



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 |
| HHR90119 |

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| PAGE |
| 1 |

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

RFQ COPY
TYPE NAME/ADDRESS HERE

ORACLE ELEVATOR
4136 W. Washington St.
Charleston, WV 25313
(304) 744-4020

HEALTH AND HUMAN RESOURCES
BUILDING MANAGEMENT
VARIOUS LOCALES AS INDICATED

ORIGINAL

| | | | | |
|--------------|---------------|----------|-----|---------------|
| DATE PRINTED | TERMS OF SALE | SHIP VIA | FOB | FREIGHT TERMS |
| 02/11/2009 | | | | |

BID OPENING DATE: 03/17/2009 BID OPENING TIME 01:30PM

| LINE | QUANTITY | UOP | CAT. NO. | ITEM NUMBER | UNIT PRICE | AMOUNT |
|---|----------|-----|----------|--|------------|--------|
| 0001 | 12 | MN | 910-13 | ***** MAND. PRE-BID MEETING 2/24/2009 @ 10:30 AM DHHR, 350 CAPITOL STREET, CHARLESTON, WV 25301 CONF. ROOM - B10 ***** | | |
| BLANKET CONTRACT FOR ELEVATOR PREVENTATIVE MAINTENAN | | | | | | |
| CONTRACTOR SHALL FURNISH ALL LABOR, MATERIALS, EQUIPMENT, SUPPLIES AND PARTS NECESSARY TO PERFORM PREDICTIVE AND CORRECTIVE MAINTENANCE ON THE ELEVATORS LOCATED AT 350 & 500 CAPITOL STREET, CHARLESTON, WV AND 619 VIRGINIA ST.W., CHARLESTON, WV, IN ACCORDANCE WITH THE ATTACHED SPECIFICATIONS. | | | | | | |
| NOTE: THIS CONTRACT IS TO MAINTAIN THE EQUIPMENT IN PROPER OPERATING ORDER. IT IS NOT TO BE USED FOR MAJOR RENOVATIONS OR UPGRADES TO THE EQUIPMENT. | | | | | | |
| THE CONTRACTOR WILL MEET ALL LEGAL REQUIREMENTS AND PROFESSIONAL STANDARDS, FEDERAL, STATE, AND LOCAL REGULATIONS RELEVANT TO EACH AREA OF SERVICE WITHIN THEIR PROFESSION. | | | | | | |
| *****NOTICE*****NOTICE***** | | | | | | |

RECEIVED

2009 MAR 16 AM 11:37

WV PURCHASING
DIVISION

| | | |
|---|---------------------------|-----------------------------------|
| SEE REVERSE SIDE FOR TERMS AND CONDITIONS | | |
| SIGNATURE <i>Ken Harmon</i> | TELEPHONE 304.744.4020 | DATE 3-9-09 |
| TITLE Manager | FEIN 20-1968406 | ADDRESS CHANGES TO BE NOTED ABOVE |

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



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2

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|--|----------|-----|--------|-------------|------------|--------|
| A MANDATORY VENDOR PREBID CONFERENCE IS SCHEDULED FOR FEBRUARY 24, 2009, AT 10:30 A.M. IN CONFERENCE ROOM B10 AT 350 CAPITOL STREET, CHARLESTON, WV. FAILURE TO ATTEND THE MANDATORY PRE-BID MEETING WILL RESULT IN BID DISQUALIFICATION. | | | | | | |
| ***** | | | | | | |
| LIFE OF CONTRACT: THIS CONTRACT BECOMES EFFECTIVE ON APRIL 1, 2009 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 ORIGINAL CONTRACT AND SHALL BE LIMITED TO TWO (2) SUCCESSIVE 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 OR DO NOT CONFORM WITH THE SPECIFICATIONS OF THE BID AND CONTRACT HEREIN | | | | | | |

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE

Ken Harmon

TELEPHONE

304 744.4020

DATE

3-9-09

TITLE

Manager

FERN

201968406

ADDRESS CHANGES TO BE NOTED ABOVE

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|---|----------|-----|----------|-------------|------------|--------|
| <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>INSURANCE: SUCCESSFUL VENDOR SHALL FURNISH PROOF OF COVERAGE OF COMMERCIAL GENERAL LIABILITY INSURANCE PRIOR TO ISSUANCE OF THE CONTRACT. UNLESS OTHERWISE SPECIFIED IN THE BID DOCUMENTS, THE MINIMUM AMOUNT OF INSURANCE COVERAGE REQUIRED IS \$250,000.</p> <p>WORKER'S COMPENSATION: VENDOR IS REQUIRED TO PROVIDE A CERTIFICATE FROM WORKER'S COMPENSATION IF SUCCESSFUL.</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>WAGE RATES: THE CONTRACTOR OR SUBCONTRACTOR SHALL PAY THE HIGHER OF THE U.S. DEPARTMENT OF LABOR MINIMUM WAGE RATES AS ESTABLISHED FOR KANAWHA COUNTY, PURSUANT TO WEST VIRGINIA CODE 21-5A, ET, SEQ. (PREVAILING WAGE RATES APPLY TO THIS PROJECT)</p> <p>INQUIRIES WRITTEN QUESTIONS SHALL BE ACCEPTED THROUGH CLOSE OF BUSINESS ON 2/26/2009. QUESTIONS MAY BE SENT VIA USPS, FAX, COURIER OR E-MAIL. IN ORDER TO ASSURE NO VENDOR RECEIVES AN UNFAIR ADVANTAGE, NO SUBSTANTIVE QUESTIONS WILL BE ANSWERED ORALLY. IF POSSIBLE, E-MAIL QUESTIONS ARE PREFERRED. ADDRESS</p> | | | | | | |

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

| | | |
|-------------------|--------------|-----------------------------------|
| SIGNATURE | TELEPHONE | DATE |
| <i>Ken Hammon</i> | 304 744.4020 | 3-9-09 |
| TITLE | FBN | ADDRESS CHANGES TO BE NOTED ABOVE |
| <i>Manager</i> | 20-1968406 | |

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| 4 |

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| ROBERTA WAGNER |
| 804-558-0067 |

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ORACLE ELEVATOR
4136 W. Washington St.
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(304) 744-4020

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01:30PM

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|---|----------|-----|--------|-------------|------------|--------|
| INQUIRIES TO: | | | | | | |
| ROBERTA WAGNER DEPARTMENT OF ADMINISTRATION PURCHASING DIVISION 2019 WASHINGTON STREET, EAST CHARLESTON, WV 25311 | | | | | | |
| FAX: 304-558-4115 E-MAIL: ROBERTA.A.WAGNER@WV.GOV | | | | | | |
| NOTICE | | | | | | |
| A SIGNED BID MUST BE SUBMITTED TO: | | | | | | |
| DEPARTMENT OF ADMINISTRATION PURCHASING DIVISION BUILDING 15 2019 WASHINGTON STREET, EAST CHARLESTON, WV 25305-0130 | | | | | | |
| PLEASE NOTE: A CONVENIENCE COPY WOULD BE APPRECIATED. | | | | | | |
| THE BID SHOULD CONTAIN THIS INFORMATION ON THE FACE OF THE ENVELOPE OR THE BID MAY NOT BE CONSIDERED: | | | | | | |
| SEALED BID | | | | | | |

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

| | | |
|-------------------|--------------|-----------------------------------|
| SIGNATURE | TELEPHONE | DATE |
| <i>Ben Harmon</i> | 304-744-4020 | 3-9-09 |
| TITLE | FERN | ADDRESS CHANGES TO BE NOTED ABOVE |
| <i>Manager</i> | 20-1968406 | |

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| 5 |

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| LINE | QUANTITY | UOP | CAT NO | ITEM NUMBER | UNIT PRICE | AMOUNT |
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| BUYER:-----RW/FILE 22----- | | | | | | |
| RFQ. NO.:-----HHR90119----- | | | | | | |
| BID OPENING DATE:-----3/17/2009----- | | | | | | |
| BID OPENING TIME:-----1:30 PM----- | | | | | | |
| PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID: -----304-744-4022----- | | | | | | |
| CONTACT PERSON (PLEASE PRINT CLEARLY): -----KEN HARMON----- | | | | | | |
| ***** THIS IS THE END OF RFQ HHR90119 ***** TOTAL: 1,190.00 monthly | | | | | | |

| | | | |
|-----------------------------|-----------------|-----------------------------------|-------------|
| SIGNATURE <i>Ken Harmon</i> | | TELEPHONE 304-744-4020 | DATE 3-9-09 |
| TITLE <i>Manager</i> | FEIN 20-1968406 | ADDRESS CHANGES TO BE NOTED ABOVE | |

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

HHR90119 Blanket Contract for Elevator Maintenance - Exhibit A - Equipment Listing and Maintenance Price Sheet

| Type | Manufacturer Control | Manufacturer Hoist Works | Date Renovated | Last No Load Test | Last Full Load Test | Landings Openings | State Inspection | Capacity | Use | Monthly Maintenance Price |
|---|----------------------|--------------------------|----------------|-------------------|---------------------|-------------------|------------------|----------|-----------------------|---------------------------|
| Building 250 Capitol Street | | | | | | | | | | |
| Car No. 1 | | | 1999 | 1/09 | 1/09 | 9-8F | Jan. 09 | 2500 lbs | Passenger | \$ 200.00 |
| Traction | Dover | Otis | | | | | | | | |
| | Serial # | BJ9967 | | | | | | | | |
| | Motor | 30 HP | | | | | | | | |
| Building 350 Capitol Street | | | | | | | | | | |
| Car No. 2 | | | 1999 | 1/09 | 1/09 | 9-8F | Jan. 09 | 2500 lbs | Passenger | \$ 200.00 |
| Traction | Dover | Otis | | | | | | | | |
| | Serial # | BJ9968 | | | | | | | | |
| | Motor | 30 HP | | | | | | | | |
| Building 350 Capitol Street | | | | | | | | | | |
| Car No. 3 | | | 1999 | 1/09 | 1/09 | 9-8F | Jan. 09 | 5000 lbs | Passenger and Freight | \$ 200.00 |
| Traction | Dover | Otis | | | | | | | | |
| | Serial # | BJ9969 | | | | | | | | |
| | Motor | 36 HP | | | | | | | | |
| Building 350 Capitol Street | | | | | | | | | | |
| Car No. 4 | | | 1960? | 1/09 | 1/24/07 | 4-4F | Jan. 09 | 4000 lbs | Freight | \$ 160.00 |
| Traction | Otis | Otis | | | | | | | | |
| | Serial # | 1025687 | | | | | | | | |
| Building 500 Capitol Street | | | | | | | | | | |
| Car No. 1 | | | New 1999 | 1/09 | 1/09 | 8-8F | Jan. 09 | 2500 lbs | Passenger | \$ 154.00 |
| Hydraulic | Dover | Dover | | | | | | | | |
| | Serial # | EK3944 | | | | | | | | |
| Building 500 Capitol Street | | | | | | | | | | |
| Car No. 2 | | | New 1999 | 1/09 | 1/09 | 8-8F | Jan. 09 | 2500 lbs | Passenger | \$ 154.00 |
| Hydraulic | Dover | Dover | | | | | | | | |
| | Serial # | EK3074 | | | | | | | | |
| Building 619 Virginia Street, West | | | | | | | | | | |
| Car No. 1 | | | 11/4/2005 | 1/09 | 1/09 | 2-2F | Jan. 09 | 2000 lbs | Passenger | \$ 128.00 |
| Hydraulic | ThyssenKrupp | ThyssenKrupp | | | | | | | | |
| | Serial # | EU 53333 | | | | | | | | |

Twice Monthly Maintenance Inspection & Service Total for the above elevators = \$ 1190.00

Other Work: When none preventative maintenance work is requested of the Vendor by the Agency, the Vendor shall provide labor and material needed to accomplish the requested work. Vendor shall bill for this labor at his regular hourly rate and materials shall be billed at the Vendor's cost, plus 10%. For evaluation purposes, we will assume two (2) hours of Other Work per month.

Hourly Rate for Mechanic is \$ 90 per hour X 2 hours per month = \$ 180.00
 Hourly Rate for Helper is \$ 65 per hour X 2 hours per month = \$ 130.00

Total of Other Work (Monthly) = 310.00
 Total of Emergency Service (Monthly): Hourly Rate is \$ 135.00 x 2 hours per month = \$ 270.00
 Total Monthly Maintenance Inspection & Service + Other Work + Emergency Service = \$ 1770.00

Service Call Number: (Mon-Fri/ 8 AM to 4 PM) 304-744-4020 Emergency Service Call Number: 304-744-4020

Vendor Competency Response page 7

Below see the five (5) largest accounts which have similar to identical equipment on service.

- 1. CAMC - 50 units on service full maintenance for 10 years. WV**
- 2. Ohio State Univ.- 75 units on service full maintenance 3 years Ohio**
- 3. Bluefield State College - 7 units on service new account WV**
- 4. Direct TV - 3 units on service 3 years WV**
- 5. G&G Builders - 5 units on service 10 years WV**

STATE OF WEST VIRGINIA
Purchasing Division**PURCHASING AFFIDAVIT****VENDOR OWING A DEBT TO THE STATE:**

West Virginia Code §5A-3-10a provides that: 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.

PUBLIC IMPROVEMENT CONTRACTS & DRUG-FREE WORKPLACE ACT:

If this is a solicitation for a public improvement construction contract, the vendor, by its signature below, affirms that it has a written plan for a drug-free workplace policy in compliance with Article 1D, Chapter 21 of the *West Virginia Code*. The vendor **must** make said affirmation with its bid submission. Further, public improvement construction contract may not be awarded to a vendor who does not have a written plan for a drug-free workplace policy in compliance with Article 1D, Chapter 21 of the *West Virginia Code* and who has not submitted that plan to the appropriate contracting authority in timely fashion. For a vendor who is a subcontractor, compliance with Section 5, Article 1D, Chapter 21 of the *West Virginia Code* may take place before their work on the public improvement is begun.

ANTITRUST:

In submitting a bid to any agency for the state of West Virginia, the bidder offers and agrees that if the bid is accepted the bidder will convey, sell, assign or transfer to the state of West Virginia all rights, title and interest in and to all causes of action it may now or hereafter acquire under the antitrust laws of the United States and the state of West Virginia for price fixing and/or unreasonable restraints of trade relating to the particular commodities or services purchased or acquired by the state of West Virginia. Such assignment shall be made and become effective at the time the purchasing agency tenders the initial payment to the bidder.

I certify that this bid is made without prior understanding, agreement, or connection with any corporation, firm, limited liability company, partnership or person or entity submitting a bid for the same materials, supplies, equipment or services and is in all respects fair and without collusion or fraud. I further certify that I am authorized to sign the certification on behalf of the bidder or this bid.

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. Vendor further agrees to comply with the Confidentiality Policies and Information Security Accountability Requirements, set forth in <http://www.state.wv.us/admin/purchase/privacy/noticeConfidentiality.pdf>.

Under penalty of law for false swearing (*West Virginia Code* §61-5-3), it is hereby certified that the vendor affirms and acknowledges the information in this affidavit and is in compliance with the requirements as stated.

Vendor's Name: ORACLE ELEVATOR CO.
Authorized Signature: [Signature] Date: 3-9-09

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). *West Virginia Code*, §5A-3-37, provides an opportunity for qualifying vendors to request (at the time of bid) preference for their residency status. Such preference is an evaluation method only and will be applied only to the cost bid in accordance with the *West Virginia Code*. This certificate for application is to be used to request such preference. The Purchasing Division will make the determination of the Resident Vendor Preference, if applicable.

1. **Application is made for 2.5% resident vendor 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 corporation resident vendor and 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 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 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; or,
2. **Application is made for 2.5% resident vendor preference for the reason checked:**
☒ 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; or,
3. **Application is made for 2.5% resident vendor preference for the reason checked:**
☐ 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 Bidder's 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; or,
4. **Application is made for 5% resident vendor preference for the reason checked:**
☐ Bidder meets either the requirement of both subdivisions (1) and (2) or subdivision (1) and (3) as stated above; or,
5. **Application is made for 3.5% resident vendor preference who is a veteran for the reason checked:**
☐ Bidder is an individual resident vendor who is a veteran of the United States armed forces, the reserves or the National Guard and has resided in West Virginia continuously for the four years immediately preceding the date on which the bid is submitted; or,
6. **Application is made for 3.5% resident vendor preference who is a veteran for the reason checked:**
☐ Bidder is a resident vendor who is a veteran of the United States armed forces, the reserves or the National Guard, if, for purposes of producing or distributing the commodities or completing the project which is the subject of the vendor's bid and continuously over the entire term of the project, on average at least seventy-five percent of the vendor's employees are residents of West Virginia who have resided in the state continuously for the two immediately preceding years.

Bidder understands if the Secretary of 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) reject the bid; 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.

By submission of this certificate, Bidder agrees to disclose any reasonably requested information to the Purchasing Division and authorizes the Department of 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.

Bidder: ORACLE ELEVATOR Co Signed: Ken Danner
 Date: 3-9-09 Title: Manager

*Check any combination of preference consideration(s) indicated above, which you are entitled to receive.