPHONE

DATE

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JOHN ABBOTT 304-558-2544

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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: | Arnett & Foster, P.L.L.C. | | | |
|------------------------------|---------------------------|-------|-------------------|--|
| Authorized Signature: | Jan Ellis J | Date: | November 27, 2007 | |
| Purchasina Affidavit (Revise | ed 06/15/07) | | | |



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55-0486667



November 26, 2007

Mr. David Watson WORKFORCE West Virginia Unemployment Compensation Division Benefit and Technical Support Division

RE: RFQ BEP08062

Dear Mr. Watson:

We are a qualified auditing firm, headquartered in Charleston West Virginia and are proposing on your Request for Quotation (RFQ) # BEP08062.

We have a number of advantages over other proposers including the following:

- 1. We are headquartered near your offices, the project will not include travel and lodging costs;
- 2. We are available for meetings/consultations on a local basis;
- 3. We have experience with your systems and staff, we have completed two similar projects for your agency in recent years; and,
- 4. We have an experienced auditing and Information Technology Staff that can meet your needs.

Our understanding of the project is that it will require the use of Sun software to validate extract programs that are used to create reporting for the Department of Labor and that the current version will be available in time for this project to be completed by July 31, 2008.

The scope of work includes the following:

- A. The independent verification and validation will follow procedures and guidelines specified in the ETA Unemployment Data Validation Handbook and will utilize the new SUN-based data validation software.
- B. The Contractor shall review all relevant federal reports to ensure they are being done properly in conformance with DOL requirements.
- C. The Contractor shall develop a map of West Virginia's reporting and validation systems and data sources for validated benefits and tax data.
- D. The Contractor shall review West Virginia's state-specific validation (Module 3) for both benefits and tax to ensure that the instructions stated in the handbook correctly reference West Virginia-specific data sources.

Innovation With Results

- E. The Contractor shall review West Virginia's validation extract files used to compile the various populations for both benefits and tax to ensure that the files were properly constructed and reflect the correct data.
- F. The Contractor shall review West Virginia's data element validation population samples, including at least one case from each subpopulation, to ensure that the data elements in the sampled records meet federal definitions, that the sampled cases were properly included, and that the sample cases were properly marked.
- G. The Contractor shall conduct and coordinate all on-site errors discovered with Connie R. Kirk, West Virginia's Data Validation Coordinator, and Joyce Watson, Program Manager. The contractor will coordinate closely with West Virginia's UI program, systems and validation staff to develop and monitor project plans and requirements.
- H. The Contractor will provide written documentation of the findings of the IV&F Project as specified in the RFQ.

After completion of all required revisions, the Contractor will provide the agency with a "Certification of Accuracy Letter', indicating all twenty (20) validation extract files are certified as accurate.

Our all inclusive bid for this project is \$88,000. If additional assistance is requested after the completion of this project it will be billed at \$175 per hour. Enclosed for your reference are resumes for the key individuals who will have responsibility for this project. Other staff may be utilized as necessary, all potential staff will have the qualifications you desire for a timely and accurate completion of this project.

Sincerely,

Lane Ellis, Jr., CPA, CISA, CVA, ABV

P.L.L.C. Member

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