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

Request for Quotation

REO NUMBER

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ADDRESS CORRESPONDENCE TO ATTENTION OF JO ANN ADKINS

804-558-8802

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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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LIGHT10 SPECIFICATIONS DECEMBER 1, 2009

SCOPE

This request for quotation is to establish a statewide contract to supply lights, lamps, bulbs, ballasts and related supplies for all West Virginia state agencies and political subdivisions. It is the intention to award one contract. However, it may be split by category, if it is judged to be in the best interests of the State of West Virginia

All terms and conditions in the written specifications which are absolute and the compliance with can not be waived. Mandatory terms are indicated by the use of the terms *shall*, *will must*, *maximum* or *minimum*

QUESTIONS

Written questions shall be accepted through close of business on Monday, December 28, 2009. Questions may be sent via USPS, Courier, Fax, hand delivered, or E-mail (preferred method).

Send questions to:

West Virginia Purchasing Division Jo Ann Adkins 2019 Washington Street East P. O. Box 50130 Charleston, WV 25305 304-558-4115 (Fax) jo.a.adkins@wv.gov

GENERAL

- All products bid, furnished and delivered must be listed in a current catalog(s) that contains product lines broad enough to meet the needs of the State of West Virginia. Each item bid on the pricing page from the catalog must be identified by a reference number.
- 2. Vendor shall quote a percentage discount from the lowest price listed in the price list(s)/catalogs submitted. The state prefers a single percentage discount from the price list / categories, but will consider bids containing different percentage discounts for different brands, lists or categories of supplies. Vendors MAY submit alternate bids using a separate or additional catalog(s). All items in the discount category must have the exact same discount. (For example, if "lamp" on the pricing page has a discount of 40%, EVERY film product sold must have the 40%

discount.) Bids must plainly and clearly indicate the different classes of products with percentage discount for each. Bids that are not clearly identified, by easily identified classes, may be disqualified. Bids that have multiple discounts by category MUST list a discount for a miscellaneous category that would be applied to any product not identified by a category discount shown. For evaluation purposes, an estimate of quantity has been inserted to give the miscellaneous category a value in the bid evaluation. NOTE: The category discount must be for all items in that category. Bidders shall not offer greater discounts for items on the pricing pages than the category discount offered for that item.

Bidders should mark the items in the catalogs that appear on the pricing pages, to assist in the evaluation and verification of the bids. Vendors are requested to type the pricing pages. Failure to indicate the minimum order quantity on the pricing sheets shall require the vendor to ship any quantity of that product ordered, regardless of size.

Prices quoted shall be firm for one year from contract date.

- 3. Bidders should attach a current catalog/price list to their bid; and must have a catalog submitted prior to the evaluation of the bids. The discount shall be taken from the lowest price column in the price list. The percentage discount shall be indicated for each list/category, etc. If multiple percentage discounts are bid, the bidder must clearly indicate which list, category, or brand to which the percentage applies. If any discrepancies exist in the prices and the bid schedule and the actual price list and percentage discount bid, the actual price list and percentage bid shall prevail and be corrected by the buyer for evaluation purposes. This catalog(s)/price list(s) will be used with any resulting contract.
- 4. Successful vendor shall provide catalogs/price lists, at no charge, upon request to various state agencies. Additional price lists/catalogs may be required from the vendor at any time. These shall be provided at no cost to the State. State agencies may obtain the catalogs/price lists by contacting the contract coordinator.
- 5. Bidders shall complete the pricing on "<u>LIGHT10 Pricing Pages</u>". Bidders should complete all columns and information requested. This is a list of items anticipated to be purchased. Quantities for each item represent the approximate volume of anticipated purchases. The discount rate must be extended to all items found and ordered from the price list. The "unit price" must be the final price that will be charged to the State of West Virginia.
- 6. The lowest cost, most complete, bid shall be awarded a contract. The discount from list shall remain the same during the entire contract period, including any renewals. The contract awarded shall be based on the entire contract; exceptions are items that are covered by other specific contracts.

Quantity shown is for informational purposes only and is not to be construed as a guarantee of any future contract usage.

NOTE: All items bid on this must be certified by bidders as meeting the 1990 Toxic Characteristic Leaching Procedure, (TCLP) with reduced mercury content while providing same life, lumens and color as standard fluorescent lamps. Bidding a product that does not meet TCLP when one is available, shall be grounds for disqualification.

All lamps must be Sylvania, General Electric, Philips or equal and comply with the following:

All lamps must meet ANSI standards.

Incandescent lamps:

Test cycling shall conform to federal specifications W-L-101H. Rated life shall be determined by shutting power off once each 24 hours for at least 20 minutes until failure. A failure rate of 50% shall be defined as the rated life. Mean lumen output will be measured at 47.5% of rated life. Wattage will be measured from initial operation.

Fluorescent Lamps:

Testing cycle shall conform to federal specifications W-I-116D. Rated life shall be calculated by cycling the lamp on for three hours and off for 20 minutes until failure. A failure rate of 50% shall be defined as the rated life. Mean lumen output shall be measured at 40% of rated life on a reference ballast.

Fluorescent lamp wattage shall be measured on a reference ballast, per ANSI 82.3, and thus, per ANSI 78.1, ANSI 78.2, and ANSI 78.3. Wattages, voltages, and amperage shall correspond to the values given in these publications for each lamp.

In the absence of any ANSI specified voltage for the reduced wattage lamps, use the same voltage for both standard and reduced wattage lamps. For example, both F40T12/RS standard and reduced wattage will be supplied at 236 volts as specified in C78 and C82.3 of ANSI.

High Intensity Discharge lamps (HID)

HID lamps must meet federal specifications W-L-116/ etc. including the latest supplements. Mercury lamps mounted in interior fixtures shall be self-extinguishing in the event of breakage of the outer glass.

Lamps not specifically listed in the aforementioned federal specification shall comply with the manufacturer's published technical data.

Starters, fluorescent shall meet requirements of federal specification W-5-755C and American National Standards Institute, Inc. (ANSI) standards specification C-78.180-1972.

Fluorescent lamp ballasts and HID ballasts

Specifications:

- 1. All fluorescent ballasts must be C.B.M. certified for full light output of 92.5% or greater. The HM power factor must be 90% or greater and be thermally protected.
- 2. HID ballasts must have a wattage value at 100% full light output. The ballasts must also be U.L. approved.

Reports

Successful vendor shall supply quarterly reports to the Purchasing Division. Such reports must detail the volume, value of orders, and agencies (or political subdivisions) using the contract. Failure to issue such reports may be cause for cancellation of contract.

Orders

All orders from this contract in excess of \$125.00 shall be shipped F.O.B. Destination with all freight charges paid. Orders less than \$125.00 shall be shipped prepaid and the freight costs added to the invoice as a separate item, with the original freight bill attached to the invoice.

State agencies may purchase any order under \$125.00 from a local vendor **IF** the delivered price from such local vendor results in a savings. NOTE: Stringing orders is a violation of Purchasing Rules and Regulations.

Successful Vendor

Successful vendor shall provide catalog/price lists to all requesting agencies. These must be supplied within fifteen (15) days after request. They shall be supplied at no cost to the State of West Virginia.

Delivery

All items ordered shall be delivered within 15 calendar days after receipt of order.

Light10 Pricing Spreadsheet

Total																									
Net Unit Price	•															A TAXABLE AND A									1445-970000
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Description		PHIL 60A-130V IF A19 MED LMP	PHIL 100A/48PK-120V LAMP 48PK	PHIL F32T8/TL735/ALTO FLUOR LAMP	PHIL F32T8/TL741/ALTO FLUOR LAMP	PHIL 75A-130V A19 MED LMP 48PK	PHIL 60A-52A/EW-120V A19 LP 48PK	PHIL F96T12/CW/EW/ALTO FLUOR LAMP	PHIL F32T8/TL841/ALTO FLUOR LAMP	PHIL 15A15-120-130V IF A15 MED LAMP	PHIL 100A21-120-130V INCAN LAMP	PHIL F34/DX/RS/EW//ALTO FLUOR LAMP	PHIL PL-S-5W/27 TT FLUOR LAMP	PHIL FB34CW/6/EW-ALTO/12PK FLR	PHIL F96T12/CW/HO/EW/ALTO FLR LAMP	PHIL F32T8/TL/30/ALTO FLURR LAMP	PHIL 150A-120V INCAND LAMP	PHIL BC100BT15/HAL/W 120V LAMP	PHIL F20T12/CW/ALTO FLUORESCENT LMP	PHIL 200A-120V IF A23 MED LAMP	PHIL 100A-90A/EW/48PK-120V LAMP	PHIL BC60BT15/HAL/W 120V LAMP	PHIL 50/150A/SW/12/1 120V LAMP	PHIL 25T10 120V-130V INCN LMP	PHIL F30T12/CW/RS/ALTO LMP COOL WHT
Current Contract Item	Combined Lamps	37471	37474	27249	27248	37473	22237	25840	24671	37384	28171	26659	33233	37863	26660	27252	27003	24931	27332	36289	22243	24926	36671	13813	27242

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37406	PHIL 75A/99-120-130V LAMP 48PK	848	- Indiana						And the state of t
34415	PHIL MH400/U ED37 MOG MH LAMP	828							
37517	PHIL 60A/Y-120-130V A19 LMP 48PK	758							
22573	PHIL 60A/YL/12/2 120V LAMP 2PK	748							
37459	PHIL 60A-52A/99/EW-120-130V 48PK	720			V	-	and a second		The state of the s
24815	PHIL 15T6-140-150V CLR T6 CAND LAMP	570							A CONTRACTOR OF THE CONTRACTOR
24835	PHIL 6S6-120-130V CLR S6 CAND LAMP	564			Addition to the second of the				
38828	PHIL F96T8/HO/TL841-PLUS-ALTO LAMP	560							
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26873	PHIL PL-T-42W/30/4P/ALTO FLUOR LAMP	539						The state of the s	
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37892	PHIL FB32T8/TL730/6-ALTO/20PK LAMP	84		TATE AND					
22890	PHIL 300/99-130V EXTSVC LAMP	82			and the state of t				
38316	PHIL PL-C-18W/27/ALTO FLR LAMP	80							
30336		78							
16849	PHIL 60G30/W/LL-6/1 120V LAMP	76							And the second s
16852	PHIL 60G40/CL/LL-6/1 120V LAMP	76			3-3-2-2-2-3				
36883		92				***************************************			
34753	PHIL PL-1-50W/35/RS FLUOR LAMP	58		**************************************					
37446	PHIL 500-120-130V CLR PS35 MOG LMP	28		A					
38333	PHIL PL-C18W/41/4P/ALTO FLUOR LAMP	56	***************************************						
26345	PHIL 45PAR16/HAL/FL27-120V LAMP	53							
	1		سنت.						

Current	- Indicate the state of the sta		Minimum						
Contract			Order	Manufacturer	Vendor Item	List Unit	Discount	Net Unit	
Item	Description Est	Est Qty	Quantity	Bid	Number	Price	%	Frice	lotal
Combined L	Combined Lamps (cont.)			***************************************	renamental management of the state of the st				
23030	PHIL FXL410W/24PK-82V PROJ LAMP	52							
23636	PHII 7C7/R/24/1-120V CAND LAMP	52							
22948	PHIL 45PAR38/HAL/FL25-120V LAMP	32							
14254	PHIL F34T12/835/EW/ALTO FLUOR LAMP	30							
21897	PHIL F48T12/SPEC35/HO FLUOR LAMP	30						The second secon	
27558	PHIL 1000PAR64Q/WFL 120V QTZ LAMP	30							
14354	PHIL75ER30 130V 24/1	18							
29856	PHIL 150Q-ETH 120V QTZ LAMP	18						***************************************	
30170	PHIL MS400/BU BT37 MOG MH LAMP	18			***************************************				
37432	PHIL K250PAR38/FL-120-130V MED LAMP	18							
37973	PHII 40A/B-120V INCAND LAMP	17						The state of the s	
200	DEIII 4000EICI A.I. 4/3 120V.1 AMD	15							The state of the s
SOBOL.	THE 40620/OLICE-410 120V EDVICE	2 4							
29083	PHIL F3419/04 I/IO-ALIO FLOOR DAWF	1, 1,							
37 103	DHII 75DAR38/HAI /EI 25	15							
36654	PHII F96T12/DX/FW/ALTO FLUOR LAMP	15							
38700	PHIL F48T12/CW/EW/ALTO FLR LAMP	75							
38854	PHIL EL/G30-16-MARATHON-GLOBE LAMP	12							
35664	PHII H46TH -40-50/DX B17MED MV LAMP							100	
14320	PHII 300/RSIF 120V PS35MOG RS LAMP	10							***************************************
21651	PHIL 500T3-115-125V QTZ HEATLAMP	10							
21751	PHII BC150T3O/CL/TP 120V LAMP	10							
27818	1	0,							
01017		Ç							
61187	7	2		***************************************					

Light10 Pricing Spreadsheet

Current	The state of the s		Minimum						
Contract			Order	Manufacturer	Vendor Item	List Unit	List Unit Discount	Net Unit	
Item	Description	Est Qty	Quantity	Bid	Number	Price	%	Price	Total
· · · · · · · · · · · · · · · · · · ·				原 神経をおをめ					
Combined	Combined Lamps (cont.)								
33870	PHIL PL-S-9W/41/60PK TT FLUOR LAMP	10			And the second s				
39067	PHIL EGG-750W-120V-10PK PROJ LAMP	10							
13073	PHIL MARATHON IND FL BC-EL/A BR30	ю							
22943	PHIL 75PAR30L/HAL/FL25/LL/6/1-130V	8	A to the shadow of the shadow						
26971	PHIL 500Q/CL-EHD 120V QTZ LAMP	9							
39249	PHIL BC75Q/CL 120V LAMP	9							
35454	PHIL 40R14/SP 120V R14 INTER LAMP	2							Attainmentenen meter er e
37401	PHIL 40T10/IF-120-130V T10 MED LMP	2	****************						
38312	PHIL PL-C13W/35/USA/ALTO FLUOR LAMP	2							

Please proceed to the ballasts pricing page.

Current Contract	Description (Description 2	Est O	Minumum Order Ouantity	Manufacturer Bid	Vendor Item	List Unit Price	Discount %	Net Unit Price	Total
Combine		· · · · · · · · · · · · · · · · · · ·								
11776	NIC FLUORESCENT	ICF2S18H1LDK 2-18W COMP 277 BAL	80							
10316	ELECTRONIC FLUORESCENT	ICN1P32SC35I 32W 120-277V BAL	42							
10639	ELECTRONIC FLUORESCENT	ICN4P32SC35I 32W 120-277V BAL	180							
08482	ELECTRONIC FLUORESCENT	REL1P32SC35I 1-32T8IS 120V BAL	322							
11113	ELECTRONIC FLUORESCENT	REL1S40SC35I 40W 120V BALLAST	85			- continue of the continue of		***************************************		
10178	ELECTRONIC FLUORESCENT	REL4P32SC35I 4-F32T8RS/IS 120V	377							
08774	ELECTRONIC FLUORESCENT	VCN4S32SC35I 17W 277V ELTRN BAL	67							
	ELECTRONIC FLUORESCENT	VEL2S8635I	276							
82711	HIGH PRESSURE SODIUM	71A8271001D 1-250W QUAD HPSBAL	82							The section of the se
87731	HIGH PRESSURE SODIUM	71A8773001 1-1000W QUAD BAL	107							
13982	MAGNETIC FLOURESCENT	R2E75STP12-96T12SL MKIII BAL	168				·			
06928	MAGNETIC FLOURESCENT	R2S34TPI 2-40T12RS 120 BALLAST	9							
10902	MAGNETIC FLOURESCENT	R2S40TPI 2-40T12RS MKIII BAL	1201							
13902	MAGNETIC FLOURESCENT	V140TPI 1-F40T12RS MKIII BAL	98							
13992	MAGNETIC FLOURESCENT	VZE75STPI 2-96T12RS MKIII BAL	73							
10912	MAGNETIC FLOURESCENT	V2S40TPI 2-40T12RS MKIII BAL	575					***************************************		
25711	MERCURY VAPOR	71A2571001D 1-100W QUAD MV BAL.	34							
35721	MERCURY VAPOR	71A3572001D 1-250W QUAD MV BAL	49							
09643	METAL HALIDE	71A5570001D 175W M57 MH BAL KIT	4							
09649	METAL HALIDE	71A6071001D 400W QUAD MH BAL	25							
65721	METAL HALIDE	71A6572001 1-1000W QUAD MH BAL	26							
11779	COMPACT FLUORESCENT	ICF2S42M2LDK 2-42W COMP 277 BAL	15		1			move the second		
02783	DIMMING	IZT2S32SC35M ELE DIMMING BAL								
03648	DIMMING	IZT3S32SC35M ELECTR DMMG BAL	φ							
09630	DRY-FLIM	7C100M40R 400V CAPACITOR DRY	5							
02905	ELECTRONIC FLUORESCENT	ICF1D38H1LD35M ELE BALLAST	2							
11173	ELECTRONIC FLUORESCENT	ICN2S5435M 120-277V BALLAST	13							
	ELECTRONIC FLUORESCENT	ICNS8635I	4							

Current				Minumum	Manufacturer	Vendor Item	List Unit		Net Unit	
Item	Description 1	Description 2	Est Oty	Quantity	Bid	Number	Price	Discount %	Price	Total
Combined										
10165	ELECTRONIC FLUORESCENT	VCN3P32SC35I F32T8RS/IS 277V	22							
08484	ELECTRONIC FLUORESCENT	VEL 1P32SC35I 30W 277V ELTRN BAL	10							
02019	ELECTRONIC FLUORESCENT	VEL 2P32RHTP35M F32T8 277V BLST	22							
07265	ELECTRONIC FLUORESCENT	VEL2S11035I 2-F96T12 277V BAL	20							
07201	ELECTRONIC FLUORESCENT	VELZTTS5035I 2-50W 277V BAL	- m							
02525	F-CAN METAL HALIDE	72C5282NP001 1-70W 120/277 MH	<u>&</u>							
81721	HIGH PRESURE SODIUM	71A8172001D 1-150W QUAD HPSBAL	15							-
11419	HIGH PRESURE SODIUM	71A8251001D 250W HPS BAL	8							
11181	HIGH PRESURE SODIUM	71A8453001D 400W HPS BALLAST KT	50	1						
01240	IGNITOR	LI501H4IC IGNITOR	တ							
51240	IGNITOR	LISS1H4IC IGNITOR	13							
88291	INDOOR HPS	78E8291001 1-250W QUAD HPS BAL	· ~							
10692	MAGNETIC FLUORESCENT	HM2SP20TPI 2-20T12PH 120 BAL	- 21							
00374	MAGNETIC FLUORESCENT	LPL79M 1-7/9W PH 120V BALLAST								
11312		LX140FTPI 1-30 THRU 40W BAL								
10662	MAGNETIC FLUORESCENT	R2S110TPI 2-96T12HO MKIII BAL								
05052	MAGNETIC FLUORESCENT	R4S40ATPACI 4-40T12RS 120 BAL								
05354	MAGNETIC FLUORESCENT	RLQS122TPWI FC8T9 120VCIRCLINE	12							
02683	MAGNETIC SIGN	ASB123224EI T12/HO ELECMAG BAL								
30721	MERCURY VAPOR	71A3072001D 1-175W QUAD MV BAL			***************************************					
40711	MERCURY VAPOR	71A4071001D 1-400W QUAD MV BAL	- 23							
51815	METAL HALIDE	71A5181500D 1-50W 120/277 BAL	- 2		***************************************				***************************************	
05072	METAL HALIDE	71A5292001D 70W QUAD MH BALLAS								
53805	METAL HALIDE	71A5380500D 1-100W 120/277 BAL	~~							***************************************
42503	POSTLINE METAL HALIDE	74P2503011P 1-100W 120 MV BAL	-4							
00922	POSTLINE METAL HALIDE	74P3303011 1-175W 120 MV BAL	<u></u>		***************************************	The state of the s				***************************************
	l									

Light10 Pricing Spreadsheet

Total Bid \$ (Including all lamps and ballasts)

Lighthu nn Spreadsbeet

	(Please Print)	
VENDOR NAME:		
CONTACT PERSON:		
PHONE:		
LIVII (The management of the m		
AUTHORIZED REPRESENTATIVE:	(Signature) (Date)	ľ
AUTHORIZED REPRESENTATIVE:		
	(Print)	

Certification

LIGHT10

Vendor (Type Name of Company)	
Address	
Name (Type Name)	Title

Note: Contract shall be awarded prior to receipt of this certification's

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.
requirer against	Inderstands if the Secretary of Revenue determines that a Bidder receiving preference has failed to continue to meet the nents for such preference, the Secretary may order the Director of Purchasing to: (a) reject the bid; or (b) assess a penalty such Bidder in an amount not to exceed 5% of the bid amount and that such penalty will be paid to the contracting agency cted from any unpaid balance on the contract or purchase order.
authoriz the requ	nission of this certificate, Bidder agrees to disclose any reasonably requested information to the Purchasing Division and es the Department of Revenue to disclose to the Director of Purchasing appropriate information verifying that Bidder has paid ired business taxes, provided that such information does not contain the amounts of taxes paid nor any other information by the Tax Commissioner to be confidential.
and acc	benalty of law for false swearing (West Virginia Code, §61-5-3), Bidder hereby certifies that this certificate is true curate in all respects; and that if a contract is issued to Bidder and if anything contained within this certificate is during the term of the contract, Bidder will notify the Purchasing Division in writing immediately.
Bidder:	Signed:
Date:	Title:
*Check a	ny combination of preference consideration(s) indicated above, which you are entitled to receive.

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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:

Purchasing Affidavit (Revised 01/01/09)

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:	