

## SOLE SOURCE DETERMINATION

The Purchasing Division has been requested to approve a sole source purchase for the commodity or service described below. Pursuant to West Virginia Code 5A-3-10c, the Purchasing Division is attempting to determine whether the commodity or service is a sole source procurement. If you believe your company meets the required experience and qualification criteria stated below, please email the Purchasing Division at [team@wvadmin.gov](mailto:team@wvadmin.gov) to express your interest in the project. Please forward any and all information that will support your company's compliance with required qualification and eligibility criteria along with any other pertinent information relative to this project to the Purchasing Division no later than February 23, 2007.

<b>Requisition Number</b>	DEV717
<b>Department/Agency</b>	West Virginia Development Office
<b>Detailed Description of the Project</b>	Provide technical assistance to the State's Main Street Program, as well as the 14 towns and cities throughout the state that participate in a program designed to promote the preservation of historic buildings and the revitalization of downtown business districts.
<b>Proposed Sole Source Vendor</b>	National Trust for Historic Preservation in the United States and it's National Main Street Center
<b>Specific Eligibility Criteria</b>	<p>The National Trust for Historic Preservation was created by federal legislation signed in 1949 to support and encourage grassroots efforts to preserve our historical structures as well as preserve our national heritage. The Trust operates as a charitable, educational and nonprofit corporation of the federal government.</p> <p>The National Main Street Center of the Trust is an affiliate nonprofit organization of the Trust that was established in 1980 to provide consulting and financing services to cities and states undertaking Main Street programs. This revitalization strategy is now being used in more than 1200 cities in over 40 states.</p> <p>All of these cities and states that participate in this program are part of networks in which each local organization is considered a partner. It is, therefore, their philosophy that association between the National Main Street Center and the local participants is not simply a typical "consultant client" relationship, but part of a movement to rebuild and develop communities.</p>
<b>Specific Qualification Criteria</b>	The National Main Street Center certifies and designates all Main Street communities. In fact, the National Main Street Center owns the trademark. Therefore, if we moved away from them, we would have to develop a whole new program and focus for our current program. The local communities participating in this program have and are incurring expenses to achieve and maintain their status as a Main Street community, such as employing a local director.

**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.

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**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