



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 |
| EBA252 |

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| PAGE |
| 1 |

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

VENDOR

RFQ COPY
 TYPE NAME/ADDRESS HERE

SHIP TO

WNPB-TV
 191 SCOTT AVENUE
 MORGANTOWN, WV
 26505 293-6511

| | | | | |
|--------------|---------------|----------|-------|---------------|
| DATE PRINTED | TERMS OF SALE | SHIP VIA | F.O.B | FREIGHT TERMS |
| 03/02/2010 | | | | |

BID OPENING DATE: 03/31/2010 BID OPENING TIME 01:30PM

| LINE | QUANTITY | UOP | CAT NO. | ITEM NUMBER | UNIT PRICE | AMOUNT |
|--|----------|-----|---------|-------------|------------|--------|
| 0001 | 1 | LS | | 020-71 | | |
| <p>THE WEST VIRGINIA PURCHASING DIVISION, FOR THE AGENCY, THE WEST VIRGINIA EDUCATIONAL BROADCASTING AUTHORITY, IS SOLICITING BIDS FOR TERMINAL EQUIPMENT FRAMES AND CARDS THAT MUST WORK IN THE OPENGear (TM) ENVIRONMENT AND UNDER DASHBOARD (TM) NETWORK CONTROL REMOTE SOFTWARE PER THE ATTACHED SPECIFICATIONS.</p> <p>TECHNICAL QUESTIONS MUST BE SUBMITTED IN WRITING TO SHELLY MURRAY IN THE WEST VIRGINIA PURCHASING DIVISION VIA MAIL AT THE ADDRESS SHOWN AT THE TOP OF THIS RFQ, VIA FAX AT 304-558-4115, OR VIA E-MAIL AT SHELLY.L.MURRAY@WV.GOV. DEADLINE FOR ALL TECHNICAL QUESTIONS IS 03/16/2010 AT THE CLOSE OF BUSINESS. ALL TECHNICAL QUESTIONS RECEIVED, IF ANY, WILL BE ADDRESSED BY ADDENDUM AFTER THE DEADLINE.</p> <p>EQUIPMENT, BROADCASTING</p> <p>CANCELLATION: THE DIRECTOR OF PURCHASING RESERVES THE RIGHT TO CANCEL THIS CONTRACT IMMEDIATELY UPON WRITTEN NOTICE TO THE VENDOR IF THE MATERIALS OR WORKMANSHIP SUPPLIED ARE OF AN INFERIOR QUALITY OR DO NOT CONFORM WITH THE SPECIFICATIONS OF THE THE BID AND CONTRACT HEREIN.</p> <p>BANKRUPTCY: IN THE EVENT THE VENDOR/CONTRACTOR FILES FOR BANKRUPTCY PROTECTION, THE STATE MAY DEEM THE CONTRACT NULL AND VOID, AND TERMINATE SUCH CONTRACT WITHOUT FURTHER ORDER.</p> | | | | | | |

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

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| 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. Prior to any award, the apparent successful vendor must be properly registered with the Purchasing Division and have paid the required \$125 fee.
4. 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.
5. Payment may only be made after the delivery and acceptance of goods or services.
6. Interest may be paid for late payment in accordance with the *West Virginia Code*.
7. Vendor preference will be granted upon written request in accordance with the *West Virginia Code*.
8. The State of West Virginia is exempt from federal and state taxes and will not pay or reimburse such taxes.
9. The Director of Purchasing may cancel any Purchase Order/Contract upon 30 days written notice to the seller.
10. The laws of the State of West Virginia and the *Legislative Rules* of the Purchasing Division shall govern the purchasing process.
11. Any reference to automatic renewal is hereby deleted. The Contract may be renewed only upon mutual written agreement of the parties.
12. **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.
13. **HIPAA BUSINESS ASSOCIATE ADDENDUM:** The West Virginia State Government HIPAA Business Associate Addendum (BAA), approved by the Attorney General, is available online at www.state.wv.us/admin/purchase/vrc/hipaa.htm and 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.
14. **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>.
15. **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, and the West Virginia Insurance Commission. 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.
16. **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 material, 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.

INSTRUCTIONS TO BIDDERS

1. Use the quotation forms provided by the Purchasing Division. Complete all sections of the quotation form.
2. 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. Unit prices shall prevail in case of discrepancy. All quotations are considered F.O.B. destination unless alternate shipping terms are clearly identified in the quotation.
4. 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
5. Communication during the solicitation, bid, evaluation or award periods, except through the Purchasing Division, is strictly prohibited (W.Va. C.S.R. §148-1-6.6).



State of West Virginia
 Department of Administration
 Purchasing Division
 2019 Washington Street East
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304-558-8801

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BID OPENING DATE: **03/31/2010** BID OPENING TIME **01:30PM**

| LINE | QUANTITY | UOP | CAT NO | ITEM NUMBER | UNIT PRICE | AMOUNT |
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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 style="text-align: center;">NOTICE</p> <p>A SIGNED BID MUST BE SUBMITTED TO:</p> <p style="text-align: center;">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 THE ENVELOPE OR THE BID MAY NOT BE CONSIDERED:</p> <p>SEALED BID</p> <p>BUYER: SHELLY MURRAY</p> <p>RFQ. NO.: EBA252</p> <p>BID OPENING DATE: 03/31/2010</p> | | | | | | |

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|--|----------|-----|----------|-------------|------------|--------------|
| BID OPENING TIME: | | | | 1:30 PM | | |
| 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 EBA252 ***** | | | | | | TOTAL: _____ |

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EBA 252 Terminal Equipment, Frames and Cards of the openGear™ family

The West Virginia Educational Broadcasting Authority (WVEBA) is conducting a Request for Quotations for terminal equipment frames and cards that must work in the openGear™ environment and under DashBoard™ Network Control remote software, at the WNPB-TV Broadcast and Production Center in Morgantown, WV. This equipment does not interact with the State of West Virginia networking systems; they are for the internal plant use at WNPB-TV and West Virginia Public Broadcasting.

Due to the open architecture of this system, a variety of manufacturers may have equivalent products and similar part numbers. The requirement list below will only use ROSS or COBALT model numbers to keep it simple for cross referencing.

Specifications must be equal to or exceed items listed below.

| Qty. | Description |
|------|---|
| 1 | 2RU, 10 slot card frame with 1 power supply, fans, Modular Rear Panel Ross # DFR-8310-C or equal |

The DFR-8310 is a 2RU modular frame, designed to accommodate up to 10 modules of the openGear Multi-Definition product family.

The front-door mounted fans provide forced air cooling for all modules, and additional cooling for the power supplies. An intelligent fan controller adjusts fan speed with changes in frame power loading or temperature. Particular attention has been paid to frame acoustics in order to keep fan noise to a minimum

- 2RU frame houses up to 10 modules
- Can house any mix of analog, digital, video and audio modules in the same frame
- Available with preloaded 10-BNC rear modules, or modular I/O panels for connector flexibility
- Heavy-duty hinged front door panel lowers to allow easy card insertion
- Durable powder-coat paint finish
- Aluminum construction reduces overall weight
- Two independent looping Reference Inputs feed all module slots
- SMPTE alarm interface for simple monitoring
- Robust 150 watt power supply with integral cooling fan
- Optional redundant power supply is hot-swappable for 24 / 7 operation
- Power switch is accessible from the front of the rack frame
- Power supplies are replaceable from the front of the frame without requiring rear-frame access
- Separate power cords to each supply for power feed redundancy
- PowerLock cord retainer mechanism guards against accidental power loss
- Optional Cooling Fan Module for increased ventilation and enhanced reliability
- Fan Fail and Error Indicator LEDs on front of the frame (available with optional Cooling Fan Module)

- Optional Ethernet based frame controller for remote setup, monitoring, and control
- 5-year transferable warranty

| Qty. | Description |
|------|---|
| 8 | 2RU, 10 slot card frame with 1 power supply, fans, 100 BNC Rear Panel Ross # DFR-8310-C-BNC or equal |

The DFR-8310 is a 2RU modular frame, designed to accommodate up to 10 modules of the openGear Multi-Definition product family.

The front-door mounted fans provide forced air cooling for all modules, and additional cooling for the power supplies. An intelligent fan controller adjusts fan speed with changes in frame power loading or temperature. Particular attention has been paid to frame acoustics in order to keep fan noise to a minimum

- 2RU frame houses up to 10 modules
- Can house any mix of analog, digital, video and audio modules in the same frame
- Available with preloaded 10-BNC rear modules, or modular I/O panels for connector flexibility
- Heavy-duty hinged front door panel lowers to allow easy card insertion
- Durable powder-coat paint finish
- Aluminum construction reduces overall weight
- Two independent looping Reference Inputs feed all module slots
- SMPTE alarm interface for simple monitoring
- Robust 150 watt power supply with integral cooling fan
- Optional redundant power supply is hot-swappable for 24 / 7 operation
- Power switch is accessible from the front of the rack frame
- Power supplies are replaceable from the front of the frame without requiring rear-frame access
- Separate power cords to each supply for power feed redundancy
- PowerLock cord retainer mechanism guards against accidental power loss
- Optional Cooling Fan Module for increased ventilation and enhanced reliability
- Fan Fail and Error Indicator LEDs on front of the frame (available with optional Cooling Fan Module)
- Optional Ethernet based frame controller for remote setup, monitoring, and control
- 5-year transferable warranty

| Qty. | Description |
|------|---|
| 9 | Frame controller card with network interface Ross # MFC-8320-N or equal |

The MFC-8320-N is a network controller card that allows the 8310 (10-slot) and 8321 (20-slot) openGear™ frames to communicate with multiple copies of DashBoard™ or Cobalt remote control panels via Ethernet and TCP/IP--allowing remote access to the openGear™ frames across both LAN and WAN architectures.

| Qty. | Description |
|------|---|
| 9 | Redundant Power Supply for each 8310 Card Frame Ross # PS-8300 or equal |

The DFR-8310 frame can accommodate two front-loaded PS-8300 power supplies. Although a single supply can fully power a loaded frame, the addition of a second (optional) supply gives the frame full power redundancy. Each supply is fed by a separate power cord, which is held in position to guard against accidental power loss. Each power supply contains an independent cooling fan, status LED, and a front-mounted power switch.

| Qty. | Description |
|------|---|
| 2 | Analog A/V (Composite, 4 ch audio) to SDI converter card with proc amp and frame sync Ross # ADC-8732B-SC or equal |

- 12-bit analog to digital conversion
- 10-bit decoding with 3-line / 5-line / 3D adaptive comb filters
- 4 channels of analog audio A / D with embedding
- Optional Frame Synchronization
- Freeze modes
- Horizontal and vertical timing adjustments
- Programmable vertical interval blanking
- Proc Amp controls
- 24-bit audio ADC resolution, adjustable gain and delay
- Status indicator LEDs on card-edge
- Choice of reference inputs
- 5-year transferable warranty
- Power: 7.8 watts

| Qty. | Description |
|------|---|
| 2 | Analog A/V (Component, 4 ch audio) to SDI converter card with proc amp and frame sync Ross # ADC-8733A-SC or equal |

- Component video with 4 analog audio conversion to SDI input from Betacam, MII and SMPTE / EBU formats
- All RGB input formats supported
- Automatic 525/625-line selection
- Programmable vertical interval blanking and signal pass-through
- Extensive Proc Amp controls
- Freeze modes, horizontal and vertical timing adjustments
- 4 channels of analog audio embedded
- 24-bit audio ADC resolution, adjustable gain and delay
- 5-year transferable warranty

- Power: 8.5 watts

| Qty. | Description |
|------|---|
| 3 | Analog Component Video to SDI converter card with proc amp and frame sync Ross # ADC-8733A-S or equal |

- YUV input from Betacam, MII and SMPTE / EBU formats
- All RGB input formats supported
- Field-upgradeable Frame Synchronization option available
- Programmable vertical interval blanking and signal pass-through
- Extensive Proc Amp controls, pass or clip Super Black
- Freeze modes, horizontal and vertical timing adjustments
- Tracking Delay Output for companion audio synchronizer
- Built-in test signals (FF color bars, SDI Checkfield)
- 5-year transferable warranty
- Power: 4.5 watts

| Qty. | Description |
|------|---|
| 32 | Dual Multi-rate SDI 1x4 multi configurable reclocking distribution amplifier card: dual 1x4 or single 1x8 or 1x2 & 1x6 Ross # DRA-8204 or equal |

- Two independent channels of SDI distribution on one card!
- Equalizes and reclocks all SDI signals from 143Mb/s to 1.485Gb/s
- Equalizes up to 300m of 1694A cable at 270Mb/s, or up to 100m of cable at 1.485Gb/s
- Automatic detection of incoming data rate
- Flexible channel configurations:
 - single 1:8 amplifier
 - dual 1:4 + 1:4 amplifiers
 - dual 1:6 + 1:2 amplifiers
- LED indicators for signal presence and data rate for each channel
- High-end input / output return loss specifications
- 10 DAs in DFR-8310 or DFR-8321
- 5-year transferable warranty
- Power: 3.7 watts

| Qty. | Description |
|------|--|
| 3 | HD/SD-SDI input, AES De-embedder (de-multiplexer) card with audio proc amp, 8 AES 75ohm outputs, 1 HD/SD-SDI output Ross # DMX-8259-A or equal |

- 16 Channel Audio de-embedding for all popular HD-SD SDI formats
- Audio Proc Amp controls; gain, invert, and delay
- Assign any embedded channel to any discrete audio output
- Ability to re-map channels in embedded video stream

- Programmable video output on SDI input loss
- Silence output on loss of audio input
- Programmable silence detection and timeout thresholds
- No audio breakout cables required
- 5-year transferable warranty
- Power: 8.5 watts

| Qty. | Description |
|-------------|---|
| 24 | AES 75ohm 1x8 or 2x4 reclocking distribution amplifier Ross # ADA-8401-A or equal |

- 1x8 AES distribution amplifier
- Ideal for distributing Dolby® E and Dolby Digital signals
- Cable equalization and data reclocking on the incoming AES / EBU signal
- Supports audio sampling frequencies from 30kHz to 192kHz
- 75Ω unbalanced I/O
- 10 DAs in DFR-8310 or DFR-8321
- 5-year transferable warranty
- Power: 2 watts

| Qty. | Description |
|-------------|--|
| 6 | HD/SD-SDI Test pattern generator card Cobalt # 9361 or equal |

The 9361 is an HD/SD-SDI multi-format test signal generator, generating 1.485 Gbit test signals. The 9361 delivers a user-selectable test pattern in several SD and HD-SDI formats.

The 9361 can overlay up to 20 characters of text onto the test pattern for channel ID. The SDI outputs can either be locked to a reference signal connected to the openGear™ frame, or run off an internal clock.

SPECS:

Electrical

Power: 8 watts

Reference Video Input

Number of Inputs: 2 looping (openGear™ frame)

Standard: Tri-level sync (SMPTE 274) and Black Burst (NTSC and PAL)

Test Patterns

HD/SD: Black Flat Frame 75% Color Bars Sweep Pattern

HD/SD-SDI Output

Number of outputs: 4 Reclocked, 4 Processed

Standard: SMPTE 292 and 259M

Signal Level: 800 mV nominal

Return Loss: >15 dB at 5 MHz - 270 MHz >12 dB at 270 MHz - 1.485 GHz

Jitter: HD: < 0.15 UI

SD: < 0.10 UI

II. Service/Support

Toll free phone technical support must be provided through vendor or manufacturer for a minimum of three years and included in the price of equipment bid.

III. Warranty

All items must be covered by a minimum one year parts and labor warranty to be included in the equipment cost.

IV. Delivery

Delivery shall be FOB destination. Shipping included in the price quoted.

Delivery address is:

WV Public Broadcasting,
Attention: Chris Vincent
191 Scott Ave.
Morgantown, WV 26508-8802

V. Invoicing

Send invoice to:
West Virginia Educational Broadcasting Authority
Attention: Steve Chapman
600 Capitol Street
Charleston, WV 25301

EBA252 Pricing Page
openGear™ Terminal Equipment, Frames and Cards or equivalent

| Qty. | Description | Unit Price | Extended |
|------|--|------------|----------|
| 1 | 2RU, 10 slot card frame with 1 power supply, fans, Modular Rear Panel Ross # DFR-8310-C or equal | \$ _____ | \$ _____ |
| 8 | 2RU, 10 slot card frame with 1 power supply, fans, 100 BNC Rear Panel Ross # DFR-8310-C-BNC or equal | \$ _____ | \$ _____ |
| 9 | Frame controller card with network Interface Ross # MFC-8320-N or equal | \$ _____ | \$ _____ |
| 9 | Redundant Power Supply for each 8310 Card Frame Ross # PS-8300 or equal | \$ _____ | \$ _____ |
| 2 | Analog A/V (Composite, 4 ch audio) to SDI converter card with proc amp and frame sync Ross # ADC-8732B-SC or equal | \$ _____ | \$ _____ |
| 2 | Analog A/V (Component, 4 ch audio) to SDI converter card with proc amp and frame sync Ross # ADC-8733A-SC or equal | \$ _____ | \$ _____ |
| 3 | Analog Component Video to SDI converter card with proc amp and frame sync Ross # ADC-8733A-S or equal | \$ _____ | \$ _____ |
| 32 | Dual Multi-rate SDI 1x4 multi config. reclocking distribution amplifier card Ross # DRA-8204 or equal | \$ _____ | \$ _____ |
| 3 | HD/SD-SDI input, AES De-embedder card with ,audio proc amp Ross # DMX-8259-A or equal | \$ _____ | \$ _____ |

| Qty. | Description | Unit Price | Extended |
|--------------|---|------------|----------|
| 24 | AES 75ohm 1x8 reclocking distribution amplifier Ross # ADA-8401-A or equal | \$ _____ | \$ _____ |
| 6 | HD/SD-SDI Test pattern generator card Cobalt # 9361 or equal | \$ _____ | \$ _____ |
| TOTAL | | \$ _____ | |

Signature of Vendor Representative

Date

RFQ No. _____

STATE OF WEST VIRGINIA
Purchasing Division

PURCHASING AFFIDAVIT

West Virginia Code §5A-3-10a states: 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.

DEFINITIONS:

"Debt" means any assessment, premium, penalty, fine, tax or other amount of money owed to the state or any of its political subdivisions because of a judgment, fine, permit violation, license assessment, defaulted workers' compensation premium, penalty or other assessment presently delinquent or due and required to be paid to the state or any of its political subdivisions, including any interest or additional penalties accrued thereon.

"Debtor" means any individual, corporation, partnership, association, limited liability company or any other form or business association owing a debt to the state or any of its political subdivisions. "Political subdivision" means any county commission; municipality; county board of education; any instrumentality established by a county or municipality; any separate corporation or instrumentality established by one or more counties or municipalities, as permitted by law; or any public body charged by law with the performance of a government function or whose jurisdiction is coextensive with one or more counties or municipalities. "Related party" means a party, whether an individual, corporation, partnership, association, limited liability company or any other form or business association or other entity whatsoever, related to any vendor by blood, marriage, ownership or contract through which the party has a relationship of ownership or other interest with the vendor so that the party will actually or by effect receive or control a portion of the benefit, profit or other consideration from performance of a vendor contract with the party receiving an amount that meets or exceeds five percent of the total contract amount.

EXCEPTION: The prohibition of this section does not apply where a vendor has contested any tax administered pursuant to chapter eleven of this code, workers' compensation premium, permit fee or environmental fee or assessment and the matter has not become final or where the vendor has entered into a payment plan or agreement and the vendor is not in default of any of the provisions of such plan or agreement.

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.

WITNESS THE FOLLOWING SIGNATURE

Vendor's Name: _____

Authorized Signature: _____ Date: _____

State of _____

County of _____, to-wit:

Taken, subscribed, and sworn to before me this ____ day of _____, 20__.

My Commission expires _____, 20__.

AFFIX SEAL HERE

NOTARY PUBLIC _____

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.