

STR Strategic Tactical Response, LLC

Serious Gear for the Serious Professional

From the desk of:
Shannon Seaback
sseaback@strgearusa.com
(cell) 214.475.4892 (fax) 817.496.1647

Date: 10Sep2010

Fax Cover Sheet:

From: Strategic Tactical Response
No. of Pages: 13 (incl. Cover)

Sealed Bid:

Buyer:	Jean Jones (32)
RFQ. No.:	DPS1103
Bid Opening Date:	9/14/10
Bid Opening Time:	1:30pm

**Please contact me personally if there are any questions or concerns.
Thank you very much.**

**Sincerely,
Shannon Seaback**

RECEIVED
 2010 SEP 10 P 1:58
 POLICE DIVISION
 STATE OF WV

STR Strategic Tactical Response, LLC

Serious Gear for the Serious Professional

From the desk of:
Shannon Seaback, VP
sseaback@strgearusa.com
(cell) 214.475.4892 (fax) 817.496.1647

Date: 09Sep2010

To: Jean Jones
RFQ: DPS1103
BID Opening: 9/14/2010 @ 1:30pm

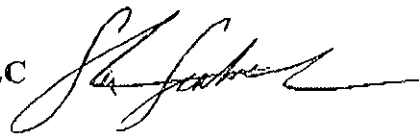
Re: RFQ for Night Vision devices and mounts

Hello and Good Day to you,

Please find your required RFQ documents enclosed.
Please contact me ASAP if there are any other items or requirements that are needed for correct application and bidding.

Thank you for the opportunity to serve your organization and team.

Sincerely,
Shannon Seaback, VP
Strategic Tactical Response, LLC
(214) 475-4892 (cell)
(817) 496-1647 (fax)
sseaback@strgearusa.com
www.strgearusa.com



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 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. §148-1-5.6).

Rev. 12/15/09





State of West Virginia
Department of Administration
Purchasing Division
2019 Washington Street East
Post Office Box 60130
Charleston, WV 25305-0130

Request for Quotation

BUYER NUMBER	DPS1103
PAGE	1

BUYER 32 304-558-2544

RFQ COPY
TYPE NAME/ADDRESS HERE
STRATEGIC TACTICAL RESPONSE
4101 W GREENOAKS #305
ARLINGTON TEXAS 76016

WEST VIRGINIA STATE POLICE
4124 KANAWHA TURNPIKE
SOUTH CHARLESTON, WV
25309 304-746-2141

AWARD NUMBER	09/01/2010	TERMS/DELIVERY	NO. OF	EST.	REVISIONS/PRICE
BID OPENING DATE:	09/14/2010	BID OPENING TIME		01:30PM	

ITEM	QUANTITY	UNIT	PRICE	DESCRIPTION	UNIT PRICE	TOTAL
0001	1	LS	680-86	ADDENDUM #01 THIS ADDENDUM IS ISSUED TO ADD ADDITIONAL SPECIFICATION REQUIREMENTS THAT MUST BE MET, PER THE ATTACHED DOCUMENTATION. NOTE: NO ADDITIONAL QUESTIONS WILL BE ACCEPTED OR ACKNOWLEDGED. MONOCULAR NIGHT VISION DEVICE & ACCESSORIES EXHIBIT 10 REQUISITION NO. : ADDENDUM ACKNOWLEDGEMENT I HEREBY ACKNOWLEDGE RECEIPT OF THE FOLLOWING CHECKED ADDENDUM(S) AND HAVE MADE THE NECESSARY REVISIONS TO MY PROPOSAL, PLANS AND/OR SPECIFICATION, ETC. ADDENDUM NO.'S: NO. 1 NO. 2 NO. 3		

SIGNATURE	<i>Shannon Senbaic</i> SHANNON SENBAIC, VP	TELEPHONE	2144754892	DATE	09 SEP 10
TITLE	VICE PRESIDENT	PEIN	264107403	ADDRESS CHANGES TO BE NOTED ABOVE	

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



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
DPS1103

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2

BUYER 32
304-558-2544

RFQ COPY
TYPE NAME/ADDRESS HERE
**STRATEGIC TACTICAL RESPONSE
4101 W GREENOAKS #305
ARLINGTON TEXAS 76016**

WEST VIRGINIA STATE POLICE

**4124 KANAWHA TURNPIKE
SOUTH CHARLESTON, WV
25309 304-746-2141**

DATE AWARDED: **09/01/2010**
BID OPENING DATE: **09/14/2010**
BID OPENING TIME: **01:30PM**

NO.	DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	TOTAL PRICE	AMOUNT
NO. 4						
NO. 5						

I UNDERSTAND THAT FAILURE TO CONFIRM THE RECEIPT OF THE ADDENDUM(S) MAY BE CAUSE FOR REJECTION OF BIDS.

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.

[Signature]
SIGNATURE
STRATEGIC TACTICAL RESPONSE LLC
COMPANY
09 SEP 2010
DATE

NOTE: THIS ADDENDUM ACKNOWLEDGEMENT SHOULD BE SUBMITTED WITH THE BID.
REV. 09/21/2009

SIGNATURE: *[Signature]* SHANNON SEABACK
TITLE: Vice President
TELEPHONE: 214 475 4892
FAX: 764 10 7403
DATE: 09 SEP 10
ADDRESS CHANGES TO BE NOTED ABOVE

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



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
DPS1103

PAGE
1

BUYER #2
304-558-2544

RFQ COPY
TYPE NAME/ADDRESS HERE
**STRATEGIC TACTICAL RESPONSE
4101 W GREENOAKS #305
ARLINGTON TEXAS 76016**

**WEST VIRGINIA STATE POLICE
4124 KANAWHA TURNPIKE
SOUTH CHARLESTON, WV
25309 304-746-2141**

DATE PRINTED	ISSUED DATE	TIME	FORM	FORM
08/25/2010				
BID OPENING DATE: 09/14/2010		BID OPENING TIME: 01:30PM		
LINE	QUANTITY	UNIT	DESCRIPTION	AMOUNT
0001	1	LS	480-86 MONOCULAR NIGHT VISION DEVICE & ACCESSORIES	
<p>OPEN-END CONTRACT TO PROVIDE MONOCULAR NIGHT VISION DEVICE AND RELATED ACCESSORIES FOR THE WEST VIRGINIA STATE POLICE, PER THE ATTACHED SPECIFICATIONS AND BID FORM.</p> <p>EXHIBIT 3</p> <p>LIFE OF CONTRACT: THIS CONTRACT BECOMES EFFECTIVE ON 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.</p> <p>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.</p> <p>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) ONE</p>				

SIGNATURE: 824 Seaback SHANNON SEABACK TELEPHONE: 214 475 4892 DATE: 09 SEP 10

TITLE: VICE PRESIDENT FEIN: 264107403 ADDRESS CHANGES TO BE NOTED ABOVE

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



State of West Virginia
Department of Administration
Purchasing Division
2018 Washington Street East
Post Office Box 50130
Charleston, WV 25305-0130

Request for Quotation

REQUEST NUMBER
DPS1103

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BUYER 32
304-558-2544

RFQ COPY
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STRATEGIC TACTICAL RESPONSE
4101 W GREENOAKS #305
ARLINGTON TEXAS 76016

WEST VIRGINIA STATE POLICE

4124 KANAWHA TURNPIKE
SOUTH CHARLESTON, WV
25309 304-746-2141

DATE RECEIVED 08/25/2010		REVISED		REVISED		REVISED	
BID OPENING DATE: 09/14/2010				BID OPENING TIME 01:30PM			
ITEM	QUANTITY	UNIT	DESCRIPTION	REMARKS	UNIT PRICE	AMOUNT	
<p>(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 SERVICES 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>ORDERING PROCEDURE: SPENDING UNIT(S) SHALL ISSUE A WRITTEN STATE CONTRACT ORDER (FORM NUMBER WV-39) TO THE VENDOR FOR COMMODITIES COVERED BY THIS CONTRACT. THE ORIGINAL COPY OF THE WV-39 SHALL BE MAILED TO THE VENDOR AS AUTHORIZATION FOR SHIPMENT, A SECOND COPY MAILED TO THE PURCHASING DIVISION, AND A THIRD COPY RETAINED BY THE SPENDING UNIT.</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>							
SIGNATURE <i>Shannon Seaback</i>		TELEPHONE 214 475 4892		DATE 09 SEP 10			
TITLE VICE PRESIDENT		FAX 264 10 7403		ADDRESS CHANGES TO BE NOTED ABOVE			

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



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

Request for Quotation

DPS1103

3

BUYER 32
304-558-2544

RFQ COPY
TYPE NAME/ADDRESS HERE

STRATEGIC TACTICAL RESPONSE
4101 W GREEN OAKS #305
ARLINGTON TEXAS 76016

WEST VIRGINIA STATE POLICE

4124 KANAWHA TURNPIKE
SOUTH CHARLESTON, WV
25509 304-746-2141

08/25/2010
BID OPENING DATE: 09/14/2010
BID OPENING TIME 01:30PM

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.

REV. 05/26/2009

EXHIBIT 4

LOCAL GOVERNMENT BODIES: UNLESS THE VENDOR INDICATES IN THE BID HIS REFUSAL TO EXTEND THE PRICES, TERMS, AND CONDITIONS OF THE BID TO COUNTY, SCHOOL, MUNICIPAL AND OTHER LOCAL GOVERNMENT BODIES, THE BID SHALL EXTEND TO POLITICAL SUBDIVISIONS OF THE STATE OF WEST VIRGINIA. IF THE VENDOR DOES NOT WISH TO EXTEND THE PRICES, TERMS, AND CONDITIONS OF THE BID TO ALL POLITICAL SUBDIVISIONS OF THE STATE, THE VENDOR MUST CLEARLY INDICATE SUCH REFUSAL IN HIS BID. SUCH REFUSAL SHALL NOT PREJUDICE THE AWARD OF THIS CONTRACT IN ANY MANNER.

REV. 3/88

NOTICE

A SIGNED BID MUST BE SUBMITTED TO:

DEPARTMENT OF ADMINISTRATION
PURCHASING DIVISION
BUILDING 15
2019 WASHINGTON STREET, EAST
CHARLESTON, WV 25305-0130

SIGNATURE <i>Shannon Seaback</i>	NAME SHANNON SEABACK	TELEPHONE 214 475 4892	DATE 09 SEP 10
TITLE VICE PRESIDENT	FAX 264 107 463	ADDRESS CHANGES TO BE NOTED ABOVE	

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



State of West Virginia
Department of Administration
Purchasing Division
2019 Washington Street East
Post Office Box 50130
Charleston, WV 25308-0130

Request for Quotation

RFQ NUMBER
DPS1103

4

BUYER 32
304-558-2544

RFQ COPY
TYPE NAME/ADDRESS HERE

*STRATEGIC TACTICAL RESPONSE
4101 W GREENOAKS #305
ARLINGTON TEXAS 76016*

WEST VIRGINIA STATE POLICE

4124 KANAWHA TURNPIKE
SOUTH CHARLESTON, WV
25309 304-746-2141

DATE PRINTED 08/25/2010		FORM NO. 300		REV. 3/00		PAGE NO. 1	
BID OPENING DATE 09/14/2010				BID OPENING TIME 01:30PM			
LINE	QUANTITY	UNIT	UNIT PRICE	TOTAL AMOUNT	REMARKS	DATE	AMOUNT
<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: JEAN JONES (32) ✓</p> <p>RFQ. NO.: DPS1103 ✓</p> <p>BID OPENING DATE: 9/14/2010 ✓</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: FAX: 817-4961647</p> <p>CONTACT PERSON (PLEASE PRINT CLEARLY): SHANNON SEABACK: 214-475-4892 (CELL)</p>							
SIGNATURE <i>Shannon Seaback</i>		NAME SHANNON SEABACK		TELEPHONE 214-475-4892		DATE 09SEP10	
TITLE VICE PRESIDENT		FAX 264 107403		ADDRESS CHANGES TO BE NOTED ABOVE			

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

Specifications for Monocular Night Vision Device

Multi purpose night vision monocular developed for a variety of ground-based nighttime operations. PVS-14, or equal is equipped with advanced Gen 3, or equal image intensifier tube with a variable gain control to achieve the highest quality image resolution for various light. The following specifications are the minimum acceptable requirements that shall be bid.

PVS-14, or equal features an active projected IR LED for short range illumination allowing such activities as map reading. The unit can be used while hand-held as a monocular, head-mounted as a single-eye goggle or weapon-mounted as a night scope.

Advantages are the variable gain control, Automatic brightness control, low battery and IR power indicators. The PVS-14, or equal is camera and video adaptable.

Magnification: 1X
Field of View: 40°
Objective Lens Focal Length, mm: 26
Objective Lens F number: 1.2
Min. Focusing Distance, cm: 25
Min. Focusing, in: 10
Eye Relief, mm: 25
Diopter Adjustment: -6 to +2
Battery: AA
Battery life, hrs: 40
Dimensions, mm: 114 x 57 x 50
Dimensions, in: 4.5 x 2.2 x 2
Weight, g: 391
Weight, oz.: 13.8
Operating Temperature: -50° to 50° C

Each kit to include the following:

Manual	Demist Shield
Pouch Strap	Cord
Batteries (2)	Lens Cap
Head Mount Adapter	Eye Guard
Sacrificial Window	Lens Paper

2. 44 each - PASGT, or equal Helmet Mount Kit for PVS-14, or equal Tactical Night Vision Monocular.

Allows direct attachment of the monocular to the helmet . Flips up/down and fore and aft adjustment. Includes mount and straps

Bid Form DPS 1103

DPS 1103				
Item #	Description	Estimated Quantity	Unit Price	Extended Price
1.	PVS 14 Generation 3 Tactical Night Vision Monocular plus kit to include: Manual, Pouch strap, Batteries (2), Head Mount Adapter, Demist Shield, Sacrificial Window, Cord, Lens Cap, Eye Guard, Lens Paper	44	\$ 3049. ⁹⁵	\$ 134197.80
2.	Helmet Mount Assembly for above	44	\$ 229. ⁹⁵	\$ 10117.80
			Total	\$ 144315.60
Bidder / Vendor Information:				
Name: <u>STRATEGIC TACTICAL RESPONSE</u>				
Address: <u>4101 W GREENOAKS #305</u>				
<u>ARLINGTON TEXAS 76016</u>				
Phone #: <u>214 475 4892</u>				
Email Address: <u>sseaback@strgearusa.com</u> <u>www.strgearusa.com</u>				
Contact Coordinator Information:				
Name: <u>SHANNON SEABACK</u>				
Address: <u>AS ABOVE</u>				
Phone #: <u>214 475 4892</u>				
Email Address: <u>sseaback@strgearusa.com</u> <u>www.strgearusa.com</u>				
*Quantities are estimated annual usage for bidding purposes and bidder's information.				

Rev. 02/08

State of West Virginia 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. No 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,
No 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,
No 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. No 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. No 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. No 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. No 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. No 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: STRATEGIC TACTICAL RESPONSE Signed: [Signature] SHANNON SEARACK

Date: 09SEP2010 Title: VICE PRESIDENT

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

RFQ No. DPS1103

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 owned 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; municipally, 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), I hereby certify 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: STRATEGIC TACTICAL RESPONSE

Authorized Signature: [Signature] STANNOON SEABACK Date: 09/09/10

State of TEXAS

County of DENTON to-wit:

Taken, subscribed, and sworn to before me this 9 day of December, 2010

My Commission expires 02-22-14, 2014

AFFIX SEAL HERE

NOTARY PUBLIC

[Signature]

