



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
FOR11009

PAGE
1

ADDRESS CORRESPONDENCE TO ATTENTION OF
FRANK WHITTAKER
304-558-2316

RFQ COPY

VENDOR

Teltronic, Inc.
 7051 Muirkirk Meadows Drive, Suite E
 Beltsville, MD 20705

SHIP TO

DIVISION OF FORESTRY
 VARIOUS LOCALES AS INDICATED
 BY ORDER

| DATE PRINTED | TERMS OF SALE | SHIP VIA | FOB | FREIGHT TERMS |
|--------------|---------------|----------|-----|---------------|
| 04/13/2011 | | | | |

BID OPENING DATE: **05/19/2011** BID OPENING TIME **01:30PM**

| LINE | QUANTITY | UOP | CAT NO | ITEM NUMBER | UNIT PRICE | AMOUNT |
|--|----------|-----|--------|-------------|------------------|--------|
| 0001 | 1 | LS | | 939-72 | SEE ATTACHMENT A | |
| <p>RADIO EQUIPMENT MAINTENANCE AND REPAIR</p> <p>THE WEST VIRGINIA PURCHASING DIVISION, FOR THE AGENCY, THE WEST VIRGINIA DIVISION OF FORESTRY, IS SOLICITING BIDS FOR THE UPGRADE OF MOTOROLA REPEATERS AND CONTROL STATIONS TO P25 COMPLIANCE PER THE ATTACHED SPECIFICATIONS.</p> <p>ALL TECHNICAL QUESTIONS MUST BE SUBMITTED IN WRITING TO FRANK WHITTAKER IN THE WV PURCHASING DIVISION VIA EMAIL AT FRANK.M.WHITTAKER@WV.GOV OR VIA FAX AT 304-558-4115. DEADLINE FOR ALL TECHNICAL QUESTIONS IS 04/26/2011 AT 4:00 PM. ALL TECHNICAL QUESTIONS WILL BE ADDRESSED BY ADDENDUM AFTER THE DEADLINE.</p> <p>EXHIBIT 10</p> <p>REQUISITION NO.: FOR11009</p> <p>ADDENDUM ACKNOWLEDGEMENT</p> <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 ✓ <i>MS</i></p> <p>NO. 2 ✓ <i>MS</i></p> | | | | | | |

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 2011 JUN 22 A 9:09
 PURCHASING DIVISION
 STATE OF WV

| | | | | | | | |
|--------------------------------------|--|----------------|--|-----------------------------------|--|-----------------|--|
| SIGNATURE <i>Gerald G. Boyer Jr.</i> | | | | TELEPHONE 301-575-3950 | | DATE 06/21/2011 | |
| TITLE Vice President | | FEIN 52-074734 | | ADDRESS CHANGES TO BE NOTED ABOVE | | | |

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



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| <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 style="text-align: center;"> <i>Mark G. Galt</i> SIGNATURE TELTRONIC, INC. COMPANY 06/21/2011 DATE </p> <p>NOTE: THIS ADDENDUM ACKNOWLEDGEMENT SHOULD BE SUBMITTED WITH THE BID.</p> <p>REV. 09/21/2009 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> | | | | | | |

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

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| CONTACT PERSON (PLEASE PRINT CLEARLY): GERRY BOYD 301-575-3950 | | | | | | |
| ***** THIS IS THE END OF RFQ FOR11009 ***** TOTAL: | | | | | | |
| | | | | | | <u>SEE ATTACHMENT A</u> |

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

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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:

NO 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. Application is made for 2.5% resident vendor preference for the reason checked:

NO 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:

NO 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:

NO 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:

NO 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:

NO 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: TECTRONIC, INC.

Signed: [Signature]

Date: 06/21/2011

Title: VICE PRESIDENT

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

RFQ No. FOR11009

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: TELTRONIC, INC.

Authorized Signature: [Signature] Date: 06/21/2011

State of Maryland

County of Montgomery to-wit:

Taken, subscribed, and sworn to before me this 21 day of June, 2011.

My Commission expires March 28, 2014

AFFIX SEAL HERE

NOTARY PUBLIC Malinda L. Jones

Malinda L. Jones
Notary Public State of Maryland
My commission expires 3/28/2014
Purchasing Affidavit (Revised 12/15/03)

**FOR11009
ATTACHMENT A (PAGE 1 OF 2)
COST SUMMARY**

On this Attachment, the Vendor should submit a job cost bid for each District on which they wish to bid. The bid price should include: Cost of the software upgrade; training of agency personnel in basic diagnostics of the equipment; cost of the report of physical needs; and labor and travel costs to the repeaters and control stations in the District. No separate reimbursement will be made to the Vendor for travel, training, or other expenses, with the exception of the noted optional French Creek control station conversion.

DISTRICT 1

Includes: Moundsville and Caddell Mountain repeaters and Idamay control station

DISTRICT 1 JOB COST \$ 2,500.00

DISTRICT 2

Includes: Cacapon Mountain, Skyline, Nathaniel Mountain, and North Mountain repeaters and Romney control station

DISTRICT 2 JOB COST \$ 2,000.00

DISTRICT 3

Includes: Stuart Knob, Cottle Knob, and Point Mountain repeaters and French Creek control station

DISTRICT 3 JOB COST \$ 2,400.00

DISTRICT 4

Includes: Gauley Mountain, Ivy Knob, Keeney Knob, Windmill Gap, and Bolt Mountain repeaters and Tams control station

DISTRICT 4 JOB COST \$ 3,700.00

DISTRICT 5

Includes: Bee Mountain, Gartin Knob, and Mingo Mountain repeaters and Barker Ridge control station

DISTRICT 5 JOB COST \$ 3,800.00

DISTRICT 6

Includes: Salem Hill, Glenville, Chestnut Ridge, and Spencer repeaters and Sandhill control station

DISTRICT 6 JOB COST \$ 3,700.00

FOR11009
ATTACHMENT A (PAGE 2 OF 2)
COST SUMMARY

OPTIONAL ITEM

The following item is an option and may be included in the Purchase Order if it is determined to be in the best interests of the WVDOF:

FRENCH CREEK CONTROL STATION CONVERSION

Cost of the conversion of the French Creek control station (District 3) to act as both a control station and a repeater. This cost must include the cost of any necessary equipment and the labor to install, configure, and test the equipment.

FRENCH CREEK CONTROL STATION CONVERSION COST \$ NOT QUOTED



Teltronic®

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MOTOROLA
Authorized Two-Way
Radio Dealer



7051 Muirkirk Meadows Drive Suite E, Beltsville, MD 20705

301-468-6500

Office Fax: 301-816-0007

To: West VA – Dept of Admin – Purchasing Division

FAX: 304-558-3970

From: **Gerry Boyd**

Date: 6/21/11

Email: gerry.boyd@teltronic.com

Voice: **301-575-3950**

Pages, including this page: 9

Fax: **301-575-3949**

RECEIVED
21 JUN 21 P 2:47
STATE OF WV
PURCHASING DIVISION

TO:

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

SEALED BID

BUYER: 44

RFQ. NO. FOR11009

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| SIGNATURE <i>Gerald G. Boya Jr.</i> | TELEPHONE 301-575-3950 | DATE 06/21/2011 |
| TITLE Vice President | FEIN 52-074734 | ADDRESS CHANGES TO BE NOTED ABOVE |

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

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

Rev. 09/08

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. **Application is made for 2.5% resident vendor preference for the reason checked:**
 NO 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. **Application is made for 2.5% resident vendor preference for the reason checked:**
 NO 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:**
 NO 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:**
 NO 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:**
 NO 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:**
 NO 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: TELTRONIC, INC.

Signed: [Signature]

Date: 06/21/2011

Title: VICE PRESIDENT

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

RFQ No. FOR 11009

STATE OF WEST VIRGINIA
Purchasing Division

PURCHASING AFFIDAVIT

West Virginia Code §6A-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 instrumentally established by a county or municipality; any separate corporation or instrumentally 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: TELTRONIC, INC.

Authorized Signature: [Signature] Date: 06/21/2011

State of Maryland

County of Montgomery to-wit:

Taken, subscribed, and sworn to before me this 21 day of June, 2011.

My Commission expires March 28, 2014.

NOTARY PUBLIC Malinda L Jones



Malinda L. Jones
Notary Public State of Maryland
My commission expires 3/28/2014
Purchasing Affidavit (Revised 12/15/09)

**FOR11009
ATTACHMENT A (PAGE 1 OF 2)
COST SUMMARY**

On this Attachment, the Vendor should submit a job cost bid for each District on which they wish to bid. The bid price should include: Cost of the software upgrade; training of agency personnel in basic diagnostics of the equipment; cost of the report of physical needs; and labor and travel costs to the repeaters and control stations in the District. No separate reimbursement will be made to the Vendor for travel, training, or other expenses, with the exception of the noted optional French Creek control station conversion.

DISTRICT 1
Includes: Moundsville and Caddell Mountain repeaters and Idamay control station

DISTRICT 1 JOB COST \$ 2,500.00

DISTRICT 2
Includes: Cacapon Mountain, Skyline, Nathaniel Mountain, and North Mountain repeaters and Romney control station

DISTRICT 2 JOB COST \$ 2,000.00

DISTRICT 3
Includes: Stuart Knob, Cottle Knob, and Point Mountain repeaters and French Creek control station

DISTRICT 3 JOB COST \$ 2,400.00

DISTRICT 4
Includes: Gauley Mountain, Ivy Knob, Keeney Knob, Windmill Gap, and Bolt Mountain repeaters and Tams control station

DISTRICT 4 JOB COST \$ 3,700.00

DISTRICT 5
Includes: Bee Mountain, Gartin Knob, and Mingo Mountain repeaters and Barker Ridge control station

DISTRICT 5 JOB COST \$ 3,800.00

DISTRICT 6
Includes: Salem Hill, Glenville, Chestnut Ridge, and Spencer repeaters and Sandhill control station

DISTRICT 6 JOB COST \$ 3,700.00

**FOR11009
ATTACHMENT A (PAGE 2 OF 2)
COST SUMMARY**

OPTIONAL ITEM

The following item is an option and may be included in the Purchase Order if it is determined to be in the best interests of the WVDOF:

FRENCH CREEK CONTROL STATION CONVERSION

Cost of the conversion of the French Creek control station (District 3) to act as both a control station and a repeater. This cost must include the cost of any necessary equipment and the labor to install, configure, and test the equipment.

FRENCH CREEK CONTROL STATION CONVERSION COST \$ NOT QUOTED