



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
CFA100611

PAGE
1

ADDRESS CORRESPONDENCE TO ATTENTION OF:
FRANK WHITTAKER 304-558-2316

RFQ COPY
 TYPE NAME/ADDRESS HERE

VENDOR

SHIP TO

COURTHOUSE FACILITIES
 IMPROVEMENT AUTHORITY
 550 EAGAN STREET, SUITE 208
 CHARLESTON, WV
 25301 304-558-5000

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
11/14/2011				

BID OPENING DATE: 11/21/2011 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
***** ADDENDUM NO. 2 *****						
THIS ADDDENDUM IS ISSUED TO:						
1) PROVIDE THE ATTACHED TECHNICAL QUESTIONS & ANSWERS.						
2) EXTEND THE BID OPENING DATE AND TIME.						
BID OPENING CHANGED TO 11/21/2011 AT 1:30 PM.						
***** END ADDENDUM NO. 2 *****						

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.html 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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LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	LS		906-00-00-001		
ARCHITECT/ENGINEERING SERVICES, PROFESSIONAL						
***** THIS IS THE END OF RFQ CFA100611 ***** TOTAL:						

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Questions and Answers

Statewide Courthouse Facility Needs Assessment: CFIA 100611

1. In Part 3, Paragraph 3.1, there is a requirement that the proposers must have experience coordinating projects with the West Virginia State Historic Preservation Office (SHPO). We do not have that experience, but we have conducted many and varied facility condition assessment (FCA) projects which included courthouses and Justice facilities. Would it be possible to have the Historic Preservation Office requirement waived?

The requirement to have previous experience coordinating projects with the SHPO can not be waived and is a mandatory requirement for the successful vendor.

2. Are there any specific DBE requirements for this project?

DBE does not apply to this project.

3. What is the role of the "historian" in this project?

West Virginia code (§29-1-8) requires that the State Historic Preservation director review all undertakings permitted, funded, licensed or otherwise assisted, in whole or in part, by the state for purposes of furthering the duties of their section. The West Virginia Courthouse Facilities Improvement Authority (WVCFIA) is a state agency. All projects funded by the grants that the WVCFIA distributes must be approved by the State Historic Preservation Office (SHPO). The successful vendor that compiles the Statewide Courthouse Facility Needs Assessment must take into consideration the requirements of the SHPO when making suggestions for changes to our historical courthouse structures. Without this knowledge and consideration, the needs assessment document would not be useful to the WVCFIA or the county governments. The historian must possess an understanding of the SHPO requirements for historic structures within the state of West Virginia.

The historian must provide direction to the successful firm when making building modification suggestions so as not to make suggestions that would not be approved by the SHPO. The historian should have a general knowledge of any historical events that have happened inside of or on the grounds of county courthouses. By using this knowledge, the historian will ensure that the needs assessment does not encourage modifications that might detract from the historical nature of the building or the grounds.

4. Section 4.2.2 Firm/Team Qualifications, Item "c" indicates that the team must include an "historian". Please clarify what is meant by an "historian". Is it referring to a design professional/architect that has "historic preservation" and/or "historic restoration" experience? The historian is not required to be an architect. Please refer to the answer on #3.
5. Item 4.2.2c – define historian and purpose? Is it intended for someone to suggest a records management schedule? Is a firm required, such as was used in the previous needs assessment from 2003?
Please refer to the answers on questions three and four. The historian will not be required to suggest any records management policies. The historian will be concerned about the facility. A firm is not required. The historian could be one individual, several individuals or a firm.
6. Please confirm that progress payments will be made on a periodical basis as stated in 3.1.14. Under General Terms and Conditions, it states under item #5: "Payment may only be made after the delivery and acceptance of goods or services."

A payment schedule will be determined during the development of the contract with the successful vendor. Since this is an Expression of Interest, vendors are to submit no pricing.

7. Has the State of West Virginia established a Task Force during the development of this study to assist in making policy decisions?
The WVCFIA has established an evaluation committee to score the EOIs and interview the top three vendors. The actual needs assessment will continually be evaluated during its development by the WVCFIA Board of Directors and staff.
8. Does the study include the Supreme Court of Appeals?
The WVCFIA Board of Directors contains employees of the Supreme Court of Appeals.
9. Will the study include court related agencies or only those agencies responsible for the handling of in-custody defendants?
The study will focus on the assessment of the 55 main courthouse buildings in the 55 counties of the state of West Virginia. The study should consist of suggestions for all offices of elected county officials and all offices that are required to be maintained by the county government at the courthouse only.
10. Does the State have a listing of all facilities in West Virginia that house court agencies? If so, will this be available for the short-listed firms?
All interested vendors should pay particular attention to sections 1.2 and 3.2 of the EOI document. This study will focus on the 55 main courthouse buildings in the 55 counties of the state of West Virginia. The main courthouse buildings can be found in the county seats of each county. The county seats are indicated on most state maps and can also be identified from the WVCFIA web-site at www.cfia.wv.gov.
11. The section page of the EOI under Instructions to Bidders states: "Use the quotation forms provided by the Purchasing Division. Complete all sections of the quotation forms." Are you looking for each vendor to fill in the blank areas at the bottom of the Request for Quotation forms that are attached to the EOI?
The EOI must be signed and submitted in accordance with the bid documents. This is only an EOI and vendors should not be submitting any price information.
12. Will the team selected for the Statewide Courthouse Facility Needs Assessment Study be disqualified from participating in any future architecture, planning or engineering projects at any of the County Courthouses that are the subject of this Needs Assessment project?
The successful vendor will not be disqualified from working on projects at the county courthouses. The WVCFIA is a state agency. The evaluation committee for the EOI will consist of five individuals. Only one of the five individuals is a County Commissioner. There are three – five county commissioners in each county. This person could recuse themselves from a vote within their own county and the local commission could still maintain a quorum. However, during the contract agreement, the successful vendor shall not solicit future county projects while working on the needs assessment project.
13. Can the team proposed for the Statewide Courthouse Facility Needs Assessment Study include more than one Architecture firm, such as a national architecture firm with a specialization in

justice facilities and a local WV architect with experience in coordinating projects with the WVSHPO?

Interested vendors should refer to section 3.1 of the EOI for general requirements. The WVCFIA would prefer to contract with one firm. The previous needs assessment funded by the WVCFIA in 2003 was a substandard document, one that was compiled by various individuals and not one firm. The WVCFIA would like to avoid such a tragedy with the new needs assessment. In addition, interested vendors should be familiar with the services that are offered at West Virginia courthouses that may not be offered at other state's courthouses, i.e. the elected Sheriff is the tax collector in West Virginia and citizens visit the courthouses daily to pay their taxes.

14. Please provide the WVCFIA's 10 priority categories.

The 10 categories are listed in the original EOI under 3.2 Project Description, 2nd paragraph.

15. Must the prime firm have a registered architect in West Virginia or is it okay for a partnering firm/consultant to have a State of WV registered architect on staff?

Please read section 3.1 of the original EOI and refer to the answer on question 12.

16. Would the State be willing to share with the respondents a copy of the proposed contract the State is intending to use for this study for our review?

The contract will not be drafted until a successful vendor is selected.

17. If successful, would the State be willing to negotiate the terms of the identification clause as stated under 3.4.5 of the EOI?

This section of the EOI is non-negotiable and required language by state law.

Responses compiled and submitted by: Melissa Kay Smith, Executive Director of WVCFIA.