



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
EHS11129

PAGE
1

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

RFQ COPY

Scientific Methods, Inc.
 Attn: Matt Hayes
 12441 Beckley St.
 Granger, IN 46530

SHIP TO

HEALTH AND HUMAN RESOURCES
 BPH ENVIRO HLTH SERVICES
 350 CAPITOL STREET, ROOM 313
 CHARLESTON, WV
 25301-1757 304-558-8582

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
02/15/2011				

BID OPENING DATE: **03/17/2011** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT. NO	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	200	EA		962-22	\$ 270	\$54000
<p>OPEN-END BLANKET CONTRACT</p> <p>TO PROVIDE FIELD FILTERED CRYPTOSPORIDIUM TESTING</p> <p>REQUEST FOR QUOTATION TO PROVIDE AN OPEN END CONTRACT TO PROVIDE ASSISTANCE TO WATER SYSTEMS WITH THE FIRST ROUND OF CRYPTOSPORIDIUM TESTING TO IMPROVE TECHNICAL CAPABILITIES, PER THE ATTACHED SPECIFICATIONS.</p> <p>PLEASE NOTE: THIS IS A RE-BID OF EHS11080.</p> <p>EXHIBIT 3</p> <p>LIFE OF CONTRACT: THIS CONTRACT BECOMES EFFECTIVE ON AWARD..... AND EXTENDS UNTIL MARCH 2012 OR UNTIL SUCH "REASONABLE TIME" THEREAFTER AS IS NECESSARY TO OBTAIN A NEW 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</p>						

RECEIVED
 2011 MAR 16 A 10:02
 PURCHASING DIVISION
 STATE OF WV

~~\$123750~~ MH

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE Matt Hayes TELEPHONE 304-277-4078 DATE 3-15-2011

TITLE PROJECT MANAGER FEIN 621479201 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 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).



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<p>CONTRACT.</p> <p>CANCELLATION: THE DIRECTOR OF PURCHASING RESERVES THE RIGHT TO CANCEL THIS CONTRACT IMMEDIATELY UPON WRITTEN NOTICE TO THE VENDOR IF THE COMMODITIES AND/OR SERVICE SUPPLIED ARE OF AN INFERIOR QUALITY OR DO NOT CONFORM TO THE SPECIFICATIONS OF THE BID AND CONTRACT HEREIN.</p> <p>OPEN MARKET CLAUSE: THE DIRECTOR OF PURCHASING MAY AUTHORIZE A SPENDING UNIT TO PURCHASE ON THE OPEN MARKET, WITHOUT THE FILING OF A REQUISITION OR COST ESTIMATE, ITEMS SPECIFIED ON THIS CONTRACT FOR IMMEDIATE DELIVERY IN EMERGENCIES DUE TO UNFORESEEN CAUSES (INCLUDING BUT NOT LIMITED TO DELAYS IN TRANSPORTATION OR AN UNANTICIPATED INCREASE IN THE VOLUME OF WORK.)</p> <p>QUANTITIES: QUANTITIES LISTED IN THE REQUISITION ARE APPROXIMATIONS ONLY, BASED ON ESTIMATES SUPPLIED BY THE STATE SPENDING UNIT. IT IS UNDERSTOOD AND AGREED THAT THE CONTRACT SHALL COVER THE QUANTITIES ACTUALLY ORDERED FOR DELIVERY DURING THE TERM OF THE CONTRACT, WHETHER MORE OR LESS THAN THE QUANTITIES SHOWN.</p> <p>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</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

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<p>WITHOUT FURTHER ORDER.</p> <p>THE TERMS AND CONDITIONS CONTAINED IN THIS CONTRACT SHALL SUPERSEDE ANY AND ALL SUBSEQUENT TERMS AND CONDITIONS WHICH MAY APPEAR ON ANY ATTACHED PRINTED DOCUMENTS SUCH AS PRICE LISTS, ORDER FORMS, SALES AGREEMENTS OR MAINTENANCE AGREEMENTS, INCLUDING ANY ELECTRONIC MEDIUM SUCH AS CD-ROM.</p> <p>REV. 05/26/2009</p> <p>INQUIRIES: WRITTEN QUESTIONS SHALL BE ACCEPTED THROUGH CLOSE OF BUSINESS ON 3/1/2011. 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 INQUIRIES TO:</p> <p>ROBERTA WAGNER DEPARTMENT OF ADMINISTRATION PURCHASING DIVISION 2019 WASHINGTON STREET, EAST CHARLESTON, WV 25311</p> <p>FAX: 304-558-4115 E-MAIL: ROBERTA.A.WAGNER@WV.GOV</p> <p>EXHIBIT 4</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

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<p>LOCAL GOVERNMENT BODIES: UNLESS THE VENDOR INDICATES IN THE BID HIS REFUSAL TO EXTEND THE PRICES, TERMS, ALL 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.</p> <p>REV. 3/88</p> <p>PURCHASING CARD ACCEPTANCE: THE STATE OF WEST VIRGINIA CURRENTLY UTILIZES A VISA PURCHASING CARD PROGRAM WHICH IS ISSUED THROUGH A BANK. THE SUCCESSFUL VENDOR MUST ACCEPT THE STATE OF WEST VIRGINIA VISA PURCHASING CARD FOR PAYMENT OF ALL ORDERS PLACED BY ANY STATE AGENCY AS A CONDITION OF AWARD.</p> <p>VENDOR PREFERENCE CERTIFICATE</p> <p>THIS TEAM EXHIBIT HAS BEEN REPLACED BY THE ONLINE VERSION WHICH IS AVAILABLE HERE: HTTP://WWW.STATE.WV.US/ADMIN/PURCHASE/VRC/VENPREF.PDF</p> <p>NOTICE</p> <p>A SIGNED BID MUST BE SUBMITTED TO:</p> <p>DEPARTMENT OF ADMINISTRATION PURCHASING DIVISION BUILDING 15 2019 WASHINGTON STREET, EAST CHARLESTON, WV 25305-0130</p>						

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LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
0003	* 40 SUBSAMPLE:	EA		962-22 MATRIX SPIKE (SAMPLES)	\$ 270	\$10800
0004	30 SUBSAMPLE:	EA		962-22 HIGH TURBIDITY	\$ 80	\$2400
0005	* 30 SUBSAMPLE:	EA		962-22 HIGH TURBIDITY - EXTRA FILTER	\$ 85	\$2550
***** THIS IS THE END OF RFQ EHS11129 ***** TOTAL:						<u>\$123750</u>

* See ATTACHED DOCUMENTATION

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EHS11129 CRYPTOSPORIDIUM TESTING

SPECIFICATIONS

PURPOSE:

The State of West Virginia, Department of Health and Human Resources (DHHR), Bureau for Public Health (BPH), Office of Environmental Health Services (OEHS), Environmental Engineering Division (EED) is seeking vendor quotations for conducting Cryptosporidium testing in compliance with Environmental Protection Agency (EPA) standards as required pursuant to the Long Term 2 Enhanced Surface Water Treatment Rule (LT2 Rule).

The Safe Drinking Water Act Amendments of 1996 (the Amendments) adopted significant changes in the Safe Drinking Water Act (SDWA). Of particular importance, the Amendments require States to adopt and implement programs to ensure water systems have the capability to comply with existing and anticipated drinking water regulations. These new provisions, known as Capacity Development, mark the first time the Federal government has explicitly required States to take actions to ensure water systems will have the financial, technical and managerial resources required to provide safe and reliable water service to the public. Essentially, this capacity or capability will help assure better infrastructure stewardship.

EPA is allowing set-aside funds to be used for the first round of Cryptosporidium testing, and all testing must be completed by March 31, 2012.

A qualified system shall be a public water system that OEHS has identified is currently required to monitor for Cryptosporidium as per the LT2 Rule. A qualified system shall contract with an approved lab to perform the EPA approved testing to meet the LT2 Rule. The qualified system and the lab will determine the method of sample collection being either filtered or unfiltered. The lab and qualified system shall make arrangements for necessary sampling equipment and materials. The lab will include these costs within the per sample cost. Water systems will be notified of this program as soon as it is approved by letter, telephone, or direct contact. Information regarding the LT2 Rule can be obtained at the following link:

<http://water.epa.gov/lawsregs/rulesregs/sdwa/lt2/index.cfm>

VENDOR REQUIREMENTS:

Vendor shall meet the following requirements:

- Vendor (s) shall be a lab approved by EPA to perform Cryptosporidium testing in compliance with EPA standards using EPA Method 1622 and/or EPA Method 1623. These methods can be found via the application process for the lab from EPA standards.
- Vendor shall provide results to qualified public water system via e-mail or mail. Once the invoice is received from the lab, OEHS will compare it to information on file for the water system to verify that the test was conducted and that the public water system is a qualified system in order to process payment.
- Vendor shall be listed on the "EPA Laboratories Approved for the Analysis of Cryptosporidium Under the Safe Drinking Water Act" as detailed at the following link:
http://www.epa.gov/ogwdw/disinfection/lt2/pdfs/labs_approval/list_lt2_approvedlabs.pdf

EHS11129 CRYPTOSPORIDIUM TESTING

SCOPE OF WORK:

Vendor shall perform Cryptosporidium testing (field filtered and field unfiltered) and subsample testing (matrix spike, high turbidity, high turbidity – extra filter) per EPA standards and provide results to water system within three (3) weeks. Results will be provided to the water system via e-mail or mail.

BID REQUIREMENT:

Vendor shall complete, sign, and date the Cost Sheet provided with the understanding that OEHS will award contracts up to the top ten (10) low bid vendors that substantiates the requirements under these specifications.

BID EVALUATION:

Multiple awards shall be made up to the top ten (10) low bid vendors that meet the requirements of these specifications.

CONTRACT UTILIZATION:

OEHS shall provide successful vendors a list of qualified West Virginia Community Water Systems, including Public Water System Identification number (PWSID).

OEHS shall provide qualified West Virginia Community Water Systems a list of successful vendors and contact information approved to perform Cryptosporidium testing. Qualified water systems shall request Cryptosporidium testing from approved vendors of their choice.

VENDOR REGISTRATION:

Vendor shall be registered with the State of West Virginia, Division of Purchasing before a purchase order can be issued.

INVOICES:

Vendor shall invoice OEHS monthly in arrears for Cryptosporidium and subsample testing conducted on qualified water systems during the previous month. Vendor shall submit one invoice monthly. Invoice must include the Public Water System Name, PWSID No. for the water system, date of sample collection, date of sample analyses, name and cost of the tests as described on Cost Sheet, and shipping costs. Pass through invoices for shipping are required for reimbursement. All testing shall be completed by March 31, 2012. Invoices for testing conducted after that date will not be eligible for payment.

LIFE OF CONTRACT:

Contract shall become effective on the date of award and will extend through March 31, 2012.

COST SHEET FOR EHS11129

Item #	Apprx. Annual Usage *	DESCRIPTION	UNIT PRICE **	TOTAL COST
1	QUANTITY 200 EA	FIELD FILTERED SAMPLE: CRYPTOSPORIDIUM TESTING PER EPA STANDARDS AND PROVIDE RESULTS TO WATER SYSTEM WITHIN THREE (3) WEEKS.	\$ 270	\$ 54000
2	200 EA	FIELD UNFILTERED SAMPLE: CRYPTOSPORIDIUM TESTING PER EPA STANDARDS AND PROVIDE RESULTS TO WATER SYSTEM WITHIN THREE (3) WEEKS.	\$ 270	\$ 54000
3	40 EA	REVERSE MATRIX SPIKE SAMPLES	\$ 270	\$ 10800
4	30 EA	SUBSAMPLE: HIGH TURBIDITY	\$ 80	\$ 2400
5	30 EA	SUBSAMPLE: HIGH TURBIDITY - EXTRA FILTER	\$ 85	\$ 2550
TOTAL COST				\$ 123750

* Approximate Annual Usage: Approximate number of tests to be ordered between contract award date and March 31, 2012. Exact quantities could be more or less than approximate annual usage.

** Unit Price: Unit price vendor shall charge OEHS for tests conducted whether one or more than one is ordered throughout the contract period.

Award will be made up to ten (10) vendors with the lowest total cost that meet specifications.

Vendor shall submit one original invoice to the Office of Environmental Health Services (OEHS) monthly in arrears for tests conducted the previous month.

Pass through invoices for shipping charges are required for reimbursement.

SCIENTIFIC METHODS INC.

Vendor Name

MAT HAYES

Vendor Authorized Representative (Print Name)

Mat Hayes

Vendor Authorized Representative Signature

3-15-2011

Date

RFQ No. EHS 11129

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: SCIENTIFIC METHODS INC.

Authorized Signature: [Signature] Date: 3-15-2011

State of INDIANA

County of SAINT JOSEPH, to-wit:

Taken, subscribed, and sworn to before me this 15th day of MARCH, 2011.

My Commission expires SEPTEMBER 6, 2014.

MATTHEW G. HAYES
SEAL
NOTARY PUBLIC, STATE OF INDIANA
MY COMMISSION EXPIRES SEPTEMBER 6, 2014

AFFIX SEAL HERE

NOTARY PUBLIC

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. **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: SCIENTIFIC METHODS INC Signed: Matt Hays
 Date: 3-15-2011 Title: PROJECT MANAGER

Scientific Methods

Clarification on bid EHS11129:

March 15, 2011

Per the **Instructions to Bidders**- "Any deviations from the specifications must be clearly defined. A bidder offering an alternative should attach complete specifications and literature to the bid."

While we are not offering an alternative per se, we are making what we believe to be clarifications to the bid items. Some of the line items had descriptions that were confusing, we have crossed out the words that we believe added the confusion. We have also attached pages from an EPA document: EPA 815-R06-005, February 2006 "Source Water Monitoring Guidance Manual for Public Water Systems"

This is a document that was published by the EPA to assist water supplies in developing a bid sheet. This nomenclature has become standard in the industry as it pertains to the LT2 regulation, so we believe these line items are what was intended by the bid authors.

Section 2.2 Developing a Bid Sheet

In this document the comparative line items are described as:

Field samples (corresponding to line items 0001 for field filtered and 0002 for field unfiltered)

Matrix spike samples (corresponding to line item 0003)

Subsamples (corresponding to line item 0004)

Potential extra filters (corresponding to line item 0005)

Scientific Methods used this nomenclature in our bid response. We hope and believe that this has clarified our bid response. If there are any questions, please let us know.

Sincerely,

Matt Hayes

Scientific Methods, Inc.

574-277-4078

THESE DOCUMENTS ARE FROM
EPA 815-RO6-005, FEB 2006
"SOURCE WATER MONITORING GUIDANCE
MANUAL FOR PUBLIC WATER SYSTEMS"

Section 2: Contracting for Laboratory Services

payment. Rejection of data should be based on sound technical review of the results. It also obligates you to make no use of those results without making some payment to the laboratory.

Clearly indicate in your contract that your PWS has the right to inspect results and reject the results if they do not meet contract requirements.

2.2 Developing a Bid Sheet

After all project requirements have been established, you should develop a bid sheet to accompany the analytical requirements summary during the solicitation. The bid sheet allows laboratories to submit bids in the same format, making bid evaluations easier, and also helps to clarify the project. Development and use of a bid sheet is recommended regardless of whether your PWS solicits the project competitively to multiple laboratories, or is simply requesting a quote from a laboratory you already know you will be using, as it provides a very clear vehicle for submitting and evaluating costs.

Bid sheets for analytical services typically are formatted as a table, with costs in the columns and descriptions of services and supplies heading the rows (Appendices B and C).

The bid sheet should include the following information:

- Project identifier (e.g. "LT2 Monitoring Sample Analyses for [PWS name and/or facility name]")
- Space for laboratory identification information (for when they submit their bid)
- Day, date, and time (including time zone) of the bid deadline
- PWS information (contact and mailing address, fax number, phone number, and/or email address)
- Estimated award date
- Laboratory period of performance (includes the period of time during which the laboratory is obliged to resolve issues associated with analysis of the samples—generally 6 months after shipment of last sample)
- Data turnaround time (time from sample collection to reporting results)
- Bid validity period (period of time during which bid prices are considered valid—generally 45 days after the bid deadline; if the project is awarded after the period you specify, you must contact bidding laboratories to determine whether their bid is still valid, or needs to be revised)
- A summary of the analytical requirements:
 - Method (e.g., *Cryptosporidium* and *Giardia* by EPA Method 1623)
 - *E. coli* method of choice (if needed)
 - Filter preference, if any. (This should *not* be specified unless your PWS has experience with *Cryptosporidium* and a basis for requesting the use of a specific filter; if you know that you will be field filtering using a specific filter and shipping this to the laboratory, you should specify this)
 - Whether samples will be shipped as filtered samples or bulk water samples for *Cryptosporidium*
 - Sample volume for *Cryptosporidium* (e.g., 10 L, 50 L)
- Total number of field (monitoring) samples to be analyzed, plus extra, in case of replacement samples

0001 →
♀
0002

- Two optional "practice" samples (MATRIX SPIKE SAMPLES)
- 0003 → • Total number of MS samples to be analyzed for *Cryptosporidium*, at least 1 for every 20 samples.
- 0004 → • Total number of potential subsamples to be analyzed for *Cryptosporidium* (expressed as "Up to [no.] subsamples" so you are not committing to this – just leaving it as an option)

- The number generally should not exceed four per sample
- If you have high-turbidity water, you may need to specify up to four subsamples for all of your field (monitoring) and MS samples
- If you have a low-turbidity water, you should specify a minimal number, just in case the need arises

(These costs would not be incurred unless subsamples actually have to be analyzed)

- 0005 → • Total number of potential extra filters for *Cryptosporidium* (in case one or more samples clog during LT2 Rule monitoring):

- If you will be shipping bulk samples to the laboratory, express this as "Up to [no.] extra filters/elutions"
- If you will be filtering samples in the field, but receiving filters from the laboratory, express this as "Up to [no.] extra filters"

(These costs would not be incurred unless more than one filter actually has to be used)

- Columns for laboratories to enter per-analysis and total costs
- Costs for cubitainers or carboys, if you would like the laboratory to provide this
- Cost of sampling apparatus, if you would like the laboratory to provide this
- Cost of shipping supplies to PWS, if applicable

2.3 Soliciting the Contract

Procedures for soliciting and awarding contracts to perform analytical services can vary, depending upon the scope of the project and purchasing requirements within the organization that is issuing the contract. At one end of the spectrum are contracts that are awarded after placing a single phone call and obtaining a quote from a single laboratory. The opposite end of the spectrum are contracts awarded after a competitive solicitation and bidding process involving the distribution of a detailed project description and a formal bid sheet via fax or mail.

2.3.1 Approved Laboratories for *Cryptosporidium*

Regardless of whether you will be soliciting the project to multiple laboratories or working with a single laboratory (although a backup laboratory is strongly recommended—see below), you must limit your laboratories to only those approved by EPA through the Laboratory Quality Assurance Evaluation Program for Analysis of *Cryptosporidium* Under the Safe Drinking Water Act (Laboratory QA Program) or approved for *Cryptosporidium* by an equivalent State approval program [40 CFR § 141.705(a)]. However, at the time of publication of this guidance document there were no equivalent State programs for approval of *Cryptosporidium* laboratories. Information on the Laboratory QA program and a list of

Appendix B

Cost Estimate for Bulk Water Sample Analysis

LT2 Monitoring Bulk Water Sample Analysis for [PWS name and/or facility name]

PWS required field:

For further information on this bid sheet, refer to Section 2.2 of the Source Water Monitoring Guidance Manual for Public Water Systems

Laboratory name:	Submit bid to:
Laboratory address:	PWS name:
Laboratory contact:	PWS address:
Phone/fax/email:	PWS contact:
	Phone/fax/email:

Bid deadline (day, date, time (including time zone)):	Laboratory period of performance:
Estimated award date:	Results turnaround time:
Bid validity period:	Extra Services (if applicable):

Costs for *Cryptosporidium*-Only or *Cryptosporidium*/*Giardia* Analysis

Sample PWS requests bid for <i>Cryptosporidium</i> analysis using Method 1623* [Specify sample volume if other than 10 L]	Number of plants	Samples required per plant	(A)	(B)	(A x B)
			Total samples	Cost per sample	Total cost
Boil water samples - full analysis					
Matrix spike samples					
Practice samples					
Potential replacement samples		Up to [no.]			
Estimated subsamples**		Up to [no.]			
Equipment	Number of plants	Equipment required per plant	Total equipment	Cost per unit	Total cost
Cubitainers/Carboys***					
Sampling if conducted by the laboratory or subcontractor (including turbidity)					
Shipping****	Number of plants	Shipments per plant	Total shipments	Cost per shipment	Total cost
Shipment of cubitainer/carboy to PWS					
Shipment of collected samples to laboratory					
Total					<input type="text"/>

Costs for *E. coli* analysis

Sample PWS requests bid for <i>E. coli</i> analysis using [Specify method]	Number of plants	Units required per plant**	(A)	(B)	(A x B)
			Total units	Cost per unit	Total cost
Field sample analysis					
Equipment	Number of plants	Units required per plant**	Total units	Cost per unit	Total cost
Sample collection bottles					
Shipping****	Number of plants	Units required per plant**	Total units	Cost per unit	Total cost
Shipment of sample collection bottles to PWS					
Shipment of collected samples to laboratory					
Total					<input type="text"/>

*Laboratories may require special schedule and increased QA costs if 1622 is requested by the PWS.

**IMS, staining, and examination of each 0.5-mL portion of a sample concentrate that exceeds 0.5 mL packed pellet volume; include number for field, matrix spike, practice, and replacement samples

***All cubitainers/carboys required for field samples, matrix spike samples, practice samples, and potential replacement samples (may be purchased directly from supplier)

****Shipment cost of replacement equipment and samples should also be discussed and decided with laboratory

Appendix C

Cost Estimate for Field-Filtered Sample Analysis

LT2 Monitoring Field-Filtered Sample Analysis for [PWS name and/or facility name]

PWS required field:

For further information on this bid sheet, refer to Section 2.2 of the Source Water Monitoring Guidance Manual for Public Water Systems

Laboratory name: Laboratory address: Laboratory contact: Phone/fax/email:	Submit bid to: PWS name: PWS address: PWS contact: Phone/fax/email:
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Bid deadline (day, date, time (including time zone)):	Laboratory period of performance:
Estimated award date:	Results turnaround time:
Bid validity period:	Extra Services (if applicable):

Costs for *Cryptosporidium*-Only or *Cryptosporidium*/*Giardia* Analysis

			(A)	(B)	(A x B)
Sample	Number of plants	Samples required per plant	Total samples	Cost per sample	Total cost
PWS requests bid for <i>Cryptosporidium</i> analysis using Method 1623* [Specify sample volume if other than 10 L]					
Field-filtered samples - full analysis					
Matrix spike samples (bulk sample)					
Practice samples					
Potential replacement samples		Up to [no.]			
Estimated subsamples**		Up to [no.]			
Equipment	Number of plants	Equipment required per plant	Total equipment	Cost per unit	Total cost
Filters (Envirochek™, Envirochek™ HV or Filt-a-Max®)*** (extra if clogging expected)					
Sampling apparatus for rental or purchase (used during monitoring period)					
Cubitainer/Carboy (for use with each matrix spike)					
Sampling if conducted by the laboratory or subcontractor (including turbidity)					
Shipping	Number of plants	Shipments per plant	Total shipments	Cost per shipment	Total cost
Shipment of filters to PWS***					
Shipment of cubitainer/carboy (for matrix spike) to PWS					
Shipment of filter apparatus to PWS					
Shipment of cubitainer/carboy (for matrix spike) to laboratory					
Shipment of collected samples to laboratory***					

Total

Costs for *E. coli* analysis

			(A)	(B)	(A x B)
Sample	Number of plants	Units required per plant**	Total units	Cost per unit	Total cost
PWS requests bid for <i>E. coli</i> analysis using [Specify method]					
Field sample analysis					
Equipment					
Sample collection bottles					
Shipping****					
Shipment of sample collection bottles to PWS					
Shipment of collected samples to laboratory					

Total

*Laboratories may require special schedule and increased QA costs if 1622 is requested by the PWS.

**IMS, staining, and examination of each 0.5-mL portion of a sample concentrate that exceeds 0.5 mL packed pellet volume; include number for field, matrix spike, practice, and replacement samples

***All filters required for field samples, matrix spike samples, practice samples, and potential replacement samples (may be purchased directly from supplier)

****Shipment cost of replacement equipment should be discussed and decided with laboratory



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
EHS11129

PAGE
1

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

RFQ COPY

Scientific Methods, Inc.
 Attn: Matt Hayes
 12441 Beckley Street
 Granger, IN 46530

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HEALTH AND HUMAN RESOURCES
 BPH ENVIRO HLTH SERVICES
 350 CAPITOL STREET, ROOM 313
 CHARLESTON, WV
 25301-1757 304-558-8582

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
03/03/2011				

BID OPENING DATE: 03/17/2011 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
ADDENDUM NO. 1						
1. QUESTIONS AND ANSWERS ARE ATTACHED. 2. ADDENDUM ACKNOWLEDGEMENT IS ATTACHED. THIS DOCUMENT SHOULD BE SIGNED AND RETURNED WITH YOUR BID. FAILURE TO SIGN AND RETURN MAY RESULT IN DISQUALIFICATION OF YOUR BID. EXHIBIT 10						
REQUISITION NO.: EHS11129						
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		X				
NO. 2						
NO. 3						
NO. 4						
NO. 5						
I UNDERSTAND THAT FAILURE TO CONFIRM THE RECEIPT OF THE ADDENDUM(S) MAY BE CAUSE FOR REJECTION OF BIDS.						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
<i>Matt Hayes</i>	574-277-4078	3-15-2011
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE
PROJECT MANAGER	621479201	

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
 EHS11129

PAGE
 2

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

VENDOR


RFQ COPY
 TYPE NAME/ADDRESS HERE

SHIP TO

HEALTH AND HUMAN RESOURCES
 BPH ENVIRO HLTH SERVICES
 350 CAPITOL STREET, ROOM 313
 CHARLESTON, WV
 25301-1757 304-558-8582

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
03/03/2011				

BID OPENING DATE: 03/17/2011 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
<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 style="text-align: center;">  SIGNATURE SCIENTIFIC METHODS INC COMPANY 3-15-2011 DATE </p> <p>NOTE: THIS ADDENDUM ACKNOWLEDGEMENT SHOULD BE SUBMITTED WITH THE BID.</p> <p>REV. 09/21/2009</p> <p style="text-align: center;">END OF ADDENDUM NO. 1</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE

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

**Addendum #1
EHS11129**

Vendor Question #1:

Upon review of the 2011 West Virginia Cryptosporidium Testing RFP EHS11129, I wanted to check and clarify is the bidder laboratory responsible for going into the field and collecting the samples? Or, will the agency handle the collection aspect and the laboratory will only do the analysis?

BPH Response to Vendor Question #1:

Qualified West Virginia public water systems will handle the collection aspect and send the sample to the laboratory. The laboratory will conduct the test and send results to the public water system.