



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
COR61517

PAGE
1

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

VENDOR	RFQ COPY
	TYPE NAME/ADDRESS HERE

SHIP TO	WV DIVISION OF CORRECTIONS 112 CALIFORNIA AVE, RM 300
	CHARLESTON, WV 25305 348-2037

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
10/06/2011				

BID OPENING DATE: 11/09/2011 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	LS		961-48		
<p>***** PLEASE NOTE A MANDATORY PRE-BID MEETING IS SCHEDULED FOR 10/19/2011 AT 10:30 AM AT THE WV DIVISION OF CORRECTIONS CENTRAL OFFICE LOCATED AT 1409 GREENBRIER STREET, SUITE 300 CHARLESTON, WV 25311. VENDORS SHOULD PRE-REGISTER PRIOR TO THE MEETING WITH REGINALD SMITH AT 304-558-2036 OR BY EMAIL AT REGGIE.M.SMITH@WV.GOV. *****</p> <p>DRUG TESTING KITS</p> <p>OPEN-END CONTRACT</p> <p>THE WEST VIRGINIA PURCHASING DIVISION FOR THE AGENCY, WV DIVISION OF CORRECTIONS, IS SOLICITING BIDS FOR AN OPEN-END CONTRACT TO PROVIDE DRUG TESTING KITS PER THE ATTACHED SPECIFICATIONS.</p> <p>MANDATORY PRE-BID</p> <p>A MANDATORY PRE-BID WILL BE HELD ON 10/19/2011 AT 10:30 AM AT THE DIVISION OF CORRECTIONS CENTRAL OFFICE LOCATED AT 1409 GREENBRIER STREET, SUITE 300 CHARLESTON, WV 25311. ALL INTERESTED PARTIES ARE REQUIRED TO ATTEND THIS MEETING.</p>						

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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).



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<p>FAILURE TO ATTEND THE MANDATORY PRE-BID SHALL RESULT IN DISQUALIFICATION OF THE BID. NO ONE PERSON MAY REPRESENT MORE THAN ONE BIDDER.</p> <p>AN ATTENDANCE SHEET WILL BE MADE AVAILABLE FOR ALL POTENTIAL BIDDERS TO COMPLETE. THIS WILL SERVE AS THE OFFICIAL DOCUMENT VERIFYING ATTENDANCE AT THE MANDATORY PRE-BID. FAILURE TO PROVIDE YOUR COMPANY AND REPRESENTATIVE NAME ON THE ATTENDANCE SHEET WILL RESULT IN DISQUALIFICATION OF THE BID. THE STATE WILL NOT ACCEPT ANY OTHER DOCUMENTATION TO VERIFY ATTENDANCE. THE BIDDER IS RESPONSIBLE FOR ENSURING THEY HAVE COMPLETED THE INFORMATION REQUIRED ON THE ATTENDANCE SHEET. THE PURCHASING DIVISION AND THE STATE AGENCY WILL NOT ASSUME ANY RESPONSIBILITY FOR A BIDDER-S FAILURE TO COMPLETE THE PRE-BID ATTENDANCE SHEET. IN ADDITION, WE REQUEST THAT ALL POTENTIAL BIDDERS INCLUDE THEIR E-MAIL ADDRESS AND FAX NUMBER.</p> <p>ALL POTENTIAL BIDDERS ARE REQUESTED TO ARRIVE PRIOR TO THE STARTING TIME FOR THE PRE-BID. BIDDERS WHO ARRIVE LATE, BUT PRIOR TO THE DISMISSAL OF THE TECHNICAL PORTION OF THE PRE-BID WILL BE PERMITTED TO SIGN IN. BIDDERS WHO ARRIVE AFTER CONCLUSION OF THE TECHNICAL PORTION OF THE PRE-BID, BUT DURING ANY SUBSEQUENT PART OF THE PRE-BID WILL NOT BE PERMITTED TO SIGN THE ATTENDANCE SHEET.</p> <p>INQUIRIES:</p> <p>WRITTEN QUESTIONS WILL BE ACCEPTED UNTIL CLOSE OF BUSINESS ON 10/21/2011. QUESTIONS MAY BE SENT VIA USPS, FAX, COURIER OR E-MAIL. IN ORDER TO ASSURE NO VENDOR RECEIVES AN UNFAIR ADVANTAGE, NO SUBSTANTIVE QUESTIONS WILL BE ANSWERED ORALLY. IF POSSIBLE, E-MAIL QUESTIONS ARE PREFERRED. ADDRESS INQUIRIES TO:</p>						

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<p>TARA LYLE DEPARTMENT OF ADMINISTRATION PURCHASING DIVISION 2019 WASHINGTON STREET, EAST CHARLESTON, WV 25305</p> <p>FAX: 304-558-4115 EMAIL: TARA.L.LYLE@WV.GOV</p> <p>EXHIBIT 3</p> <p>LIFE OF CONTRACT: THIS CONTRACT BECOMES EFFECTIVE ON AWARD AND EXTENDS FOR A PERIOD OF ONE (1) YEAR OR UNTIL SUCH "REASONABLE TIME" THEREAFTER AS IS NECESSARY TO OBTAIN A NEW CONTRACT OR RENEW THE ORIGINAL CONTRACT. THE "REASONABLE TIME" PERIOD SHALL NOT EXCEED TWELVE (12) MONTHS. DURING THIS "REASONABLE TIME" THE VENDOR MAY TERMINATE THIS CONTRACT FOR ANY REASON UPON GIVING THE DIRECTOR OF PURCHASING 30 DAYS WRITTEN NOTICE.</p> <p>UNLESS SPECIFIC PROVISIONS ARE STIPULATED ELSEWHERE IN THIS CONTRACT DOCUMENT, THE TERMS, CONDITIONS AND PRICING SET HEREIN ARE FIRM FOR THE LIFE OF THE CONTRACT.</p> <p>RENEWAL: THIS CONTRACT MAY BE RENEWED UPON THE MUTUAL WRITTEN CONSENT OF THE SPENDING UNIT AND VENDOR, SUBMITTED TO THE DIRECTOR OF PURCHASING THIRTY (30) DAYS PRIOR TO THE EXPIRATION DATE. SUCH RENEWAL SHALL BE IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE ORIGINAL CONTRACT AND SHALL BE LIMITED TO TWO (2) ONE (1) YEAR PERIODS.</p>						

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<p>CANCELLATION: THE DIRECTOR OF PURCHASING RESERVES THE RIGHT TO CANCEL THIS CONTRACT IMMEDIATELY UPON WRITTEN NOTICE TO THE VENDOR IF THE COMMODITIES AND/OR SERVICES SUPPLIED ARE OF AN INFERIOR QUALITY OR DO NOT CONFORM TO THE SPECIFICATIONS OF THE BID AND CONTRACT HEREIN.</p> <p>OPEN MARKET CLAUSE: THE DIRECTOR OF PURCHASING MAY AUTHORIZE A SPENDING UNIT TO PURCHASE ON THE OPEN MARKET, WITHOUT THE FILING OF A REQUISITION OR COST ESTIMATE, ITEMS SPECIFIED ON THIS CONTRACT FOR IMMEDIATE DELIVERY IN EMERGENCIES DUE TO UNFORESEEN CAUSES (INCLUDING BUT NOT LIMITED TO DELAYS IN TRANSPORTATION OR AN UNANTICIPATED INCREASE IN THE VOLUME OF WORK.)</p> <p>QUANTITIES: QUANTITIES LISTED IN THE REQUISITION ARE APPROXIMATIONS ONLY, BASED ON ESTIMATES SUPPLIED BY THE STATE SPENDING UNIT. IT IS UNDERSTOOD AND AGREED THAT THE CONTRACT SHALL COVER THE QUANTITIES ACTUALLY ORDERED FOR DELIVERY DURING THE TERM OF THE CONTRACT, WHETHER MORE OR LESS THAN THE QUANTITIES SHOWN.</p> <p>ORDERING PROCEDURE: SPENDING UNIT(S) SHALL ISSUE A WRITTEN STATE CONTRACT ORDER (FORM NUMBER WV-39) TO THE VENDOR FOR COMMODITIES COVERED BY THIS CONTRACT. THE ORIGINAL COPY OF THE WV-39 SHALL BE MAILED TO THE VENDOR AS AUTHORIZATION FOR SHIPMENT, A SECOND COPY MAILED TO THE PURCHASING DIVISION, AND A THIRD COPY RETAINED BY THE SPENDING UNIT.</p> <p>BANKRUPTCY: IN THE EVENT THE VENDOR/CONTRACTOR FILES FOR BANKRUPTCY PROTECTION, THE STATE MAY DEEM THE CONTRACT NULL AND VOID, AND TERMINATE SUCH CONTRACT WITHOUT FURTHER ORDER.</p> <p>THE TERMS AND CONDITIONS CONTAINED IN THIS CONTRACT</p>						

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<p>SHALL SUPERSEDE ANY AND ALL SUBSEQUENT TERMS AND CONDITIONS WHICH MAY APPEAR ON ANY ATTACHED PRINTED DOCUMENTS SUCH AS PRICE LISTS, ORDER FORMS, SALES AGREEMENTS OR MAINTENANCE AGREEMENTS, INCLUDING ANY ELECTRONIC MEDIUM SUCH AS CD-ROM.</p> <p>REV. 05/26/2009</p> <p>THE MODEL/BRAND/SPECIFICATIONS NAMED HEREIN ESTABLISH THE ACCEPTABLE LEVEL OF QUALITY ONLY AND ARE NOT INTENDED TO REFLECT A PREFERENCE OR FAVOR ANY PARTICULAR BRAND OR VENDOR. VENDORS WHO ARE BIDDING ALTERNATES SHOULD SO STATE AND INCLUDE PERTINENT LITERATURE AND SPECIFICATIONS. FAILURE TO PROVIDE INFORMATION FOR ANY ALTERNATES MAY BE GROUNDS FOR REJECTION OF THE BID. THE STATE RESERVES THE RIGHT TO WAIVE MINOR IRREGULARITIES IN BIDS OR SPECIFICATIONS IN ACCORDANCE WITH SECTION 148-1-4(F) OF THE WEST VIRGINIA LEGISLATIVE RULES AND REGULATIONS.</p> <p>EXHIBIT 4</p> <p>LOCAL GOVERNMENT BODIES: UNLESS THE VENDOR INDICATES IN THE BID HIS REFUSAL TO EXTEND THE PRICES, TERMS, AND CONDITIONS OF THE BID TO COUNTY, SCHOOL, MUNICIPAL AND OTHER LOCAL GOVERNMENT BODIES, THE BID SHALL EXTEND TO POLITICAL SUBDIVISIONS OF THE STATE OF WEST VIRGINIA. IF THE VENDOR DOES NOT WISH TO EXTEND THE PRICES, TERMS, AND CONDITIONS OF THE BID TO ALL POLITICAL SUBDIVISIONS OF THE STATE, THE VENDOR MUST CLEARLY INDICATE SUCH REFUSAL IN HIS BID. SUCH REFUSAL SHALL NOT PREJUDICE THE AWARD OF THIS CONTRACT IN ANY MANNER.</p> <p>REV. 3/88</p>						

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<p>PURCHASING CARD ACCEPTANCE: THE STATE OF WEST VIRGINIA CURRENTLY UTILIZES A VISA PURCHASING CARD PROGRAM WHICH IS ISSUED THROUGH A BANK. THE SUCCESSFUL VENDOR MUST ACCEPT THE STATE OF WEST VIRGINIA VISA PURCHASING CARD FOR PAYMENT OF ALL ORDERS PLACED BY ANY STATE AGENCY AS A CONDITION OF AWARD.</p> <p>VENDOR PREFERENCE CERTIFICATE</p> <p>THIS TEAM EXHIBIT HAS BEEN REPLACED BY THE ONLINE VERSION WHICH IS AVAILABLE HERE: HTTP://WWW.STATE.WV.US/ADMIN/PURCHASE/VRC/VENPREF.PDF</p> <p>NOTICE</p> <p>A SIGNED BID MUST BE SUBMITTED TO:</p> <p>DEPARTMENT OF ADMINISTRATION PURCHASING DIVISION BUILDING 15 2019 WASHINGTON STREET, EAST CHARLESTON, WV 25305-0130</p> <p>THE BID SHOULD CONTAIN THIS INFORMATION ON THE FACE OF THE ENVELOPE OR THE BID MAY NOT BE CONSIDERED:</p> <p>SEALED BID</p> <p>BUYER:-----TL/32-----</p> <p>RFQ. NO.:-----COR61517-----</p>						

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BID OPENING DATE: -----11/09/2011----- BID OPENING TIME: -----1:30 PM----- PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID: ----- CONTACT PERSON (PLEASE PRINT CLEARLY): ----- ***** THIS IS THE END OF RFQ COR61517 ***** TOTAL: _____						

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COR61517**REQUEST FOR QUOTATIONS**

To provide laboratory services and drug testing kits, to randomly test Parolees and Pre-Employment screening for certain types of drugs.

The West Virginia Division of Corrections (WVDOC) is seeking Request for Quotation for various different types of drug testing kits, and accessories to be used at different (WVDOC) locations throughout the state for random parolees' drug testing and pre-employment screenings.

A mandatory pre-bid conference will be held on Wednesday October 19, 2011 at 10:30AM at the WV Division of Corrections Central Office, which is located at 1409 Greenbrier Street, Suite 300, Charleston WV 25311. Any vendor that would be interested in attending this pre-bid conference will need to call and register with the following individual.

Name: Reginald Smith-Administrative Service Assistant

Phone: (304) 558-2036

E-mail: Reggie.M.Smith@wv.gov

Any vendor that will be quoting on this project **SHALL** comply with the below Specifications:

PART 1- GENERAL**1.1****Summary**

A The (WVDOC) is looking to award a one (1) year service contract with Four (4), Four (4) year renewal options for the purchase of various types of drug testing kits, laboratory services, and accessories that will be used for random drug testing at various (WVDOC) locations throughout the state.

B The successful vendor must be able to supply the facility with drug testing kits or accessories that are requested.

1.2**Specifications****1.2.1****iCup- 6 Panel**

a. Product shall be an integrated all-in-one collection cup, test and transport system, thus eliminating exposure and handling of urine samples. Cups shall be capable of detecting the following substances at or below the following cut-off levels:

- Amphetamine (AMP) 1000 ng/mL
- Benzodiazepines (BZO) 300 ng/mL
- Cocaine (COC) 300 ng/ml.
- Methamphetamines (MAMP) 1,000 ng/mL
- Opiates (OPI) 2000 ng/ml.
- Tetrahydrocannabinol (THC) 50 ng/ml.

1.2.2

iCup- 10 Panel

- should include the above drugs in the 6-Panel, with the addition of:
 - Barbiturates (BAR) 300 ng/mL
 - Oxycodone (OXY) 100 ng/mL
 - Methadone (MTD) 300 ng/mL
 - Propoxyphene (PPX) 300 ng/mL

It is desirable for each of the cups to have built-in specimen validity testing for three or more of the following: Oxidants, Specific Gravity, pH, Nitrite, Glutaraldehyde, Creatinine.

Additional device configurations may be offered as a part of your response to this RFQ. Please provide pricing and cutoff level specifications when listing available cup configurations.

- b. Urinalysis screening device should be able to be conveniently used on the spot, at any location.
- c. Drug testing cups shall not require any mixing of reagents or pretreatments/special handling of urine samples.
- d. Drug testing cups shall be capable of producing test results within five (5) minutes. Results shall be stable for up to one hour.
- e. Test results shall be easy to read and interpret, without need for subjective interpretation.
- f. Test results shall be highly accurate and reliable with performance data in the product insert demonstrating how the device compares to GC/MS test results.
- g. Drug testing cups shall not require refrigeration.
- h. Drug testing cups shall have a shelf life of at least twelve (12) months from the date of manufacture and shall be stored at room temperature.
- i. Cup products shall have Federal Drug Administration (FDA) 510K clearance for commercial distribution.
- j. Urinalysis screening results should be capable of being photocopied to provide a permanent record.
- k. Cup device must have built-in temperature strip to indicate validity of specimen.
- l. Device must use colloidal gold technology.
- m. Device shall include a built-in procedural control that confirms sufficient specimen volume, adequate membrane wicking, and correct procedural technique.

1.2.3

PANEL-DIPS1 Panel Drug Test Device to test for Oxycodone-1 Panel Drug Test Device to test for Buprenorphine

Product shall be a panel-dip format instant device. Each panel-dip shall be capable of detecting one of the following substances at or below the following cut-off levels:

- Buprenorphine (BUP) 10 ng/mL
- Oxycodone (OXY) 100 ng/mL

Ten-Drug Panel Dip

- Cocaine (COC) 300 ng/mL
- Marijuana (THC) 50 ng/mL
- Opiates (OPI) 300 ng/mL
- Methamphetamines (MAMP) 1000 ng/mL
- PCP 25ng/mL
- Benzodiazepines (BZO) 300 ng/mL
- Barbiturates (BAR) 300 ng/mL
- Methadone (MTD) 300 ng/mL
- Ecstasy (MDMA) 500 ng/mL
- Oxycodone (OXY) 100 ng/mL

Additional device configurations may be offered as a part of your response to this RFP. Please provide pricing and cutoff level specifications when listing available cup configurations.

- b. Urinalysis screening device should be able to be conveniently used on the spot, at any location.
- c. Urinalysis screening device shall provide results in approximately five (5) minutes or less. Results shall be stable for up to four hours.
- d. Test results shall be easy to read and interpret, without need for subjective interpretation.
- e. Test results shall be highly accurate and reliable with performance data in the product insert demonstrating how the device compares to GC/MS test results.
- f. Drug testing dips shall not require refrigeration.
- g. Drug testing dips shall have a shelf life of at least twelve (12) months from the date of manufacture and shall be stored at room temperature.
- h. Panel-dip products shall have Federal Drug Administration (FDA) 510K clearance for commercial distribution.

- i. Urinalysis screening results should be capable of being photocopied to provide a permanent record.
- j. Device must use colloidal gold technology.
- k. Device shall include a built-in procedural control that confirms sufficient specimen volume, adequate membrane wicking, and correct procedural technique.

1.2.4

ORAL FLUIDS DEVICE iScreen OFD 6 Panel Drug Test Kits-

- a. Product shall be an integrated all-in-one oral fluid collection test and transport system. Instant oral fluid device shall test for the following drug combination:
 - COC/THC/OPI/MAMP/AMP/PCP

Vendor shall specify available cutoff levels for each drug listed above.
- b. Oral fluid screening device should be able to be conveniently used on the spot, at any location, and in the presence of the client, patient, or offender.
- c. Results from oral fluid device will be available in 10 minutes or less. Results will be stable up to one hour.
- d. Test results shall be easy to read and interpret, without need for subjective interpretation.
- e. Oral fluid devices shall not require refrigeration.
- f. Device must use colloidal gold technology.
- g. Device shall include a built-in procedural control that confirms sufficient specimen volume, adequate membrane wicking, and correct procedural technique.

1.2.5

Supplies

- Box of Redi-Cup Confirm #3 White w/Printed label-
- Bag- Opaque Blue bag with Absorbent
- Form- 2 pt LSL (6/sheet) Lot# REV 0-
- Form- Oral Fluid Drug Test 2pt Lot# REV 4-
- Box- Oral Fluid (Confirmation)-

a. Contractor shall provide all supplies (i.e. specimen cups, labels, requisition forms, tamper proof seals, specimen baggies with absorbency pads, etc.) required to perform on site-drug testing.

- See Attachment A for previous order requested amount from the facilities.

1.2.6 SINGLE DRUG LAB SCREENS

- Vendor must be able to screen urine specimens by immunoassay (EIA). Positive screens go through a standard secondary confirmation, including thin layer chromatography (TLC) or radioimmunoassay (RIA), depending on the drug class.
- Single Drug screens/ confirmations must be able to test for the following drugs listed below.
 - Amphetamines
 - Opiates
 - Benzodiazepines
 - Barbiturates
 - Oxycodone
 - Methadone
 - Phencyclidine (PCP)
 - Buprenorphine
 - Cocaine
 - THC (Marijuana)

1.2.7 Licensure:

- Vendors shall be licensed and accredited by all relevant Federal and State Agencies. It is the bidding vendors' responsibility to find out what licenses are required and comply.

1.2.8 Eight Panel Test including Creatinine with Screening Cut-offs

- Must be able to test the following drugs listed below and meet all the
 - Amphetamines
 - Alcohol
 - Opiates
 - Benzodiazepines
 - Barbiturates
 - Phencyclidine (PCP)
 - Cocaine 300 ng/mL

"Limit of Detection" and "quantitation" levels by drug class

Drug	EIA Screen	TLC	RIA	GC/MS Confirmation	LC/MS/MS Confirmation
Amphetamines					
<i>Amphetamines</i>	1000ng/mL	<500 ng/mL		250 ng/mL	
<i>Methamphetamine</i>	1000 ng/mL	<500 ng/mL		250ng/mL	
Barbiturates	200 ng/mL	<500 ng/mL		200 ng/mL	
Benzodiazepines	200 ng/mL		200 ng/mL		50 ng/mL
Buprenorphine	5 ng/mL			0.5 ng/mL	
Cocaine-Benzoylcegonine	300 ng/mL		150 ng/mL	100 ng/mL	
Designer Stimulants					
<i>Amphetamines (MBDB,MDA,MDEA,MDMA)</i>				50 ng/mL	
<i>Cathinones</i>				25 ng/mL	
<i>Piperazines</i>				25 ng/mL	
Ethyl Glucuronide (EtG)					100 ng/mL
Ethyl Sulfate (EtS)					25 ng/mL
Marijuana Metabolite (9-THC-COOH)	20 or 50 ng/mL **		25 ng/mL		5 ng/mL
Meperidine	200 ng/mL			50 ng/mL	
Methadone	150 ng/mL	<500 ng/mL		100 ng/mL	
Methaqualone	300 ng/mL	<500 ng/mL		200 ng/mL	
Opiates					
<i>Total Morphine</i>	300 ng/mL	<500 ng/mL			100 ng/mL
<i>Codeine</i>	300 ng/mL	<500 ng/mL			100 ng/mL
<i>Hydrocodone</i>		1000 ng/mL			100 ng/mL
<i>Oxycodone</i>	5000 ng/mL	1000 ng/mL			50 ng/mL
Drug	EIA Screen	TLC	RIA	GC/MS Confirmation	LC/MS/MS Confirmation
Oxycodone	300 ng/mL			100 ng/mL	50 ng/mL
PCP	25 ng/mL			10 ng/mL	
Propoxyphene	300 ng/mL	<500 ng/mL		200 ng/mL	
Tramadol	200 ng/mL			100 ng/mL	
Alcohol (GC-FID)	.04 gm/dL			.02 gm/dL*	

- *Test performed by Gas Chromatography Flame Ionization Detection (GC/FID)
- **Agency has the ability to choose cut-off levels indicated

1.2.9 Confirmation Methods:

- Vendor must be able to provide GC/MS or LC/MS/MS confirmation on all positive screens or only those specimens that your agency request to be confirmed. Benzodiazepines, Oxycodone, and THC are routinely confirmed by LC/MS/MS. The LC/MS/MS confirmation is more sensitive and specific than GC/MS, and increases compound identification specificity through the use of two mass spectrometers, versus a single one for GC/MS methods.

1.2.10 Turnaround Time Urinalysis Screens and Confirmation:

- All negative results must be reported within twenty-four (24) hours after receipt of the specimen in the laboratory. If confirmation by GC/MS or LC/MS/MS is requested, an additional forty-eight (48) to seventy-two (72) hours is necessary.

1.2.11 Ethylglucuronide (EtG)/(EtS) Tests- Includes screen and confirmation:

- EtG is a direct metabolite of alcohol (ethanol), Its presence in urine may be used to detect recent ethanol ingestion, even after ethanol is no longer measurable. The presence of EtG in urine is an indicator that ethanol was ingested and can be detected in urine for up to 80 hours after ingestion. Etg is only evident when ethanol is ingested and is not produced as a result of fermentation.

In addition to EtG, recent scientific studies have identified ethyl sulfate (EtS) as a second specific metabolite or biomarker of ethanol. For this reason the vendor must test and report EtS, in conjunction with EtG, to confirm recent ethanol ingestion, than by detection of either biomarker alone.

The Drug Testing lab must utilize the most sophisticated, sensitive, and specific equipment and technology available, LC/MS/MS (liquid chromatography/ mass spectrometry/ mass spectrometry), to screen confirm and quantitate Etg/Ets. This methodology provides highly accurate alcohol biomarker test results.

Various cut-off levels (100, 250, 500, or 1000 ng/mL) are suggested for use in EtG/EtS testing. Any EtG level over 100 ng/mL must indicate exposure to ethanol. In order to provide alcohol abstinence programs with the most clinically relevant answer to whether or not recent alcohol ingestion has occurred, using a 100 ng/mL cut-off for EtG detection is the best and most definitive test available to answer this question.

Turnaround Time for EtG/EtS tests:

- The vendor must be able to report all negative results within twenty-four (24) hours after receipt of the specimen in the laboratory. If confirmation is requested, an additional twenty-four (24) hours from the time of the request is necessary.

1.2.12 Designer Stimulants Testing:

- Designer Stimulant Drug testing utilizes GC/MS (gas chromatography/mass spectrometry) for screening and confirmation of designer amphetamines (MDA, MDMA, MDEA, MBDB), cathinones (Methylone, Ethylone, Butylone, Cathinone, Methcathinone, MDPV, Mephedrone) and designer piperazines (BZP, TFMPP and mCPP). Two test panel variations are available: an expanded panel covering all

aforementioned drugs, and one targeting MDPV and Mephedrone. Designer Stimulant Testing can be added to existing panels to ensure that a wide-range of drugs will be detected.

1.2.13 Synthetic Cannabinoids Testing:

- Identifies the parent synthetic cannabinoids (JWH-018 and JWH-073) and their metabolites in human urine. Precise urine metabolite detection, significantly more reliable than only testing for parent-drug. Presence of metabolites confirms ingestion; window of detection must be up to 72 hours following a low dose (in the case of chronic use the detection window could be longer). Performed on QTrap LC/MS/MS equipment; providing definitive synthetic cannabinoids. They pass undetected in standard urine testing for such drugs as cocaine, marijuana, heroin, and amphetamines.
- The toxicology result reports for the JWH-018 and the JWH-073 must be able to indicate either "Detected" or "Not Detected".

1.2.14 Included Laboratory Supplies:

- The successful winning bidder must be able to provide all necessary supplies to perform urine alcohol and drug testing. This would include all chain of custody supplies, including COC Forms.
- Below is a list of the ancillary supplies and services that the winning bidder must provide at no additional cost.

If special supply request are necessary, please contact the successful winning bidder immediately.

Collection supplies include:

- Specimen collection containers/bottles
- Specimen baggies with absorbent material
- Chain of Custody Forms/ labels of various configurations
- Security Seals
- Temperature Strips (available upon request)
- Pre-paid mailers
- FedEx/UPS overnight service lab packs

1.2.15 Fed-Ex Pick Ups:

- The vendor must be able to provide the specimen pick up through FedEx or UPS with overnight service delivery to the lab. The vendors in-house FedEx or UPS Specialist must be able to work directly with the agencies to determine the best dates and times for the pickup of specimens and ship it directly to the lab.

1.2.16 Specimen Storage:

- All urine that tests positive for drug(s) and/or metabolites shall be stored in a secure warehouse for a period of not less than six (6) months. Negative specimens will be stored for 2 days. Additionally, chain of records, documentation and analytical records are maintained in secure storage for a period of not less than three (3) years.

1.2.15 Quality Assurance:

- The vendor must consider Quality Control (QC)/ Quality Assurance (QA) to be an ongoing process that encompasses all facets of the laboratory's testing and support functions. This must include specimen receipts, test analysis, and test result reporting. Quality Assurance also extends to the laboratory's interactions with its customers.

1.2.16 Internal Blind Proficiency Testing:

- The vendor must test the Internal Blind Proficiency Tests on both the screen and confirmation procedures. Testing of personnel is also included in this process.
- The internal blind proficiency testing program allows monitoring of specimen unloading, chain of custody, computer accessioning, Hitachi screening, confirmation procedures, certification of final results, and reporting of final results. This allows evaluation of all laboratory personnel involved with the testing and reporting processes.
- All administrative details in regard to specimen identification and results of blind proficiency testing are documented and maintained by the General Laboratory Supervisor or designee. Results must be reviewed by the laboratory director.

1.2.17 External Blind Proficiency Testing:

- Vendors must subscribe to the following External Blind Proficiency Testing Agencies such as:
 - **American Association of Bioanalysts:** Two urine drugs of abuse samples will be sent to the successful winning bidder each quarter to be tested. Five urine samples will be sent for pregnancy testing.
 - **College of American Pathologists Urine Drug Screening & Confirmation:** Ten urine drugs of abuse samples will be sent to the successful winning bidder each quarter to be tested.

All testing outcomes for the above-listed external proficiency testing programs have been successful.

- In addition to the blind quality control specimens, The following components must be monitored on an ongoing basis:
 - **Patient Test Management**
 - **Quality Control**
 - **Proficiency Testing**
 - **Correlation of Test Results**
 - **Personnel Competence**
 - **Communication of Results**
 - **Complaints**
 - **Review of Quality Assurance with Staff**
- Each of the above components is monitored by system checks or procedures to evaluate ongoing laboratory performance with limits of acceptability established for each component.
- The successful Winning Bidder must have a Management Advisory Committee that meets weekly and discusses quality assurance issues, problems, and resolutions.

1.2.18 Secure Facility:

- The Successful Winning Bidder must be able to process its specimen in a secure facility, protected by a badge access. Access to testing areas of the laboratory and IT shall be limited to authorize personnel only.

1.2.19 Online Result Reporting:

- The vendors result reporting system shall be an automated system built and maintained by the vendors Information Services (IS) Department. The online resulting reporting shall be available through a secure web-based internet reporting website: www.webtoxicology.com. The web-based reporting website must be easy to use and fully supported by the winning vendors Information Solutions (IS) Department. Internet access may be arranged at time of the account set-up or at any time during the life of the contract. Trainings and website demonstrations will be arranged upon award of the contract and account set up, and are available at any time during the lifetime of the account.

1.2.20 Automated Information Systems and Results Reporting Overview:

- Toxicology results must be reported to authorize personnel only. Results reporting options include:
 - Results available securely over the internet at <http://www.webtoxicology.com>
 - Results communicated by fax (for agencies that do not require HIPAA compliance)
 - Daily summary of multiple specimen results on one page
- Hard copies of result reports shall be sent by mail or fax upon request by agency,
- The vendors site shall include the following standard features for information tracking and client monitoring:
 - **Print management enhancements:**
 - Keep track of printed and unprinted results
 - Works like web e-mail; new results shall be shown in bold
 - **User Management control:**
 - Create new users/ modify, activate, and deactivate existing users
 - Change Passwords
 - Automatic password retrieval
 - **Robust specimen search feature:**
 - Search by requisition number, accession, collector, identification, agency, collection date range, report date range, and overall results (positive, negative, dilute).
 - **Multiple reporting options:**
 - Additional report parameters
 - Exports reports to Adobe Acrobat (PDF) and Microsoft Excel formats.
 - **Faster Collections:**
 - Drug test collections can be performed quicker, easier, and more efficient by collections being performed on a single screen in just a few easy steps using the one-part chain of custody form. All donor information shall be entered once, saved, and stored out on the website.

- **Clearer, more accurate data:**
 - The information input is automatically transferred into the vendor's laboratory information system, which shall eliminate both errors caused by hand-written labels and laboratory data entry errors.
- **Complete, real-time tracking:**
 - Track Specimens every step of the way- from collection through reporting- in real time, 27/7. These steps shall include Scheduled for Testing, Collected, Shipped, received by the lab, and Reported.
- **Total digital data collection:**
 - The Webtoxicology.com website is a complete donor data management solution that captures all the required information on each donor and stores it electronically: The required information shall include:
 - Name (First, M.I., Last)
 - Birth Date
 - Sex
 - Intake Date
 - Counselor/ Probation Officer
 - Location/ Agency
 - Default Test/Panel
 - Donor Group
 - Status (Active/Inactive)
 - Special Instructions
 - Unique Identifier (e.g. SSN, Employee ID)

1.3

Award

The contract will be awarded to the successful vendor that meets all the specifications, and has the lowest grand total amount.

Attachment A DRUG KIT ORDER

September 2010

NORTHERN DISTRICT:

Northcentral Region:
Clarksburg Office
215 West Main Street,
Clarksburg, WV 26301

WV Division of Corrections -
12 boxes of six (6) panel kits
Also need bags and boxes to ship them in

Elkins Office
1513 Harrison Avenue, Unit 27
Elkins, WV 26241

10 boxes of six (6) panel kits
Also need bags and boxes to ship them in.

Northwestern Region:

WV Division of Corrections – 1701 7th Street, Parkersburg, WV 26101

Parkersburg Office
1701 7th Street
Parkersburg, WV 26101

5 boxes of six (6) panel kits
Also need bags boxes to ship them in

Ripley Office
117 North Court Street
Ripley, WV 25271

5 boxes of six (6) panel kits
Also need bags and boxes to ship them in

Wheeling Office
1025 Main Street
414 Mull Center
Wheeling, WV 26003

10 boxes of six (6) panel kits
Also need bags and boxes to ship them in.

Northeastern Region:

WV Division of Corrections –

Keyser Office
PO Box 244, 102 North Main Street,
Keyser, WV 26726

5 boxes of six (6) panel kits
Also need bags and boxes to ship them in

Martinsburg Office
1520 Winchester Avenue
Martinsburg, WV 25405

10 boxes of six (6) panel kits
Also need bags and boxes to ship them in

- **Each individual Parole Office orders their supplies.**
- **15 Employees normally tested.**

SOUTHERN DISTRICT:Southcentral Region:

Charleston Office	6 boxes of six (6) panel kits
1206 Virginia Street	3 boxes of Oxycontin/Oxycodone panel kits
Charleston, WV 25301	

Beckley Office	6 boxes of six (6) panel kits
3049 Robert C. Byrd Drive	3 boxes of Oxycontin/Oxycodone panel kits
Suite 100	
Beckley, WV 25801	

Southwestern Region:

Huntington Office	10 boxes of six (6) panel kits
801 Madison Avenue	4 boxes of Oxycontin/Oxycodone panel kits
Room 200	
Huntington, WV 25704	

Southeastern Region:

Welch Office	5 boxes of six (6) panel kits
110 Park Avenue	2 boxes of Oxycontin/Oxycodone test kits
Suite 111	2 boxes of Suboxone
Welch, WV 24801	

Princeton Office	6 boxes of six (6) panel kits
1454 Main Street	3 boxes of Oxycontin/Oxycodone test kits
Princeton, WV 24740	3 boxes of Suboxone

- **Each individual Parole Office orders their supplies.**
- **15 Employees normally tested.**

COR61517
BID PRICE SHEET

Description	Approx Qty	Unit Price	Total
<p><u>iCup- 6 Panel Drug Screen Kit</u> Requirements:</p> <ul style="list-style-type: none"> • Must be able to test for the substance at or below the cut off level • Must be able to produce the drug testing results within 5 minutes • Test results shall be easy to read and understand 	500 BX	\$	\$
Description	Approx Qty	Unit Price	Total
<p><u>Icup- 10 Panel Drug Screen Kits</u></p> <ul style="list-style-type: none"> • Must be able to test for the following substances listed below. <ul style="list-style-type: none"> ➤ Barbiturates ➤ Oxycodone ➤ Methadone ➤ Propoxyphene 	500 BX	\$	\$

**COR61517
BID PRICE SHEET**

<p><u>1 Panel Drug Test for Buprenorphine</u></p> <ul style="list-style-type: none">• Must be able to test for Buprenorphine at or below the 10ng.mL cut off level• Must be able to provide the results within 5 minutes or less.• Results shall be stable for up to four hours.• Test shall be easy to read and interpret.• Drug testing strips shall not require refrigeration.	300 BX	\$	\$
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**COR61517
BID PRICE SHEET**

000023

Description	Approx Qty	Unit Price	Total
<p><u>1 Panel Drug Test for Oxycodone</u></p> <ul style="list-style-type: none">• Must be able to test for Oxycodone at or below the 100ng/mL cut off level• Shall be able to produce the results within 5 minutes or less• Shall have a 12 mth shelf life from the date of manufacture	300 BX	\$	\$

**COR61517
 BID PRICE SHEET**

000024

Description	Approx Qty	Unit Price	Total
<p>10 Panel Dip</p> <ul style="list-style-type: none"> • Must be able to test for the following drugs listed below: ➤ Cocaine ➤ Marijuana ➤ Opiates ➤ Methamphetamines ➤ PCP ➤ Benzodiazepines ➤ Barbiturates ➤ Methadone ➤ Ecstasy ➤ Oxycodone 	500 BX	\$	\$
Description	Approx Qty	Unit Price	Total
<p><u>iScreen OFD 6 Panel Drug Test Kits</u></p> <ul style="list-style-type: none"> • Shall be an integrated all-in-one oral fluid collection test and transport system. • Shall be able to instantly test for the following drug combinations ➤ COC ➤ THC ➤ OPI ➤ MAMP ➤ AMP ➤ PCP • Shall not require refrigeration 	300 BX	\$	\$

**COR61517
 BID PRICE SHEET**

000025

Description	Approx Qty	Unit Price	Total
<u>Box of Redi Cup Confirm #3</u> <ul style="list-style-type: none"> • Must come with a printed Label 	1000 ea	\$	\$
<u>Opaque Blue Bag</u> <ul style="list-style-type: none"> • Must come with absorbent 	1000 ea	\$	\$
<u>2 part LSL Forms</u> <ul style="list-style-type: none"> • Must have 6 forms per sheet 	1000 ea	\$	\$
<u>Oral Fluid Drug Testing Form</u> <ul style="list-style-type: none"> • Form must be 2 part 	1000 ea	\$	\$
<u>Oral Fluid Confirmation Box</u>	1000 ea	\$	\$
<u>Number of Employees Tested</u>	5-10	\$	\$
<u>Single Drug Lab Screens</u> <ul style="list-style-type: none"> • Must be able to screen urine specimens by immunoassay (EIA) • Must be able to test for the following drugs listed below: <ul style="list-style-type: none"> ➤ Amphetamines ➤ Opiates ➤ Benzodiazepines ➤ Barbiturates ➤ Oxycodone ➤ Methadone ➤ Phencyclidine (PCP) ➤ Buprenorphine ➤ Cocaine ➤ THC (Marijuana) 	150 Ea	\$	\$

**COR61517
BID PRICE SHEET**

<p><u>8 Panel Test including Creatinine w/Screening Cut-offs</u></p> <ul style="list-style-type: none"> • Must be able to test for the following drugs listed below and meet the specs, <ul style="list-style-type: none"> ➤ Amphetamines ➤ Alcohol ➤ Opiates ➤ Benzodiazepines ➤ Barbiturates ➤ Phencyclidine (PCP) ➤ Cocaine 300 ng/mL 	250 Ea	\$	\$
<p><u>Confirmation Methods</u></p> <ul style="list-style-type: none"> • Must be able to provide GC/MS or LC/MS/MS confirmation on all positive screens or those specimens that the agency requested to be confirmed 	250 Ea	\$	\$
<p><u>Turnaround Time Urinalysis Screens and Confirmation:</u></p> <ul style="list-style-type: none"> • Must be able to report the results within 24 hours after receipt of the specimen. 	250 Ea	\$	\$
<p><u>Ethylglucuronide (Etg)/(Ets) Tests-Includes screen and confirmation:</u></p>	600 Ea	\$	\$
<p><u>Designer Stimulants Testing:</u></p>	50 Ea	\$	\$
<p><u>Synthetic Cannabinoids Testing:</u></p>	70 Ea	\$	\$
<p><u>Internal Blind Proficiency Testing</u></p>	250 Ea	\$	\$
<p><u>External Blind Proficiency Testing:</u></p>	250 ea	\$	\$
<p><u>Online Result Reporting:</u></p>	250 ea	\$	\$
<p><u>Grand Total</u></p>			\$

RFQ No. _____

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 owed 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 _____, 20__.

My Commission expires _____, 20__.

AFFIX SEAL HERE

NOTARY PUBLIC _____

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. Application is made for 2.5% resident vendor preference for the reason checked:

- _____ Bidder is an individual resident vendor and has resided continuously in West Virginia for four (4) years immediately preceding the date of this certification; **or**,
 _____ Bidder is a partnership, association or corporation resident vendor and has maintained its headquarters or principal place of business continuously in West Virginia for four (4) years immediately preceding the date of this certification; or 80% of the ownership interest of Bidder is held by another individual, partnership, association or corporation resident vendor who has maintained its headquarters or principal place of business continuously in West Virginia for four (4) years immediately preceding the date of this certification; **or**,
 _____ Bidder is a nonresident vendor which has an affiliate or subsidiary which employs a minimum of one hundred state residents and which has maintained its headquarters or principal place of business within West Virginia continuously for the four (4) years immediately preceding the date of this certification; **or**,

2. Application is made for 2.5% resident vendor preference for the reason checked:

- _____ Bidder is a resident vendor who certifies that, during the life of the contract, on average at least 75% of the employees working on the project being bid are residents of West Virginia who have resided in the state continuously for the two years immediately preceding submission of this bid; **or**,

3. Application is made for 2.5% resident vendor preference for the reason checked:

- _____ Bidder is a nonresident vendor employing a minimum of one hundred state residents or is a nonresident vendor with an affiliate or subsidiary which maintains its headquarters or principal place of business within West Virginia employing a minimum of one hundred state residents who certifies that, during the life of the contract, on average at least 75% of the employees or Bidder's affiliate's or subsidiary's employees are residents of West Virginia who have resided in the state continuously for the two years immediately preceding submission of this bid; **or**,

4. Application is made for 5% resident vendor preference for the reason checked:

- _____ Bidder meets either the requirement of both subdivisions (1) and (2) or subdivision (1) and (3) as stated above; **or**,

5. Application is made for 3.5% resident vendor preference who is a veteran for the reason checked:

- _____ Bidder is an individual resident vendor who is a veteran of the United States armed forces, the reserves or the National Guard and has resided in West Virginia continuously for the four years immediately preceding the date on which the bid is submitted; **or**,

6. Application is made for 3.5% resident vendor preference who is a veteran for the reason checked:

- _____ Bidder is a resident vendor who is a veteran of the United States armed forces, the reserves or the National Guard, if, for purposes of producing or distributing the commodities or completing the project which is the subject of the vendor's bid and continuously over the entire term of the project, on average at least seventy-five percent of the vendor's employees are residents of West Virginia who have resided in the state continuously for the two immediately preceding years.

Bidder understands if the Secretary of Revenue determines that a Bidder receiving preference has failed to continue to meet the requirements for such preference, the Secretary may order the Director of Purchasing to: (a) reject the bid; or (b) assess a penalty against such Bidder in an amount not to exceed 5% of the bid amount and that such penalty will be paid to the contracting agency or deducted from any unpaid balance on the contract or purchase order.

By submission of this certificate, Bidder agrees to disclose any reasonably requested information to the Purchasing Division and authorizes the Department of Revenue to disclose to the Director of Purchasing appropriate information verifying that Bidder has paid the required business taxes, provided that such information does not contain the amounts of taxes paid nor any other information deemed by the Tax Commissioner to be confidential.

Under penalty of law for false swearing (West Virginia Code, §61-5-3), Bidder hereby certifies that this certificate is true and accurate in all respects; and that if a contract is issued to Bidder and if anything contained within this certificate changes during the term of the contract, Bidder will notify 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.