



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

Request for Quotation

RFO NUMBER
 DEP13860

PAGE
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ADDRESS CORRESPONDENCE TO ATTENTION OF
 CHUCK BOWMAN
 304-558-2157

RFQ COPY
 TYPE NAME/ADDRESS HERE

VENDOR

SHIP TO

ENVIRONMENTAL PROTECTION
 DEPARTMENT OF
 OFFICE OF WATER RESOURCES
 601 57TH STREET SE
 CHARLESTON, WV
 25304 304-926-0499

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
09/06/2006				

BID OPENING DATE: 09/21/2006 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
***** ADDENDUM NO. 2 ***** ADDENDUM ISSUED TO DISTRIBUTE VENDOR SUBMITTED QUESTIONS AND AGENCY ANSWERS REGARDING THE ADVERISED REQUES FOR PROPOSAL FOR DEVELOPMENT OF TOTAL DAILY MAXIMUM LOADS FOR IMPAIRED WATERBODIES IN WEST VIRGINIA AS ADVERTISED BY THE WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION. PLEASE SEE ATTACHED BID DATE & OPENING REMAIN UNCHANGED AS 09/21/06 @ 1:30 ***** NO OTHER CHANGES *****						

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'

**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. 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 Virginia 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

1. 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.
3. 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.
6. **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

RFP#: DEP13860
Bid Opening Date: 09/21/2006
Bid Opening Time: 1:30 pm
Addendum #2

Vendor Submitted Questions and Agency Answers

Questions submitted by: Baker Engineering & Energy
Limno-Tech, Inc.

Baker: Will the agency elaborate further on the likelihood of awarding the contract to more than one vendor?

A: The Agency cannot elaborate further on the possibility of awarding multiple contracts. The contract award will depend on the submissions receive. Multiple awards may be given if it is determined that a single award is insufficient to accomplish DEP's TMDL development needs.

LT #1: Is there an incumbent already doing TMDLs for WVDEP, either under previous versions of this contract or under a different contract?

A: Yes.

LT #2: Has the data collection been finalized for the watersheds to be evaluated in this RFP?

A: The data collection has been finalized; however, final impairment decisions are pending a comprehensive review of the pre-TMDL monitoring data.

LT #3: Does this SOW request that a TMDL be prepared for each subwatershed or each watershed?

A: A TMDL must be prepared for each waterbody and pollutant impairment identified in the Example Work Directives.

LT #4: There are a wide range of potentially applicable models with a wide range of capabilities. TMDLs have been successfully developed and approved using less complex modeling approaches than those described in the RFP (and applied previously by WVDEP). Would application of alternate modeling approaches be considered in the cost estimates if they can be justified, or should cost assume a similarly detailed level of modeling?

A: The cost should be based upon the modeling approach described in the RFP.