



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

Solicitation

NUMBER
LOT499

PAGE
1

ADDRESS CORRESPONDENCE TO ATTENTION OF:
CONNIE OSWALD 304-558-2157

RFQ COPY
 TYPE NAME/ADDRESS HERE

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WEST VIRGINIA LOTTERY

 900 PENNSYLVANIA AVE
 CHARLESTON, WV
 25302 304-558-0500

DATE PRINTED
06/11/2013

BID OPENING DATE: 06/18/2013 BID OPENING TIME 1:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
ADDENDUM NO. 3						
1.				TO PROVIDE ANSWERS TO QUESTIONS RECEIVED FOR THE 2ND Q&A PERIOD.		
2.				TO PROVIDE THE ADDENDUM ACKNOWLEDGMENT. THIS DOCUMENT SHOULD BE SIGNED AND RETURNED WITH YOUR BID. FAILURE TO SIGN AND RETURN MAY RESULT IN DISQUALIFICATION OF YOUR BID.		
END OF ADDENDUM NO. 3						

SIGNATURE		TELEPHONE	DATE
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE	

WHEN RESPONDING TO SOLICITATION, INSERT NAME AND ADDRESS IN SPACE ABOVE LABELED 'VENDOR'

SOLICITATION NUMBER: LOT499
Addendum Number: 03

The purpose of this addendum is to modify the solicitation identified as (“Solicitation”) to reflect the change(s) identified and described below.

Applicable Addendum Category:

- Modify bid opening date and time
- Modify specifications of product or service being sought
- Attachment of vendor questions and responses
- Attachment of pre-bid sign-in sheet
- Correction of error
- Other

Description of Modification to Solicitation:

1. To provide the answers to the questions received for the 2nd Q&A period.
2. To provide the addendum acknowledgment.

Additional Documentation: Documentation related to this Addendum (if any) has been included herewith as Attachment A and is specifically incorporated herein by reference.

Terms and Conditions:

1. All provisions of the Solicitation and other addenda not modified herein shall remain in full force and effect.
2. Vendor should acknowledge receipt of all addenda issued for this Solicitation by completing an Addendum Acknowledgment, a copy of which is included herewith. Failure to acknowledge addenda may result in bid disqualification. The addendum acknowledgement should be submitted with the bid to expedite document processing.

ATTACHMENT A

WEST VIRGINIA LOTTERY
RFQ LOT499
ADDENDUM 3

QUESTION 1. Are payments made using the Purchasing Card payments for the full amounts of vendor invoices, or do they require the vendor to give some payment discount, or pay a fee to the financial institution that issues the Purchasing Card. If so, what percentage discount is taken, or what percentage fee is charged?

ANSWER 1: Reference the West Virginia Auditors Website www.wvsao.gov/Purchasing Card/

QUESTION 2. Is it possible to obtain the performance bond form? We are aware that only the finalist is responsible for obtaining a performance bond.

ANSWER 2: Yes. Attached.

QUESTION 3. We want to be sure we are submitting all of the documents required for a bid and submitting them in the format requested. Addendum 2, Answer 17 indicates "requested forms should be submitted with the Pricing Page". Item 6 BID SUBMISSION of the RFQ document indicates there should be two envelopes respectively for the technical bid and the cost bid ("Additionally, the vendor should identify the bid type as either a technical or cost proposal on the face of each bid envelope in response to a request for proposal"). Would you please clarify this direction?

ANSWER 3: Item 6 in the Instruction to Bidders, Paragraph 3 is referencing a Request for Proposal. This solicitation is a Request for Quote, only your bid, required documents and pricing page is required in one envelope.

QUESTION 4. Further to the above question regarding required documents, our understanding is that the following documents are required, and when submitted with complete information and signatures on time would constitute a proper bid. Would you please confirm that the following list of documents is complete for a proper bid? And, if not complete, would you please note what documents and or additional information and or acknowledgement is required?

Required Documents:

- Page 1 and 2 of RFQ Yes.
- Page 1 of Addendum 1 Yes.
- Page 1 of Addendum 2 Yes.

- Page 1 of any subsequently issued Addendums Yes.
- RFQ Addendum Acknowledgement form p 44 Yes.
- RFQ Item 12.1 Contract Manager p 33 Yes
- RFQ ADDENDUM TO THE GENERAL TERMS AND CONDITIONS p 35-36 Yes.
- RFQ BID BOND PREPARATION FORM p 37-38 Yes – A Bid Bond is mandatory.
- RFQ AGREEMENT ADDENDUM FOR SOFTWARE p 39-40 Yes.
- RFQ VENDOR PREFERENCE CERTIFICATE p 41 Yes. If applicable and you want to be considered for RVP this must be submitted with your bid.
- RFQ PURCHASING AFFIDAVIT p 42 Yes.
- RFQ CERTIFICATION AND SIGNATURE PAGE p 43 Yes.
- Pricing Page Yes, this must be submitted with your bid.

ANSWER 4: We have indicated above which items you must submit with your bid.

QUESTION 5. The Performance Bond is NOT to be a part of the bid proposal. This will be required only by the apparent successful bidder to the West Virginia Lottery RFQ-Lot 499. Please confirm that this is correct.

ANSWER 4: Yes.

PERFORMANCE BOND

0006

KNOW ALL MEN BY THESE PRESENTS:

That _____
(Contractor name, complete address including ZIP Code and legal title)

as Principal, hereinafter called Contractor, and _____
(Surety name and complete address including ZIP Code)

_____ a corporation organized and existing under
the laws of the State of _____, with its principal office in the City of _____
as Surety, hereinafter called Surety, are held firmly bound unto _____
(Owner name, complete address including ZIP Code and legal title)

as Obligee, hereinafter called Owner, in the amount of _____
Dollars (_____), for the payment whereof Contractor and Surety bind themselves, their heirs, executors,
administrators, successors, and assigns, jointly and severally, firmly by these presents.

WHEREAS, Contractor has by written agreement dated _____
_____ entered into a contract with Owner for _____
_____ in accordance with drawings and specifications prepared by _____

which contract is by reference made a part hereof, and is hereinafter referred to as the CONTRACT.
NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION is such that if Contractor shall, promptly and faithfully Perform and CONTRACT,
then this obligation shall be null and void, otherwise it shall remain in full force and effect.
The Surety hereby waives notice of any alteration or extension of time made by the Owner.
Whenever Contractor shall be, and declared by Owner to be in default under the CONTRACT, the Owner having performed Owner's obligations
thereunder, the Surety may promptly remedy the default, or shall promptly:
1. Complete the CONTRACT in accordance with its terms and conditions, and
2. Shall save the Owner harmless from any claims, judgments, or liens arising from the Surety's failure to either remedy the default or to
complete the CONTRACT in accordance with its terms and conditions in a timely manner.
No right of action shall accrue on this bond to or for the use of any person or corporation other than the Owner named herein or the successors of
Owner.

Signed and sealed this * _____ day of _____ 20 _____ .

Principal Raised Corporate Seal (MUST BE AFFIXED) _____ (Seal)
(Contractor Name)

BY: _____ (Seal)
(Must be President, Vice President, Owner, Partner, Manager or Member)

(Title)

Surety Raised Corporate Seal (MUST BE AFFIXED) _____ (Seal)
(Surety)

NOTE: Raised Corporate Seals are mandatory. Please attach Power of Attorney. BY: _____ (Seal)

NOTE: Applicable sections of attached acknowledgments must be completed and returned as part of the bond.

ACKNOWLEDGMENTS

0007

Acknowledgment by Principal if individual or Partnership

- 1. STATE OF
2. County of
3. I,
4. county and state aforesaid, do hereby certify that
5. Given under my hand this
6. Notary Seal
7.
8. My commission expires on the

Acknowledgment by Principal if Corporation

- 9. STATE OF
10. County of
11. I,
12. county and state aforesaid, do hereby certify that
13. who as,
14.
15. Given under my hand this
16. Notary Seal
17.
18. My commission expires on the

Acknowledgment by Surety

- 19. STATE OF
20. County of
21. I,
22. county and state aforesaid, do hereby certify that
23. who as,
24.
25. Given under my hand this
26. Notary Seal
27.
28. My commission expires on the

Sufficiency in Form and Manner of Execution Approved

Attorney General

This day of 20

By: (Deputy Attorney General)

ACKNOWLEDGMENT PREPARATION INSTRUCTIONS

0008

1. IF PRINCIPAL IS AN INDIVIDUAL OR PARTNERSHIP, HAVE NOTARY COMPLETE LINES (1) THROUGH (8).
2. IF PRINCIPAL IS A CORPORATION, HAVE NOTARY COMPLETE LINES (9) through (18).
3. SURETY MUST HAVE NOTARY COMPLETE LINES (19) through (28).
4. **Notaries must:**

ACKNOWLEDGMENT BY PRINCIPAL, IF INDIVIDUAL OR PARTNERSHIP

1. Enter name of State.
2. Enter name of County.
3. Enter name of Notary Public witnessing transactions.
4. Enter name of principal covered by bond if individual or partnership. (Must be Owner or General Partner of Sole Proprietorship or Partnership)
5. Notary enters date bond was witnessed. Must be the same as or later than signature date.
6. Affix Notary Seal.
7. Notary affixes his/her signature.
8. Notary enters commission expiration date.

ACKNOWLEDGMENT BY PRINCIPAL IF CORPORATION

9. Enter name of State.
10. Enter name of County.
11. Enter name of Notary Public witnessing transactions.
12. Enter name of Corporate Officer signing bond.
13. Enter Title of Corporate Officer signing bond. (Must be President or Vice President of Corporation; Manager or Managing Member of Limited Liability Company)
14. Enter name of Company or Corporation.
15. Notary enters date bond was witnessed. Must be the same as or later than signature date.
16. Affix notary Seal.
17. Notary affixes his/her signature.
18. Notary enters commission expiration date.

ACKNOWLEDGMENT BY SURETY

19. Enter name of State.
20. Enter name of County.
21. Enter name of Notary Public witnessing transactions.
22. Enter name of person having power of attorney to bind Surety Company.
23. Enter Title of person binding Surety Company.
24. Enter name of Insurance Company (Surety).
25. Notary enters date bond was witnessed. Must be the same as or later than signature date.
26. Affix Notary Seal.
27. Notary affixes his/her signature.
28. Notary enters commission expiration date.

POWER OF ATTORNEY INSTRUCTIONS

Power of attorney for surety must be attached showing that it was in full force and effect on signature date indicated on the face of the bond. A raised corporate seal must also be affixed to the Power of Attorney form.

- a. Name of attorney in fact must be listed.
- b. Power of Attorney may not exceed imposed limitations.
- c. Certificate date, the signature date of bond must be entered.
- d. Signature of authorizing official must be affixed. (Signature may be facsimile).
- e. **Raised seal must be affixed.**

ADDENDUM ACKNOWLEDGEMENT FORM
SOLICITATION NO.: LOT499

Instructions: Please acknowledge receipt of all addenda issued with this solicitation by completing this addendum acknowledgment form. Check the box next to each addendum received and sign below. Failure to acknowledge addenda may result in bid disqualification.

Acknowledgment: I hereby acknowledge receipt of the following addenda and have made the necessary revisions to my proposal, plans and/or specification, etc.

Addendum Numbers Received:

(Check the box next to each addendum received)

- | | |
|---|--|
| <input type="checkbox"/> Addendum No. 1 | <input type="checkbox"/> Addendum No. 6 |
| <input type="checkbox"/> Addendum No. 2 | <input type="checkbox"/> Addendum No. 7 |
| <input type="checkbox"/> Addendum No. 3 | <input type="checkbox"/> Addendum No. 8 |
| <input type="checkbox"/> Addendum No. 4 | <input type="checkbox"/> Addendum No. 9 |
| <input type="checkbox"/> Addendum No. 5 | <input type="checkbox"/> Addendum No. 10 |

I understand that failure to confirm the receipt of addenda may be cause for rejection of this bid. I further 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.

Company

Authorized Signature

Date

NOTE: This addendum acknowledgment should be submitted with the bid to expedite document processing.
 Revised 6/8/2012