



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
DNR209122

PAGE
1

ADDRESS CORRESPONDENCE TO ATTENTION OF
FRANK WHITTAKER 304-558-2316

VENDOR

RFQ COPY  
 TYPE NAME/ADDRESS HERE

SHIP TO

DIVISION OF NATURAL RESOURCES  
 CEDAR CREEK STATE PARK  
 ATTN: PARK SUPERINTENDENT  
 ROUTE 1, BOX 9  
 GLENVILLE, WV  
 26351 462-7158

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
04/15/2009				

BID OPENING DATE: 04/22/2009 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
***** ADDENDUM NO 2 *****						
THIS ADDENDUM IS ISSUED TO PROVIDE THE ATTACHED VENDOR QUESTIONS & AGENCY RESPONSES AND THE MANDATORY PRE-BID MEETING SIGN IN SHEET.						
0001	1	LS		650-38		
PLAYGROUND EQUIPMENT (NOT OTHERWISE CLASSIFIED)						
***** THIS IS THE END OF RFQ DNR209122 ***** TOTAL:						

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 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, this Contract may be deemed null and void, and 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 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 workplace 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."

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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 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

**DNR209122 Question and Answers  
Cedar Creek State Park Playground**

Q: Will DNR accept 3.5 inch round posts, in order to have "as equal" support post specs for this RFP? (If they meet the required tensil strength of 55,000 psi for strength)

A: It has been determined that 4 ½ inch round posts are the equivalent of 4 inch square posts. DNR will accept 4 ½ inch round posts as the equivalent.

Q: We have a question concerning the Cedar Creek State Park bid. While working on our quote, our playground designer, along with Miracle's safety department, noticed that these playgrounds are not ADA Compliant. Yet the bid package states that the playgrounds are required to meet ADA Accessibility Guidelines. Are we to adhere to the bid requirements of ADA Compliance or attempt to match the components on the provided top view drawings as they are currently shown? Please let us know as we are in the process of designing these playgrounds.

A: ADA accessibility was brought up at our pre-bid meeting. According to our design the border around each play areas which consists of (Childforms funtimbers/Model# FTB-00002, OR EQUAL) will have an open space left to provide for an entrance area. Item#8 on page 16 (Childforms filter ends/Model# ADJ-00008) provides end caps for the border material. We need a total of 8 for the four entrance areas. The design would meet ADA Compliance.

Request for Proposal No.

SIGN IN SHEET

PLEASE PRINT

Page 1 of 2  
Date: April 1, 2009

\* PLEASE BE SURE TO PRINT LEGIBLY - IF POSSIBLE, LEAVE A BUSINESS CARD

FIRM & REPRESENTATIVE NAME	MAILING ADDRESS	TELEPHONE & FAX NUMBERS
Company: <u>Blue Ridge Outdoors Designs/Playland</u> Rep: <u>Jim Doyes</u> Email Address: <u>ford@engrground.com</u>	<u>P.O. Box 123 Blue Ridge VA 24064</u>	PHONE <u>540-765-7580</u> TOLL FREE FAX
Company: <u>VA PLAYGROUND SERVICE / LITTLE TREES</u> Rep: <u>JIM BENSON</u> Email Address: <u>JIM@VAPLAYGROUNDS.COM</u>	<u>14076 RIVERSIDE DR ASHLAND VA 23005</u>	PHONE <u>434-2492158</u> TOLL FREE FAX
Company: <u>Taylor Sports &amp; Rec / Miracle</u> Rep: <u>Tom Nelson</u> Email Address: <u>CNEL67@aol.com</u>	<u>836 Echo Run So Charleson, WV 25303</u>	PHONE <u>304-744-6548</u> TOLL FREE FAX <u>304-744-6545</u>
Company: <u>Davis Athletics, LLC / Henderson Recreation</u> Rep: <u>Fred Davis</u> Email Address: <u>fdavis@yahoo.com</u>	<u>2325 Liberty Street Parkersburg, WV 26101</u>	PHONE <u>304-428-3000</u> TOLL FREE FAX <u>304-428-3002</u>
Company: <u>CUNNINGHAM ASSOC. / GAMETIME</u> Rep: <u>LARRY FITZGERALD</u> Email Address: <u>LARRY@CUNNINGHAMASSOC.COM</u>	<u>Box 240 981 CHARLESVILLE 28024</u>	PHONE <u>804-438-2780</u> TOLL FREE FAX <u>704-525-7356</u>

Request for Proposal No.

PLEASE PRINT

Date: April 11, 2009

SIGN IN SHEET

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\* PLEASE BE SURE TO PRINT LEGIBLY - IF POSSIBLE, LEAVE A BUSINESS CARD

FIRM & REPRESENTATIVE NAME	MAILING ADDRESS	TELEPHONE & FAX NUMBERS
Company: Playground Specialists Rep: Tammy Wood Email Address: <del>_____</del> tammy@playspec.com	17352 N. Seton Avenue Emmitsburg, MD 21727	PHONE (301) 271-9236 TOLL FREE (800) 385-0075 FAX (301) 271-9239
Company: _____ Rep: _____ Email Address: _____	_____	PHONE _____ TOLL FREE _____ FAX _____
Company: _____ Rep: _____ Email Address: _____	_____	PHONE _____ TOLL FREE _____ FAX _____
Company: _____ Rep: _____ Email Address: _____	_____	PHONE _____ TOLL FREE _____ FAX _____