

Request for Quotation

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ADDRESS CORRESPONDENCE TO ATTENTION OF

BUYER 33

304-558-2402

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DIVISION OF HIGHWAYS VARIOUS LOCALES AS INDICATED BY ORDER

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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. 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).



Request for Quotation

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BUYER 33 304-558-2402

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DIVISION OF HIGHWAYS
VARIOUS LOCALES AS INDICATED
BY ORDER

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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

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DIVISION OF HIGHWAYS VARIOUS LOCALES AS INDICATED BY ORDER

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State of West Virginia
Department of Administration
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2019 Washington Street East
Post Office Box 50130
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Request for Quotation

BUYER 33

304-558-2402 DIVISION OF HIGHWAYS

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1. **BIDDING INSTRUCTIONS**

The purpose of this contract is to provide cable guardrail repair parts to the West Virginia Division of Highways per the attached description or specifications.

Vendors shall bid on all cable guardrail systems they propose to furnish.

Any qualification of bids or modification of the specifications, design, or conditions governing the bids may be cause to reject bids.

2. CONTRACT AWARD

Contract will be awarded to the qualified vendor who submits the low bid per system.

In the event a Vendor fails to conform to the requirements set out in this contract document, the State Contract Order or the governing specifications, the Contract may be cancelled and awarded to the next lowest bidder.

3. **DELIVERY**

Materials under this contract are to be shipped prepaid FOB delivery to West Virginia Division of Highways District Storerooms as follows:

District One Charleston District Two Huntington District Three Parkersburg District Four Clarksburg District Five Burlington District Six Moundsville **District Seven** Weston **District Eight** Elkins District Nine Lewisburg District Ten Princeton

Materials should be shipped to the location and in the quantity specified in State Contract Purchase Orders (SCO's) within 30 days after the SCO is issued by the Division of Highways.

4. VENDOR'S INVOICE

Vendor's invoices must be submitted in original and one (1) copy and contain the following:

- a. Division of Highways' State Contract Order (SCO) number, and this contract number.
- b. Total quantity and unit price.

NOTE: Under no circumstances will the West Virginia Division of Highways accept, or pay for, quantities of material in excess of the quantity stated on the State Contract Order.

5. PURSHASING CARD ACCEPTANCE

The State of West Virginia currently utilizes a VISA Purchasing Card Program which is issued through a bank. The successful vendors must accept the State of West Virginia VISA Purchasing Card for payment of all orders placed by State DOT agency for orders as a condition of award.

NUCOR SYSTEM

art#		Description	Additional Description	Price	
	Line Post			\$	
	Small Hook Bolts			\$	
	Large Hook Bolts			\$	
	CRP Posts	·		\$	
	Turnbuckles			\$	
	Cable Anchor Ends			\$	_
	Cable Spool			\$	
				\$	
				\$	
				\$	
			TOTAL	\$	_

Price

Additional Description

GIBRALTAR SYSTEM

Description

Part #

		TOTAL	\$
			\$
T-MTR	Tension Meter		\$
CAP	Post Cap		۶ <u></u>
XCL-CAP	Excluder Cap		۶ <u></u>
DLN-Y	Delineator/Reflective Object Marker - Yellow		۶ <u></u>
TORP	"Torpedo" Splice		۶
CSTB	Cable Splice Turnbuckle (3/4" X 24")		\$
SOCK-NMS	TL-4 15" Socket (w/ out mow strip) 4" X3" - 15 long w/2'8" bars		\$
CBL-PRE	TL-4 Pre-stretched Cable (3/4" 3/7 Cable - 2,000 ft Spool)		*
	DUAL UNIT PARTS		\$
ΓKW	Terminal Keeper Wire (12-Ga.X12" long)		\$
ATF	Anchor Terminal Fitting (3/4" X 30")		\$
AP	Anchor Post		\$
CRP	Cable Release Post	•	\$
ΓP4-4	Terminal Post No. 4/Standard (2.5" X 3.25" X 4'9")		\$
гРЗ-4	Terminal Post No. 3/Standard (2.5" X 3.25" X 4'9")		\$
rP2	Terminal Post No. 2/Weak (2.5" X 3.25" X 4'0"	•	\$
ΓP1	Terminal Post No. 1/Weak (2.5" X 3.25" X 40)		\$
-BLT	J-Bolt (3/4" J-Bolt)		\$
1-Term	Terminal Section (Complete Unit)		
1011 72	TERMINAL PARTS		\$
I-BPP-72	Base Plate Post/Low fill (2.5" X 3.25" X 6'0")		\$
1-BPP-42	Base Plate Post/Surface Mount (2.5" X 3.25" X 3'6")		\$
I-LNP-S	TL-4 Line Post/Socketed (2.5" X 3.25" X 4'9")		\$
1-LOCK	TL-4 Lockplate (1/8 X 1 1/2" X 21 3/8")		\$
1-HPIN	TL-4 Hairpin (7/16" X 33")		\$
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DISTRICT ADDRESSES

District One 1334 Smith Street Charleston, West Virginia 25301-1492

District Six 1 DOT Drive Moundsville, West Virginia 26041-1605

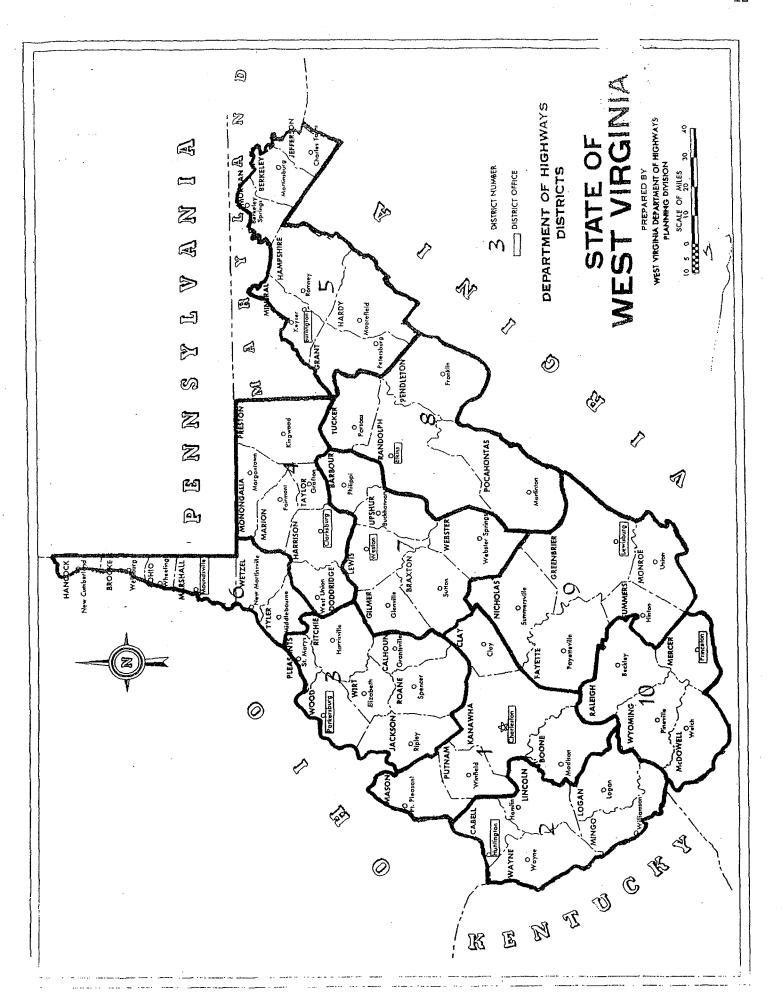
District Two 801 Madison Avenue Huntington, West Virginia 25712-0880

District Seven
255 Depot Street
Weston, West Virginia 26452-1228

District Three 624 Depot Street Parkersburg, West Virginia 26102-0308 District Eight US 219 North Elkins, West Virginia 26241-1516

District Four I-79 & Meadowbrook Road Clarksburg, West Virginia 26302-2570 District Nine 103 1/2 Church Street Lewisburg, West Virginia 24901

District Five US Route 50 Post Office Box 99 Burlington, West Virginia 26710-0099 District Ten 270 Hardwood Lane Princeton, West Virginia 24740-2737



Rev. 09/08

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. 		ed continuously in West Virginia for four (4) years immediately preced-
	business continuously in West Virginia for four (4) ye ownership interest of Bidder is held by another individual maintained its headquarters or principal place of businesseding the date of this certification; or,	ident vendor and has maintained its headquarters or principal place of ears immediately preceding the date of this certification; or 80% of the dual, partnership, association or corporation resident vendor who has usiness continuously in West Virginia for four (4) years immediately
	Bidder is a nonresident vendor which has an affiliate of and which has maintained its headquarters or principly years immediately preceding the date of this certification.	or subsidiary which employs a minimum of one hundred state residents cal place of business within West Virginia continuously for the four (4) ation; o r,
2.	Application is made for 2.5% resident vendor por Bidder is a resident vendor who certifies that, durin working on the project being bid are residents of Westimmediately preceding submission of this bid; or,	reference for the reason checked: g the life of the contract, on average at least 75% of the employees st Virginia who have resided in the state continuously for the two years
3.	affiliate or subsidiary which maintains its headquar minimum of one hundred state residents who certifi	im of one hundred state residents or is a nonresident vendor with an ters or principal place of business within West Virginia employing a es that, during the life of the contract, on average at least 75% of the ployees are residents of West Virginia who have resided in the state
4.	Application is made for 5% resident vendor pre Bidder meets either the requirement of both subdivis	ference for the reason checked: sions (1) and (2) or subdivision (1) and (3) as stated above; or,
5.	Bidder is an individual resident vendor who is a vetera	reference who is a veteran for the reason checked: in of the United States armed forces, the reserves or the National Guard the four years immediately preceding the date on which the bid is
6.	Bidder is a resident vendor who is a veteran of the topurposes of producing or distributing the commodities continuously over the entire term of the project, on	reference who is a veteran for the reason checked: United States armed forces, the reserves or the National Guard, if, forces or completing the project which is the subject of the vendor's bid and average at least seventy-five percent of the vendor's employees are state continuously for the two immediately preceding years.
require agains	ements for such preference, the Secretary may order t	that a Bidder receiving preference has failed to continue to meet the he Director of Purchasing to: (a) reject the bid; or (b) assess a penalty d amount and that such penalty will be paid to the contracting agency hase order.
authori the req	zes the Department of Revenue to disclose to the Direct	any reasonably requested information to the Purchasing Division and ctor of Purchasing appropriate information verifying that Bidder has paid does not contain the amounts of taxes paid nor any other information
and ac	ccurate in all respects; and that if a contract is is	Code, §61-5-3), Bidder hereby certifies that this certificate is true sued to Bidder and if anything contained within this certificate of 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.	
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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 owned 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 exceed 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 December, 20	
My Commission expires	, 20	
AFFIX SEAL HERE	NOTORY PUBLIC	