

Exhibit A
INSTRUCTIONS TO BIDDERS

1. REVIEW DOCUMENTS THOROUGHLY: The attached documents contain an RFP for bids. Please read these instructions and all documents attached in their entirety. These instructions provide critical information about requirements that if overlooked could lead to disqualification of a vendor's bid. All RFPs must be submitted in accordance with the provisions contained in these instructions and the Request for Proposals (RFP). Failure to do so may result in disqualification of vendor's bid.

2. MANDATORY TERMS: The RFP may contain mandatory provisions identified by the use of the words "must," "will," and "shall." Failure to comply with a mandatory term in the RFP will result in bid disqualification.

3. PREBID MEETING: The item identified below shall apply to this RFP.

A pre-bid meeting will not be held prior to bid opening

A **MANDATORY PRE-BID** meeting will be held at the following place and time:

All vendors submitting a bid must attend the mandatory pre-bid meeting. Failure to attend the mandatory pre-RFP meeting shall result in disqualification of the vendor's RFP. No one individual is permitted to represent more than one vendor at the pre-RFP meeting. Any individual that does attempt to represent two or more vendors will be required to select one vendor to which the individual's attendance will be attributed. The vendors not selected will be deemed to have not attended the pre-bid meeting unless another individual attended on their behalf.

4. VENDOR QUESTION DEADLINE: Vendors may submit questions relating to this RFP. Questions must be submitted in writing. All questions must be submitted on or before the date listed below and to the e-mail address listed below to be considered. Submitted e-mails should have RFP number in the subject line.

A written response will be published in an RFP addendum if a response is possible and appropriate. Non-written discussions, conversations, or questions and answers regarding this RFP are preliminary in nature and are nonbinding.

Submit Questions by Deadline in Schedule of Events to: bid.receipt@wvhepc.edu

5. VERBAL COMMUNICATION: Any verbal communication between the vendor and any Commission/Council/Institution personnel is not binding, including verbal communication at the mandatory pre-bid conference. Only information issued in writing and added to the RFP by an official written addendum is binding.

6. BID SUBMISSION: All bids must be submitted electronically to the e-mail address identified in the bid document **bid.receipt@wvhepc.edu**.

7. RFP OPENING: Bids submitted in response to this RFP will be opened on the date and time listed below. Delivery of a RFP, after the RFP opening date and time will result in RFP disqualification.

RFP Opening Date and Time: May 28, 2026, @ 2:00 pm ESDT

8. ADDENDUM ACKNOWLEDGEMENT: Changes or revisions to this RFP will be made by an official written addendum. Vendor should acknowledge receipt of all addenda issued with this RFP by completing an Addendum Acknowledgment Form, 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.

9. BID FORMATTING: Vendor should type or electronically enter the information onto its bid to prevent errors in the evaluation. Failure to type or electronically enter the information may result in bid disqualification.

10. ALTERNATE MODEL OR BRAND: Any model, brand, or specification listed in this RFP establishes the acceptable level of quality only and is not intended to reflect a preference for, or in any way favor, a particular brand or vendor. Vendors may bid alternates to a listed model or brand provided that the alternate is at least equal to the model or brand and complies with the required specifications. The equality of any alternate being bid shall be determined by the Commission/Council/Institution's sole discretion. Any vendor bidding an alternate model or brand should clearly identify the alternate items in its bid and should include manufacturer's specifications, industry literature, and/or any other relevant documentation demonstrating the equality of the alternate items. Failure to provide information for alternate items may be grounds for rejection of a vendor's bid.

11. EXCEPTIONS AND CLARIFICATIONS: The RFP contains the specifications that shall form the basis of a contractual agreement. Vendor shall clearly mark any exceptions, clarifications, or other proposed modifications in its RFP. Exceptions to, clarifications of, or modifications of a requirement or term and condition of the RFP may result in RFP disqualification.

12. COMMUNICATION LIMITATIONS: Communication with the Commission/Institution or any of its employees regarding this RFP during the RFP, bid, evaluation, or award periods, except through the Director of Procurement, is strictly prohibited without prior approval.

13. REGISTRATION: Prior to award of any contract award in the amount of \$25,000 or greater, the apparent successful vendor must be properly registered with the West Virginia Purchasing Division and must have paid the \$125 fee, if applicable.

14. UNIT PRICE: Unit prices shall prevail in cases of a discrepancy in the vendor's RFP.

15. WAIVER OF MINOR IRREGULARITIES: The Commission/Council/Institution reserves the right to waive minor irregularities in bids or specifications.

16. NON-RESPONSIBLE: The Commission/Council/Institution reserves the right to reject the bid of any vendor as Non-Responsible in accordance with W. Va. Code of State Rules § 148-1- 5.3, when the Director determines that the vendor submitting the RFP does not have the capability to fully perform or lacks the integrity and reliability to assure good-faith performance.”

17. ACCEPTANCE/REJECTION: The Commission/Council/Institution may accept or reject any RFP in whole, or in part if it is found to be in the best interest of the Commission/Council/Institution.

18. YOUR SUBMISSION IS A PUBLIC DOCUMENT: Vendor’s entire response to the RFP and the resulting Contract are public documents. As public documents, they will be disclosed to the public following the RFP/proposal opening or award of the contract, as required by the Freedom of Information Act West Virginia Code §§ 29B-1-1 et seq.

DO NOT SUBMIT MATERIAL YOU CONSIDER TO BE CONFIDENTIAL, A TRADE SECRET, OR OTHERWISE NOT SUBJECT TO PUBLIC DISCLOSURE.

Submission of any RFP, proposal, or other document to the Commission/Council/ Institution constitutes your explicit consent to the subsequent public disclosure of the RFP, proposal, or document. The Commission/Council/Institution will disclose any document labeled “confidential,” “proprietary,” “trade secret,” “private,” or labeled with any other claim against public disclosure of the documents, to include any “trade secrets” as defined by West Virginia Code § 47-22-1 et seq. All submissions are subject to public disclosure without notice.

19. INTERESTED PARTY DISCLOSURE: West Virginia Code § 6D-1-4 requires that the vendor submit a disclosure of interested parties to the contract for all contracts with an actual or estimated value of at least \$100 thousand. That disclosure must occur on the form prescribed prior to contract award.

A copy of that form will be provided to the successful bidder to complete before contract award. This requirement does not apply to publicly traded companies listed on a national or international stock exchange. A more detailed definition of interested parties can be obtained from the form referenced above.

20. WITH THE BID REQUIREMENTS: In instances where these specifications require documentation or other information with the RFP, and a vendor fails to provide it with the bid, the Commission/Council/Institution reserves the right to request those items after RFP opening and prior to contract award

21. EMAIL NOTIFICATION OF AWARD: The Commission/Council/Institution will attempt to provide bidders with e-mail notification of contract award when an RFP that the bidder participated in has been awarded. For notification purposes, bidders must provide the Commission/Council/Institution with a valid email address in the RFP response. Bidders may also monitor Commission/Council/Institution’s websites to determine when a contract has been awarded.