



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
 DEP13958

PAGE
 1

ADDRESS CORRESPONDENCE TO ATTENTION OF
 CHUCK BOWMAN
 304-558-2157

*727135928 304-757-0270
 OCCUPATIONAL ENVIRONMENTAL HEA
 1203 HOSPITAL DRIVE #1203
 HURRICANE WV 25526

VENDOR

SHIP TO

ENVIRONMENTAL PROTECTION
 DEPARTMENT OF
 OFFICE OF WASTE MANAGEMENT
 601 57TH STREET SE
 CHARLESTON, WV
 25304 304-926-0499

| | | | | |
|------------------------------|---------------|--------------------------|-----|---------------|
| DATE PRINTED 12/26/2007 | TERMS OF SALE | SHIP VIA | FOB | FREIGHT TERMS |
| BID OPENING DATE: 01/17/2008 | | BID OPENING TIME 01:30PM | | |

| LINE | QUANTITY | UOP | CAT NO. | ITEM NUMBER | UNIT PRICE | AMOUNT |
|---|----------|-----|---------|-------------|------------|--------|
| 0001 | 1 | LS | | 948-42 | | |
| HEALTH CARE MANAGEMENT THE WEST VIRGINIA PURCHASING DIVISION, FOR THE AGENCY, THE WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION, IS SOLICITING BIDS FROM LICENSED PHYSICIANS TO CONDUCT PHYSICAL EXAMINATIONS OF SELECTED EMPLOYEES OF THE AGENCY (DEP) AND REPORT RESULT FINDINGS TO THE AGENCY AS DESCRIBED IN THE ATTACHED SPECIFICATIONS. EXHIBIT 3 LIFE OF CONTRACT: THIS CONTRACT BECOMES EFFECTIVE UPON AWARD, 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 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 | | | | | | |

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

| | | |
|---------------------------------|---------------------------|-----------------------------------|
| SIGNATURE <i>M. Marshall</i> | TELEPHONE 304 757 0270 | DATE 1-4-08 |
| TITLE owner/member | FEIN 55 077 3855 | ADDRESS CHANGES TO BE NOTED ABOVE |

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



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| | | | | | | |
| <p>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 SERVICE 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, WHETHER MORE OR LESS THAN THE QUANTITIES SHOWN.</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> | | | | | | |

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

| | | |
|---------------------------------|---------------------------|-----------------------------------|
| SIGNATURE <i>W. Marshall</i> | TELEPHONE 304 757 0270 | DATE 1-4-08 |
| TITLE owner/member | FEIN 550773855 | ADDRESS CHANGES TO BE NOTED ABOVE |

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| 12/26/2007 | | | | |

BID OPENING DATE: 01/17/2008 BID OPENING TIME 01:30PM

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|-----------------|----------|-----|--------|---|------------|--------|
| REV. 04/11/2001 | | | | | | |
| | | | | VENDOR PREFERENCE CERTIFICATE | | |
| | | | | CERTIFICATION AND APPLICATION* IS HEREBY MADE FOR PREFERENCE IN ACCORDANCE WITH WEST VIRGINIA CODE, 5A-3-37 (DOES NOT APPLY TO CONSTRUCTION CONTRACTS). | | |
| | | | | A. APPLICATION IS MADE FOR 2.5% PREFERENCE FOR THE REASON CHECKED: | | |
| | | | | (<input checked="" type="checkbox"/>) 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 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 | | |
| | | | | () 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. | | |

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

| | | | | | |
|-----------|--------------|-----------|--------------|-----------------------------------|--------|
| SIGNATURE | | TELEPHONE | 304 757 0270 | DATE | 1-4-08 |
| TITLE | owner/member | FEIN | 550773855 | ADDRESS CHANGES TO BE NOTED ABOVE | |

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PURCHASER

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| <p>B. APPLICATION IS MADE FOR 2.5% PREFERENCE FOR THE REASON CHECKED:</p> <p>(<input checked="" type="checkbox"/>) 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</p> | | | | | | |

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

| | | |
|------------------------------|---------------------------|-----------------------------------|
| SIGNATURE <i>M. Smith</i> | TELEPHONE 304 757 0270 | DATE 1-4-08 |
| TITLE owner/member | FEIN 550773855 | ADDRESS CHANGES TO BE NOTED ABOVE |

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| <p>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.</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: <i>Occupational & Environmental Health, PLLC</i></p> <p>DATE: <i>1-4-08</i></p> <p>SIGNED: <i>Marsha K. Bailey MD</i></p> <p>TITLE: <i>owner/member</i></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> | | | | | | |

| | | | |
|---|---------------------------|-----------------------------------|--|
| SEE REVERSE SIDE FOR TERMS AND CONDITIONS | | | |
| SIGNATURE <i>Marsha K. Bailey MD</i> | TELEPHONE 304 757 0270 | DATE 1-4-08 | |
| TITLE <i>owner/member</i> | FEIN 55077 3855 | ADDRESS CHANGES TO BE NOTED ABOVE | |

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|---|----------|-----|--------|-------------|------------|--------|
| <p>A SIGNED BID MUST BE SUBMITTED TO:</p> <p>DEPARTMENT OF ADMINISTRATION PURCHASING DIVISION BUILDING 15 2019 WASHINGTON STREET, EAST CHARLESTON, WV 25305-0130</p> <p>THE BID SHOULD CONTAIN THIS INFORMATION ON THE FACE OF THE ENVELOPE OR THE BID MAY NOT BE CONSIDERED:</p> <p>SEALED BID</p> <p>BUYER: CB-23</p> <p>RFQ. NO.: DEP13958</p> <p>BID OPENING DATE: 01/17/2008</p> <p>BID OPENING TIME: 1:30 PM</p> <p>PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID: ----- (304) 7570268 -----</p> <p>CONTACT PERSON (PLEASE PRINT CLEARLY): <i>Marsha L. Bailey, MA</i></p> | | | | | | |

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

| | | |
|--------------------------------------|--------------------------|-----------------------------------|
| SIGNATURE <i>Marsha L. Bailey</i> | TELEPHONE 304 7570270 | DATE 1-4-08 |
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| ***** THIS IS THE END OF RFQ DEP13958 ***** TOTAL: | | | | | | |

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| | | |
|-----------------------------|---------------------------|-----------------------------------|
| SIGNATURE <i>Wansley</i> | TELEPHONE 304 757-0270 | DATE 1-4-08 |
| TITLE owner/member | FEIN 550773855 | ADDRESS CHANGES TO BE NOTED ABOVE |

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Open-End Contract

To conduct physical examinations of selected employees of the WV Department of Environmental Protection (DEP). All testing shall be conducted at one location only and shall be completed in one day. If the vendor can supply these services from a mobile unit, DEP will provide the locations. A 24-hour cancellation notice shall be given to the designated DEP Office representative(s) when all tests cannot be given in one day. The successful vendor(s) agrees to the imposition of a \$500.00 penalty when all tests are not performed in one day or a 24-hour cancellation notice is not given.

01 Physical examination by a Licensed Physician

\$ 89.⁰⁰

Comprehensive physical examination. Previous personal/family history with specific reference to smoking, use of steroids, and cancer history. Previous or interval work history including hazardous waste sites, sampling activities, site investigations, and industrial hygiene.

02 Visual Acuity Measurements

\$ 30.⁰⁰

Includes near and distant vision, color perception and intraocular tension measurements by non-contact puff tonometer. No exception to no-contact puff tonometer method.

03 Audiogram

\$ 30.⁰⁰

Performed by certified personnel using equipment calibrated within the last twelve months to meet the most current ANSI standards and that is biologically checked daily.

04 Pulmonary Function Screening

\$ 48.⁰⁰

Performed by trained personnel to record forced vital capacity, and forced expiratory volume in one second (FVC, FEVI). Results to be interpreted by pulmonologist.

- | | | |
|----|---|----------------------|
| 05 | Electrocardiogram | \$ 50. ⁰⁰ |
| | Also known as EKG. With Board Certified interpretation. | |
| 06 | Routine Urinalysis | \$ 22. ⁰⁰ |
| 07 | Complete Blood Count (CBC) | \$ 16. ⁰⁰ |
| 08 | Comprehensive Metabolic Panel | \$ 31. ⁰⁰ |
| 09 | Lipid Panel | \$ 40. ⁰⁰ |
| 10 | Hepatic Function Panel | \$ 46. ⁰⁰ |
| 11 | Posterior and Anterior Chest X-ray (14 X 17) | \$ 85. ⁰⁰ |

Performed on preliminary examination. Thereafter at three year intervals. Results to be interpreted by B Reader. Charge to include physician's professional fee for interpretation of X-ray. No exception to interpretation by B-Reader.

- | | | |
|----|-----------------|-----------------------|
| 12 | EKG Stress Test | \$ 300. ⁰⁰ |
|----|-----------------|-----------------------|

To be performed on selected individuals plus those individuals who potentially use Self Contained Breathing Apparatus (SCBA) in performance of their job or those recommended by the examining physician. Results to be interpreted by Board Certified Cardiologist. Charge to include physician's professional fee for monitoring of test.

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| 13 | Heavy Metals | \$ 355. ⁰⁰ |
|----|--------------|-----------------------|

To be performed on selected individuals designated by the WV DEP on the preliminary examination and thereafter at three-year intervals or upon significant exposure. Includes testing for mercury, arsenic, cyanide, lead, pcbs and chromium.

- | | | |
|----|------------------|-----------------------|
| 14 | Repeat PCB Level | \$ 155. ⁰⁰ |
|----|------------------|-----------------------|

To be performed in the event the PCB level is elevated in the initial test, Heavy Metals.

| | | |
|----|--|---------------------------|
| 15 | Serum Titer for Hepatitis A | \$ 37.20 |
| 16 | Serum Titer for Hepatitis B | \$ 34.35 |
| 17 | Hepatitis A Booster Shot | \$ 77. ⁰⁰ |
| 18 | Hepatitis B Booster Shot | \$ 68. ⁰⁰ |
| 19 | Tetanus Vaccination | \$ 25. ⁰⁰ |
| 20 | Hepatitis A Vaccination (series of injections) <i>series of 2</i> | \$ 77. ⁰⁰ each |
| 21 | Hepatitis B Vaccination (series of injections) <i>series of 3</i> | \$ 68. ⁰⁰ each |
| 22 | Prostate exam including PSA (Prostate Specific Antigen) blood test | \$ 36. ⁰⁰ |
| 23 | Blood Lead and Zink Protoporphyrins (ZPP) | \$ 50. ⁰⁰ |

REPORTS:

An individual report for each employee shall be submitted to the agency advising if the employee has "cleared"(employee can do their job), "cleared with limitations" (employee can do their job, but might be limited on lifting) or has "not cleared" (the employee might be assigned a different position) the examination. A detailed explanation shall be included for employees designated as "cleared with limitations" or "not cleared". The actual test results shall be mailed to the employee's residence. A copy of the test results for the EKG Stress Test, and the IH Profile shall be mailed to the employer along with the invoice. All results and invoices shall be completed and mailed within 21 calendar days of the date of the examination.

The vendor shall maintain permanent records. Copies of test results shall be made available to the agency or the employee's personal physician upon request at no cost. Upon termination of this contract, all records shall be surrendered to the agency at no cost.

PURCHASING CONTINUATION SHEET

Bid Schedule Physicals

| | | |
|----------------|------|----------|
| Buyer: | Page | Req/PO |
| Chuck Bowman | | DEP13958 |
| Spending Unit: | | P. 10 |
| WV DEP | | |

| Item No. | Quantity | Description | Unit Price | Amount |
|----------|----------|--|--------------------|-----------------------|
| 1 | 85 | Physical Examination by a Licensed Physician | 89. ⁰⁰ | 7565. ⁰⁰ |
| 2 | 85 | Visual Acuity Measurements | 30. ⁰⁰ | 2550. ⁰⁰ |
| 3 | 85 | Audiogram | 30. ⁰⁰ | 2550. ⁰⁰ |
| 4 | 85 | Pulmonary Functions Screening | 48. ⁰⁰ | 4080. ⁰⁰ |
| 5 | 85 | Electrocardiogram | 50. ⁰⁰ | 4250. ⁰⁰ |
| 6 | 85 | Routine Urinalysis | 22. ⁰⁰ | 1870. ⁰⁰ |
| 7 | 85 | Complete Blood Count (CBC) | 16. ⁰⁰ | 1360. ⁰⁰ |
| 8 | 85 | Comprehensive Metabolic Panel | 31. ⁰⁰ | 2635. ⁰⁰ |
| 9 | 85 | Lipid Panel | 40. ⁰⁰ | 3400. ⁰⁰ |
| 10 | 85 | Hepatic Function Panel | 46. ⁰⁰ | 3910. ⁰⁰ |
| 11 | 85 | Posterior and Anterior Chest X-ray (14 X 17) | 85. ⁰⁰ | 7225. ⁰⁰ |
| 12 | 85 | EKG Stress Test | 300. ⁰⁰ | 25,500. ⁰⁰ |
| 13 | 85 | Heavy Metals | 355. ⁰⁰ | 30,175. ⁰⁰ |
| 14 | 85 | Repeat PCB Level | 155. ⁰⁰ | 13,175. ⁰⁰ |
| 15 | 85 | Serum Titer for Hepatitis A | 37.20 | 3162. ⁰⁰ |
| 16 | 85 | Serum Titer for Hepatitis B | 34.35 | 2919.75 |
| 17 | 85 | Hepatitis A Booster Shot | 77. ⁰⁰ | 6545. ⁰⁰ |
| 18 | 85 | Hepatitis B Booster Shot | 68. ⁰⁰ | 5780. ⁰⁰ |

REVISED PER ADDM. #1

| | | | | |
|----|----|--|--------------------|-----------------------|
| 19 | 85 | Tetanus Vaccination | 25. ⁰⁰ | 2125. ⁰⁰ |
| 20 | 85 | Hepatitis A Vaccination (Series of Injections) <i>2 injections, 77.⁰⁰ each</i> | 154. ⁰⁰ | 12,090. ⁰⁰ |
| 21 | 85 | Hepatitis B Vaccination (Series of Injections) <i>3 injections, 68.⁰⁰ each</i> | 204. ⁰⁰ | 17,340. ⁰⁰ |
| 22 | 85 | Prostate Exam Including PSA blood test | 36. ⁰⁰ | 3060. ⁰⁰ |
| 23 | 85 | Blood Lead and ZPP | 50. ⁰⁰ | 4250. ⁰⁰ |

Inquires concerning this RFQ shall be directed to:

TOTAL =

168,516.75

Chuck Bowman
Purchasing Division
Building 15
2019 Washington Street, East
Charleston, WV 25305

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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: Marsha L. Bailey MD for Occupational & Environmental Health, PLLC

Authorized Signature: Marsha L. Bailey Date: 1-4-08