



State of West Virginia  
Department of Administration  
Purchasing Division  
2013 Washington Street East  
Post Office Box 50130  
Charleston, WV 25305-0130

# Request for Quotation

RFQ NUMBER

GSD126464

PAGE

1

ADDRESS CORRESPONDENCE TO ATTENTION OF:

KRISTA FERRELL  
304-558-2596

\*709002526 314-573-5174  
GRAYBAR ELECTRIC COMPANY INC  
1010 YOUNG ST

CHARLESTON WV 25301

DEPARTMENT OF ADMINISTRATION  
GENERAL SERVICES DIVISION  
BUILDING SIX  
1900 KANAWHA BOULEVARD, EAST  
CHARLESTON, WV  
25305 304-558-2317

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS		
05/03/2012	NET 30 DAYS	BEST WAY	DESTINATION	ALLOWED		
BID OPENING DATE: 05/17/2012		BID OPENING TIME 01:30PM				
LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	LS		285-54	\$11,800.00	\$11,800.00
ASSORTED LIGHT FIXTURES FOR BLDG. 6 RENOVATION						
REQUEST FOR QUOTATION (RFQ)						
THE WEST VIRGINIA STATE PURCHASING DIVISION FOR THE AGENCY, THE WEST VIRGINIA DIVISION OF GENERAL SERVICES, IS SOLICITING BIDS TO PROVIDE THE AGENCY WITH LIGHT FIXTURES PER THE ATTACHED SPECIFICATIONS. NO INSTALLATION IS REQUIRED.						
TECHNICAL QUESTIONS CONCERNING THIS SOLICITATION MUST BE SUBMITTED IN WRITING TO KRISTA FERRELL IN THE WEST VIRGINIA STATE PURCHASING DIVISION VIA FAX AT 304-558-4115 OR VIA EMAIL AT KRISTA.S.FERRELL@WV.GOV.						
DEADLINE FOR TECHNICAL QUESTIONS IS 05/09/2012 AT THE CLOSE OF BUSINESS.						
ANY TECHNICAL QUESTIONS RECEIVED WILL BE ANSWERED BY FORMAL WRITTEN ADDENDUM TO BE ISSUED BY THE PURCHASING DIVISION AFTER THE DEADLINE HAS LAPSED.						
VERBAL COMMUNICATION: ANY VERBAL COMMUNICATION BETWEEN THE VENDOR AND ANY STATE PERSONNEL IS NOT BINDING, ONLY INFORMATION ISSUED IN WRITING AND ADDED TO THE RFQ BY FORMAL WRITTEN ADDENDUM IS BINDING.						
NO CONTACT BETWEEN THE VENDOR AND THE AGENCY IS PERMITTED WITHOUT THE EXPRESS WRITTEN CONSENT OF THE						
SEE REVERSE SIDE FOR TERMS AND CONDITIONS						
SIGNATURE <i>[Signature]</i>		TELEPHONE 304-344-2371		DATE 5/16/12		
TITLE QUOTATIONS COORDINATOR		FEIN 13079438001		ADDRESS CHANGES TO BE NOTED ABOVE		

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

RECEIVED

2012 MAY 17 PM 1:05

WV PURCHASING  
DIVISION

## 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.html](http://www.state.wv.us/admin/purchase/vrc/hipaa.html) and is hereby made part of the agreement provided that the Agency meets the definition of a Cover Entity (45 CFR §160.103) and will be disclosing Protected Health Information (45 CFR §160.103) to the vendor.
  14. **CONFIDENTIALITY:** The vendor agrees that he or she will not disclose to anyone, directly or indirectly, any such personally identifiable information or other confidential information gained from the agency, unless the individual who is the subject of the information consents to the disclosure in writing or the disclosure is made pursuant to the agency's policies, procedures, and rules. Vendor further agrees to comply with the Confidentiality Policies and Information Security Accountability Requirements, set forth in <http://www.state.wv.us/admin/purchase/privacy/noticeConfidentiality.pdf>.
  15. **LICENSING:** Vendors must be licensed and in good standing in accordance with any and all state and local laws and requirements by any state or local agency of West Virginia, including, but not limited to, the West Virginia Secretary of State's Office, the West Virginia Tax Department, and the West Virginia Insurance Commission. The vendor must provide all necessary releases to obtain information to enable the director or spending unit to verify that the vendor is licensed and in good standing with the above entities.
  16. **ANTITRUST:** In submitting a bid to any agency for the State of West Virginia, the bidder offers and agrees that if the bid is accepted the bidder will convey, sell, assign or transfer to the State of West Virginia all rights, title and interest in and to all causes of action it may now or hereafter acquire under the antitrust laws of the United States and the State of West Virginia for price fixing and/or unreasonable restraints of trade relating to the particular commodities or services purchased or acquired by the State of West Virginia. Such assignment shall be made and become effective at the time the purchasing agency tenders the initial payment to the bidder.
- I certify that this bid is made without prior understanding, agreement, or connection with any corporation, firm, limited liability company, partnership, or person or entity submitting a bid for the same material, supplies, equipment or services and is in all respects fair and without collusion or fraud. I further certify that I am authorized to sign the certification on behalf of the bidder or this bid.

### INSTRUCTIONS TO BIDDERS

1. Use the quotation forms provided by the Purchasing Division. Complete all sections of the quotation form.
2. Items offered must be in compliance with the specifications. Any deviation from the specifications must be clearly indicated by the bidder. Alternates offered by the bidder as **EQUAL** to the specifications must be clearly defined. A bidder offering an alternate should attach complete specifications and literature to the bid. The Purchasing Division may waive minor deviations to specifications.
3. Unit prices shall prevail in case of discrepancy. All quotations are considered F.O.B. destination unless alternate shipping terms are clearly identified in the quotation.
4. All quotations must be delivered by the bidder to the office listed below prior to the date and time of the bid opening. Failure of the bidder to deliver the quotations on time will result in bid disqualifications: Department of Administration, Purchasing Division, 2019 Washington Street East, P.O. Box 50130, Charleston, WV 25305-0130
5. Communication during the solicitation, bid, evaluation or award periods, except through the Purchasing Division, is strictly prohibited (W.Va. C.S.R. §148-1-6.6).



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

# Request for Quotation

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GSD126464

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KRISTA FERRELL 304-558-2596

\*709002526 314-573-5174  
GRAYBAR ELECTRIC COMPANY INC  
1010 YOUNG ST  
CHARLESTON WV 25301

DEPARTMENT OF ADMINISTRATION  
GENERAL SERVICES DIVISION  
BUILDING SIX  
1900 KANAWHA BOULEVARD, EAST  
CHARLESTON, WV  
25305 304-558-2317

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05/03/2012				

BID OPENING DATE: 05/17/2012 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
STATE BUYER. VIOLATION MAY RESULT IN REJECTION OF THE BID. THE STATE BUYER LISTED ABOVE IS THE SOLE CONTACT FOR ANY AND ALL INQUIRIES AFTER THIS RFQ HAS BEEN RELEASED.						
EXHIBIT 10						
REQUISITION NO.: GSD126464						
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 .....						
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.						
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'



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CHARLESTON WV 25301

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GENERAL SERVICES DIVISION  
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05/03/2012				

BID OPENING DATE:

05/17/2012

BID OPENING TIME

01:30PM

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>..... George McPherson SIGNATURE ..... GRAYBAR ELECTRIC CO COMPANY ..... 5/16/12 DATE .....</p> <p>NOTE: THIS ADDENDUM ACKNOWLEDGEMENT SHOULD BE SUBMITTED WITH THE BID.</p> <p>REV. 09/21/2009</p> <p>BANKRUPTCY: IN THE EVENT THE VENDOR/CONTRACTOR FILES FOR BANKRUPTCY PROTECTION, THE STATE MAY DEEM THE CONTRACT NULL AND VOID, AND TERMINATE SUCH CONTRACT WITHOUT FURTHER ORDER.</p> <p>ANY INDIVIDUAL SIGNING THIS BID IS CERTIFYING THAT: (1) HE OR SHE IS AUTHORIZED BY THE BIDDER TO EXECUTE THE BID OR ANY DOCUMENTS RELATED THERETO ON BEHALF OF THE BIDDER, (2) THAT HE OR SHE IS AUTHORIZED TO BIND THE BIDDER IN A CONTRACTUAL RELATIONSHIP, AND (3) THAT THE BIDDER HAS PROPERLY REGISTERED WITH ANY STATE AGENCIES THAT MAY REQUIRE REGISTRATION.</p> <p>NOTICE</p> <p>A SIGNED BID MUST BE SUBMITTED TO:</p> <p>DEPARTMENT OF ADMINISTRATION PURCHASING DIVISION</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE

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State of West Virginia  
Department of Administration  
Purchasing Division  
2019 Washington Street East  
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05/03/2012						
BID OPENING DATE: 05/17/2012		BID OPENING TIME 01:30PM				
LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
	BUILDING 15 2019 WASHINGTON STREET, EAST CHARLESTON, WV 25305-0130					
THE BID SHOULD CONTAIN THIS INFORMATION ON THE FACE OF THE ENVELOPE OR THE BID MAY NOT BE CONSIDERED:						
SEALED BID						
BUYER:		KRISTA FERRELL-FILE 21				
RFQ. NO.:		GSD126457				
BID OPENING DATE:		05/17/2012				
BID OPENING TIME:		1:30 PM				
PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID:						
----- 304-344-4396 -----						
CONTACT PERSON (PLEASE PRINT CLEARLY):						
----- GEORGE MCPHAIL -----						
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'

**REQUEST FOR QUOTATIONS #GSD126464**  
**PURCHASE OF LIGHTING FIXTURES FOR BLDG#6, 8<sup>th</sup> FLOOR**  
**RENOVATION PROJECT**

Location: West Virginia Department of Administration  
General Services Division  
1900 Kanawha Boulevard East  
Building One, Room MB60  
Charleston, West Virginia 25305

For: State of West Virginia  
General Services Division  
1900 Kanawha Boulevard, East  
Building One, Room MB60  
Charleston, West Virginia 25305

All inquiries for specification clarification shall be addressed to:  
Krista Ferrell, Buyer Supervisor  
Purchasing Division  
P.O. Box 50130  
Charleston, West Virginia 25305-0130  
Fax: (304) 558-4115  
[krista.s.ferrell@wv.gov](mailto:krista.s.ferrell@wv.gov)

The Acquisition and Contract Administration Section of the Purchasing Division "State" for the West Virginia General Services Division, the "Agency" is soliciting quotations for the purchase of two (2) types of lighting fixtures which will be utilized by the Agency in self-performed renovations of the 8<sup>th</sup> Floor of Building Six on the State Capitol Complex.

Successful bidder will be given twenty-four (24) calendar days from the issuance of the Purchase Order to provide and deliver ALL commodities listed on the attached Bid Form. Bidders must include in their bid all costs for freight and delivery, including any additional costs they might incur to insure that ALL fixtures are delivered within this timeframe.

All fixtures must be delivered undamaged. Upon inspection by the Agency, should any items found to have any flaws or damage, the Successful Bidder shall be responsible for picking up and replacing these items at no additional cost.

**Technical Specifications**

The required fixtures are:

Qty: 50 Metalux #GC-254T5A-UNV-EBT1-U, 1' x 4' 2-tube T5 HO fixtures (or equal), and must:

- Be nominal 1' x 4' fixture;
- Be compatible with grid/lay-in standard suspended ceiling systems;
- Be specification deep troffer style fixture;
- Have housing composed of prime cold-rolled steel with full-length, die-formed stiffeners;
- Be 2 lamp fixture, for 48" 54-Watt, T5-style, HO-type wattage lamps;
- Have #12 acrylic pattern shielding;
- Have white baked enamel finish on framing;
- Be for universal (120-277) voltage;
- Have single (1) T5/T5HO electronic start ballast with less than 10% total harmonic distortion;
- 

And,

Qty: 150 Metalux #2GC-354T5A-UNV-EBT1-U, 2' x 4' T5 HO fixtures (or equal), and must:

- Be nominal 2' x 4' fixture;
- Be compatible with grid/lay-in standard suspended ceiling systems;
- Be specification deep troffer style fixture;
- Have housing composed of prime cold-rolled steel with full-length, die-formed stiffeners;
- Be 3 lamp fixture, for 48" 54-Watt, T5-style, HO-type wattage lamps;
- Have #12 acrylic pattern shielding;
- Have white baked enamel finish on framing;
- Be for universal (120-277) voltage;
- Have single (1) T5/T5HO electronic start ballast with less than 10% total harmonic distortion;

Brand and model specifications are given to establish the acceptable level of performance and quality only, and not to limit competition.

The project is not federally funded, so the federal Buy America requirement does not apply to this purchase.

#### **General Conditions**

- A. Vendor must provide any manufacturer's warranty, including documentation for said warranty, for any product provided for by this contract.
- B. Freight will be FOB-Destination; all charges for delivery of fixtures must be incorporated into the bid. All deliveries must be coordinated with Agency. The Successful Bidder must provide a minimum of 4-hours notice to the Agency prior

to delivery. Within two (2) business days of the award of the Contract, Successful Bidder must contact Agency Representative to propose delivery schedule. **All fixtures shall be delivered to the campus of the WV Rehabilitation Center on Barron Drive in Institute, WV (exact location on campus to be determined at time of delivery).** The Agency strongly prefers that deliveries be made in whole, with a minimum number of overall delivery trips.

- C. Successful Bidder must provide legible delivery tickets and insure that they are signed by an Agency Representative at the time of delivery. A list of eligible Agency Representatives, including contact information, will be provided to the Successful Bidder by the Agency.
- D. Award will be made to the lowest **Total Bid**. The Agency intends to award ONE contract for ALL fixtures listed.

**Documents:**

This Request for Quotations also incorporates the attached documents:

- 1. The WV Purchasing Division "Request for Quotation" and "General Terms and Conditions".
- 2. GSD126464 Attachment A: Bid Form

**Invoices**

Invoices shall be submitted to the Agency for payment (in arrears) and must include the following information:

- 1. Copies of all delivery tickets signed and dated by the Agency Representative (prior to their submittal with invoices for payment).
- 2. FEIN number, complete address of vendor, Agency release order number, and master contract number.

Successful Bidder should minimize the number of invoices generated as a result of this contract, consolidating as many fixtures as possible on each invoice. The Agency strongly prefers one (1) single invoice for all fixtures listed on the Bid Form.

Invoices shall be mailed to the following address:

Department of Administration  
General Services Division  
State Capitol Complex  
Building 1, Room MB-68  
1900 Kanawha Blvd. E.  
Charleston, West Virginia 25305



Should the Vendor be requested by the Agency or volunteer to submit invoices electronically, invoices must meet the digital requirements of the WV State Auditor's Office.

<u>Line</u>		<u>Item #</u>		<u>Item Description</u>		<u>Quantity</u>	<u>UOP</u>	<u>Unit Price</u>		<u>Total for Line Item</u>	
1)				MOBERN# RG14 254 MV							
				Metalux #GC-254T5A-UNV-EBT1-U (or equal)		50	ea	x	\$ 55.25	=	\$ 2,612.50
2)				MOBERN# RG24 354 MV							
				Metalux #2GC-354T5A-UNV-EBT1-U (or equal)		150	ea	x	\$ 61.25	=	\$ 9,187.50

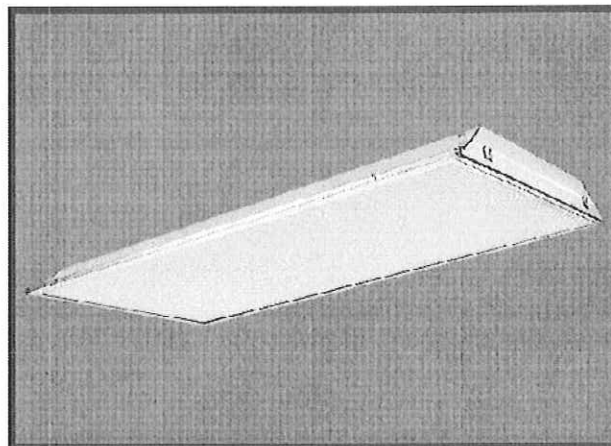
TOTAL BID (for all items listed above) = \$ 11,800.00

#### APPLICATIONS

Premium quality low profile troffer with an almost limitless range of applications. Ideal for all commercial and industrial buildings requiring general illumination with recessed configurations.

#### FEATURES & BENEFITS

- ♦ Available in multiple lamp configurations
- ♦ Shallow design specifically for T5 or T8 lamps
- ♦ Ends are secured by snap-in interlocking system
- ♦ Clear .100 acrylic prismatic lens is standard
- ♦ Exclusive "Light Lock" frame reduces light leaks
- ♦ Flush steel door with rotary action cam latches or hinges from either side for easy re-lamping
- ♦ Easy access plate for quick wiring
- ♦ Available in multiple lamp configurations
- ♦ Pre-lamp available
- ♦ Equipped with Integral Earthquake Clips
- ♦ Every fixture is individually tested with lamps installed
- ♦ **UL** listed for damp location



#### SPECIFICATIONS

Housing is die-formed and embossed from 20 gauge cold rolled steel. Wiring access plate and knockouts are provided on back of housing allowing for flexible greenfield attachment. Ballast cover snaps easily into place eliminating the need for tools when accessing the ballast. Prismatic lens is held within a hinged steel frame door. The heavy gauge door frame hinges downward on either side and is held in the closed position by two positive cam latches. Knockouts are provided on ends for continuous wiring. Listed by and bears **UL** label.

#### ORDERING DATA

**EXAMPLE: RG 24 1 4 32 ELO DT B1 S.5**

Series	Size	Lens Type	# of Lamps	Lamp Size	Ballast Type	Voltage	Options*	Louvers
RG	12 1 X 2	A Dropdish	1 1 Lamp	14 T5 22"	BX BIAx (2x2 only)	Blank 120 Volt	B1 Battery backup 1 lamp	Blank .5 X .5 White eggcrate
	14 1 X 4	1 Prismatic	2 2 Lamp	17 T8 24"	EL5HO Electronic T5HO	277 277 Volt	B2 Battery backup 2 lamp	S.5 .5 X .5 Silver parabolic
	22 2 X 2	2 Louver	3 3 Lamp	24 T5HO 22"	EL5 Electronic T5	DT Multivolt	+ 2 Ballasts	S.75 .75 X .75 Silver parabolic
	24 2 X 4		4 4 Lamp	28 T5 46"	ELO Electronic T8		G Gasketing	S1.5 1.5 X 1.5 Silver parabolic
			6 6 Lamp	32 T8 48"	D Dimming		GR Greenfield 3 wire	A78 Aluminum silver 78 cell parabolic louver
				64 T5HO 46"	Add suffix (i.e. EL5HOD)		GR1 Greenfield 4 wire	
				U32X 6" U-bent T8 (2x2 only)			L1 Lamp included (T5/T8-4100K)	
				U32Y 1 5/8" U-bent T8 (2x2 only)			L2 Lamp included (T5/T8-3500K)	
							RIF Radio interference filter	
							.125A .125 Thick prismatic lens	
							.156A .156 Thick prismatic lens	
							XS Silver MIRO 4 reflector	
							RK Master/Slave Kit	
							Tandem cable 7', 9', 11'	
							WR White Regress	

\*Call for additional options

**CEE**   
T8 Energy Saving Compliant

**MOBERN**  
L I G H T I N G

♦ 800-444-WATT ♦ [mobern.com](http://mobern.com) ♦

© 2008-11 Mobern Lighting Company

CAT#

JOB NAME

TYPE

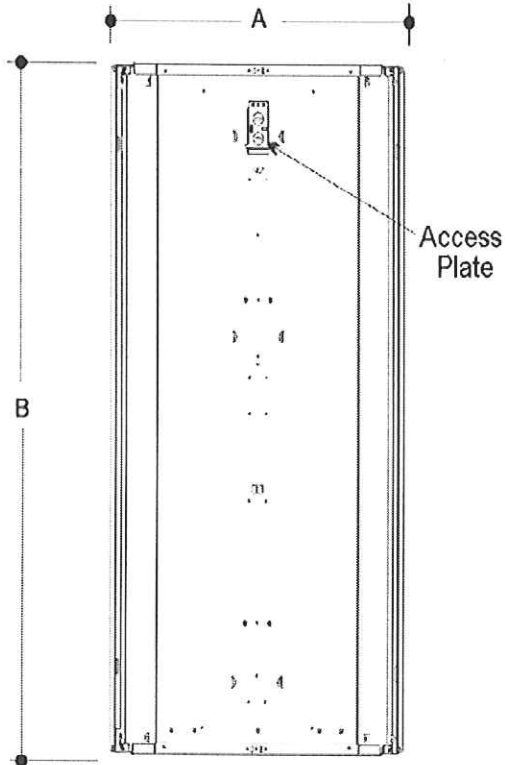
# MOBERN

L I G H T I N G

## SERIES RG Recessed Grid Troffer

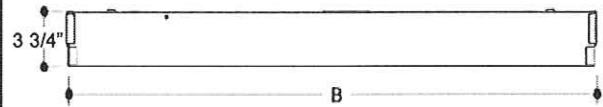
### DIMENSIONS

#### TOP VIEWS

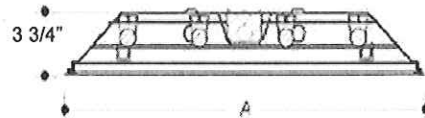


MODEL CONFIGURATION	A	B
1' x 2'	12"	23 3/4"
1' x 4'	12"	47 7/8"
2' x 2'	23 3/4"	23 3/4"
2' x 4'	23 3/4"	47 3/4"

#### SIDE VIEW



#### END VIEW



# MOBERN

L I G H T I N G

♦ 800-444-WATT ♦ mobern.com ♦

© 2008-11 Mobern Lighting Company

CAT#

JOB NAME

TYPE

1b

# Graybar

## CORPORATE OFFICE

34 NORTH MERAMEC AVENUE

P.O. BOX 7231

ST. LOUIS, MISSOURI 60177

MATTHEW W. GEEKIE

SENIOR VICE PRESIDENT

SECRETARY AND GENERAL COUNSEL

TEL: (314) 573-9278

FAX: (314) 573-9445

EMAIL: MATTHEW.GEEKIE@GRAYBAR.COM

## SECRETARY'S CERTIFICATE

I, M. W. Geekie, hereby certify that I am Secretary of Graybar Electric Company, Inc., a New York corporation (the "Corporation"), with its principal office at Clayton, Missouri; that as such I am custodian of the records and official seal of said Corporation, and that the following is a true and correct copy of a resolution duly adopted by the Board of Directors of said Corporation at a meeting held in Chicago, Illinois on September 8, 2011:

Upon motion duly made and seconded, Authority to Execute Customer Proposals, Bids and Sales Contracts, and Bonds Pertaining Thereto, was amended and unanimously adopted as follows:

The Branch Manager, Manager Specialty Business, and Manager, Customer Service is hereby authorized to sign and/or execute in the name and on behalf of the Corporation:

- 1) Contracts with Customers for a single transaction or project, including applicable performance bonds, arising from invitation, bid, and acceptance forms, which bind the Corporation to the Customer's terms and conditions where the amount does not exceed \$500,000.
- 2) Other Proposals and Bids to Customers for a single transaction or project which bind the Customer to the Corporation's terms and conditions where the amount does not exceed \$1,000,000.

I further certify that the foregoing meeting was convened and the proceedings held in accordance with the law and the charter and By-laws of said Corporation and said resolution has not been revoked, annulled, or amended.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Corporation the 11th day of January, 2011.



Secretary of

GRAYBAR ELECTRIC COMPANY, INC.



BID BOND

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, Graybar Electric Company, Inc.  
of Charleston, West Virginia, as Principal, and Fidelity and Deposit Company of  
Maryland of Schaumburg, Illinois, a corporation organized and existing under the laws of the State of  
Maryland with its principal office in the City of Schaumburg, IL, as Surety, are held and firmly bound unto the State  
of West Virginia, as Oblige, in the penal sum of Five Percent (5%) of Bid (\$ 5%) for the payment of which,  
well and truly to be made, we jointly and severally bind ourselves, our heirs, administrators, executors, successors and assigns.

The Condition of the above obligation is such that whereas the Principal has submitted to the Purchasing Section of the  
Department of Administration a certain bid or proposal, attached hereto and made a part hereof, to enter into a contract in writing for  
Supply Assorted Light Fixtures for Bldg 6 Renovation

NOW THEREFORE,

(a) If said bid shall be rejected, or  
(b) If said bid shall be accepted and the Principal shall enter into a contract in accordance with the bid or proposal attached  
hereto and shall furnish any other bonds and insurance required by the bid or proposal, and shall in all other respects perform the  
agreement created by the acceptance of said bid, then this obligation shall be null and void, otherwise this obligation shall remain in full  
force and effect. It is expressly understood and agreed that the liability of the Surety for any and all claims hereunder shall, in no event,  
exceed the penal amount of this obligation as herein stated.

The Surety, for the value received, hereby stipulates and agrees that the obligations of said Surety and its bond shall be in no  
way impaired or affected by any extension of the time within which the Oblige may accept such bid, and said Surety does hereby  
waive notice of any such extension.

IN WITNESS WHEREOF, Principal and Surety have hereunto set their hands and seals, and such of them as are corporations  
have caused their corporate seals to be affixed hereunto and these presents to be signed by their proper officers, this  
17th day of May, 20 12.

Principal Corporate Seal

Graybar Electric Company, Inc.

(Name of Principal)

By

Brenda Vanover

(Must be President or  
Vice President)

BRANCH MANAGER

(Title)

Surety Corporate Seal

Fidelity and Deposit Company of Maryland

(Name of Surety)

Teresa M. Sheppard  
Teresa M. Sheppard, Attorney-in-Fact

IMPORTANT - Surety executing bonds must be licensed in West Virginia to transact surety insurance. Raised corporate seals  
must be affixed, a power of attorney must be attached.

**Power of Attorney  
FIDELITY AND DEPOSIT COMPANY OF MARYLAND**

KNOW ALL MEN BY THESE PRESENTS: That the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, a corporation of the State of Maryland, by FRANK E. MARTIN JR., Vice President, and ERIC D. BARNES, Assistant Secretary, in pursuance of authority granted by Article VI, Section 2, of the By-Laws of said Company, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, does hereby nominate, constitute and appoint **Teresa M. SHEPPARD and William J. LAMMEL, both of Memphis, Tennessee, EACH** its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: **any and all bonds and undertakings, and the execution of such bonds or undertakings** in pursuance of these presents, shall be as binding upon said Company, as fully and amply to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the Company at its office in Baltimore, Md., in their own proper persons.

The said Assistant Secretary does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article VI, Section 2, of the By-Laws of said Company, and is now in force.

IN WITNESS WHEREOF, the said Vice-President and Assistant Secretary have hereunto subscribed their names and affixed the Corporate Seal of the said FIDELITY AND DEPOSIT COMPANY OF MARYLAND, this 19th day of December, A.D. 2011.

ATTEST:

**FIDELITY AND DEPOSIT COMPANY OF MARYLAND**



*Eric D. Barnes*

*Eric D. Barnes*

*Assistant Secretary*

*Frank E. Martin Jr.*

By:

*Frank E. Martin Jr.*

*Vice President*

State of Maryland }  
City of Baltimore } ss:

On this 19th day of December, A.D. 2011, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, came FRANK E. MARTIN JR., Vice President, and ERIC D. BARNES, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and they each acknowledged the execution of the same, and being by me duly sworn, severally and each for himself depose and saith, that they are the said officers of the Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and that the said Corporate Seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above written.



*Maria D. Adamski*

*Maria D. Adamski*

*Notary Public*

My Commission Expires: July 8, 2015

## EXTRACT FROM BY-LAWS OF FIDELITY AND DEPOSIT COMPANY OF MARYLAND

"Article VI, Section 2. The Chairman of the Board, or the President, or any Executive Vice-President, or any of the Senior Vice-Presidents or Vice-Presidents specially authorized so to do by the Board of Directors or by the Executive Committee, shall have power, by and with the concurrence of the Secretary or any one of the Assistant Secretaries, to appoint Resident Vice-Presidents, Assistant Vice-Presidents and Attorneys-in-Fact as the business of the Company may require, or to authorize any person or persons to execute on behalf of the Company any bonds, undertaking, recognizances, stipulations, policies, contracts, agreements, deeds, and releases and assignments of judgements, decrees, mortgages and instruments in the nature of mortgages,...and to affix the seal of the Company thereto."

### CERTIFICATE

I, the undersigned, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the foregoing Power of Attorney is still in full force and effect on the date of this certificate; and I do further certify that the Vice-President who executed the said Power of Attorney was one of the additional Vice-Presidents specially authorized by the Board of Directors to appoint any Attorney-in-Fact as provided in Article VI, Section 2, of the By-Laws of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND.

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 10th day of May, 1990.

RESOLVED: "That the facsimile or mechanically reproduced seal of the company and facsimile or mechanically reproduced signature of any Vice-President, Secretary, or Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed."

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the said Company,

this \_\_\_\_\_ day of MAY 17 2012, \_\_\_\_\_.



*Assistant Secretary*



**State of West Virginia**  
**DRUG FREE WORKPLACE CONFORMANCE AFFIDAVIT**  
**West Virginia Code §21-1D-5**

STATE OF West Virginia

COUNTY OF Kanawha, TO-WIT:

I, BRENDA VANOVER, after being first duly sworn, depose and state as follows:

1. I am an employee of GRAYBAR Electric Co.; and,  
 (Company Name)
2. I do hereby attest that GRAYBAR Electric Co.  
 (Company Name)

maintains a valid written drug free workplace policy and that such policy is in compliance with **West Virginia Code §21-1D-5**.

The above statements are sworn to under the penalty of perjury.

GRAYBAR Electric Co  
 (Company Name)

By: Brenda Vanover

Title: BRANCH Manager

Date: 5/16/12

Taken, subscribed and sworn to before me this 16<sup>th</sup> day of May 2012.

By Commission expires Feb 1, 2021



OFFICIAL SEAL  
 STATE OF WEST VIRGINIA  
 NOTARY PUBLIC  
 James L. Hundley  
 Graybar Electric  
 1010 Young Street  
 Charleston, WV 25301  
 My Commission Expires Feb 01, 2021

James L. Hundley  
 (Notary Public)

**THIS AFFIDAVIT MUST BE SUBMITTED WITH THE BID IN ORDER TO COMPLY WITH WV CODE PROVISIONS. FAILURE TO INCLUDE THE AFFIDAVIT WITH THE BID SHALL RESULT IN DISQUALIFICATION OF THE BID.**

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: Graybar Electric

Authorized Signature: Brenda Vanover Date: 5/16/12

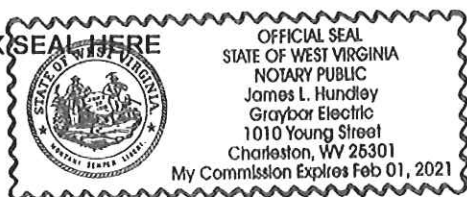
State of West Virginia

County of Kanawha, to-wit:

Taken, subscribed, and sworn to before me this 16<sup>th</sup> day of May, 2012.

My Commission expires Feb 1, 2021.

AFFIX SEAL HERE



NOTARY PUBLIC

James L. Hundley