



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

Solicitation

NUMBER
LOT507

PAGE
1

ADDRESS CORRESPONDENCE TO ATTENTION OF
CONNIE OSWALD 304-558-2157

VENDOR

RFQ COPY
 TYPE NAME/ADDRESS HERE
 Eco-Battery, Inc.
 510 McCormick Dr.
 Ste P-Q
 Glen Burnie, MD 21061

SHIP TO

LOTTERY COMMISSION
 VARIOUS LOCALES AS INDICATED
 BY ORDER

DATE PRINTED
04/22/2013

BID OPENING DATE: 05/21/2013 BID OPENING TIME: 1:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	JB		287-12		
THE STATE OF WEST VIRGINIA AND ITS AGENCY THE WEST VIRGINIA LOTTERY REQUEST A QUOTE TO PROVIDE 120 ENERSYS HX400 UPS BATTERIES OR EQUAL AND LABOR TO INSTALL AND REMOVE THE EXISTING BATTERIES LOCATED AT THE WV LOTTERY HOT BACKUP SITE AT 9337 MIDDLETOWN MALL, WHITE HALL, WV PER THE ATTACHED SPECIFICATIONS AND INSTRUCTIONS TO BIDDERS. BID OPENING: MAY 21, 2013 AT 1:30 PM 120 ENERSYS HX400 UPS BATTERIES OR EQUAL & LABOR TO INSTALL AT THE WV LOTTERY HOT BACKUP SITE LOCATED AT 9337 MIDDLETOWN MALL, WHITE HALL, WV PER THE ATTACHED SPECIFICATIONS AND INSTRUCTIONS TO BIDDERS.						
***** THIS IS THE END OF RFQ LOT507 ***** TOTAL:						27,123.00

05/21/13 09:48:26 AM
 West Virginia Purchasing Division


SIGNATURE <i>Camellia Hair</i>	TELEPHONE 410-768-0844	DATE 05/20/2013
TITLE Vice President	FEIN 52-1985929	ADDRESS CHANGES TO BE NOTED ABOVE

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

REQUEST FOR QUOTATION
RFQ Number LOT507 ENERSYS HX400 UPS BATTERIES

7. PRICING PAGE

A. 120 each, ENERSYS HX400 UPS BATTERIES or equal.	\$ 23,358.00
B. FREIGHT	\$ 165.00
C. LABOR TO INSTALL, REMOVE & DISPOSE OF OLD BATTERIES - ALL INCLUSIVE	\$ 3,600.00
TOTAL OF A + B + C =	\$ 27,123.00

VENDOR NAME	Eco-Battery, Inc.
ADDRESS	510 McCormick Dr. Ste P & Q
CITY / STATE / ZIP CODE	Glen Burnie, MD 21061
CONTACT PERSON	Camellia Lane
TELEPHONE	410-768-0844
CELL PHONE	443-745-0124
EMAIL	clane2.1@netzero.com
SIGNATURE	

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.
7. Application is made for preference as a non-resident small, women- and minority-owned business, in accordance with West Virginia Code §5A-3-59 and West Virginia Code of State Rules.
[X] Bidder has been or expects to be approved prior to contract award by the Purchasing Division as a certified small, women- and minority-owned business.

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: Eco-Battery, INC

Signed: Camellia Rose

Date: 05/20/2013

Title: Vice President



Maryland Department of Transportation
The Secretary's Office

Martin O'Malley
Governor

Anthony G. Brown
Lt. Governor

Darrell B. Mobley
Acting Secretary

Leif A. Dormsjo
Acting Deputy Secretary

OCTOBER 31, 2012

CAMELLA LANE
ECO-BATTERY, INC.
510 MCCORMICK DRIVE, SUITE P-Q
GLEN BURNIE, MD 21061

Certification No. 97-448

Dear CAMELLA LANE:

We are pleased to inform you that your company has been found eligible to continue its certification as a Minority Business Enterprise (MBE), Disadvantaged Business Enterprise (DBE), and/or Airport Concessions Disadvantaged Business Enterprise (ACDBE) effective October 31, 2012.

Your firm remains certified for the services for which you have been approved and officially notified in writing. Your current certification status can be found in the Maryland Department of Transportation's (MDOT) Directory of Certified MBE/DBE/ACDBE Firms available online at <http://mbe.mdot.state.md.us/directory>. MDOT's online directory is the official record of your firm's certification status. It is important that you carefully review the accuracy of your listing in the Directory. If you have any questions about your firm's certification status, contact MDOT's Office of Minority Business Enterprise (OMBE) immediately at 410-865-1269 or 1-800-544-6056.

If you wish to expand the area(s) of work for which your firm is currently certified, you may request an **Expansion of Services**. The application for expansion of services can be found at <http://www.mdot.maryland.gov/Office%20of%20Minority%20Business%20Enterprise/ExpansionCover.html> Please submit your application request to:

Maryland Department of Transportation
Office of Minority Business Enterprise
7201 Corporate Center Drive
Hanover, MD 21076
410-865-1309 (fax) or mbe@mdot.state.md.us

Your firm must be recertified annually in order to maintain its certification. We will contact you when it is time to begin the next recertification process.

Sincerely,

Richelle L. Thomas, Director
Office of Minority Business Enterprises

My telephone number is _____
Toll Free Number 1-888-713-1414 TTY Users Call Via MD Relay
7201 Corporate Center Drive, Hanover, Maryland 21076

RFQ No. LOT507

STATE OF WEST VIRGINIA
Purchasing Division

PURCHASING AFFIDAVIT

MANDATE: Under W. Va. Code §5A-3-10a, 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: (1) the debt owed is an amount greater than one thousand dollars in the aggregate; or (2) the debtor is in employer default.

EXCEPTION: The prohibition listed above does not apply where a vendor has contested any tax administered pursuant to chapter eleven of the W. Va. 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.

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.

"Employer default" means having an outstanding balance or liability to the old fund or to the uninsured employers' fund or being in policy default, as defined in W. Va. Code § 23-2c-2, failure to maintain mandatory workers' compensation coverage, or failure to fully meet its obligations as a workers' compensation self-insured employer. An employer is not in employer default if it has entered into a repayment agreement with the Insurance Commissioner and remains in compliance with the obligations under the repayment agreement.

"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 exceed five percent of the total contract amount.

AFFIRMATION: By signing this form, the vendor's authorized signer affirms and acknowledges under penalty of law for false swearing (W. Va. Code §61-5-3) that neither vendor nor any related party owe a debt as defined above and that neither vendor nor any related party are in employer default as defined above, unless the debt or employer default is permitted under the exception above.

WITNESS THE FOLLOWING SIGNATURE:

Vendor's Name: Eco-Battery, Inc.

Authorized Signature: *Camellia Rair* Date: 05/20/2013

State of Maryland

County of Anne Arundel, to-wit:

Taken, subscribed, and sworn to before me this 30 day of May, 2013.

My Commission expires 12/16/2013, 2013

AFFIX SEAL HERE

NOTARY PUBLIC

Cheryl

CERTIFICATION AND SIGNATURE PAGE

By signing below, I certify that I have reviewed this Solicitation in its entirety; understand the requirements, terms and conditions, and other information contained herein; that I am submitting this bid or proposal for review and consideration; that I am authorized by the bidder to execute this bid or any documents related thereto on bidder's behalf; that I am authorized to bind the bidder in a contractual relationship; and that to the best of my knowledge, the bidder has properly registered with any State agency that may require registration.

Eco-Battery, Inc.

(Company)

Camellia Ranz

(Authorized Signature)

Camellia Lane, Vice President

(Representative Name, Title)

410-768-0844

410-768-8560

(Phone Number)

(Fax Number)

05/20/2013

(Date)

ADDENDUM ACKNOWLEDGEMENT FORM
SOLICITATION NO.: LOT507

Instructions: Please acknowledge receipt of all addenda issued with this solicitation by completing this addendum acknowledgment form. Check the box next to each addendum received and sign below. Failure to acknowledge addenda may result in bid disqualification.

Acknowledgment: I hereby acknowledge receipt of the following addenda and have made the necessary revisions to my proposal, plans and/or specification, etc.

Addendum Numbers Received:
(Check the box next to each addendum received)

- | | |
|-----------------------------------------|------------------------------------------|
| <input type="checkbox"/> Addendum No. 1 | <input type="checkbox"/> Addendum No. 6 |
| <input type="checkbox"/> Addendum No. 2 | <input type="checkbox"/> Addendum No. 7 |
| <input type="checkbox"/> Addendum No. 3 | <input type="checkbox"/> Addendum No. 8 |
| <input type="checkbox"/> Addendum No. 4 | <input type="checkbox"/> Addendum No. 9 |
| <input type="checkbox"/> Addendum No. 5 | <input type="checkbox"/> Addendum No. 10 |

I understand that failure to confirm the receipt of addenda may be cause for rejection of this bid. I further 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.

Eco-Battery, Inc.

 Company


 Authorized Signature

05/20/2013

 Date

NOTE: This addendum acknowledgement should be submitted with the bid to expedite document processing.