



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
EBA170

PAGE
1

ADDRESS CORRESPONDENCE TO ATTENTION OF
SHELLY MURRAY
304-558-8801

RFQ COPY  
 TYPE NAME/ADDRESS HERE

VENDOR

SHIP TO

EDUCATIONAL BROADCASTING  
 AUTHORITY  
 600 CAPITOL STREET  
  
 CHARLESTON, WV  
 25301-1223      304-558-3400

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B	FREIGHT TERMS
09/19/2008				

BID OPENING DATE: 09/25/2008      BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
----- ADDENDUM NO. 4 -----						
<p>THIS ADDENDUM IS ISSUED TO ADDRESS QUESTIONS RECEIVED PRIOR TO THE SECOND QUESTION SUBMISSION DEADLINE OF 9/16/2008 AND TO REPLACE THE VENDOR PREFERENCE CERTIFICATE FROM THE ORIGINAL REQUEST FOR QUOTATION WITH THE ATTACHED VENDOR PREFERENCE CERTIFICATE.</p> <p>ATTACHMENTS: QUESTIONS AND RESPONSES            VENDOR PREFERENCE CERTIFICATE            REVISED COST SHEET</p> <p>THE BID OPENING REMAINS: 9/25/2008</p>						
----- END OF ADDENDUM NO. 4 -----						

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 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."

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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

**EBA170**  
**Addendum No. 4**

1.) In Addendum No.2, "I assume that since it is not specified as 'live' that it is prerecorded. Is that correct?" your response states that the assumption is incorrect. All live captioning is aesthetically "roll-up" style. Therefore, there is no such service as "live pop-on style captioning." With that knowledge, do you request live (roll-up) caption pricing for the following a la carte pricing options:

1/4 hour pop-on (Quantity 136)  
1/2 hour pop-on (Quantity 204)  
1 hour pop-on (Quantity 13)

...as well as...

1/2 hour roll-up (Quantity 204)  
1 hour roll-up (Quantity 13)

...and...

1/2 hour live (Quantity 13)  
1 hour live (Quantity 6)  
90 minute live (Quantity 2)  
2 hour live (Quantity 3)?

**Answer: Please see the attached revised cost sheet.**

2.) In Addendum No. 2, "What type of captioning will be needed for the following programs...", are you looking for a sum total to create pop-on captioning and encode that captioning to DVC Pro 50 tape? Or would you rather a breakout of the caption-preparation pricing and the encoding pricing?

**Answer: Please break out the caption cost and the encoding separately. See new cost sheet attached.**

3.). I just needed to confirm that the tape format for encoded shows is DVC Pro.

**Answer: Yes, tape formats are DVCPRO.**

4.) Question on shipping: In addition to the question about the tape format, is the question about shipping the encoded tapes. I suppose that shipping cost will not be a part of the price we put on the bid. Am I correct?

**Answer: There shall not be any shipping charged to WV Public Broadcasting. Vendor shall build those costs into their captioning fees. Shipping shall not be billed separately.**

5.) Will you be issuing a third addendum to rewrite the a la carte pricing sheet to correct the above? Or should corrections simply be made in writing on our proposals?

**Answer: Please see the attached revised cost sheet.**

6.) Turn around time: Also, how much time do we get to send back the encoded masters back to WV? We take 5 business days. Is there any way to put that in the bid?

**Answer: Encoded masters shall be sent back to WV Public Broadcasting in 6 calendar days.**

7.) In the General Terms & Conditions page of the faxed addendum, item #4 states that "the apparent successful vendor must be properly registered with the Purchasing Division and have paid the required \$125 fee." Can this transaction take place upon receipt of the reward? Or must the transaction take place before our bid is submitted?

**Answer: A Vendor does not need to be a registered vendor to submit a bid, however, they vendor will need to be registered prior to receiving an award.**

State of West Virginia  
**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.*

**EBA170  
COST SHEET**

- 1/4 hour live roll up (Quantity 136) \_\_\_\_\_
- 1/2 hour live roll up (Quantity 204) \_\_\_\_\_
- 1 hour live roll up (Quantity 13) \_\_\_\_\_
  
- 1/2 hour live roll up to tape (Quantity 13)
  - \* Caption-Preparation Price \_\_\_\_\_
  - \* Encoding Price \_\_\_\_\_
  - \* Total \_\_\_\_\_
  
- 1 hour live roll up to tape (Quantity 6)
  - \* Caption-Preparation Price \_\_\_\_\_
  - \* Encoding Price \_\_\_\_\_
  - \* Total \_\_\_\_\_
  
- 1/2 hour to tape pop on (Quantity 4)
  - \* Caption-Preparation Price \_\_\_\_\_
  - \* Encoding Price \_\_\_\_\_
  - \* Total \_\_\_\_\_
  
- 1 hour to tape pop on (Quantity 4)
  - \* Caption-Preparation Price \_\_\_\_\_
  - \* Encoding Price \_\_\_\_\_
  - \* Total \_\_\_\_\_

- 90 minute to tape pop on (Quantity 7)
  - \* Caption-Preparation Price \_\_\_\_\_
  - \* Encoding Price \_\_\_\_\_
  - \* Total \_\_\_\_\_
  
- 90 minute live roll up (Quantity 2) \_\_\_\_\_
  
- 2 hour live roll up (Quantity 3) \_\_\_\_\_