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*****FAX*****

To: Robert Kilpatrick, File 22 From: Tammy Black

Fax: 304-558-3970 Pages: 11 including Cover Sheet

Re: RFQ # WSH15011 Date: 7-22-14

Urgent XX For Review Please Comment
 Please Reply Please Recycle

"Sealed Bid Enclosed"

RFQ # WSH15011

07/22/14 02:51:21PM
West Virginia Purchasing Division

BUYER: Robert P. Kilpatrick, File 22

Bid Opening Date: July 23, 2014

Bid. Opening Time: 1:30 pm EST

Fax # - 304-558-3970

Tammy Black



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

Solicitation

NUMBER
WSH15011

PAGE
1

ADDRESS CORRESPONDENCE TO ATTENTION OF
BOB KILPATRICK 304-558-0067

*207155056 01 304-744-4020
ORACLE ELEVATOR CO INC
4136 W WASHINGTON ST
CHARLESTON WV 25313

V
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D
O
R

HEALTH AND HUMAN RESOURCES
WILLIAM R. SHARPE JR. HOSPITAL
936 SHARPE HOSPITAL ROAD
WESTON, WV 26452
304-269-1210

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T
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DATE PRINTED
06/26/2014

BID OPENING DATE: 07/23/2014

BID OPENING TIME 1:30PM

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	JB		910-13		
<p>THE WEST VIRGINIA PURCHASING DIVISION IS SOLICITING BIDS ON BEHALF OF THE WEST VIRGINIA DEPARTMENT OF HEALTH & HUMAN RESOURCES, BUREAU FOR BEHAVIORAL HEALTH & HEALTH FACILITIES TO ESTABLISH AN OPEN-END CONTRACT TO PROVIDE ELEVATOR MAINTENANCE SERVICES FOR EIGHT (8) ELEVATOR CARS LOCATED AT WILLIAM R SHARPE JR HOSPITAL AT 936 SHARPE HOSPITAL RD, WESTON, WV, 26452 PER THE ATTACHED SPECIFICATIONS AND INSTRUCTIONS TO BIDDERS.</p> <p>ATTACHMENTS INCLUDE:</p> <ol style="list-style-type: none"> 1. INSTRUCTIONS TO VENDORS SUBMITTING BIDS 2. GENERAL TERMS AND CONDITIONS 3. WSH15011 SPECIFICATIONS, INCLUDING PRICING PAGE 4. EQUIPMENT LIST (ATTACHMENT B) 5. CERTIFICATION AND SIGNATURE PAGE 6. PURCHASING AFFIDAVIT 7. DRUG FREE WORKPLACE AFFIDAVIT 8. SAMPLE BID BOND FORM WITH BID BOND INSTRUCTIONS <p>***** A MANDATORY PRE-BID MEETING IS SCHEDULED ON WEDNESDAY, JULY 9, 2014 AT 10:00AM AT THE HOSPITAL *****</p> <p>ELEVATOR MAINTENANCE SERVICE PER THE ATTACHED.</p>						

SIGNATURE <i>Ken Harmon</i>	TELEPHONE 304 744 4020	DATE 7.23.14
TITLE <i>EM</i>	FEIN 20-1968406	ADDRESS CHANGES TO BE NOTED ABOVE

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

ADDITIONAL TERMS AND CONDITIONS (Construction Contracts Only)

1. **CONTRACTOR'S LICENSE:** West Virginia Code § 21-11-2 requires that all persons desiring to perform contracting work in this state be licensed. The West Virginia Contractors Licensing Board is empowered to issue the contractor's license. Applications for a contractor's license may be made by contacting the West Virginia Division of Labor.

West Virginia Code § 21-11-11 requires any prospective Vendor to include the contractor's license number on its bid. Failure to include a contractor's license number on the bid shall result in Vendor's bid being disqualified. Vendors should include a contractor's license number in the space provided below.

Contractor's Name: Abell Elevator Soc. Co. dba Oracle Elevator Co.

Contractor's License No. WV043284

The apparent successful Vendor must furnish a copy of its contractor's license prior to the issuance of a purchase order/contract.

2. **DRUG-FREE WORKPLACE AFFIDAVIT:** W. Va. Code § 21-1D-5 provides that any solicitation for a public improvement contract requires each Vendor that submits a bid for the work to submit at the same time an affidavit that the Vendor has a written plan for a drug-free workplace policy. To comply with this law, Vendor must either complete the enclosed drug-free workplace affidavit and submit the same with its bid or complete a similar affidavit that fulfills all of the requirements of the applicable code. Failure to submit the signed and notarized drug-free workplace affidavit or a similar affidavit that fully complies with the requirements of the applicable code, with the bid shall result in disqualification of Vendor's bid.

2.1 DRUG-FREE WORKPLACE POLICY: Pursuant to W. Va. Code § 21-1D-4, Vendor and its subcontractors must implement and maintain a written drug-free workplace policy that complies with said article.

The awarding public authority may cancel this contract if: (1) Vendor fails to implement and maintain a written drug-free workplace policy described in the preceding paragraph, (2) Vendor fails to provide information regarding implementation of its drug-free workplace policy at the request of the public authority; or (3) Vendor provides to the public authority false information regarding the contractor's drug-free workplace policy.

3. **DRUG FREE WORKPLACE REPORT:** Pursuant to W. Va. Code § 21-1D-7b, no less than once per year, or upon completion of the project, every contractor shall provide a certified report to the public authority which let the contract. For contracts over \$25,000, the public authority shall be the West Virginia Purchasing Division. For contracts of \$25,000 or less, the public authority shall be the agency issuing the contract. The report shall include:

REQUEST FOR QUOTATION
WSH15011 Elevator Maintenance

10.1.3 Failure to comply with any 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 **No Substitutions:** Vendor shall supply only Contract Items submitted in response to the RFQ unless a contract modification is approved in accordance with the provisions contained in this Contract.

11.2 **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 and customer service or other issues related to this Contract. Vendor should list its Contract manager and his or her contact information below.

Contract Manager: Ken Harmon

Telephone Number: 304-741-2235

Fax Number: 304-744-4023

Email Address: ken.harmon@oracleelevator.com

**RFQ#WSH15011 Elevator Maintenance
Attachment A: Pricing Page**

(See Section 5.2 of the RFQ for instructions on completing the Pricing Page)

EV#	Manu.	Location	Capacity	Type	Monthly Cost	QTY	Yearly Cost	
ED4369	Dover	Mailroom	2000	Hydraulic	\$ <u>150.00</u>	X 12	\$ <u>1,800.00</u>	(A)
ED4376	Dover	Maintenance	5000	Hydraulic	\$ <u>150.00</u>	X 12	\$ <u>1,800.00</u>	(B)
ED4372	Dover	Switchboard	2000	Hydraulic	\$ <u>150.00</u>	X 12	\$ <u>1,800.00</u>	(C)
ED4371	Dover	Switchboard	2000	Hydraulic	\$ <u>150.00</u>	X 12	\$ <u>1,800.00</u>	(D)
ED4373	Dover	Snack Bar	2000	Hydraulic	\$ <u>150.00</u>	X 12	\$ <u>1,800.00</u>	(E)
ED4374	Dover	C-1	5000	Hydraulic	\$ <u>150.00</u>	X 12	\$ <u>1,800.00</u>	(F)
ED4375	Dover	C-2	5000	Hydraulic	\$ <u>150.00</u>	X 12	\$ <u>1,800.00</u>	(G)
B5176-01	Schindler	HIM	2500	Hydraulic	\$ <u>150.00</u>	X 12	\$ <u>1,800.00</u>	(H)

(All 8 of the elevators listed above are to be covered unders Section 4.1.1 of this RFQ)

Total Monthly Charge (add all Monthly Costs, above) \$ 1200/month

Total Yearly Charge (add A+B+C+D+E+F+G+H) \$ 14,400.00 (I)

Parts Markup = 15 %

Parts Markup Multiplier = 1.15

Total Parts Bid = \$6,700.00 X Multiplier, or \$6,700.00 X 1.15 \$ 7,705.00 (J)

Hourly Rate \$ 185.00 x 100 hours (estimate only) \$ 18,500.00 (K)

Total Bid (Add I + J + K) = \$ 40,605.00

BASIS OF AWARD: Contract shall be awarded to the Vendor that provides all of the Contract Items meeting the required specifications for the lowest overall Grand Total.

CONTACT INFORMATION

Company Name: Abell Elevator Co. dba Oracle Elevator Company
Company Address: 4136 W. Washington St., Charleston, WV 25313
Remit to address: 4136 W. Washington St., Charleston, WV 25313
Contractor Contact Name: Ken Harmon
Contractor Phone Number: 304-741-2235
Contractor Fax Number: 304-744-4022
Contractor Email Address: ken.harmon@oracleelevator.com

Please provide the following numbers below:

24 Hour Phone Number for Callback Services: 304-744-4020

Fax/email for Release Order Receipt: 304-744-4022/ken.harmon@oracleelevator.com

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.

Abell Elevator dba Oracle Elevator Co.
(Company)

Ken Harmon
(Authorized Signature)

Ken Harmon, GM
(Representative Name, Title)

304-741-2235 / 304-744-4022
(Phone Number) (Fax Number)

7-21-14
(Date)

WV-73
Rev. 08/2013



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, Ken Harmon, after being first duly sworn, depose and state as follows:

- 1. I am an employee of Abell Elevator dba Oracle Elevator and,
(Company Name)
- 2. I do hereby attest that Abell Elevator dba Oracle Elevator Co.
(Company Name)

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

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

By: Ken Harmon
 Title: GM
 Company Name: Oracle Elevator Co.
 Date: 7-21-14

Taken, subscribed and sworn to before me this 21st day of July, 2014.

By Commission expires 2/23/2017

(Seal)



Kelly B Meyer
(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.

Agency _____
REQ.P.O# WSH15011

BID BOND

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, Oracle Elevator
of 4136 W. Washington Street, Charleston, WV 25313, as Principal, and Fidelity and Deposit Company
of Maryland, Indianapolis, IN, 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 Obligee, in the penal sum of five percent of the amount bid (\$ 5% of bid) 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
Elevator Maintenance Services for Eight (8) Elevator Cars Located at William R. Sharpe Jr. Hospital.
936 Sharpe Hospital Rd., Weston, WV 26452

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 Obligee may accept such bid, and said Surety does hereby
waive notice of any such extension.

WITNESS, the following signatures and seals of Principal and Surety, executed and sealed by a proper officer of Principal and
Surety, or by Principal individually if Principal is an individual, this 23rd day of July, 2014.

Principal Seal

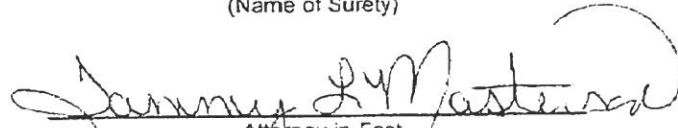
Oracle Elevator
(Name of Principal)

By _____
(Must be President, Vice President, or
Duly Authorized Agent)

(Title)

Surety Seal

Fidelity and Deposit Company of Maryland
(Name of Surety)



Attorney-in-Fact
Tammy L. Masters

**IMPORTANT – Surety executing bonds must be licensed in West Virginia to transact surety insurance, must affix its seal, and
must attach a power of attorney with its seal affixed.**

ZURICH AMERICAN INSURANCE COMPANY
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY
FIDELITY AND DEPOSIT COMPANY OF MARYLAND
POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That the ZURICH AMERICAN INSURANCE COMPANY, a corporation of the State of New York, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, a corporation of the State of Maryland, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND a corporation of the State of Maryland (herein collectively called the "Companies"), by JAMES M. CARROLL, Vice President, in pursuance of authority granted by Article V, Section 8, of the By-Laws of said Companies, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, do hereby nominate, constitute, and appoint Douglas A. STOUGH, John A. STOUGH, John F. NEACE, Tammy L. MASTERSON, Kyle SHREWSBURY, Shirley A. SAGUN and Jennifer K. WILLIAMS, all of Louisville, Kentucky, 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 Companies, 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 ZURICH AMERICAN INSURANCE COMPANY at its office in New York, New York., the regularly elected officers of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at its office in Owings Mills, Maryland., and the regularly elected officers of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at its office in Owings Mills, Maryland., in their own proper persons.

The said Vice President does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article V, Section 8, of the By-Laws of said Companies, and is now in force.

IN WITNESS WHEREOF, the said Vice-President has hereunto subscribed his/her names and affixed the Corporate Seals of the said ZURICH AMERICAN INSURANCE COMPANY, COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and FIDELITY AND DEPOSIT COMPANY OF MARYLAND, this 14th day of June, A.D. 2012.

ATTEST:

ZURICH AMERICAN INSURANCE COMPANY
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY
FIDELITY AND DEPOSIT COMPANY OF MARYLAND



Eric D. Barnes

By:

Assistant Secretary
Eric D. Barnes

James M. Carroll

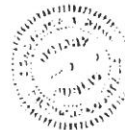
Vice President
James M. Carroll

State of Maryland
City of Baltimore

On this 14th day of June, A.D. 2012, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, JAMES M. CARROLL, Vice President, and ERIC D. BARNES, Assistant Secretary, of the Companies, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and acknowledged the execution of same, and being by me duly sworn, deposed and saith, that he/she is the said officer of the Company aforesaid, and that the seals affixed to the preceding instrument are the Corporate Seals of said Companies, and that the said Corporate Seals and the signature as such officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporations.

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

Constance A. Dunn



Constance A. Dunn, Notary Public
My Commission Expires: July 14, 2015

EXTRACT FROM BY-LAWS OF THE COMPANIES

"Article V, Section 8, Attorneys-in-Fact. The Chief Executive Officer, the President, or any Executive Vice President or Vice President may, by written instrument under the attested corporate seal, appoint attorneys-in-fact with authority to execute bonds, policies, recognizances, stipulations, undertakings, or other like instruments on behalf of the Company, and may authorize any officer or any such attorney-in-fact to affix the corporate seal thereto; and may with or without cause modify or revoke any such appointment or authority at any time."

CERTIFICATE

I, the undersigned, Vice President of the ZURICH AMERICAN INSURANCE COMPANY, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and 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 Article V, Section 8, of the By-Laws of the Companies is still in force.

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 ZURICH AMERICAN INSURANCE COMPANY at a meeting duly called and held on the 15th day of December 1998.

RESOLVED: "That the signature of the President or a Vice President and the attesting signature of a Secretary or an Assistant Secretary and the Seal of the Company may be affixed by facsimile on any Power of Attorney...Any such Power or any certificate thereof bearing such facsimile signature and seal shall be valid and binding on the Company."

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 COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at a meeting duly called and held on the 5th day of May, 1994, and 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 seals of the said Companies, this 23rd day of July, 2014.



Geoffrey Delisio

Geoffrey Delisio, Vice President

ADDENDUM ACKNOWLEDGEMENT FORM
SOLICITATION NO.: WSH15011

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.

ORACLE ELEVATOR CO.
Company

[Signature]
Authorized Signature

7-21-2014
Date

NOTE: This addendum acknowledgment should be submitted with the bid to expedite document processing.
Revised 6/8/2012