



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
EHS11080

PAGE
1

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

VENDOR

RFQ COPY
 TYPE NAME/ADDRESS HERE

SHIP TO

HEALTH AND HUMAN RESOURCES
 BPH ENVIRO HLTH SERVICES
 350 CAPITOL STREET, ROOM 313
 CHARLESTON, WV
 25301-1757 304-558-8582

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
11/23/2010				

BID OPENING DATE: 12/08/2010 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.: EHS11080						
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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DATE PRINTED 11/23/2010	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
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BID OPENING DATE: 12/08/2010 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
<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 COMPANY 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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BID OPENING DATE: **12/08/2010** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	600	EA		962-22		
TO PROVIDE CRYPTOSPORIDIUM TESTING						
***** THIS IS THE END OF RFQ EHS11080 ***** TOTAL:						

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EHS11080 Addendum 1

Response to vendor questions, as follows:

QUESTION 1: Is the RFQ for the entire project? OR can the laboratory submit a partial bid? The laboratory states it can accept a total of 240 samples over a 12 month period, or no more than 20 per month.

RESPONSE: The bid is per sample and not based on quantity capabilities. The water system will decide which approved lab to use and it is possible that a lab could receive all of the tests, some of the tests, or none of the tests, again based upon the choice of the individual water system.

QUESTION 2: Will the samples the laboratory received be filtered, unfiltered, or both?

RESPONSE: The samples will be based on the approved EPA method and the arrangement the laboratory has with the public water system (PWS) submitting the sample.

QUESTION 3: Is this bid for the EPA LT2 requirements or for monitoring purposes?

RESPONSE: EPA LT2 requirement. This project will not pay for testing for non-LT2 required monitoring purposes.

QUESTION 4: Do you plan to award the bid to 10 laboratories, or up to 10?

RESPONSE: As long as enough qualified bids are accepted, this will be awarded to 10 laboratories with the lowest bid.

QUESTION 5: What date will the contract begin (when can the laboratory expect to begin receiving samples?)

RESPONSE: As soon as a purchase order is issued, the vendors will be notified. Only an approved purchase order, signed by the Attorney General's Office and placed in the US Mail, is considered authorization for the chosen vendors to provide these services.

QUESTION 6: The Opening Date/Time of the bid is 12/8/10 at 1:30 PM. Does the paperwork have to be submitted to you by that date/time? OR is there a separate deadline for the paper work to be submitted?

RESPONSE: The bid must be received by 1:30 PM on December 8, 2010. Bids received after that date and time, will be disqualified.

QUESTION 7: In regards to invoicing, is one invoice submitted for all samples analyzed in that month? Or can invoices for each PWS be submitted monthly?

RESPONSE: Invoice is to be submitted for each qualifying PWS, each month, a sample is analyzed.

QUESTION 8: The RFP references an estimated 600 samples-are these from PWSs that have collected none of the required 24 LT2 field samples?

RESPONSE: Most public water systems (PWS) have collected some of the required samples.

QUESTION 9: Under the LT2 rule, samples may be collected and submitted as bulk samples (10L) or as field filtered samples (10-50L). What type(s) of samples are expected to be collected for this project, bulk samples, field filtered samples, or some of each? There are substantial differences in cost of shipment, as well as lesser differences in the cost of processing at the lab.

RESPONSE: This is based upon the arrangements the PWS has with the lab conducting the sample.

QUESTION 10: If field filtering is desired, will the State of WV provide sample collection equipment or should the lab provide pricing for these items? Would samples greater than 10L be collected?

RESPONSE: The State of WV will not be providing sample collection equipment. Sample sizes will be based upon the arrangement that the system has with the lab.

QUESTION 11: Under the LT2 rule, samples that plug a filter prior to filtration of desired volume may require a second filter to be used. Typically unit pricing is provided for processing of the second filter, on an "as needed" basis. Is this acceptable?

RESPONSE: Yes.

QUESTION 12: Under the LT2 rule, samples that contain excess particulate matter and yield a packed pellet volume or concentrate of >0.5 mL are required to be analyzed using "additional subsamples" (up to three additional subsamples may be required for one sample under LT2. See Federal Register Vol. 71, No. 3, Jan. 5, 2006, SECTION IV.J.2.a for full details). Typically unit pricing is provided for "Additional subsamples" on an "as needed" basis. Is this acceptable?

RESPONSE: Yes.

QUESTION 13: The RFP does not mention Matrix Spike (MS) samples. Under LT2, one MS is required once every 20 field samples from a particular source, so 2 MSs are needed per source water during the 24 sample monitoring requirement. MS samples typically cost more than unspiked samples due to the spiking materials and because 10L of bulk water is required to be shipped to the lab. Typically, a separate line item price is provided for MS samples. Is this acceptable? If the State does not want separate MS pricing, can the lab safely assume two MS samples per 20 field samples?

RESPONSE: Separate line item pricing for MS samples, will be acceptable.

QUESTION 14: The RFQ states that "Where applicable, pass through invoices for freight are required for reimbursement" (Invoices, page 7). We interpret that to mean that shipping is not to be included in the unit price for testing, and that shipping is a billable item at cost. Is this correct?

RESPONSE: Yes.

QUESTION 15: I need to know how many utilities and what schedule they are. Our lab gives a small system a discount for those under 10,000 served. Will the utility over 12 or 24 months.

RESPONSE: None of the systems have a population over 10,000. Samples may be from systems collection over 12 months or 24 months, which is specific to the PWS.

QUESTION 16: Have sample schedules for the water systems been determined?

RESPONSE: Yes.

QUESTION 17: Will West Virginia have the ability to send payments with a check instead of a p-card?

RESPONSE: The preferred method for the payment is the State of WV Visa Purchasing Card (P-Card). Vendor must have ability to accept this method of payment if the payment is P-Card eligible.

QUESTION 18: Is the project spread over 12 months or over a longer period of time?

RESPONSE: All testing shall be completed by March 2012.

QUESTION 19: Will the laboratory be required to submit results on the EPA CDTS website?

RESPONSE: No.

QUESTION 20: In addition to receiving *Cryptosporidium* samples, will the lab receive *E. coli* samples from any of the water systems?

RESPONSE: This project is limited to cryptosporidium testing only.

QUESTION 21: When the prices are presented to the water supplies will it simply be a price, or will there be opportunities to describe value added benefits that a lab might offer. For instance, the option for the water supply to be able to simply send in a 10L container of bulk water instead of having to filter it themselves in site. Or for the lab to send a prepaid shipping label to pay for return shipping?

If only the prices are presented to PWS and not the details, then it won't be an "apples to apples" comparison.

RESPONSE: Separate prices will be accepted for filtered and unfiltered methods.

QUESTION 22: Will we have the opportunity to present a price for each additional slide/subsample that is required to process the sample under LT2 rules?

One of the costs of this method, that cannot be determined ahead of time is how many microscope slides (sometimes referred to as "subsamples") will be necessary. The extra slides are dependent on the quality of the water sent in each month and can vary from month to month. There is a significant cost of lab materials as well as labor involved with the generation and analysis of each slide. The only fair way to present this as a price is to list a cost for each extra slide that is required from each sample.

RESPONSE: Additional prices for slide/subsamples will be accepted.

COST SHEET FOR EHS11080

Item #	Apprx. Annual Usage QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL COST
1	300 EA	FOR FILTERED METHODS: CRYPTOSPORIDIUM TESTING PER EPA STANDARDS AND PROVIDE RESULTS TO WATER SYSTEM WITHIN THREE (3) WEEKS. RESULTS WILL BE PROVIDED TO THE WATER SYSTEM VIA E-MAIL OR MAIL, WHICH IS REQUIRED TO SUPPLY TEST RESULTS TO OECH. ONCE THE INVOICE IS RECEIVED FROM THEM LAB IT WILL BE COMPARED TO INFORMATION ON FILE FOR THE WATER SYSTEM TO VERIFY THAT THE TEST WAS CONDUCTED IN ORDER TO PROCESS PAYMENT.		
2	300 EA	FOR UNFILTERED METHODS: CRYPTOSPORIDIUM TESTING PER EPA STANDARDS AND PROVIDE RESULTS TO WATER SYSTEM WITHIN THREE (3) WEEKS. RESULTS WILL BE PROVIDED TO THE WATER SYSTEM VIA E-MAIL OR MAIL, WHICH IS REQUIRED TO SUPPLY TEST RESULTS TO OECH. ONCE THE INVOICE IS RECEIVED FROM THEM LAB IT WILL BE COMPARED TO INFORMATION ON FILE FOR THE WATER SYSTEM TO VERIFY THAT THE TEST WAS CONDUCTED IN ORDER TO PROCESS PAYMENT.		
TOTAL COST				

Award will be made up to the ten (10) vendor (s) with the lowest overall cost who meets specifications. Vendor shall submit to OEHS an original itemized invoice monthly in the arrears for each month. Payment will be made by EHS and made in arrears after receipt of each completed order. Orders will be placed on an as needed basis.