



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

Request for Quotation

RFQ NUMBER
5890004

PAGE
1

ADDRESS CORRESPONDENCE TO ATTENTION OF:
MICHAEL AUSTIN
304-558-2402

RFQ COPY
TYPE NAME/ADDRESS HERE

VENDOR

SHIP TO

DIVISION OF HIGHWAYS
VARIOUS LOCALES AS INDICATED
BY ORDER

| DATE PRINTED | TERMS OF SALE | SHIP VIA | F.O.B. | FREIGHT TERMS |
|--------------|---------------|----------|--------|---------------|
| 05/26/2009 | | | | |

BID OPENING DATE: **07/01/2009** BID OPENING TIME **01:30PM**

| LINE | QUANTITY | UOP | CAT NO | ITEM NUMBER | UNIT PRICE | AMOUNT |
|---|----------|-----|--------|-----------------------------|------------|--------|
| 0001 | 11 | EA | | 938-31 | | |
| | | | | ENGINEERING PRINTING SYSTEM | | |
| 0002 | 1 | EA | | 205-41 | | |
| | | | | WIDE FORMAT SCANNER | | |
| <p>TO PROVIDE ELEVEN (11) ENGINEERING PRINTING SYSTEMS AND ONE (1) WIDE FORMAT SCANNER THAT WILL INCLUDE INSTALLATION, MAINTENANCE AND TRAINING FOR THE WEST VIRGINIA DIVISION OF HIGHWAYS PER THE ATTACHED SPECIFICATIONS.</p> <p>THERE WILL BE A MANDATORY PRE-BID CONFERENCE AT THE PURCHASING DIVISION, BUILDING 15, CONFERENCE ROOM, AT 10:00 AM ON 06/18/2009. FAILURE TO ATTEND THE PRE-BID WILL RESULT IN BID DISQUALIFICATION.</p> <p>QUESTIONS: WRITTEN QUESTIONS WILL BE ACCEPTED THROUGH CLOSE OF BUSINESS (5:00 EST.) ON THURSDAY, 06/11/09. SEND YOUR QUESTIONS TO: PURCHASING DIVISION ATTENTION MICHAEL AUSTIN 2019 WASHINGTON ST. E. CHARLESTON, WV 25305</p> <p>QUESTIONS MAY BE SENT VIA FAX, EMAIL, OR REGULAR MAIL. E-MAIL: MICHAEL.D.AUSTIN@WV.GOV FAX: 304-558-4115</p> <p>IT IS THE VENDORS RESPONIBILITY TO VERIFY THAT THEIR QUESTIONS HAVE BEEN RECEIVED BY CALLING 304-558-2402.</p> | | | | | | |

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

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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 fee.
5. All services performed or goods delivered under State Purchase Order/Contracts are to be continued for the term of the Purchase Order/Contracts, 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, the State may deem this contract null and void, and terminate such contract 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 Cover Entity (45 CFR §160.103) and will be disclosing Protected Health Information (45 CFR §160.103) to the vendor.
15. **WEST VIRGINIA ALCOHOL & DRUG-FREE WORKPLACE ACT:** If this Contract constitutes a public improvement construction contract as set forth in Article 1D, Chapter 21 of the West Virginia Code ("The West Virginia Alcohol and Drug-Free Workplace Act"), then the following language shall hereby become part of this Contract: "The contractor and its subcontractors shall implement and maintain a written drug-free workplace policy in compliance with the West Virginia Alcohol and Drug-Free Workplace Act, as set forth in Article 1D, Chapter 21 of the West Virginia Code. The contractor and its subcontractors shall provide a sworn statement in writing, under the penalties of perjury, that they maintain a valid drug-free work place policy in compliance with the West Virginia and Drug-Free Workplace Act. It is understood and agreed that this Contract shall be cancelled by the awarding authority if the Contractor: 1) Fails to implement its drug-free workplace policy; 2) Fails to provide information regarding implementation of the contractor's drug-free workplace policy at the request of the public authority; or 3) Provides to the public authority false information regarding the contractor's drug-free workplace policy."

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 case 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: Department of Administration, Purchasing Division, 2019 Washington Street East, P.O. Box 50130, Charleston, WV 25305-0130



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| <p>THE MODEL/BRAND/SPECIFICATIONS NAMED HEREIN ESTABLISH THE ACCEPTABLE LEVEL OF QUALITY ONLY AND ARE NOT INTENDED TO REFLECT A PREFERENCE OR FAVOR ANY PARTICULAR BRAND OR VENDOR. VENDORS WHO ARE BIDDING ALTERNATES SHOULD SO STATE AND INCLUDE PERTINENT LITERATURE AND SPECIFICATIONS. FAILURE TO PROVIDE INFORMATION FOR ANY ALTERNATES MAY BE GROUNDS FOR REJECTION OF THE BID. THE STATE RESERVES THE RIGHT TO WAIVE MINOR IRREGULARITIES IN BIDS OR SPECIFICATIONS IN ACCORDANCE WITH SECTION 148-1-4(F) OF THE WEST VIRGINIA LEGISLATIVE RULES AND REGULATIONS.</p> <p>EXHIBIT 10</p> <p>REQUISITION NO.:</p> <p>ADDENDUM ACKNOWLEDGEMENT</p> <p>I HEREBY ACKNOWLEDGE RECEIPT OF THE FOLLOWING CHECKED ADDENDUM(S) AND HAVE MADE THE NECESSARY REVISIONS TO MY PROPOSAL, PLANS AND/OR SPECIFICATION, ETC.</p> <p>ADDENDUM NO.'S:</p> <p>NO. 1</p> <p>NO. 2</p> <p>NO. 3</p> <p>NO. 4</p> <p>NO. 5</p> | | | | | | |

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| <p>I UNDERSTAND THAT FAILURE TO CONFIRM THE RECEIPT OF THE ADDENDUM(S) MAY BE CAUSE FOR REJECTION OF BIDS.</p> <p>VENDOR MUST CLEARLY 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.</p> <p>..... SIGNATURE COMPANY DATE</p> <p>REV. 11/96</p> <p>NOTICE</p> <p>A SIGNED BID MUST BE SUBMITTED TO:</p> <p>DEPARTMENT OF ADMINISTRATION PURCHASING DIVISION BUILDING 15 2019 WASHINGTON STREET, EAST CHARLESTON, WV 25305-0130</p> <p>THE BID SHOULD CONTAIN THIS INFORMATION ON THE FACE OF</p> | | | | | | |

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| THE ENVELOPE OR THE BID MAY NOT BE CONSIDERED: SEALED BID BUYER: 33 RFQ. NO.: 5890004 BID OPENING DATE: ----- BID OPENING TIME: ----- PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID: ----- CONTACT PERSON (PLEASE PRINT CLEARLY): ----- ***** THIS IS THE END OF RFQ 5890004 ***** TOTAL: _____ | | | | | | |

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1) General Intent:

The following specifications are for the acquisition, installation, and maintenance of eleven Engineering Printing Systems, and one wide format Scanner. These Engineering Printing Systems must be fully integrated systems which shall satisfactorily plot/print/scan/copy CADD Drawings, GIS Files, PDF documents, TIFF images, Maps, Charts, Graphs, and Text Documents. It is the intent to place one complete system in each of the ten WVDOT District Headquarters, one complete system at the Materials Division, and the one wide format Scanner is to be setup and installed at the WVDOT Headquarters Building

1.1) General Description of the Engineering Digital Printing System:

In brief, each printing system shall consist of (see Attachment 3):

- One color plotter that shall accommodate media up to 36 inches wide, and
- One toner based monochrome plotter that shall accommodate media up to 36 inches wide, and
- One scanner that shall accommodate media up to 36 inches wide, and the scanner shall be able to make color and monochrome scans and copies, and a
- Controller unit that shall be integrated with the color plotter, the monochrome plotter, and the scanner.
- All components shall be Bentley InterPlot compatible.
- One year of maintenance shall be included in the quoted price for each system.

1.2) General Description of the Scanner for the WVDOT Headquarters Building:

The Headquarters Building currently has an Engineering Digital Printing System in place; therefore, a full scale printing system is not required at this location. However, this location does need a wide format Scanner that can interface with the WVDOT computer network, can produce color and monochrome scans, and place the scan files on an FTP site or a Shared Drive for later retrieval and/or printing.

2) Specific Requirements for Each of the Major Components – Digital Printing System.

2.1) Minimum Mandatory Specifications for the Color Plotter:

- Ability to produce Color and Monochrome prints.
- Ability to produce prints while the ink cartridges are being changed.
- Ability to produce prints while the media is being changed.
- Printer resolution of 600 dpi.
- Have at least three different Quality Modes (i.e., Low, Medium, and High).
- Allow the User to define the Quality Mode.
- Have the plotter automatically be able to change the quality mode as necessary to produce prints of high quality but that minimize ink usage.
- Produce one, color, "E" size print per 60 seconds.
- Produce one, Monochrome, "E" size drawing per 60 seconds.
- Be equipped with Two Rolls.
- Ability to switch rolls manually and/or automatically.
- Roll media widths from 11 inches to 36 inches.
- Print documents that are 8 inches to 120 inches long.
- Maximum roll length of 300 feet.
- Print to Bond, Vellum, and Mylar media.
- Ability to define what media is being used in each roll.
- Have the capability to cut prints to size according to the following options: a Standard size (i.e., ANSI or ARCHI); and/ or the size of the print; and/ or to a User defined size.

Engineering Printing Systems Specifications

- Use standard 120 VAC, 60Hz power.

2.2) Minimum Mandatory Specifications for the Monochrome Plotter:

- Printer resolution of 600 dpi.
- Ability to print ten linear feet per minute, or produce two "E" size Monochrome prints per minute in all print modes.
- Two Rolls of Media.
- Allow the User to select either Manual Feed or Roll Feed media.
- Roll media widths from 11 inches to 36 inches.
- Print documents that are 8 inches to 120 inches long.
- Roll length of up to 300 feet.
- Print to Bond, Vellum, and Mylar media.
- Ability to define what media is being used in each roll.
- Have the capability to cut prints to size according to the following options: a Standard size (i.e., ANSI or ARCHI); and/ or the size of the print; and/ or to a User defined size.
- Use standard 120 VAC, 60Hz power.

2.3) Minimum Mandatory Scanner Specifications:

- Ability to properly interface with the WVDOT computer network.
- Ability to placed scanned files on an FTP site or a Shared Drive of a server.
- Ability to produce Color or Monochrome scans.
- Produce scanned files in 'tiff' and 'pdf' format.
- Adjustable scanner resolution not exceeding 600 dpi.
- Scan documents that contain lines and text, blueprints, dark originals, photographs, or transparent documents.
- Scan documents 8 inches wide to 36 inches wide.
- Scan documents that are 8 inches to 120 inches long.
- Automatic exposure adjustment.
- Use standard 120 VAC, 60Hz power.
- **Note 1:** in the case of the ten WVDOT District Offices and the Materials Division, the Scanner shall be electronically connected to the Controller Unit (see paragraph 2.6) in order to electronically retrieve scanned documents and/or make copies of them.
- **Note 2:** in the case of the one Scanner which will be installed at the WVDOT Headquarters Building, the Scanner shall be electronically connected with the WVDOT computer network in order to retrieve scanned documents and/or make copies of them.

2.4) Minimum Mandatory Controller Specifications:

- Make copies (1 to 999) from a single scan.
- Make copies (1 to 999) from a scan set.
- Allow the User to define the input mode of documents to be copied (Single, Collated Set, or Multiple Sheets).
- Allow the User to define the Zoom setting (10% to 1000%) so that documents can be made larger or smaller as needed.
- Allow the User to define the Exposure setting so that documents can be made lighter or darker as needed.
- Provide an Invert option which allows the user to convert a scanned image to a negative image. For black and white images, the white pixels will be printed black and the black pixels will be printed white. For grayscale images, the image will be converted into its photographic negative.

Engineering Printing Systems Specifications

- Allow the User to define the Media to be used when making copies (Roll 1 or Roll 2).
- Produce image files (TIFF, PDF, and CALS formats) from scans.
- Support the following file formats: HPGL, HPGL2, HPRTL, TIFF 6.0, and PostScript.
- Produce prints while documents are being scanned.
- Automatically rotate documents when the scan width is larger than the media width.
- Automatically provide each scanned document with a unique name.
- Job Queuing.
- Electronically Collate Job Sets.
- Have a Bentley InterPlot Driver available.
- Print Management Tools.
- Document Submission Tools.
- Document Retrieval Tools.
- Ethernet Interface 100/10 Mbits/s with RJ45 Connection.
- Must be able to simultaneously Print, Copy, and Scan.
- Support the TCP/IP FTP, and Novell (IPX/SPX) Network Protocols.
- Provide Automatic Roll Selection and Roll Switching.

3) Other Requirements:

3.1) Start up supplies shall be provided and included in the quote, for each of the eleven (11) systems:

- Provide one box of toner for each Monochrome Plotter.
- Provide one box of color cartridges for each Color Plotter.
- Provide one roll of paper media (150' x 34") for the Monochrome Plotter.
- Provide one roll of paper media (150' x 34") for the Color Plotter.
- Provide one copy of the User Manual and other product documentation, either printed or 'pdf format is acceptable.
- **Note:** Since a complete system will not be installed at the Headquarters Building, that location does not require media, toner, or cartridges; however, this location shall require a copy of the User Manual and other product documentation for the Scanner which will be installed there. Additionally this location will require a copy of the Digital Engineering Printing System User Manual and other product documentation.

3.2) Training:

- Onsite training on the use of the new equipment shall be provided and included in the quote as further described, for: each District Office location, at the Materials Division Office, and at the Headquarters Building.
- A minimum of two (2) hours training shall be provided at each location.
- Training shall include showing the users how the new equipment is used.
- Training shall include showing the users how to load and change media.
- Training shall include showing the users how to load toner in the Monochrome Plotter.
- Training shall include showing the users how to install the ink cartridges in the Color Plotter.
- **Note:** Since a complete system will not be installed at the Headquarters Building, that location does not require training in changing media and ink cartridges; however, user training for the Scanner unit installed at that location shall be required.

Engineering Printing Systems Specifications

3.3) Maintenance Requirements – Mandatory:

- Vendors' quotes shall include Onsite maintenance of all components.
- A maximum four (4) hour call back response to the initial reported problem.
- One (1) business day onsite response time shall be required – calculated from time of initial reported problem.
- One (1) year of maintenance – calculated from the completion of the Training Date at each location for each system shall be included in the equipment system quotes.
- Each vendor shall provide additional quotes (separate from the equipment quotes) for four (4) consecutive maintenance renewal options. Maintenance quotes for Years' Two thru Years' Five shall be quoted separately- by year. These renewal maintenance quotes shall be based on the same maintenance requirements as defined in this RFQ. All maintenance expenses are to be invoiced in arrears.
- Maintenance shall include Preventive Maintenance calls as required to maintain the equipment components within the manufacturer's original specifications.
- Maintenance shall include replacement parts, including drums at no additional expense.
- Maintenance shall include travel and other related expenses incurred during maintenance calls.
- All replacement parts shall be made with Original Equipment Manufacturer (OEM) Parts.

3.4) Installation Requirements – *each system*:

- All systems described in this RFQ shall be delivered, installed, set-up, tested, and fully functional within forty-five (45) days of vendor receiving an approved order.
- All components shall be delivered freight prepaid to each of the twelve (12) locations specified on Attachment 2.
- The vendor shall provide a minimum two (2) day notice of all equipment deliveries.
- The vendor shall be responsible for equipment installation, set-up, and removal/disposal of all packing materials.
- The vendor shall have the option of removing trade-in equipment or not taking possession of it.
- The vendor shall register all equipment components with the manufacturer so that the owner and user of the equipment are listed as WVDOT.
- Upon payment in whole, all rights, title, and interest to the equipment components shall transfer to the WVDOT.

4) Award process:

The award for the Digital Engineering Printing Systems RFQ shall be made to the vendor that provides a solution which features a Color Plotter, a Monochrome Plotter, a Scanner capable of producing both Color and Monochrome Scans, and a Controller Unit that electronically links all of the various components and meets all the mandatory requirements of this RFQ at the least expense to the WVDOT.

- Vendors should include with each quote, a statement which lists successful implementation of the same (as proposed/quoted) equipment components in an integrated environment of North American Engineering application(s). Contact name(s) (associated with the engineering entity) and telephone number(s) should also be provided.
- Vendors must include in their proposal/bid, a Trade-In Quote for the currently used Xerox 8825 Scanner/Plotter (10) units as listed on Attachment 2.

Engineering Printing Systems Specifications

Attachment 1: Bid/Quote Sheet

11 Monochrome Plotters.....UNIT PRICE_____ EXTENDED PRICE_____

11 Color Plotters.....UNIT PRICE_____ EXTENDED PRICE_____

12 Scanners.....UNIT PRICE_____ EXTENDED PRICE_____

11 Controllers.....UNIT PRICE_____ EXTENDED PRICE_____

Equipment Sub Total....._____

MAINTENANCE QUOTES YEARS 2 thru YEARS 5:

Year 2 Maintenance Cost_____ Year 3 Maintenance Cost_____

Year 4 Maintenance Cost_____ Year 5 Maintenance Cost_____

Years 2 thru 5 Maintenance Sub Total....._____

Equipment/Maintenance Total....._____

Lump Sum Trade-In Discount_____

FINAL Quote Total....._____

Statement regarding successful implementation of quoted components in an integrated environment of Engineering application in North America. Also provide contact name(s) and telephone number(s) associated with the engineering application of the quoted components.

Attachment 2: Delivery, Installation, Setup, and Training Locations -

District 1
1334 Smith Street
Charleston, WV 25301-1492
District Manager
John McBrayer
(304)558-3001
Xerox 8825 Plotter/Scanner currently in use at this location,
Serial Number: DT9031090

District 2
801 Madison Avenue
Huntington, WV 25712-0880
District Manager
Keith Chapman
(304)528-5625
Xerox 8825 Plotter/Scanner currently in use at this location,
Serial Number: DT9031269

District 3
624 Depot Street
Parkersburg, WV 26102-0308
District Engineer
James E. Roten, Jr.
(304)420-4645
Xerox 8825 Plotter/Scanner currently in use at this location,
Serial Number: DT9031273

District 4
I-79 & Meadowbrook Road (Exit 121)
Clarksburg, WV 26302-2570
District Manager
Greg Phillips
(304)842-1550
Xerox 8825 Plotter/Scanner currently in use at this location,
Serial Number: DT9030880

District 5
P. O. Box 99 (US Route 50)
Burlington, WV 26710
District Engineer
Lee Thorne
(304)289-2200
Xerox 8825 Plotter/Scanner currently in use at this location,
Serial Number: DT9031065

District 6
1 DOT Drive
Moundsville, WV 26041
District Engineer
Robert W. Whipp
(304)843-4008
Xerox 8825 Plotter/Scanner currently in use at this location,
Serial Number: DT9031070

Attachment 2: Delivery, Installation, Setup, and Training Locations -

District 7
255 Depot Street
Weston, WV 26452-1228
Highway District Manager
Ron Hooton
304-269-0414
Xerox 8825 Plotter/Scanner currently in use at this location,
Serial Number: DT9030950

District 8
US Route 219 North
P.O. Box 1516
Elkins, WV 26241
District Engineer
Mike Moran
(304)637-0220
Xerox 8825 Plotter/Scanner currently in use at this location,
Serial Number: DT9031021

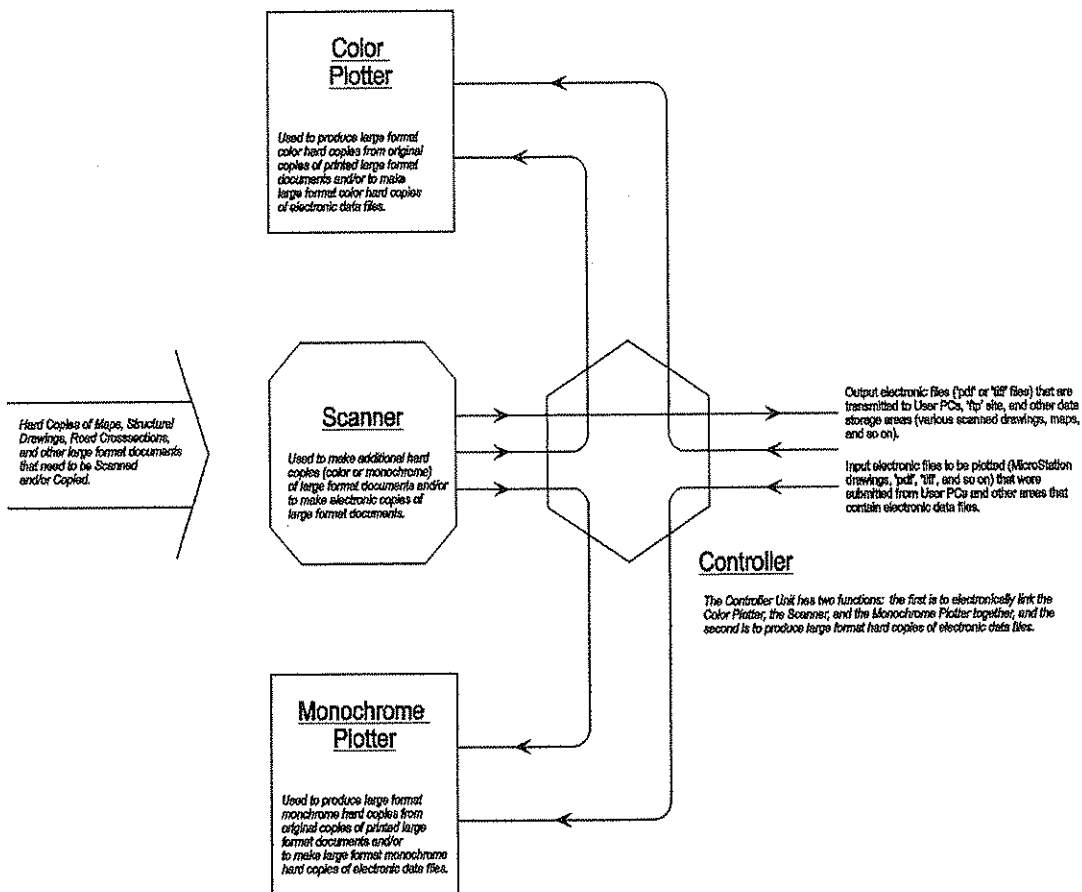
District 9
103 1/2 Church Street
Lewisburg, WV 24901
District Engineer
Steven Cole
(304)647-7450
Xerox 8825 Plotter/Scanner currently in use at this location,
Serial Number: DT9031255

District 10
270 Hardwood Lane
Princeton, WV 24740
District Manager
Tom Camden
(304)487-5228
Xerox 8825 Plotter/Scanner currently in use at this location,
Serial Number: DT9031178

Materials Division
190 Dry Branch Road
Charleston, WV 25306
Division Director
Aaron Gillespie
(304)558-3160
Removal and/or Trade-in of old equipment is not required at this location.

WVDOT Headquarters
1900 Kanawha Blvd, East
Charleston, WV 25305
Information Services Director
Joe Biancaniello
(304)558-9241
Removal and/or Trade-in of old equipment is not required at this location.

Attachment 3: Diagram of the Engineering Printing System –



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.

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: _____ Signed: _____

Date: _____ Title: _____

*Check any combination of preference consideration(s) indicated above, which you are entitled to receive.

STATE OF WEST VIRGINIA
Purchasing Division**PURCHASING AFFIDAVIT****VENDOR OWING A DEBT TO THE STATE:**

West Virginia Code §5A-3-10a provides that: 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 owed is an amount greater than one thousand dollars in the aggregate.

PUBLIC IMPROVEMENT CONTRACTS & DRUG-FREE WORKPLACE ACT:

If this is a solicitation for a public improvement construction contract, the vendor, by its signature below, affirms that it has a written plan for a drug-free workplace policy in compliance with Article 1D, Chapter 21 of the *West Virginia Code*. The vendor **must** make said affirmation with its bid submission. Further, public improvement construction contract may not be awarded to a vendor who does not have a written plan for a drug-free workplace policy in compliance with Article 1D, Chapter 21 of the *West Virginia Code* and who has not submitted that plan to the appropriate contracting authority in timely fashion. For a vendor who is a subcontractor, compliance with Section 5, Article 1D, Chapter 21 of the *West Virginia Code* may take place before their work on the public improvement is begun.

ANTITRUST:

In submitting a bid to any agency for the state of West Virginia, the bidder offers and agrees that if the bid is accepted the bidder will convey, sell, assign or transfer to the state of West Virginia all rights, title and interest in and to all causes of action it may now or hereafter acquire under the antitrust laws of the United States and the state of West Virginia for price fixing and/or unreasonable restraints of trade relating to the particular commodities or services purchased or acquired by the state of West Virginia. Such assignment shall be made and become effective at the time the purchasing agency tenders the initial payment to the bidder.

I certify that this bid is made without prior understanding, agreement, or connection with any corporation, firm, limited liability company, partnership or person or entity submitting a bid for the same materials, supplies, equipment or services and is in all respects fair and without collusion or fraud. I further certify that I am authorized to sign the certification on behalf of the bidder or this bid.

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. Vendor further agrees to comply with the Confidentiality Policies and Information Security Accountability Requirements, set forth in <http://www.state.wv.us/admin/purchase/privacy/noticeConfidentiality.pdf>.

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

Vendor's Name: _____

Authorized Signature: _____ Date: _____