



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
EBA182

PAGE
1

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

RFQ COPY

TYPE NAME/ADDRESS HERE

SHIP TO

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

DATE PRINTED 11/02/2008	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
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BID OPENING DATE: **11/20/2008** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	LS		840-99		
<p>ADD IP AUDIO DISTRIBUTION AND (2) NEW CONSOLES</p> <p>REQUEST OF QUOTATION</p> <p>THE WEST VIRGINIA PURCHASING DIVISION FOR THE AGENCY, WEST VIRGINIA EDUCATIONAL BROADCASTING, IS SOLICITING BIDS TO PROVIDE THE AGENCY WITH THE ADDITION OF IP AUDIO DISTRIBUTION TO AN EXISITING CONSOLE AND REPLACING TWO ADDITIONAL CONSOLES FOR LIVE MIXING PER THE ATTACHED SPECIFICATIONS.</p> <p>TECHNICAL QUESTIONS CONCERNING THIS PROJECT MUST BE SUBMITTED IN WRITING TO SHELLY MURRAY IN THE WEST VIRGINIA PURCHASING DIVISION BY FAX AT 304-558-4115 OR VIA EMAIL AT SHELLY.L.MURRAY@WV.GOV. DEADLINE FOR ALL TECHNICAL QUESTIONS IS 11/13/2008 AT THE CLOSE OF BUSINESS. ALL TECHNICAL QUESTIONS RECEIVED, IF ANY, WILL BE ANSWERED BY ADDENDUM AFTER THE DEADLINE.</p> <p>QUESTIONS CONCERNING THE ACTUAL PROCESS BY WHICH A VENDOR MAY SUBMIT A BID TO THE STATE OF WEST VIRGINIA ARE NOT CONSIDERED TO BE TECHNICAL QUESTIONS AND MAY BE SUBMITTED AT ANY TIME PRIOR TO THE BID OPENING AND IN ANY FORMAT.</p> <p>EXHIBIT 10</p> <p>REQUISITION NO.:</p>						

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."

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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LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
ADDENDUM ACKNOWLEDGEMENT						
I HEREBY ACKNOWLEDGE RECEIPT OF THE FOLLOWING CHECKED ADDENDUM(S) AND HAVE MADE THE NECESSARY REVISIONS TO MY PROPOSAL, PLANS AND/OR SPECIFICATION, ETC.						
ADDENDUM NO.'S:						
NO. 1						
NO. 2						
NO. 3						
NO. 4						
NO. 5						
I UNDERSTAND THAT FAILURE TO CONFIRM THE RECEIPT OF THE ADDENDUM(S) MAY BE CAUSE FOR REJECTION OF BIDS.						
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.						
				 SIGNATURE	
				 COMPANY	
					

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LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
				DATE		
				REV. 11/96		
				BANKRUPTCY: IN THE EVENT THE VENDOR/CONTRACTOR FILES FOR BANKRUPTCY PROTECTION, THIS CONTRACT MAY BE DEEMED NULL AND VOID, AND TERMINATED WITHOUT FURTHER ORDER.		
				NOTICE		
				A SIGNED BID MUST BE SUBMITTED TO:		
				DEPARTMENT OF ADMINISTRATION PURCHASING DIVISION BUILDING 15 2019 WASHINGTON STREET, EAST CHARLESTON, WV 25305-0130		
				THE BID SHOULD CONTAIN THIS INFORMATION ON THE FACE OF THE ENVELOPE OR THE BID MAY NOT BE CONSIDERED:		
				SEALED BID		
				BUYER: SHELLY MURRAY-FILE 31		
				RFQ. NO.: EBA182		
				BID OPENING DATE: NOVEMBER 20, 2008		
				BID OPENING TIME: 1:30 PM		

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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 EBA182 ***** TOTAL: _____						

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West Virginia Public Broadcasting is seeking quotes on expansion of an existing audio system. Mountain Stage, a production of public broadcasting is adding IP audio distribution to an existing console and replacing two additional consoles for live mixing. The additions and enhancements to the existing console and the new equipment specified must interface with the existing Yamaha M7CL console.

1. General description

- 1.1. Expand existing Yamaha M7CL by adding MADI cards for 48 channel remote preamps (stage monitor console)
- 1.2. Provide one Yamaha PM5DRH or equivalent with MADI cards for 48 channel remote preamps (radio mix console)
- 1.3. Provide one Yamaha PM5D or equivalent with MADI cards for 48 channel remote preamps (house mix console)
- 1.4. Provide seven, 8 channel remotely controlled preamps
- 1.5. Provide two AES/EBU to Ethersound adapters
- 1.6. Provide one, 8 port IP switch
- 1.7. Provide a transport case for each Yamaha PM5D console; a total of two.
- 1.8. Provide rack case for the preamps, ethersound adapters, and IP switch

2. Existing console

- 2.1. The existing console is a Yamaha M7CL, therefore items in section two shall interface with the existing equipment.
 - 2.1.1. Vendor shall provide one Yamaha MY16-ES64 Ethersound interface card or equivalent
 - 2.1.2. Vendor shall provide two Yamaha MY16-EX expansion card or equivalent
 - 2.1.3. Vendor shall provide Ethernet CAT5e or higher connecting cables to interconnect cards
 - 2.1.3.1. Cables shall be Shielded Twisted Pair, with all pins connected
 - 2.1.3.2. A ferrite core shall be provided for each connector for EMI suppression

3. Radio mix console

- 3.1. Vendor shall provide one Yamaha PM5DRH digital audio mixing console or equivalent
 - 3.1.1. Vendor shall provide one Yamaha PW800W, or equivalent power supply for the Yamaha PM5DRH, or equivalent.
 - 3.1.2. Vendor shall supply one Yamaha PSL360, or equivalent power supply cable for the Yamaha PM5DRH, or equivalent.
 - 3.1.3. Vendor shall provide one Yamaha MY16-ES64 Ethersound interface card or equivalent
 - 3.1.4. Vendor shall provide two Yamaha MY16-EX expansion cards or equivalent

3.1.5. Vendor shall provide Ethernet CAT5e or higher connecting cables to interconnect cards

3.1.5.1. Cables shall be Shielded Twisted Pair, with all pins connected

3.1.5.2. A ferrite core shall be provided for each connector for EMI suppression

4. House mix console

4.1. Vendor shall provide one Yamaha PM5D digital audio mixing console or equivalent

4.1.1. Vendor shall provide one Yamaha PW800W, or equivalent power supply for the Yamaha PM5D, or equivalent

4.1.1.1. Vendor shall provide one Yamaha PSL120 or equivalent connecting cable

4.1.2. Vendor shall provide one Yamaha MY16-ES64 Ethersound interface card or equivalent

4.1.3. Vendor shall provide two Yamaha MY16-EX expansion card or equivalent

4.1.4. Vendor shall provide Ethernet CAT5e or higher connecting cables to interconnect cards

4.1.4.1. Cables shall be Shielded Twisted Pair, with all pins connected

4.1.4.2. A ferrite core shall be provided for each connector for EMI suppression

5. Preamps/interface

5.1. Vendor shall provide seven Yamaha AD8HR 8 channel remotely controllable preamplifiers or equivalent, for a total of 56 channels

5.2. Vendor shall provide two Yamaha NAI48-ES network audio interface or equivalent

5.3. Vendor shall provide all cables to interconnect the Yamaha AD8HR preamps to the Yamaha NAI48-ES interface

6. Cases

6.1. Vendor shall provide one transport case for the Yamaha PM5D

6.2. Vendor shall provide one transport case for the 7 Preamp units, 2 Interface units, and Ethernet switch

6.2.1. One rack unit shall be allowed for between each unit for ventilation for a total of 24 rack units

6.2.2. Preamp/interface case shall be shock absorbing (foam or springs) and have casters for transport

7. Options

7.1. Vendor is requested to provide a separately listed quote for a spare Yamaha PW800W power supply or equivalent

7.2. Vendor is requested to provide a separately listed quote for three 300 foot long tactical CAT5 interconnecting cables on reels

- 7.3. West Virginia Public Broadcasting may choose to purchase one, two or three additional Yamaha MY16-EX expansion cards or equivalent; vendor is requested to provide a separately listed quote on the Pricing Page.
- 7.4. Options shall not be included in the aggregate bid

8. Shipping and Handling

- 8.1. Vendor shall provide shipping and handling
- 8.2. Delivery shall be to:
- 8.3. West Virginia Public Broadcasting
- 8.4. ATTN: Dave McClanahan
- 8.5. 600 Capitol Street
- 8.6. Charleston, WV 25301
- 8.7. Contact # 304-556-4914

EBA182 Pricing Page
Mixing Console expansion and new console purchase

Sec.	Quantity	Description	Unit Price	Extended Price
2.1.1	One	Yamaha MY 16-ES64 Ethersound interface card Or Equivalent	\$ _____	\$ _____
2.1.2	Two	Yamaha MY 16-EX expansion card Or Equivalent	\$ _____	\$ _____
2.1.3	Three	Ethernet CAT5e internet card connecting cables	\$ _____	\$ _____
3	One	Yamaha PM5DRH digital audio mixing console Or Equivalent	\$ _____	\$ _____
3.1.1	One	Yamaha PW800W power supply Or Equivalent	\$ _____	\$ _____
3.1.2	One	Yamaha PSL360 power supply cable Or Equivalent	\$ _____	\$ _____
3.1.3	One	Yamaha MY16-ES64 Ethersound interface card Or Equivalent	\$ _____	\$ _____
3.1.4	Two	Yamaha MY16-EX expansion cards Or Equivalent	\$ _____	\$ _____
3.1.5	Three	CAT5e internet card connecting cables	\$ _____	\$ _____
4.1	One	Yamaha PM5D digital audio mixing console Or Equivalent	\$ _____	\$ _____
4.1.1	One	Yamaha PW800W power supply Or Equivalent	\$ _____	\$ _____
4.1.1.1	One	Yamaha PSL120 power supply cable Or Equivalent	\$ _____	\$ _____
4.1.2	One	Yamaha MY16-ES64 Ethersound interface card Or Equivalent	\$ _____	\$ _____
4.1.3	Two	Yamaha MY16-EX expansion cards Or Equivalent	\$ _____	\$ _____

4.1.4	Three	CAT5e internet card connecting cables	\$ _____	\$ _____
5.1	Seven	Yamaha AD8HR 8 ch remote preamplifiers Or Equivalent	\$ _____	\$ _____
5.2	Two	Yamaha NA148-ES network audio interfaces Or Equivalent	\$ _____	\$ _____
5.3	Seven	Interconnect cables Yamaha AD8HR preamps to Yamaha NA148-ES Or Equivalent	\$ _____	\$ _____
6.1	One	Transport Case for Yamaha PM5D	\$ _____	\$ _____
6.2	One	Transport Case for 7 Preamps, 2 Interface units and Ethernet switch	\$ _____	\$ _____

TOTAL \$ _____

OPTIONS (add alternates)

7.1	One	Yamaha PW800W power supply Or Equivalent	\$ _____	\$ _____
7.2	Three	300 ft tactical CAT5 interconnecting cables on reels	\$ _____	\$ _____
7.3	One, Two, or Three	Yamaha MY16-EX expansion cards Or Equivalent	\$ _____	\$ _____

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.*

RFQ No. _____

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:

West Virginia Code §21-1D-5 provides that: Any solicitation for a public improvement construction contract shall require each vendor that submits a bid for the work to submit at the same time an affidavit that the vendor has a written plan for a drug-free workplace policy in compliance with Article 1D, Chapter 21 of the West Virginia Code. A 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. Vendors should visit www.state.wv.us/admin/purchase/privacy for the Notice of Agency Confidentiality Policies.

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

Vendor's Name: _____

Authorized Signature: _____ Date: _____