



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
CSE11132

PAGE
1

ADDRESS CORRESPONDENCE TO ATTENTION OF
ROBERTA WAGNER
304-558-0067

RFQ COPY
 TYPE NAME/ADDRESS HERE

VENDOR

SHIP TO

HEALTH AND HUMAN RESOURCES
 CHILD SUPPORT ENFORCEMENT
 ROOM 147
 350 CAPITOL STREET
 CHARLESTON, WV
 25301-3703 304-558-1649

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
03/17/2011				

BID OPENING DATE: **03/31/2011** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
ADDENDUM NO. 1						
1. QUESTIONS AND ANSWERS ARE ATTACHED. 2. ADDENDUM ACKNOWLEDGEMENT IS ATTACHED. THIS DOCUMENT SHOULD BE SIGNED AND RETURNED WITH YOUR BID. FAILURE TO SIGN AND RETURN MAY RESULT IN DISQUALIFICATION OF YOUR BID.						
EXHIBIT 10						
REQUISITION NO.: CSE11132						
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.						

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. 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).



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<p>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.</p> <p>..... SIGNATURE</p> <p>..... COMPANY</p> <p>..... DATE</p> <p>NOTE: THIS ADDENDUM ACKNOWLEDGEMENT SHOULD BE SUBMITTED WITH THE BID.</p> <p>REV. 09/21/2009</p> <p>END OF ADDENDUM NO. 1</p>						

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LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	JB		948-74		
STATEWIDE GENETIC TESTING SERVICES						
***** THIS IS THE END OF RFQ CSE11132 ***** TOTAL:						

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WEST VIRGINIA BUREAU FOR CHILD SUPPORT ENFORCEMENT
STATEWIDE GENETIC TESTING
REQUEST FOR QUOTATION #CSE11132

RESPONSE TO VENDOR QUESTIONS AS FOLLOWS:

1. **QUESTION:** Who is the current vendor and what is the current price?

ANSWER: The current vendor is Orchid Cellmark.
The current price is \$30.00 per test for BCSE collections.
The current price is \$34.00 per test for Vendor collections.

2. **QUESTION:** Please provide a current list of collection sites and schedules.

ANSWER: The BCSE does not provide or obtain collection sites. The Vendor is required to establish a collection site in each county. The BCSE does not determine the days of collection. The Vendor must provide collection appointments at least one day per week in each county.

3. **QUESTION:** How many collections were performed by CSE staff in 2010?

ANSWER: The BCSE estimates that the BCSE staff collected 3,100 specimens in 2010.

4. **QUESTION:** Is it acceptable for CSE offices to provide space for on-site collections?

ANSWER: No, the BCSE offices do not provide space for collection sites.

5. **Section: Identification, Specimen Collection, and Documentation**

The social security card does not contain a photograph and is not considered an identification document, but does raise a number of privacy issues.

QUESTION: Is it acceptable to omit the Social Security Number due to privacy issues?

WEST VIRGINIA BUREAU FOR CHILD SUPPORT ENFORCEMENT
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ANSWER: No, the Social Security Number is required for identification. On page 19, the RFQ states that, "The Successful Vendor agrees to maintain confidentiality and security of the data made available and shall indemnify and hold harmless the State and Agency against any and all claims brought by any party attributed to actions of breach of confidentiality by the Successful Vendor, subcontractors, or individuals permitted access by the Successful Vendor."

6. **Section: Report of the Test Results: D.** reads: "The designation of racial origin of each person tested, for calculation purposes."

We respectfully point out to the State that AABB standards explicitly exclude the providing of the race of the child. See AABB Standard (9th Edition) 5.2.4 Identification Records. The following records relating to each sample collected shall be acquired and maintained: 5.2.4.2 Race/ethnic background of each parent/alleged parent or other participant(s) being tested, with the exception of the child.

As a quality laboratory that adheres to current accreditation standards, we would prefer not to indicate the child's race in violation of accreditation standards, without the State's expressed written acknowledgement that it wishes us to include the child's race in violation of AABB standards.

QUESTION: Can this requirement be revised to read, "The designation of racial origin of the mother and the alleged father for calculation purposes?"

ANSWER: The BCSE will revise page 13, section D to read:

"The designation of racial origin of the mother and the alleged father, for calculation purposes."

7. **Section: Paternity Calculations** reads: "Computer-assisted analysis shall be reviewed, verified, and signed by the laboratory director, who must possess a Ph. D. from an accredited college or university in a science involved with the

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study of genetic testing and genetic evaluation or in a genetic/biochemistry field."

In many laboratories there is more than one person qualified to sign the reports (called a Laboratory Director Designee by AABB (see 9th Edition Standard 1.2.2)). These persons also have PhD degrees and meet AABB educational and training standards.

QUESTION: Therefore can the wording of this requirement be changed to read: "Computer-assisted analysis shall be reviewed, verified, and signed by a person, who possesses a Ph. D. degree and meets the standards of AABB for a person qualified to review and sign a paternity case."

ANSWER: No. The BCSE will permit computer-assisted analysis to be reviewed, verified, and signed by a Laboratory Director Designee, who must possess a Ph. D. from an accredited college or university in a science involved with the study of genetic testing and genetic evaluation or in a genetic/biochemistry field.

8. **Section: Paternity Calculations.** The last two (2) sentences in this paragraph seem to be out of place. It would appear that they belong under the section titled: "DNA Testing" and should read:

"All samples shall be done in duplicate. This shall be accomplished by overlapping genetic test or complete duplication of the testing."

QUESTION: Is this the correct interpretation of these two sentences?

ANSWER: No.

9. **QUESTION:** Are we correct in our understanding that only one original copy of our response and one convenience copy are required? The response format provided in the Evaluation Process section of the RFQ does not include

WEST VIRGINIA BUREAU FOR CHILD SUPPORT ENFORCEMENT
STATEWIDE GENETIC TESTING
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providing detailed responses for the Scope of Work/Services to be provided. It is expected that vendors are to respond to the Scope of Work/Service to be provided sections also?

ANSWER: No. The bidder's signature on each page of the RFQ is an acknowledgement of their understanding of the requirements set forth on that page, as well as the bidder's acknowledgement of their ability to perform said requirements.