



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
DEFK11023

PAGE
1

ADDRESS CORRESPONDENCE TO ATTENTION OF
TARA LYLE 304-558-2544

RFQ COPY

TYPE NAME/ADDRESS HERE

VENDOR

SHIP TO

DIV ENGINEERING & FACILITIES  
 ARMORY BOARD SECTION  
 1707 COONSKIN DRIVE  
 CHARLESTON, WV  
 25311-1099 304-341-6368

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
01/07/2011				

BID OPENING DATE: 01/19/2011 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
ADDENDUM NO. 2						
1. QUESTIONS AND ANSWERS ARE ATTACHED. 2. TO MOVE THE BID OPENING DATE FROM 01/12/2011 TO 01/19/2011. 3. 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.: DEFK11023						
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 TH						

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](http://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.

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### 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>ADDENDUM(S) MAY BE CAUSE FOR REJECTION OF BIDS.            VENDOR MUST CLEARLY UNDERSTAND THAT ANY VERBAL REPRESENTATION MADE OR ASSUMED TO BE MADE DURING ANY ORAL DISCUSSION HELD BETWEEN VENDOR'S REPRESENTATIVES AND ANY STATE PERSONNEL IS NOT BINDING. ONLY THE INFORMATION ISSUED IN WRITING AND ADDED TO THE SPECIFICATIONS BY AN OFFICIAL ADDENDUM IS BINDING.</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. 2</p>						
0001	1	JB	EOI			
3 RESERVE CTRS IN ELKINS, FAIRMONT AND SPENCER-RIPLEY						

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## Addendum #1 Responses & Clarifications

1. Please clarify if the intent of the RFP is to select one vendor for all three projects to be commissioned, or if the projects may be awarded to multiple vendors.
  1. *One(1) vendor will be selected and subsequently awarded one(1) Contract for the Commissioning of all three(3) projects.*
2. Please clarify per paragraph 1.1 if only architectural/engineering firms can submit a proposal or if a CM firm which provides commissioning services can submit a proposal as well.
  2. *Proposals may be submitted by CM firms.*
3. Are any minimum requirements for MBE/WBE participation to be included as part of a proposed team?
  3. *While there are no minimum requirements in that regard, we encourage the participation of all qualified MBE/WBE businesses in the proposal submission process.*
4. Will the projects pursue a LEED certification? If so, what version of LEED (i.e. 2.2 or 3.0)
  4. *LEED Silver 2.2*
5. Paragraph 1.7 states that the proposal responses "shall be prepared simply and economically." As such, is there a fixed limitation on the number of pages that can be submitted beyond the two page limit per resume'?
  5. *All potential vendors are encouraged to keep resume's under the two page limit.*
6. Page 6 of the EOI notes "some optional service should include the following:" Please clarify if we are to include any other services other than that of an on-site CM person.
  6. *At present the WVARNG has no intention to engage CEI services. However, if those services are deemed to be needed, and funding becomes available, we may engage CEI services at a later date.*
7. Please clarify that a price proposal is not required at this time.
  7. *Cost negotiations are performed at a later date per WV Code 5-G.*
8. Have commissioning specifications been included in the project bid documents?
  8. *Yes.*
9. What are the dates for substantial completion for each of the buildings?
  9. *Ripley AFRC: 15 September 2011  
Elkins AFRC: 10 September 2011  
Fairmont AFRC: 01 September 2011*
10. Please provide names of the design team and contractors for each building.
  10. *Ripley AFRC: A/E = ZMM, Inc. // GC = Neighborgall Construction Co.  
Elkins AFRC: A/E = E.T. Boggess Architects // GC = The March-Westin Co.  
Fairmont AFRC: A/E = Omni Associates // GC = TEDCO, Inc.*
11. At the end of the commissioning process (Acceptance Phase), is the Owner expecting ALL systems to have successfully passed functional performance testing procedures for all systems referenced?
  11. *Yes.*

12. Are construction schedules available for all projects? If so, can we get a copy of these?  
*12. Yes. They will be made available to the selected firm.*
13. Who is the Control Manufacturer?  
*13. Different for all 3 projects; typically Johnson Controls.*
14. Bid opening date on page 1 of the EOI is noted as January 31, 2011, but page 3 notes January 12, 2011.  
*14. Revised bid opening date: 19 January 2011 @ 1:30pm.*
15. Is there a chance that the opening date will be extended.  
*15. Yes, see Q&A #14 above.*
16. Page 2 makes references to sealed and signed bids. Page 6 item 1.14 notes "No Price or Fee" is requested. Some may assume by the reference to sealed bid a quote is required. Please clarify.  
*16. No price/cost proposal is required, but your EOI response shall be signed & sealed, and is due on the date & time stated in Q&A #14.*
17. The RFQ notes three reserve centers in Elkins, Fairmont, and Spencer-Ripley. Do you require one response for each, or will one response cover all three areas?  
*17. One response addressing all three locations.*
18. I am requesting clarification on the optional CEI services. Is it expected that each project is to have one dedicated full time person to that specific project or are you looking for one person to provide the CEI services for all the projects?  
*18. Please refer to Q&A #6.*
19. Could we get an estimated completion date for the construction phases of these projects?  
*19. Please refer to Q&A #9.*
20. Finally, are we expected to provide closeout services with this CEI service?  
*20. Closeout services shall be in accordance with the commissioning specs.*
21. Reference is made to paragraph 3.3 of the Expression of Interest, regarding Additional Proposed Services. Are these additional services to be provided only as associated with the commissioning services for the building systems described in paragraph 3.3, or are these services to be provided as routine or full-time resident construction inspection/observation for all other elements of the construction of these facilities?  
*21. If implemented, routine construction administration services shall be provided, but ONLY if a need for these services is identified, justified, and the necessary funding is secured. (Please refer to Q&A #6.)*
22. Is there a master plan for each of the centers?  
*22. Yes.*
23. Are there drawings showing existing infrastructure and utilities?  
*23. Yes.*
24. Are there drawings for the work that has been done to date at each center?  
*24. No. As-built drawings are submitted upon completion of the Project by the Contractor.*

25. Is there a construction budget for each of the centers?  
25. *Yes, but total budget is not applicable.*
26. Is there a detail scope of services required for these projects?  
26. *Yes.*
27. Are there photographs available to view the sites on-line or that can be e-mailed?  
27. *No.*
28. If there are no photographs, can we schedule a site visit to each site to prepare our proposal?  
28. *Yes. Will have to be coordinated through the WVARNG, CFMO, by 17 January 2011@ 3:00pm.*
29. Do test borings have to be done or are there reports for borings that have already been done?  
29. *No. Test borings are not applicable for this EOI submission.*
30. Specifically, what is your agency looking for us to submit? Are you looking for a qualifications package or a detailed technical and cost proposal?  
30. *No cost proposal will be submitted (see Q&A #7); Submissions shall be in accordance with WV Code 5-G.*
31. Is each site to be submitted separately or as one package?  
31. *One package.*
32. Are there requirements for disadvantaged business enterprise, SBA a(8) business, or service disabled veteran business participation?  
32. *No, but all such types of businesses are encouraged to participate in the proposal submission process.*

**NOTE: No Additional Questions Will Be Accepted Or Acknowledged**