



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  
**08110199**

PAGE  
**1**

ADDRESS CORRESPONDENCE TO ATTENTION OF  
**BUYER 33  
 304-558-2402**

RFQ COPY  
 TYPE NAME/ADDRESS HERE

**FORM TECH CONCRETE FORMS, INC.  
 28 WINFIELD ROAD  
 SAINT ALBANS, WV 25177**

**DIVISION OF HIGHWAYS  
 DISTRICT EIGHT  
 US 219, NORTH PARSONS ROAD  
 PO BOX 1516  
 ELKINS, WV  
 26241  
 304-637-0228**

|                                     |                                |                                 |        |                                  |
|-------------------------------------|--------------------------------|---------------------------------|--------|----------------------------------|
| DATE PRINTED<br><b>04/12/2011</b>   | TERMS OF SALE<br><b>NET 30</b> | SHIP VIA<br><b>BESTWAY</b>      | F.O.B. | FREIGHT TERMS<br><b>PRE-PAID</b> |
| BID OPENING DATE: <b>05/18/2011</b> |                                | BID OPENING TIME <b>01:30PM</b> |        | DESTINATION                      |

| LINE  | QUANTITY | UOP | CAT. NO. | ITEM NUMBER | UNIT PRICE | AMOUNT            |
|---|----------|-----|----------|-------------|------------|-------------------|
| 0001  | 1        | EA  |          | 815-52      |            | <b>\$5,126.00</b> |
| <p><b>GALVANIZED 20MM, 7/8" GR160 THREADED RODS</b></p> <p><b>REQUEST FOR QUOTATION (RFQ)</b></p> <p>THE WEST VIRGINIA STATE PURCHASING DIVISION FOR THE AGENCY, THE WEST VIRGINIA DIVISION OF HIGHWAYS, IS SOLICITING BIDS FOR A CONTRACT TO PROVIDE GALVANIZED 20MM, 7/8", GR160 THREADED RODS WITH NUTS AND WASHERS PER THE ATTACHED SPECIFICATIONS.</p> <p>TECHNICAL QUESTIONS CONCERNING THIS SOLICITATION MUST BE SUBMITTED IN WRITING TO SHERI SLONE IN THE WEST VIRGINIA STATE PURCHASING DIVISION VIA MAIL AT THE ADDRESS SHOWN IN THE BODY OF THIS RFQ, VIA FAX AT 304-558-4115, OR VIA EMAIL AT SHERI.D.SLONE@WV.GOV. A WORD DOCUMENT HAS BEEN ATTACHED FOR YOUR CONVENIENCE TO SUBMIT TECHNICAL QUESTIONS. DEADLINE FOR ALL TECHNICAL QUESTIONS IS 05/03/2011 AT THE CLOSE OF BUSINESS. ANY TECHNICAL QUESTIONS RECEIVED WILL BE ANSWERED BY FORMAL ADDENDUM TO BE ISSUED BY THE PURCHASING DIVISION AFTER THE DEADLINE HAS LAPSED.</p> <p>EXHIBIT 10</p> <p>ADDENDUM ACKNOWLEDGEMENT</p> <p>REQUISITION NO.: 08110199...</p> |          |     |          |             |            |                   |

**RECEIVED**  
 MAY 17 P 12:28  
 PURCHASING DIVISION  
 STATE OF WV

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE: *[Signature]* TELEPHONE: (304) 722-6804 DATE: 5/16/11

TITLE: REGIONAL MANAGER FEIN: 38-3179533-001 ADDRESS CHANGES TO BE NOTED ABOVE

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. Prior to any award, the apparent successful vendor must be properly registered with the Purchasing Division and have paid the required \$125 fee.
4. 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.
5. Payment may only be made after the delivery and acceptance of goods or services.
6. Interest may be paid for late payment in accordance with the *West Virginia Code*.
7. Vendor preference will be granted upon written request in accordance with the *West Virginia Code*.
8. The State of West Virginia is exempt from federal and state taxes and will not pay or reimburse such taxes.
9. The Director of Purchasing may cancel any Purchase Order/Contract upon 30 days written notice to the seller.
10. The laws of the State of West Virginia and the *Legislative Rules* of the Purchasing Division shall govern the purchasing process.
11. Any reference to automatic renewal is hereby deleted. The Contract may be renewed only upon mutual written agreement of the parties.
12. **BANKRUPTCY:** 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.
13. **HIPAA BUSINESS ASSOCIATE ADDENDUM:** The West Virginia State Government HIPAA Business Associate Addendum (BAA), approved by the Attorney General, is available online at [www.state.wv.us/admin/purchase/vrc/hipaa.htm](http://www.state.wv.us/admin/purchase/vrc/hipaa.htm) and 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.
14. **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>.
15. **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, and the West Virginia Insurance Commission. 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.
16. **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 material, 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.

### INSTRUCTIONS TO BIDDERS

1. Use the quotation forms provided by the Purchasing Division. Complete all sections of the quotation form.
2. 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. Unit prices shall prevail in case of discrepancy. All quotations are considered F.O.B. destination unless alternate shipping terms are clearly identified in the quotation.
4. 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
5. Communication during the solicitation, bid, evaluation or award periods, except through the Purchasing Division, is strictly prohibited (W.Va. C.S.R. §148-1-6.6).



State of West Virginia  
 Department of Administration  
 Purchasing Division  
 2019 Washington Street East  
 Post Office Box 50130  
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# Request for Quotation

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| PAGE |
| 2    |

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| ADDRESS CORRESPONDENCE TO ATTENTION OF |
| BUYER 33<br>304-558-2402               |

RFQ COPY  
 TYPE NAME/ADDRESS HERE

VENDOR

SHIP TO

DIVISION OF HIGHWAYS  
 DISTRICT EIGHT  
 US 219, NORTH PARSONS ROAD  
 PO BOX 1516  
 ELKINS, WV  
 26241  
 304-637-0228

| DATE PRINTED | TERMS OF SALE | SHIP VIA | FOB | FREIGHT TERMS |
|--------------|---------------|----------|-----|---------------|
| 04/12/2011   |               |          |     |               |

BID OPENING DATE: 05/18/2011 BID OPENING TIME 01:30PM

| LINE  | QUANTITY | UGP | CAT NO | ITEM NUMBER | UNIT PRICE | AMOUNT |
|---|----------|-----|--------|-------------|------------|--------|
| <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> <p>NO. 1 .. ✓ .....</p> <p>NO. 2 .. ✓ .....</p> <p>NO. 3 .. ✓ .....</p> <p>NO. 4 .. ✓ .....</p> <p>NO. 5 .. ✓ .....</p> <p>I UNDERSTAND THAT FAILURE TO CONFIRM THE RECEIPT OF THE 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>..... <i>Mary Gant</i> .....<br/>           SIGNATURE</p> <p>..... <i>Form TECH</i> .....<br/>           COMPANY</p> <p>..... <i>5/16/11</i> .....<br/>           DATE</p> |          |     |        |             |            |        |

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

|           |           |                                   |
|-----------|-----------|-----------------------------------|
| SIGNATURE | TELEPHONE | DATE                              |
| TITLE     | FEIN      | ADDRESS CHANGES TO BE NOTED ABOVE |

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| DATE PRINTED | TERMS OF SALE | SHIP VIA | F.O.B. | FREIGHT TERMS |
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| 04/12/2011   |               |          |        |               |

BID OPENING DATE: **05/18/2011** BID OPENING TIME **01:30PM**

| LINE  | QUANTITY | UOP | CAT NO | ITEM NUMBER | UNIT PRICE | AMOUNT |
|---|----------|-----|--------|-------------|------------|--------|
| <p>NOTE: THIS ADDENDUM ACKNOWLEDGEMENT SHOULD BE SUBMITTED WITH THE BID.</p> <p>REV. 09/21/2009</p> <p>BANKRUPTCY: IN THE EVENT THE VENDOR/CONTRACTOR FILES FOR BANKRUPTCY PROTECTION, THE STATE MAY DEEM THE CONTRACT NULL AND VOID, AND TERMINATE SUCH CONTRACT WITHOUT FURTHER ORDER.</p> <p style="text-align: center;">NOTICE</p> <p>A SIGNED BID MUST BE SUBMITTED TO:</p> <p style="text-align: center;">DEPARTMENT OF ADMINISTRATION<br/>         PURCHASING DIVISION<br/>         BUILDING 15<br/>         2019 WASHINGTON STREET, EAST<br/>         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: <span style="float: right;">SHERI SLONE FILE 33</span></p> |          |     |        |             |            |        |

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VENDOR

BUYER

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 US 219, NORTH PARSONS ROAD  
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| DATE PRINTED | TERMS OF SALE | SHIP VIA | FOB | FREIGHT TERMS |
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| LINE  | QUANTITY | UOP | CAT NO | ITEM NUMBER       | UNIT PRICE | AMOUNT       |
|---|----------|-----|--------|-------------------|------------|--------------|
|   |          |     |        | RFQ. NO.:         |            | 08110199     |
|   |          |     |        | BID OPENING DATE: |            | 05/18/2011   |
|   |          |     |        | BID OPENING TIME: |            | 1:30 PM      |
| PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID:<br>----- (304) 722-6808 -----<br>CONTACT PERSON (PLEASE PRINT CLEARLY):<br>----- GARY JIVDEN ----- |          |     |        |                   |            |              |
| ***** THIS IS THE END OF RFQ 08110199 *****   |          |     |        |                   |            | TOTAL: _____ |

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

|           |           |                                   |
|-----------|-----------|-----------------------------------|
| SIGNATURE | TELEPHONE | DATE                              |
| TITLE     | FEIN      | ADDRESS CHANGES TO BE NOTED ABOVE |

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## Specifications

Purpose: To establish a purchase order to provide the West Virginia Division of Highways with 7/8" diameter post-tensioning rods with nuts and washers to be used on Bridge # 36-1-0.01, Trout Run Bridge.

### 1.0 DEFINITIONS

- A. The "Agency" shall be defined as the West Virginia Division of Highways.
- B. The "Vendor" shall be defined as the successful bidder.
- C. The "Purchase Order" shall be defined as the binding agreement that is entered into between the State of West Virginia and the Vendor to provide the services as herein specified.
- D. "Mandatory Requirements: The terms "must", "will", "shall", "minimum", "maximum", or "is/are required" identify a mandatory item or factor. Decisions regarding compliance with any mandatory requirements shall be at the sole discretion of the State.

### 2.0 SCOPE OF WORK

The successful Vendor shall provide 22-Galvanized 20mm, 7/8" Dia., Threaded Bar, GR160 shipped 29' long, 44-Galvanized Hex Nuts for the 20mm, 7/8", GR160 bar, and 44-Galvanized Flat Washers for the 20mm, 7/8", GR160 bar.

#### 2.1 Technical Requirements:

2.1.1 Post-tension rods, washers and nuts provided shall be in accordance with West Virginia Division of Highways Standard Specifications Roads and Bridges, adopted 2010 and the current Supplemental Specifications and the attached control prints.  
[www.transportation.wv.gov/highways/engineering/Pages/publications.aspx](http://www.transportation.wv.gov/highways/engineering/Pages/publications.aspx)

2.1.2 Rods shall be as manufactured by Dywidag Systems International, USA Inc. or equal.

## 2.2 Freight

2.2.1 All shipments are to be FOB Destination.

2.2.2 The Vendor shall be responsible for all freight charges incurred as a result of the purchases under this Purchase Order.

## 2.3 Delivery

2.3.1 Deliveries shall be made to : WVDOH District Eight  
1101 North Randolph Avenue  
Elkins, WV 26241

2.3.2 Delivery shall be made within 30 days of award notification.  
**Any changes from the indicated delivery schedule without prior approval of the WVDOT may be cause for cancellation.**

2.3.3 The Vendor shall notify the District Storekeeper @ 304-637-0226, 48 hours in advance of delivery to provide necessary personnel and equipment for unloading.

2.3.4 Delivery will only be accepted during normal working hours 7:30 am to 4:00 pm, Monday - Friday.

2.3.5 Delivery is an integral part of this purchase order and failure to comply will be cause to initiate a WV-82, Vendor Performance Form. This form will officially notify the West Virginia Division of Purchasing and the Vendor of unsatisfactory performance in the execution of this purchase order and the requirements herein.

## 3.0 INVOICING

### 3.1 Payment

3.1.1 The Vendor must send an invoice to:  
West Virginia Division of Highways  
District Eight  
P.O. Box 1516  
Elkins, WV 26241  
Attention: Henry Currence

## 4.0 AWARD

Purchase order will be awarded complete and not split.

**Cost Sheet**  
**RFQ#: 08110199**

| Item Number | Quantity | Description  | Unit Cost | Extended Cost |
|-------------|----------|--|-----------|---------------|
| 1           | 638      | LF - Galvanized 20mm, 7/8" Threaded Rod,<br>GR 160 - Ship 22 pcs @ 29'-0" long | \$ 4.00   | \$2,552.00    |
| 2           | 44       | EA - Galvanized hex Nut for the 20mm, 7/8",<br>GR 160 Rods                     | \$27.00   | \$1,188.00    |
| 3           | 44       | EA - Galvanized Flat Washers for the 20mm,<br>7/8", GR 160 Rods                | \$31.50   | \$1,386.00    |
|             |          | <b>Total Amount</b>  |           | \$5,126.00    |

Items for Bridge #36-1-0-01, Trout Run Bridge

*NOTE: FORM TECH IS SUPPLYING  
 ABOVE ITEMS MANUFACTURED  
 BY DYWIDAG SYSTEMS INTERNATIONAL,  
 USA INC.*



Please use this document for technical questions, posing in question format.

Technical Questions for RFQ: \_\_\_\_\_

Vendor Name: \_\_\_\_\_

Questions:

**2.0 Scope of Work**

**2.1 Technical Requirements**

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**2.2 Freight**

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**2.3 Delivery**

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**3.0 Invoicing**

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**4.0 Award**

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**Other:**

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RFQ No. \_\_\_\_\_

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 exceeds 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.

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.

**WITNESS THE FOLLOWING SIGNATURE**

Vendor's Name: FORM TECH CONCRETE FORMS, INC.

Authorized Signature: *[Signature]* Date: 5/16/11

State of WV

County of Kanawha, to-wit:

Taken, subscribed, and sworn to before me this 16 day of May, 2011.

My Commission expires March 29, 2017.

NOTARY PUBLIC *[Signature]*

