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

Request for

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ADDRESS COMPESSIONDEVOE TO ATTENTON OF ROBERTA WAGNER 304-558-0067

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R. E. MICHEL COMPAN

Liekilelalandelleren Arleil R.E. MICHAELS 130 DYE ROAD BECKLEY, WV 25801

HEALTH AND HUMAN RESOURCES PINECREST HOSPITAL 105 SOUTH EISENHOWER DRIVE

BECKLEY, WV 25801

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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.
- 4. Prior to any award, the apparent successful vendor must be properly registered with the Purchasing Division and have paid the required \$125 fee.
- 5. All services performed or goods delivered under State Purchase Order/Contracts are to be continued for the term of the Purchase Order/Contracts, 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 Cover Entity (45 CFR §160.103) and will be disclosing Protected Health Information (45 CFR §160.103) to the vendor.
- 15. WEST VIRGINIA ALCOHOL & DRUG-FREE WORKPLACE ACT: If this Contract constitutes a public improvement construction contract as set forth in Article 1D, Chapter 21 of the West Virginia Code ("The West Virginia Alcohol and Drug-Free Workplace Act"), then the following language shall hereby become part of this Contract: "The contractor and its subcontractors shall implement and maintain a written drug-free workplace policy in compliance with the West Virginia Alcohol and Drug-Free Workplace Act, as set forth in Article 1D, Chapter 21 of the West Virginia Code. The contractor and its subcontractors shall provide a sworn statement in writing, under the penalties of perjury, that they maintain a valid drug-free work place policy in compliance with the West Virginia and Drug-Free Workplace Act. It is understood and agreed that this Contract shall be cancelled by the awarding authority if the Contractor: 1) Fails to implement its drug-free workplace policy; 2) Fails to provide information regarding implementation of the contractor's drug-free workplace policy at the request of the public authority; or 3) Provides to the public authority false information regarding the contractor's drug-free workplace policy."

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 case 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: Department of Administration, Purchasing Division, 2019 Washington Street East, P.O. Box 50130, Charleston, WV 25305-0130

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State of Wast Virginia
Department of Administration
Purchasing Division
2019 Washington Street East
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HEALTH AND HUMAN RESOURCES PINECREST HOSPITAL 105 SOUTH EISENHOWER DRIVE

BECKLEY, WV 25801

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Charleston, WV 25306-0130

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REQUEST FOR QUOTATION STATE OF WEST VIRGINIA

Department of Health and Human Resources Pinecrest Hospital PSH10M7

PURPOSE: To provide Lattner 25 BHP steam boiler or equal for Pinecrest Hospital.

LOCATION: Pinecrest Hospital at 105 S. Eisenhower Drive, Beckley, WV 25801

GENERAL REQUIREMENTS:

The Bidder is to provide boiler, boiler feed, blow down separator and any other equipment for installation of Lattner steam boiler or equal for Pinecrest Hospital.

MANDATORY REQUIREMENTS:

Quotation for the following:

- 1. One gas fired boiler 25BPH, ASME design pressure 150 psi (15 psig operating pressure). Control voltage wiring shall be 208 vac, 60 Hz, 3 phase or 120 vac, 60 Hz, 1 phase.
 - Including:
 - a. Level control
 - b. Low water cut-off
 - c. Probe type auxiliary low water cut-off manual reset.
 - d. ASME safety valve.
 - e. Blow-off valves for boiler and level controls
 - f. Water gauge set with ball checks
 - g. Gauge glass protector
 - h. Steam pressure gauge
 - i. Operating pressure switch
 - i. High limit switch pressure switch with manual reset
- 2. Boiler feed system.

Including:

- a. 30-35 gallon receiver
- b. Sight glass
- c. Suction strainers
- d. Shut-off valves,
- e. Piping and pumps
- f. Dial thermometer

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- 3. Blow down separator.
 - Including:
 - a. Dial thermometer
 - b. After cooler with ball valve
 - c. Check valve
 - d. Strainer
 - e. Water regulator valve

ESSENTIAL DUTIES AND RESPONSIBILITIES:

Bidder will be responsible for providing the equipment (as listed above), with a minimum warranty of one (1) year, and freight to Pinecrest Hospital, Beckley WV.

No installation of equipment needed, as Pinecrest's Maintenance Department will install.

PAYMENT SCHEDULE:

We will pay in arrears. There will be no advance payment.

SCHEDULE OF BID RESPONSES:

- 1. Bidders shall submit one lump-sum bid for all equipment under all the terms and conditions as described therein.
- 2. Successful bidder must be, or be willing to become a registered vendor with the WV State Purchasing Office.
- 3. Award will be made to the lowest bidder meeting specifications.

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PAGE 09

RFO No. 754 10007-

STATE OF WEST VIRGINIA Purchasing Division

PURCHASING AFFIDAVIT

VENDOR OWING A DEST TO THE STATE:

West Virginia Code §6A-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 creater 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 Wirginia 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 subconvector, 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 etate 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, titls and interest in and to all causes of action it may now or hereafter acquire under the artifuet lews 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.

CHARACTE.

Vandors 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 Tex Department, West Virginia Insurance Commission, or any other state agencies or political subdivision. Furthermore, the vandor 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 Neme: Authorized Signature:	K.E. MI	CHEL CON	PARY, I.	WC_		
Authorized Slaneture:	(X) A	- K Fra.	la divan	Date: <	129/09	
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Sate of West Virginia VENDOR PREFERENCE CERTIFICATE

Certification and application" is hereby made for Preference in accordance with Wast Winglade Code, §6A-3-37. (Does not apply to construction contracts). What Whythile Code, §6A-3-37, provides an appointmity for qualifying vandors to request (at the time of bid) preference for their residency status. Such preference is an evaluation mathed 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 Codes with the West Virginia Code. This certificate for application is to be used to request such preference. The Purchasing Codes with the determination of the Resident Vandor Profession, if application.

	Vision will make the determination of the Resident Vendor Professice, if applicable.
	Application is made for 2.8% resident vendor preference for the reason claridad: Elditer is an individual resident vendor and has resided continuously in West Virginia for four (4) years immediately preceding the date of this cartification; or, Elditer 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 cartification; or 80% of the ownership interest of Bidder is held by section 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 cartification; or, Bidder is a normalidate vendor which has an efficient or subsidiary which employs a minimum of one handred 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 cartification; or,
***	Application is made for 2.5% resident vandor preference for the reason checked: Bidder is a resident vandor 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 date continuously for the two years immediately preceding submission of this bid; or,
	Application is made for 2.6% resident vandor preference for the resear checked: Bidder is a nonresident vandor employing a minimum of one hundred state residents or is a nonresident vandor with an affiliate or subsidiary which maintains he 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 evenage 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,
ź	Application is made for 6% malderst vendor preference for the reason chacked: Bidder mests either the requirement of both subdivisions (1) and (2) or subdivision (1) and (3) as stated above; or,
	Application is made for 3.6% resident vendor preference who is a veteran for the research 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 combinuously for the four years immediately preceding the date on which the bid is submitted; or,
•	Application is made for 3.5% resident vendor preference who is a veteren 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 of completing the project which is the exhibit of the vendor's bid and continuously over the entire term of the project, on average at least soverty-five percent of the vendor's employees are residents of West Virginia who have resided in the state continuously for the two immediately pescenting years.
	Bidger understands if the Secretary of Revenus determines that a Bidder receiving preference has falled to continue to mast the equivaments for such preference, the Secretary may order the Director of Purchasing to: (a) reject the bid; or (b) assesse a penalty equival 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 Obestor 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 decreased by the Tax Commissioner to be confidential.
	Linder penalty of law for false swearing (West Virginia Code, §61-5-5), Bidder hereby certifies that this certificate is true and eccurate in all respects; and that if a contract is bessed to Bibider and if anything contained within this certificate

changes during the term of the contract, Sidder will notify the Parchaging Civision

^{*}Creek any combination of preference considered only indicated above, which you are entitled to receive.

410 761 3703 R. E. MICHEL COMPAN EXECUTIVE DEPT. 02:14:44 p.m. 06-29-2009 6 /15

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Bid Schedule / Cost Proposal

Quantity	Description	Price for Each	Extended Amount
1 each	Lattner 25 BHP Steam Boiler or equal per specs. (If boiler other than Lattner is to be considered, provide Brand, name, model, here)	* PIEASE QUOTE	SEE ATTACHMEN
Any other c	costs (please specify)		
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DATE Quotation #

Prepared by: Tony Lilly

Quotation

130 Dye Drive Beckley, WV 25801 (304) 255-2222 Phone (304) 253-9648 Fax

Quotation For:

PSH10007

Quotation valid for: 30 Days

Company

State Of West Virginia--Pinecrest Hospital

Address

2019 Washington Street East

City, State ZIP

Charleston, WV 25305

Phone Cell Email

304-558-0067

P.O. # JOB NAME	SHIP DATE	SHIP VIA	F.O.B. POINT	TERMS
PSH10007				

QUANTITY	DESCRIPTION	UNIT PRICE	Т	AMOUNT
1	25 Horsepower Waterleg Flueless (WLF) Boiler,			
	Vertical Tubeless, Four Pass Construction, 150PSI			
	Design Pressure, 135 PSI Max. Operating Pressure,			
İ	Construction in Accordance with ASME Boiler Code.			
	National Board Certified. UL/ULC Approved			
1	Valve Package Includes 4" Main Steam Stop (15 WSP			
	Rising Stem),Inch Feedwater Stop (200 WSP Ball)			
	inch Feedwater Check(200 WSP Spring-Loaded),	1		
	inch Slow Opening Blowdown(200 WSP Y-Type),	,		,
	andinch quick opening(200WSP Ball) Blowdown			
	valve.			
1	ASME P6 Data Report and Hydrostatic Test. Required			
	for Arizona, Colorado, Indiana, Iowa, Kentucky, Ohio,			
	Virginia, and Wisconsin.			
1	McDonnell & Miller # 157S-MD Snap Switch(#173603)			ì
	Float-Type Pirmary Low Water Cut-Off.			
1	Warrick 26M Relay w/Base Probe-Type Auxiliary Low			
	Water Cut-Off with Manual Reset			
1	Honeywell Pressuretrol L404F1102, 10-150# (Formerly			
	L404A1396			
1	Honeywell Pressuretrol L4049B1041, 10-150# Manual			
	Reset			
1	Steam Pressure Guage, 3-1/2 inch, 0-300#	:		
1	Powerflame JR30A-12U Natural Gas Forced Draft			
	Burner, 1050 MBH Input, 3/4 Horsepower Blower Motor			
	, 120/1/60, RM7897A/UV Flame Safeguard, 7.3 Inch			
	W.C.Min. Required Gas Pressure, 1-1/4 inch Gas Train			!
			SUBTOTAL	œ

Please contact Tony Lilly with question @ (304) 673-1323 or tony.iilly@remichel.com

SUBTOTAL	\$ -
TAX RATE	6.00%
SALES TAX	_
OTHER	14
TOTAL	\$ **

ragree that this quotation repre	esents a final agreement with R.E. IV	ilicnel Company and	request the equipment and	accessories be ordered.	
Contractor Approval:				Date:	



Quotation

www.remichel.com make the connection***

DATE Quotation #

Prepared by: Tony Lilly

130 Dye Drive Beckley, WV 25801 (304) 255-2222 Phone (304) 253-9648 Fax

Quotation For:

PSH10007

Quotation valid for: 30 Days

Company

State Of West Virginia--Pinecrest Hospital

Address City, State ZIP 2019 Washington Street East

Phone Cell

Email

Charleston, WV 25305 304-558-0067

P.O. #	JOB NAME	SHIP DATE	SHIP VIA	F.O.B. POINT	TERMS
PSH10007					

QUANTITY		UNIT PRICE	Т	AMOUNT
	, 12 Inch Flange, Includes CSD-1 Approved Gas Train			
	Composed of Shut-Off Cock, Leak Test Cock,			
	Combination Main Automatic Gas Valve and Gas			
	Pressure Regulator, Auxillary Gas Valve and Solenoid			
	Pilot Valve.			
1	Honeywell Digital Diagnostics Module			
1	Stack Thermometer			
1	10 inch M + MG2 Barometric Relief Damper			
1	Subtotal For Above Items	\$10 mm		
1	Lattner LV20 Vertical Feedwater and Condensate			
	Return System. Includes 32 Gallon Carbon Steel Tank,			
	,Water Guage Glass Assembly, Suction Piping with			
	Suction Piping with Suction Strainer and Shut-Off			
	Valves, One(1) Pump Outlet, and Tank Train Valve			
1	Lattner Mechanical Float-Type Fresh Water Make-Up			
	Assembly			
1	MTH 1-1/2 Horsepower Pump 208-480-3/60			
1	Thermometer (For Tanks and aftercoolers)			
1	Sub-Total for Items Above	· *		a t
1	ASME Certified Model 1450 Blowdown Sperator with	,		·
	3 inch vent and 3 inch drain. 1-1/2 blowdown inlet,			
	includes Model SL-3 Leg Set			
1	301 Automatic Aftercooler for Blowdown Seperator			
	includes Globe Valve, Check Valve, Nipples, and			
	Temperature Regulating Valve, 3 inch Drain and 1 inch			
	Cooling Water Connection,			
		······	OUDTOTAL	***************************************

Please contact Tony Lilly with question @ (304) 673-1323 or tony.tilly@remichel.com

SUBTOTAL	See Page 3
TAX RATE	6.00%
SALES TAX	-
OTHER	**
TOTAL	

I agree that this quotation	n represents a final agreement with R.E. Michel Company and request the equipment and	accessories be ordered.
Contractor Approval: _		Date:



Quotation

www.remichel.com make the connection***

DATE Quotation #

130 Dye Drive Beckley, WV 25801 (304) 255-2222 Phone (304) 253-9648 Fax

Quotation For:

PSH10007

Quotation valid for: 30 Days

Company

State Of West Virginia--Pinecrest Hospital

Address

Prepared by: Tony Lilly

City, State ZIP

2019 Washington Street East Charleston, WV 25305

Phone

304-558-0067

Cell Email

P.O. #	JOB NAME	SHIP DATE	SHIP VIA	F.O.B. POINT	TERMS
PSH10007					

QUANTITY		UNIT PRICE	Ť	AMOUNT
1	Thermometer (For Tanks and Aftercoolers)			
1	SUB-Total for Items Above			
1	Freight NO-Charge	*		
	Lead Time Approximately 3 to 4 Weeks after Receipt			
	of Purchase Order. Delivery Time as Estimated is			
	Based on Current Production Load, Additional Time			
	may be required depending on Production load			
	at time of purchase order			
	Notes:			,
	1. This Estimates Does Not include Factory Start-Up			
	2. No Specification at time quotation			
	3. 150 PSI Design Pressure ASME'S' Stamp			
	15 PSI Operating Pressure, 15 PSI Safety Valve,			
	and 4" Steam Outlet			
Manuals	One Instruction Manual will be provided with boiler			
	no charge at the time of the boiler order, one addional			
	manual will be provided no charge at the time of the			
	order if requested. Additional Manual or Manuals			
	requested after the boiler is shipped will be			
	invoiced at \$25.00 each			
Terms & Cond.	Lattner and R.E.Michel is not responsibility for			
	city,county,state,federal and insurance code requirements			
			CUDTOTAL	f 20 440 44

Please contact Tony Lilly with question @ (304) 673-1323 or tony.lilly@remichel.com

SUBTOTAL	<u> </u>	22,142.11
TAX RATE		6.00%
SALES TAX		-
OTHER		-
TOTAL	\$	22,142.11

agree that this quotation represents a final agreement with F	R.E. Michel Company and request the equipment and accessories be ordered.
Contractor Approval:	Date ⁻

R. E. MICHEL COMPAN

EXECUTIVE DEPT.

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PAGE 11



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

Request for Charles PSH10007

PSH10007

ROBERTA WAGNER RO4-558-0067

R.E. Michaels 130 Dye Road Beckley, WV 25801

HEALTH AND HUMAN RESOURCES PINECREST HOSPITAL 105 SOUTH EISENHOWER DRIVE

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BECKLEY, WV 25801

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PAGE 12



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

Request for Regulation PSH10007

PSH10007

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ROBERTA WAGNER 804-558-0067

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HEALTH AND HUMAN RESOURCES PINECREST HOSPITAL 105 SOUTH EISENHOWER DRIVE

BECKLEY, WV 25801

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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 The Pranties Quotation

PSH10007

RFQ COPY TYPE NAME/ADDRESS HERE

CONCINCTION OF SPECIAL ORDERS OF SERVICE SERVICES. ROBERTA WAGNER 804-558-0067

HEALTH AND HUMAN RESOURCES PINECREST HOSPITAL 105 SOUTH BISENHOWER DRIVE

BECKLEY, WV 25801

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06-29-2009

Addendum - PSH10007 June 11, 2009

General Requirements states - Bidder is to provide boiler, boiler feed, blow down separator and any other equipment for installation of boiler.

Question: Does this include pipe and fittings for bother connections and electrical wiring also.

Answer: We do not need anything external on the boiler. The facility will run all the gas lines, steam lines, water lines and electrical feeders to the point of entry on the boiler. We only need a package boiler.

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 quotetions 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 fee.
- 5. All services performed or goods delivered under State Purchase Order/Contracts are to be continued for the term of the Purchase Order/Contracts, 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. Vandor 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 seder.
- 11. The laws of the State of West Virginia and the Legislative Fules of the Furchasing Division shall govern all rights and duties under the Contract, including without limitation the validity of this Purchase
- 12. Any reference to automatic renewal is hereby deleted. The Contract may be renewed only upon mutual written agreement of the parties.
- 13. SANKRUPTCY: In the event the vendor/contractor files for bankruptcy protection, the State may deem this contract null and void, and terminate such contract without further order.
- 14. HIPAA BUSINESS ASSOCIATE ADDENDUM: The West Virginia State Government HIPAA Business Associate Addendum (BAA), approved by the Altomay General, and available online at the Purchasing Division's web site (http://www.state.wv.us/admin/purchase/vro/hipsa.htm) is hereby made part of the agreement. Provided that the Agency meets the definition of a Cover Entity (45 CFR §160.103) and will be disclosing Protected Health Information (45 CFR §160.103) to the vendor.
- 15. WEST VIRGINIA ALCOHOL & DRUG-FREE WORKPLACE ACT: If this Contract constitutes a public improvement construction contract as set forth in Article 1D. Chapter 21 of the West Virginia Code ("The West Virginia Alcohol and Drug-Free Workplace Act"), then the following language shall hereby become part of this Contract. "The contractor and its subcontractors shall implement and maintain a written drug-free workplace policy in compliance with the West Virginia Alcohol and Drug-Free Workplace Act, as set forth in Article 1D. Chapter 21 of the West Virginia Code. The contractor and its subcontractors shall provide a sworn statement in writing, under the penalties of perjury, that they maintain a valid drug-free work place policy in compliance with the West Virginia and Drug-Free Workplace Act. It is understood and agreed that this Contract shall be cancelled by the awarding authority if the Contractor:

 1) Falls to implement its drug-free workplace policy: 2) Falls to provide information regarding implementation of the contractor's drug-free workplace policy: 2) Falls to provide authority: or 3) Provides to the public authority false information regarding the contractor's drug-free workplace policy."

INSTRUCTIONS TO BIDDERS

- 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.
- Complete all sections of the quotation form.
- 4. Unit prices shall preveil in case of discrepancy.
- 5. All quotations are considered F.O.B. destination unless alternate shipping terms are clearly identified in the
- 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. Fallure of the bidder to deliver the quotations on time will result in bid disqualifications: Department of Administration, Purchasing Division, 2019 Washington Street East, P.O. Box 50130, Charleston, WV 25305-0130

Rev. 5/15/08