

VENDOR

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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ADDRESS CORRESPONDENCE TO ATTENTION OF:

JOHN JOHNSTON 304-558-2402

DIVISION OF HIGHWAYS
VARIOUS LOCALES AS INDICATED
BY ORDER

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GENERAL TERMS & CONDITIONS REQUEST FOR QUOTATION (RFQ) AND REQUEST FOR PROPOSAL (RFP)

- 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. All quotations are governed by the West Virginia Code and the Legislative Rules of the Purchasing Division.
- 4. Prior to any award, the apparent successful vendor must be properly registered with the Purchasing Division and have paid the required \$125 00 registration fee.
- 5. All services performed or goods delivered under State Purchase Orders/Contracts are to be continued for the term of the Purchase Order/Contract, 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.
- 6. Payment may only be made after the delivery and acceptance of goods or services.
- 7. Interest may be paid for late payment in accordance with the West Virginia Code.
- 8. Vendor preference will be granted upon written request in accordance with the West Virginia Code.
- 9. The State of West Virginia is exempt from federal and state taxes and will not pay or reimburse such taxes.
- 10. The Director of Purchasing may cancel any Purchase Order/Contract upon 30 days written notice to the seller.
- 11. The laws of the State of West Virginia and the *Legislative Rules* of the Purchasing Division shall govern all rights and duties under the Contract, including without limitation the validity of this Purchase Order/Contract
- 12. Any reference to automatic renewal is hereby deleted
 The Contract may be renewed only upon mutual written agreement of the parties.
- 13. BANKRUPTCY: In the event the vendor/contractor files for bankruptcy protection, this contract is automatically null and void, and is terminated without further order.
- 14. HIPAA Business Associate Addendum The West Viginia State Government HIPAA Business Associate Addendum (BAA), approved by the Attorney General, and available online at the Purchasing Division's web site (http://www.state.wv.us/admin/purchase/vrc/hipaa.htm) is hereby made part of the agreement. Provided that, the Agency meets the definition of a Covered Entity (45 CFR §160.103) and will be disclosing Protected Health Information (45 CFR §160.103) to the vendor.

INSTRUCTIONS TO BIDDERS

- Use the quotation forms provided by the Purchasing Division.
- 2. SPECIFICATIONS: 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.
- Complete all sections of the quotation form.
- 4. Unit prices shall prevail in cases of discrepancy.
- 5. All quotations are considered F.O.B. destination unless alternate shipping terms are clearly identified in the quotation.
- **BID SUBMISSION:** 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.

SIGNED BID TO:

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



VENDOR

RFQ COPY

TYPE NAME/ADDRESS HERE

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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JOHN JOHNSTON 304-558-2402

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DIVISION OF HIGHWAYS
VARIOUS LOCALES AS INDICATED
BY ORDER

ADDRESS CHANGES TO BE NOTED ABOVE

DATE PRINTED TERMS OF SALE SHIP VIA F.O.B. FREIGHT TERMS 03/22/2007 BID OPENING DATE: 04/18/2007 **BID OPENING TIME** 01:30PM CAT NO. LINE QUANTITY UOP ITEM NUMBER UNITERICE AMOUNT CANCELLATION: THE DIRECTOR OF PURCHASING RESERVES THE RIGHT TO CANCEL THIS CONTRACT IMMEDIATELY UPON WRITTEN NOTICE TO THE VENDOR IF THE COMMODITIES AND/OR SERVICES SUPPLIED ARE OF AN INFERIOR QUALITY OR DO NOT CONFORM TO THE SPECIFICATIONS OF THE BID AND CONTRACT HEREIN. OPEN MARKET CLAUSE: THE DIRECTOR OF PURCHASING MAY AUTHORIZE A SPENDING UNIT TO PURCHASE ON THE OPEN MARKET, WITHOUT THE FILING OF A REQUISITION OR COST ESTIMATE, ITEMS SPECIFIED ON THIS CONTRACT FOR IMMEDIATE DELIVERY IN EMERGENCIES DUE TO UNFORESEEN CAUSES (INCLUDING BUT NOT LIMITED TO DELAYS IN TRANS-PORTATION OR AN UNANTICIPATED INCREASE IN THE VOLUME OF WORK.) QUANTITIES: QUANTITIES LISTED IN THE REQUISITION ARE APPROXIMATIONS ONLY, BASED ON ESTIMATES SUPPLIED BY THE STATE SPENDING UNIT. IT IS UNDERSTOOD AND AGREED THAT THE CONTRACT SHALL COVER THE QUANTITIES ACTUALLY ORDERED FOR DELIVERY DURING THE TERM OF THE CONTRACT, WHETHER MORE OR LESS THAN THE QUANTITIES SHOWN. DRDERING PROCEDURE: SPENDING UNIT(S) SHALL ISSUE A WRITTEN STATE CONTRACT ORDER (FORM NUMBER WV-39) TO THE VENDOR FOR COMMODITIES COVERED BY THIS CONTRACT. THE ORIGINAL COPY OF THE WV-39 SHALL BE MAILED TO THE VENDOR AS AUTHORIZATION FOR SHIPMENT, A SECOND COPY MAILED TO THE PURCHASING DIVISION, AND A THIRD COPY RETAINED BY THE SPENDING UNIT. IN THE EVENT THE VENDOR/CONTRACTOR FILES BANKRUPTCY: FOR BANKRUPTCY PROTECTION, THIS CONTRACT IS AUTOMATI-CALLY NULL AND VOID, AND IS TERMINATED WITHOUT FURTHER ORDER. SEE REVERSE SIDE FOR TERMS AND CONDITIONS SIGNATURE TELEPHONE DATE TITLE FEIN



VENDOR

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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RFQ NUMBER 857C2050 PAGE

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DIVISION OF HIGHWAYS
VARIOUS LOCALES AS INDICATED
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JOHN JOHNSTON 304-558-2402

BY ORDER

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SCOPE OF CONTRACT

The purpose of this Contract shall be to supply WVDOH maintenance personnel with galvanized u-channel for standard maintenance, and various accessories designed to aid in the installation/removal of u-channel supports and to enhance the performance of u-channel supports

SPECIFICATIONS FOR ITEMS

Galvanized u-channel supports (Items 1-31): Acceptance of u-channel supports supplied as part of this Contract shall be in accordance with the normal WVDOH acceptance procedures. U-channel posts are to be of a material that meets the requirements of Section 657 of the West Virginia Division of Highways' Standard Specifications For Roads and Bridges, latest edition U-channel posts shall meet the shape and dimensional requirements shown on Sheet TE1-7A of the WVDOH, Standard Details Book, Volume 2, latest edition Post lengths shall be as specified with a tolerance of +/- one (1) inch Galvanized posts are to be galvanized in accordance with ASTM Specification A123.

12" X 6" U-channel anchor plate and 12" X 6" U-channel anchor plate with stabilizer (Items 32 and 33): The anchor plate shall be manufactured of A36 steel, and shall be galvanized in accordance with ASIM A563, G-90, Structural Quality, Grade 50, Class I. The plate shall attach to the post by using locking hook bolts. The plate shall be 1/8" thick by 6" tall and shall measure 12" and 6" long on the top and bottom, respectively. The general design of the anchor plate and hook bolts shall be in accordance with the attached drawing

Manual drive cap for 3# and 4# u-channel (Item 34): The drive cap shall be a DCH17 - Big Boy Protective Drive Cap for use with 2#, 3#, and 4# u-channel

Manual U-channel Removal Tool (Item 35): The removal tool shall be a one-piece device, with the exception of a replaceable hardened steel engagement pin. The tool handle shall be manufactured of 4130 steel. The tool shall be capable of removing 2#, 3#, and 4# posts driven to within four (4) inches of the top of soil, and shall be capable of exerting an upward force of 4,000 #. The tool shall be approximately 48" in overall length and shall weigh approximately 15 lbs. The design of the tool shall be in general conformance with the attached drawing.

Side Mounting Bracket (Item 36): Each unit of the "Side Mounting Bracket Kit" item shall include two (2) ea. brackets. The brackets shall enable the user to mount an additional sign(s) onto a 2#, 3#, or 4# post perpendicular to the sign(s) mounted to the front of the post. Each bracket shall be manufactured of steel, and shall be galvanized in accordance with ASIM specification A123. The dimensioning of the bracket shall be in accordance with the attached detail drawing.

PURCHASE HISTORY REPORTS

As part of this Contract, the vendor shall be required to submit semi-annual purchase history reports to the WVDOH. The vendor should submit this report in a summarized spreadsheet format. The spreadsheet columns should be labeled in general conformance to the following:

PO NUMBER (Use VISA doc. number if purchased on P-card)
PURCHASE ME I HOD (Indicate "Blanket Release Order" or "P-card")
QTY. LINE I TEM 1 ORDERED
QTY. LINE I TEM 2 ORDERED

QTY LINE IIEM "N" ORDERED (N = number of line items on Contract)
SHIPPING DESTINATION (Indicate the city or town the order was shipped to)
TOTAL VALUE OF ORDER

Each report shall include summary totals of the quantity of each line item ordered and the total value of all orders placed for both the period that the report covers and from the original effective date of the Contract. After award of the Contract, the first report the Vendor will be required to submit shall be for the first 180 days of the Contract, beginning at the original effective date of the Contract. The next report shall be for the period between the end of the period covered by the first report and the expiration date of the Contract, or the effective renewal date of the Contract. Reports shall continue to be submitted as described above for the life of the Contract. The due date for submission of reports shall be 15 days after the last day of the period covered by the report.

Preferably, the Vendor should submit all reports in Microsoft Excel format to Ted Whitmore's attention at e-mail address twhitmore@@dot.state.wv.us However, the Vendor may also submit reports to <u>Ied</u> Whitmore's attention at fax number 304-558-1209, or the following address:

WVDOH-Traffic Engineering Division Bldg. 5 – Rm. A550 1900 Kanawha Blvd. East Charleston, WV 25305

The Vendors reports shall include all purchases made, regardless of method of order placement (phone, fax, mail, internet) Failure to submit the above described reports may be grounds for cancellation of this Contract, and/or may result in a Vendor Complaint being registered with the State Purchasing Division.

MINIMUM ORDERS

When ordering Items listed on lines 1 through 31, the total combined material ordered, based on these Item numbers, shall be a minimum of 24,000 lbs.

There shall be no minimum order requirement for all other items on the contract

DELIVERY

The supplier shall be allowed sixty (60) calendar days A R O for delivery. The WVDOH shall assess liquidating damages against the supplier for each day that any delivery of material is delayed beyond the sixty (60) day limit. The District may waive a portion or all of the late delivery charges at their discretion provided an ample supply of material is in stock at the District

The total amount of the liquidating damages shall be \$490 per day, per order, and is in accordance with Section 108.7 of the West Virginia Standard Specifications, Roads and Bridges.

The vendor must notify the receiving District a minimum of 72 hours (3 working days) prior to delivery

BID SCHEDULE

The following estimated quantities are for bid purposes only Actual quantities will be determined by needs of the West Virginia Division of Highways and may be increased or decreased

Iten Numi		Estimated Quantity	Description	Unit Cost	I otal Cost	Inventory Class / Type / Subcode (DOH Use Only)
1		700	Galvanized U-Channel, 2 # per foot, 4 foot long			019 014 200004
2		10	Galvanized U-Channel, 2 # per foot, 5 foot long			019 014 200005
3		300	Galvanized U-Channel, 2 # per foot, 6 foot long			019 014 200006
4		1100	Galvanized U-Channel, 2 # per foot, 7 foot long			019 014 200007
5		2000	Galvanized U-Channel, 2 # per foot, 8 foot long			019 014 200008
6		10	Galvanized U-Channel, 2 # per foot, 9 foot long			019 014 200009
7		2000	Galvanized U-Channel, 2 # per foot, 10 foot long			019 014 200010
8		10	Galvanized U-Channel, 2 # per foot, 11 foot long			019 014 200011
9		10	Galvanized U-Channel, 2 # per foot, 12 foot long			019 014 200012
10]	10	Galvanized U-Channel, 2 # per foot, 20 foot long			019 014 200020
11	J.	6100	Galvanized U-Channel, 3 # per foot, 4 foot long			019 014 300004
12	Total combined wt. of these items must be 24,000# mm.	10	Galvanized U-Channel, 3 # per foot, 5-1/2 foot long			019 014 300055
13	mbine	10	Galvanized U-Channel, 3 # per foot, 6 foot long			019 014 300006
14	d wt.	500	Galvanized U-Channel, 3 # per foot, 7 foot long			019 014 300007
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21		10	Galvanized U-Channel, 3 # per foot, 14 foot long			019 014 300014
22		10	Galvanized U-Channel, 3 # per foot, 16 foot long			019 014 300016
23		10	Galvanized U-Channel, 3 # per foot, 18 foot long			019 014 300018
24		10	Galvanized U-Channel, 3 # per foot, 20 foot long			019 014 300020
25**		10	Galvanized U-Channel, 4 # per foot, 4 foot long			019 014 400004
26**		10	Galvanized U-Channel, 4 # per foot, 6 foot long			019 014 400006
27**		10	Galvanized U-Channel, 4 # per foot, 12 foot long			019 014 400012
28**		10	Galvanized U-Channel, 4 # per foot, 14 foot long			019 014 400014
29**		10	Galvanized U-Channel, 4 # per foot, 16 foot long			019 014 400016
30**		10	Galvanized U-Channel, 4 # per foot, 18 foot long			019 014 400018
31**		10	Galvanized U-Channel, 4 # per foot, 20 foot long			019 014 400020

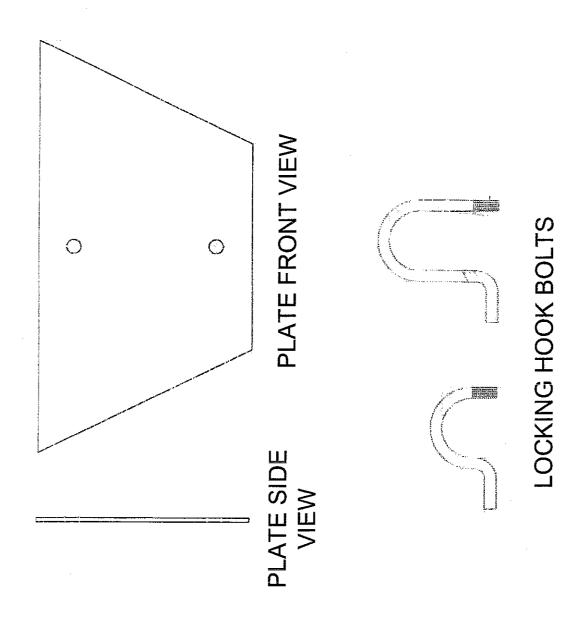
^{** 4#} per foot u-channel, 4# back to back u-channel, and 6# back to back u-channel supports, without an approved slip base or breakaway ground connection, are allowed to be installed only where the speed limit is 35 MPH or less, behind guardrail, or outside the "clear zone" as defined in the AASHTO Roadside Design Guide Also, when using 3 or more 2# or 3# u-channel posts for an assembly, post spacing must be greater than 3-1/2 ft

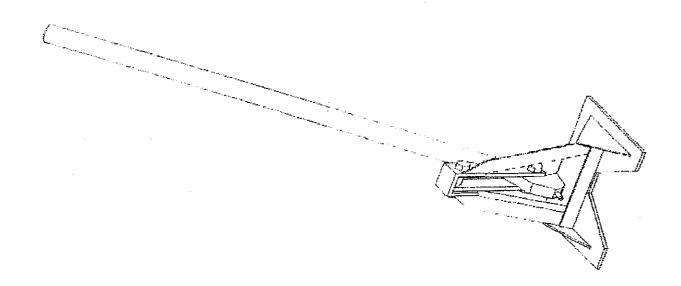
NOTE: Vendors can complete Bid Schedule at Purchasing's Web Site www.state.wv.us/admin/purchase

-	-
7	

Item Number	Estimated Quantity	Description	Unit Cost	I otal Cost	Inventory Class / / Type / Subcode (DOH Use Only)
32	5	12" x 6" u-channel anchor plate			019 008 080205
33	5	12" x 6" u-channel anchor plate with stabilizer			019 008 080205
34	10	Manual Drive Cap, 2#, 3#, and 4# u-channel			019 008 080310
35	5	Manual U-channel Removal Iool			019 008 080340
36	5	Side Mounting Bracket Kit			019 008 080547
37	10	Per each, 2# to 4# U-Channel Anchor Mechanical Driving Tool, to include Driving Head and 4-1/4" x 7/8" Shank, for use with Atlas Copco Pionjar			019 008 080436
38	10	Per each, 2# to 4# U-Channel Anchor Mechanical Driving Tool, to include Driving Head and 6" x 1-1/4" Shank, for use with Skidril BG231 and Atlas Copco Cobra MK-1 or FB-60			019 008 080433
		CONTRACT TOTAL	-		

ITEMS 32 AND 33





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SIDE VIEW

CONTACT PERSON AND DELIVERY ADDRESS FOR EACH DIVISION OF HIGHWAYS DESTINATION

Delivery Address	Contact	Phone Number
WVDOH - D1 Sign Shop	Jim Russell	304-759-0708
Pickens Rd Nitro, WV 25143		304-558-3001*
WVDOH - D2 Sign Shop	Ed Layman	304-528-5679
801 Madison Ave		304-528-5600*
Huntington, WV 25704		
WVDOH - D3 Sign Shop	Tom Potts	304-420-4815
720 Depot St Parkersburg, WV 26101		304-420-4645*
WVDOH - D4 Sign Shop	Rick Reed	304-627-2401
US-19 - 1 mile N of Clarksburg (gore yard) Clarksburg, WV 26301		304-842-1500*
WVDOH - D5 Sign Shop	Doug Placka	304-289-3521
US-50 - 14 miles E. of Keyser		304-289-3521*
Burlington, WV 26710		·
WVDOH - D6 Sign Shop	Jim Wurtzbacher	304-238-1205
US-40 - E of Wheeling		304-238-4008*
(Middle Creek Rd. 39) Triadelphia, WV 26059		
WVDOH - D7 Sign Shop	Tyrone Campbell	304-269-0460
US-33 - 1/2 mile E. of Weston Weston, WV 26452		304-269-0414*
WVDOH - D8 Sign Shop	Mike Westfall	304-637-0215
Rt 219 - 1 mile N of Elkins		304-637-0220*
Elkins, WV 26241		
WVDOH - D9 Sign Shop	Harry Honaker	304-647-7551
US-219 - 1-1/2 miles N of Lewisburg		304-647-7450*
Country Club Rd Brush Rd.		
Lewisburg, WV 24901		
WVDOH - D10 Sign Shop	Curtis Whitlow	304-487-5283
270 Hardwood Lane	}	304-487-5228*
Princeton, WV 24740		
WVDOH - Traffic Services Complex	Richard Rawling	304-558-6356
180 Dry Branch Rd	Ted Whitmore	304-558-9468
Charleston, WV 25306		

^{*} District/Division headquarters phone number

857G2050

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 owned 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 exceed 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

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, West Virginia Insurance Commission, or any other state agencies or political subdivision. Furthermore, 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

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. Vendors should visit www.state.wv.us/admin/purchase/privacy for the Notice of Agency Confidentiality Policies

Under penalty of law for false swearing (West Virginia Code, §61-5-3), it is hereby certified that the vendor acknowledges the information in this said affidavit and are in compliance with the requirements as stated

Vendor's Name:	
Authorized Signature:	Date: