

VENDOR

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State of West Virginia
Department of Administration
Purchasing Division
2019 Washington Street East Post Office Box 50130 Charleston, WV 25305-0130

TERMS OF SALE

Request for Quotation

FLT12006

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KRISTA FERRELL 304-558-2596

DEPARTMENT OF ADMINISTRATION

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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.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).

Technical Questions

RE: FLT12006 Automatic Vehicle Location Equipment and Services

Question 1: Regarding 4.2, 4.3, and 4.4: Package calls for vehicle inspection compliance (RFID equipped vehicle). This requirement is not spelled out in the cost sheet. If this requirement is applicable to the entire fleet, then there is only one vendor suited for this requirement. In this case, there is little point in competitive bidding. So, is vehicle inspection compliance required?

Response 1:

[Solicitation Page 12, Section 4.2] The section is changed to read:

4.2 Basic equipment with engine diagnostic capabilities shall be powered by the vehicle and include engine on/off detection; accelerometer, gyroscopic, and geospatial location capability. Basic equipment with engine diagnostic capabilities may be upgradable to support additional functionality e.g., door open/closed, plow up/down, seatbelt on/off, etc.; and may be interoperable with other non-engine diagnostic devices such as employee tracker with panic feature, GPS device, laptop/notebook/notepad computer, driver behavior monitoring device, and vehicle inspection compliance device (RFID equipped vehicle), etc.

[Solicitation Page 12, Section 4.3] The section is changed to read:

4.3 Basic equipment without engine diagnostics shall be powered by the vehicle, or self-contained device battery, or by car charger and include accelerometer, gyroscopic, geospatial location capability. Basic equipment without engine diagnostics may be interoperable with other AVL devices allowing for retransmission of a panic signal using a GPS device, driver behavior monitoring device, and vehicle inspection compliance device (RFID equipped vehicle), etc.

[Solicitation Page 12, Sections 4.4.1 and 4.4.2] The sections are changed to read:

- 4.4.1 For data loggers with engine diagnostics: Browser client-server application for real-time reporting of device location, stop-detail, speed, fuel economy or use, odometer, engine diagnostic codes and for vehicles equipped with an RFID inspection compliance device, inspection compliance data. Additional functionality to modify organizational hierarchy/device/driver, use of dynamic application filtering, and ad-hoc reporting including breadcrumb, geofence, landmark, odd-hours, etc.
- 4.4.2 For data loggers without engine diagnostics: Browser client-server application for real-time reporting of device location, stop-detail, speed, and for vehicles equipped with an RFID inspection compliance device, inspection compliance data. Additional functionality to modify organizational hierarchy/device/driver, use of dynamic application filtering, and ad-hoc reporting including breadcrumb, geofence, landmark, odd-hours, etc.

<u>Question 2:</u> Regarding 4.2, and 4.3: Package calls for accelerometer and gyroscope. These items often do the same function. Does this requirement mean you need to have one or the other, or does one need to have both?

<u>Response 2:</u> Both. The State requires the following alerts: The vehicle exceeds either posted speed limit or agency-assigned speed threshold; whenever the vehicle brakes excessively; and whenever the vehicle makes an erratic lane change.

Question 3: Where and when will all questions be posted with appropriate answers?

<u>Response 3:</u> Technical questions and answers will be provided to prospective Vendors using an Addendum format. The Purchasing Division makes every effort to provide timely response to technical questions provided prior to the technical question deadline identified in the solicitation.

Question 4:

4.8 Application Security: The Vendor(s)' browser client-server application must provide the ability to provide user authentication, strong passwords, action selection for a maximum number of failed logon attempts, application lock, an inactivity timeout, and certificate delivery.

In reference to section 4.8 in the Scope of Work, does the State have a definition or requirement for "strong passwords?" e.g. alphanumeric, symbols?

<u>Response 4:</u> Strong passwords must be at least 8-characters long; not to exceed 32-characters and at a minimum contain at least: one upper and lowercase character, one digit, and one punctuation character.

<u>Question 5:</u> We would like to bid on the 500 AVL units that are currently in the RFQ. Can we bid on those units separate from the remaining 1200?

We currently can't accommodate 5.2.1, but we are working to make that available in the future.

Response 5: [Solicitation Page 16, Section 6.1.1] The section is changed to read:

6.1.1 The Vendor is required to quote a fixed price fee for products and services contained in Section 4.0. Specifically, per-device and fixed price per-ping rate or data transmission service plan charges. If the Vendor elects not to bid a particular category, the Vendor must indicate by entering "No Bid" in the appropriate space provided on the Cost Proposal Bid Sheet. If no fee will be imposed on the State, the Vendor must indicate by entering "\$0.00" in the appropriate space provided on the Cost Proposal Bid Sheet.

Multiple awards under this contract may be made if in the best interest of the State of West Virginia. If multiple awards are made, the award/s will be by category and by data transmission type (GPRS and CMDA). There are eight categories which may yield up to

16 awards.

Question 6: The RFQ states that the contract will not be used to purchase cell phones or cell phone accessories. However, Section 2.1 states the device may be used as a Wi-Fi enabler (hot spot). Wi-Fi enabler devices (hot spot) are currently on the CPHONE07 contract. Is it the State's intent to allow agencies to purchase wireless data services through FLT12006 which are outside the scope of automatic vehicle location?

Response 6: The State does not intend to purchase wireless data services outside the scope of automatic vehicle location devices. If the AVL device has Wi-Fi enabler technology included as a standard feature of the device, it may be enabled under the contract. Additional Wi-Fi enabling peripherals outside the scope of FLT12006 will not be purchased using this contract.

Question 7: Can a vendor submit multiple bids?

<u>Response 7:</u> Vendors may submit multiple bids. Vendors submitting multiple bids should submit as separate bids and clearly identify product, manufacturer, and model being bid.

Question 8: Is the State of WV willing to utilize a WSCA Agreement to obtain services requested in FLT12006?

Response 8: No.

Question 9: If vendor installation is required, can the installation be completed at one site?

Response 9: Yes. It is the state's intent that installations will be accomplished at a centralized location.

Questions 10: Is the State going to award a GSM product and a CDMA product for each category?

Question 10: Yes. The State intends to award GPRS and CDMA by category if the bids are received for both communications technologies.

Question 11: Due to the complexity of the bid, cans the bid submission be extended until Feb 23rd?

Response 11: No.

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| Rep. Brett Lim | Torrance, CA 90501 | TOLL |
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