



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

**Solicitation**

|          |
|----------|
| NUMBER   |
| SMC21082 |

|      |
|------|
| PAGE |
| 1    |

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|--|
| ADDRESS CORRESPONDENCE TO ATTENTION OF |
| TARA LYLE<br>304-558-2544              |

VENDOR

\*303133222      304-455-5174  
 SOLID WASTE SERVICES OF WV INC  
 PO BOX 457  
 NEW MARTINSVILLE WV 26155

SHIP TO

DIVISION OF CORRECTIONS  
 ST. MARYS CORRECTIONAL CENTER  
 (COLIN ANDERSON CENTER)  
 STATE ROUTE 2  
 ST. MARYS, WV  
 26170      304-558-2036

|              |
|--------------|
| DATE PRINTED |
| 02/15/2013   |

BID OPENING DATE: 03/07/2013      BID OPENING TIME: 1:30PM

| LINE  | QUANTITY     | UOP      | CAT NO. | ITEM NUMBER | UNIT PRICE | AMOUNT   |
|---|--------------|----------|---------|-------------|------------|----------|
| OPEN-END CONTRACT   |              |          |         |             |            |          |
| THE WEST VIRGINIA PURCHASING DIVISION FOR THE AGENCY, WV DIVISION OF CORRECTIONS, IS SOLICITING BID TO PROVIDE TRASH AND REFUSE PICK-UP AND DISPOSAL AT THE ST. MARYS CORRECTIONAL CENTER LOCATED IN PLEASANTS COUNTY, PER THE ATTACHED SPECIFICATIONS. |              |          |         |             |            |          |
| ATTACHMENT INCLUDE:   |              |          |         |             |            |          |
| 1. INSTRUCTIONS TO VENDORS SUBMITTING BIDS  |              |          |         |             |            |          |
| 2. GENERAL TERMS AND CONDITIONS   |              |          |         |             |            |          |
| 3. SMC21082 SPECIFICATIONS  |              |          |         |             |            |          |
| 4. CERTIFICATION AND SIGNATURE PAGE   |              |          |         |             |            |          |
| 5. PURCHASING AFFIDAVIT   |              |          |         |             |            |          |
| 6. RESIDENT VENDOR PREFERENCE (RVP) FORM  |              |          |         |             |            |          |
| 0001  | 3            | EA       |         | 910-27      | \$38.00    | \$114.00 |
|   | 6-CUBIC YARD | DUMPSTER |         |             |            |          |
| 0002  | 3            | EA       |         | 910-27      | \$50.00    | \$150.00 |
|   | 8 CUBIC YARD | DUMPSTER |         |             |            |          |

03/05/13 09:45:28 AM  
 West Virginia Purchasing Division

|           |                   |           |                |                                   |               |
|-----------|-------------------|-----------|----------------|-----------------------------------|---------------|
| SIGNATURE | <i>Roger Nash</i> | TELEPHONE | (304) 455-5174 | DATE                              | MARCH 4, 2013 |
| TITLE     | General Manager   | FEIN      | 54-1425012     | ADDRESS CHANGES TO BE NOTED ABOVE |               |

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



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 Department of Administration  
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 SMC21082

PAGE  
 2

ADDRESS CORRESPONDENCE TO ATTENTION OF:  
 TARA LYLE  
 304-558-2544

VENDOR

\*303133222 304-455-5174  
 SOLID WASTE SERVICES OF WV INC  
 PO BOX 457  
 NEW MARTINSVILLE WV 26155

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| LINE | QUANTITY               | UOP                   | CAT NO. | ITEM NUMBER | UNIT PRICE              | AMOUNT      |
|------|------------------------|-----------------------|---------|-------------|-------------------------|-------------|
| 0003 | 1                      | EA                    |         | 910-27      | \$25.00                 | \$25.00     |
|      | 4 CUBIC YARD           | DUMPSTER              |         |             | Delivery \$100.00       | \$100.00    |
|      |                        |                       |         |             | Transportation \$200.00 | \$200.00    |
| 0004 | 1                      | EA                    |         | 910-27      |                         |             |
|      | 40 CUBIC YARD          | ROLL-OFF              |         |             |                         |             |
| 0005 | 104                    | EA                    |         | 910-27      | \$38.00                 | \$11,856.00 |
|      | COMPACTING AND REMOVAL | 6 CUBIC YARD DUMPSTER |         |             |                         |             |
| 0006 | 104                    | EA                    |         | 910-27      | \$50.00                 | \$15,600.00 |
|      | COMPACTING AND REMOVAL | 8 CUBIC YARD DUMPSTER |         |             |                         |             |
| 0007 | 52                     | EA                    |         | 910-27      | \$25.00                 | \$1,300.00  |
|      | REMOVAL OF TRASH       | 4 CUBIC YARD DUMPSTER |         |             |                         |             |

SIGNATURE *Roya Nash* TELEPHONE (304) 455-5174 DATE MARCH 4, 2013  
 TITLE General Manager FEIN 54-1425012 ADDRESS CHANGES TO BE NOTED ABOVE

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



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| PAGE |
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| ADDRESS CORRESPONDENCE TO ATTENTION OF |
| TARA LYLE<br>304-558-2544              |

|                                    |
|------------------------------------|
| VENDOR                             |
| RFQ COPY<br>TYPE NAME/ADDRESS HERE |

|  |
|--|
| SHIP TO  |
| DIVISION OF CORRECTIONS<br>ST. MARYS CORRECTIONAL CENTER<br>(COLIN ANDERSON CENTER)<br>STATE ROUTE 2<br>ST. MARYS, WV<br>26170<br>304-558-2036 |

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| LINE   | QUANTITY                  | UOP | CAT. NO | ITEM NUMBER | UNIT PRICE | AMOUNT      |
|--|---------------------------|-----|---------|-------------|------------|-------------|
| 0008   | 30                        | EA  |         | 988-46      | \$29.25    | \$877.50    |
|  | LANDFILL FEE PER TON      |     |         |             |            |             |
| 0009   | 1                         | EA  |         | 910-27      |            |             |
|  | REMOVAL OF LANDFILL ITEMS |     |         |             |            |             |
| ***** THIS IS THE END OF RFQ SMC21082 ***** TOTAL: |                           |     |         |             |            | \$30,222.50 |

|           |                  |           |                |                                   |               |
|-----------|------------------|-----------|----------------|-----------------------------------|---------------|
| SIGNATURE | <i>Roga Nosh</i> | TELEPHONE | (304) 455-5174 | DATE                              | MARCH 4, 2013 |
| TITLE     | General Manager  | FEIN      | 54-1425012     | ADDRESS CHANGES TO BE NOTED ABOVE |               |

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

**SPECIFICATIONS**

1. **PURPOSE AND SCOPE:** The West Virginia Purchasing Division is soliciting bids on behalf of St. Marys Correctional Center to establish an open-end contract for trash/refuse service.
2. **DEFINITIONS:** The terms listed below shall have the meanings assigned to them below. Additional definitions can be found in section 2 of the General Terms and Conditions.
  - 2.1 **“Contract Services”** means to provide the proper equipment and service for the removal of trash and refuse at St. Marys Correctional Center.
  - 2.2 **“Pricing Page”** means the pages upon which Vendor should list its proposed price for Contract Services. The Pricing Page is either included on the last page of this RFQ or attached hereto as Exhibit A.
  - 2.3 **“RFQ”** means the official request for quotation published by the Purchasing Division and identified as SMC21082.
3. **QUALIFICATIONS:**
  - 3.1 The vendor shall be responsible for the collection, transportation, and disposal of trash/refuse in accordance with all local, state, and federal laws, ordinances, rules and regulations.
  - 3.2 Vendor must furnish proof and maintain coverage of commercial general liability insurance prior to the issuance of the contract. Unless otherwise specified in the bid document, the minimum amount of insurance coverage required is \$250,000.
  - 3.3 Vendor must provide proof of workers compensation coverage prior to issuance of contract.
  - 3.4 Vendor must provide proof of Public Service Commission approval prior to issuance of contract.
4. **MANDATORY REQUIREMENTS:**
  - 4.1 **Mandatory Contract Services Requirements and Deliverables:** Contract Services must meet or exceed the mandatory requirements as shown below.

**4.1.1 Provide equipment and services for trash/refuse removal**

- 4.1.1.1** Vendor must provide three (3) each 6-cubic yard dumpsters that must be serviced twice weekly on an agreed upon schedule between the facility and the vendor. Trash/refuse must be compacted before leaving the facility.
- 4.1.1.2** Vendor must provide three (3) each 8-cubic yard dumpsters that must be serviced twice weekly on an agreed upon schedule between the facility and vendor. Trash/refuse must be compacted prior to leaving the facility.
- 4.1.1.3** Vendor must provide one (1) each 4-cubic yard dumpster located at the Waste Water Treatment Plant that must be serviced on a monthly or on an agreed upon schedule between the facility and vendor. No compacting of trash/refuse is required for this dumpster.
- 4.1.1.4** When required and requested by Agency, Vendor must provide one (1) each 40-cubic yard roll-off that will be left on premises until Agency approves removal of land fill items. Agency and Vendor shall coordinate pick-ups and removal of said roll off.
- 4.1.1.5** The vendor shall maintain all containers in proper working order.
- 4.1.1.6** Containers must be placed on flat, level ground.

**5. CONTRACT AWARD:**

- 5.1 Contract Award:** The Contract is intended to provide Agencies with a purchase price on all Contract Items. The Contract shall be awarded to the Vendor that provides the Contract Items meeting the required specifications for the lowest overall total cost as shown on the Pricing Pages.
- 5.2 Pricing Pages:** Vendor shall complete the Pricing Pages for services under this contract by multiplying the unit cost by the estimated quantity. Vendor should complete the Pricing Page in full as failure to complete the Pricing Page in its entirety may result in Vendor's bid being disqualified.

Notwithstanding the foregoing, the Purchasing Division may correct errors as it deems appropriate. Vendor should type or electronically enter the information into the Pricing Page to prevent errors in the evaluation.

6. **PERFORMANCE:** Vendor and Agency shall agree upon a schedule for performance of Contract Services and Contract Services Deliverables, unless such a schedule is already included herein by Agency. In the event that this Contract is designated as an open-end contract, Vendor shall perform in accordance with the release orders that may be issued against this contract.
7. **PAYMENT:** Agency shall pay for all Contract Services performed and accepted under this Contract. Vendor shall accept payment in accordance with the payment procedures of the State of West Virginia.
8. **TRAVEL:** Vendor shall be responsible for all mileage and travel costs, including travel time, associated with performance of this Contract.
9. **FACILITY ACCESS:**
  - 9.1 The Vendor's personnel and their vehicles must be recognizable while at the facility. This must be accomplished by wearing distinctive clothing bearing the name of the company or by wearing appropriate badges with the company name.
  - 9.2 The Vendor's personnel must have valid photo identification before entering the facility.
  - 9.3 The Vendor's vehicles and personnel are subject to search upon entering and exiting the facility.
  - 9.4 Drivers must have completed a background check and the results provided to the facility to ensure each driver meets the security requirements to enter a correctional facility.

**10. VENDOR DEFAULT:**

**10.1** The following shall be considered a vendor default under this Contract.

**10.1.1** Failure to perform Contract Services in accordance with the requirements contained herein.

**10.1.2** Failure to comply with other specifications and requirements contained herein.

**10.1.3** Failure to comply with laws, rules, and ordinances applicable to the Contract Services provided under this contract.

**10.1.4** Failure to remedy deficient performance upon request.

**10.2** The following remedies shall be available to Agency upon default.

**10.2.1** Cancellation of the Contract.

**10.2.2** Cancellation of one or more release orders issued under this Contract.

**10.2.3** Any other remedies available in law or equity.

**11. MISCELLANEOUS:**

**11.1 Contract Manager:** During its performance of this Contract, Vendor must designate and maintain a primary contract manager responsible for overseeing Vendor's responsibilities under this Contract. The Contract manager must be available during normal business hours to address any customer service or other issues related to this Contract. Vendor should list its Contract manager and his or her contact information below.

**Contract Manager:** Roger Nash  
**Telephone Number:** (304) 455-5174  
**Fax Number:** (304) 455-2637  
**Email Address:** roger.nash@jpmascaro.com

SMC21082 - Garbage/Refuse Service and Removal for St. Marys Correctional Center

Pricing Page

| Item no. | Description                     | Actual Quantity*            | Unit Price<br>Monthly Rental Fee | Extended Price |
|----------|---------------------------------|-----------------------------|----------------------------------|----------------|
| 4.1.1.1  | 6-cubic yard dumpsters          | 3 ea                        | \$ 38.00                         | \$114.00       |
| 4.1.1.2  | 8-cubic yard dumpsters          | 3 ea                        | \$ 50.00                         | \$150.00       |
| 4.1.1.3  | 4-cubic yard dumpsters          | 1 ea                        | \$ 25.00                         | \$25.00        |
| Item no. | Description                     | Actual Quantity*            | Unit Price<br>Daily Rental Fee   | Extended Price |
| 4.1.1.4  | 40-cubic yard roll-off          | 1 ea                        | \$ 7.15                          | \$7.15         |
| Item no. | Description                     | Estimated Annual Quantity** | Unit Price<br>Per Pick Up        | Extended Price |
| 4.1.1.1  | Compacting and Removal of Trash | 104 ea                      | \$ 38.00                         | \$ 11,856.00   |
| 4.1.1.2  | Compacting and Removal of Trash | 104 ea                      | \$ 50.00                         | \$ 15,600.00   |
| 4.1.1.3  | Removal of Trash                | 52 ea                       | \$ 25.00                         | \$ 1,300.00    |
| 4.1.1.4  | Removal of Landfill Items       | 3 ea                        | \$200.00                         | \$ 600.00      |
| Item no. | Description                     | Estimated Quantity**        | Per Ton                          | Extended Price |
| 4.1.1.4  | Landfill Fees                   | 30                          | \$ 29.25                         | \$ 877.50      |

**TOTAL COST: \$ 30,529.65**

**Name:** Solid Waste Services of West Virginia, INC.  
**Address:** P.O. Box 457  
 New Martinsville, WV 26155  
**Phone:** (304) 455-5174  
**Fax:** (304) 455-2637  
**FEIN:** 54-1425012  
**E-mail address:** roger.nash@jpmascaro.com  
**Authorized Signature:** *Roger Nash*

NOTES:

- \* Actual Quantities Required
  - \*\* Estimated Quantities for Bid Evaluation Purposes Only
- Failure to use this form may result in disqualification



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.

Solid Waste Services of West Virginia, Inc.  
(Company)

*Roger Nash*  
(Authorized Signature)

Roger Nash, General Manager  
(Representative Name, Title)

(304) 455-5174      (304) 455-2637  
(Phone Number)                      (Fax Number)

March 4, 2013  
(Date)

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: SOLID WASTE SERVICES OF WV, INC.

Authorized Signature: Roger Nash Date: 3-4-13

State of WVA

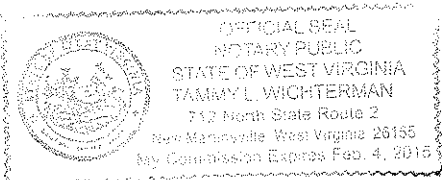
County of Wetzel, to-wit:

Taken, subscribed, and sworn to before me this 4 day of March, 2013.

My Commission expires Feb 04, 2015.

**AFFIX SEAL HERE**

**NOTARY PUBLIC** Tammy Wichterma  
*Purchasing Affidavit (Revised 07/01/2012)*



# 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.**  
 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: Solid Waste Services of West Virginia, Inc.  
Date: March 4, 2013

Signed: Roger Nash  
Title: General Manager