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

State of West Virginia
Master Agreement

Order Date: 07-07-2021

CORRECT ORDER NUMBER MUST APPEAR ON ALL PACKAGES, INVOICES, AND SHIPPING PAPERS. QUESTIONS CONCERNING THIS ORDER SHOULD BE DIRECTED TO THE DEPARTMENT CONTACT.

Order Number:	CMA 0313 0313 DEP1900000007 5	**Procurement Folder:**	383642
Document Name:	OSR Cationic Emulsion Liquid Polymer-Open End	**Reason for Modification:**	
Document Description:	Cationic Emulsion Liquid Polymer CO#4 Renewal	Cationic Emulsion Liquid Polymer CO#4 Renewal	
Procurement Type:	Central Master Agreement		
Buyer Name:			
Telephone:			
Email:			
Shipping Method:	Best Way	**Effective Start Date:**	2018-08-15
Free on Board:	FOB Dest, Freight Prepaid	**Effective End Date:**	2022-08-14

VENDOR

Vendor Customer Code: VS0000013561
PHOENIX SOLUTIONS LLC
1910 Dents Run Rd

Morgantown WV 26501-2303
US
Vendor Contact Phone: 304-212-4700 **Extension:**

Discount Details:

	Discount Allowed	Discount Percentage	Discount Days
#1	No	0.0000	0
#2	No		
#3	No		
#4	No		

DEPARTMENT CONTACT

Requestor Name: Bobbi J Chestnut
Requestor Phone: 304-926-0499
Requestor Email: b.j.chestnut@wv.gov

22
FILE LOCATION _____

INVOICE TO

ENVIRONMENTAL PROTECTION
OFFICE OF SPECIAL RECLAMATION
47 SCHOOL ST, STE 301
PHILIPPI WV 26416
US

SHIP TO

STATE OF WEST VIRGINIA
VARIOUS LOCATIONS AS INDICATED BY ORDER
No City WV 99999
US

7/12/2021

Purchasing Division's File Copy

Total Order Amount: ENTERED Open End

TLW 7/8/21

PURCHASING DIVISION AUTHORIZATION
Linda Harper
DATE: 7-12-2021
ELECTRONIC SIGNATURE ON FILE

ATTORNEY GENERAL APPROVAL AS TO FORM
DATE:
ELECTRONIC SIGNATURE ON FILE

ENCUMBRANCE CERTIFICATION
Robert M Bolt II
DATE: 7/22/2021
ELECTRONIC SIGNATURE ON FILE

7/22/2021

Extended Description:
Cationic Emulsion Liquid Polymer CO#4 Renewal

Change Order No. 4 To renew the original contract according to all terms, conditions, prices and specifications contained in the original contract including all authorized change orders.

Effective dates of renewal: 08/15/21 - 08/14/22

Renewals remaining: 0

All provisions of the original Contract and subsequent Change Orders not modified herein shall remain in full force and effect.

No other changes.

Line	Commodity Code	Manufacturer	Model No	Unit	Unit Price
1	47131910			LB	1.650000
	Service From	**Service To**			

Commodity Line Description: Cationic Emulsion Polymer

Extended Description:
Cationic Emulsion Polymer delivered to various sites as indicated in the specifications.

west virginia department of environmental protection

Division of Land Restoration
Office of Special Reclamation
47 School Street, Suite 301
Philippi, WV 26416
Phone: (304) 574-3219
Fax: (304) 574-5613

Harold D. Ward, Cabinet Secretary
dep.wv.gov

July 1, 2021

Contract: CMA DEP19*7 – OSR Cationic Emulsion Liquid Polymer

Vendor: Phoenix Solutions LLC

The West Virginia Department of Environmental Protection is offering to renew the subject contract under the same terms, conditions, and pricing. The renewal dates are **8/15/2021** through **8/14/2022**. In addition to this form, we will need the attached Purchasing Affidavit (must be signed & notarized), a current copy of your Certificate of Insurance with the following information (1. WV DEP as the certificate holder with correct office address. 2. WV DEP listed as additional insured in the description section. 3. The contact number referenced above in the description section.) and a current copy of your Contractor's License if applicable.

If your company agrees to this renewal, please sign below and return the required documents to the address listed above or via email at DEPSpecialRec@wv.gov.

If you have any questions, please email DEPSpecialRec@wv.gov.

Larry L. Riggleman Digitally signed by Larry L. Riggleman DN: CN = Larry L. Riggleman email = Larry.L.Riggleman@WV.GOV C = US O = WVDEP OU = Office of Social Reclamation Date: 2021.07.01 09:37:32 -04'00'

WVDEP Representative

Date

To Be Completed by the Vendor:

We agree to renew the contract for the period as stated above according to all terms, conditions, prices and specifications contained in the original contract including all authorized change orders.

Fay A. Cliggenpeel

Name/Signature

07/01/2021

Date

STATE OF WEST VIRGINIA
Purchasing Division

PURCHASING AFFIDAVIT

CONSTRUCTION CONTRACTS: Under W. Va. Code § 5-22-1(i), the contracting public entity shall not award a construction contract to any bidder that is known to be in default on any monetary obligation owed to the state or a political subdivision of the state, including, but not limited to, obligations related to payroll taxes, property taxes, sales and use taxes, fire service fees, or other fines or fees.

ALL CONTRACTS: Under W. Va. Code §5A-3-10a, 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: (1) the debt owed is an amount greater than one thousand dollars in the aggregate; or (2) the debtor is in employer default.

EXCEPTION: The prohibition listed above does not apply where a vendor has contested any tax administered pursuant to chapter eleven of the W. Va. 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.

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.

"Employer default" means having an outstanding balance or liability to the old fund or to the uninsured employers' fund or being in policy default, as defined in W. Va. Code § 23-2c-2, failure to maintain mandatory workers' compensation coverage, or failure to fully meet its obligations as a workers' compensation self-insured employer. An employer is not in employer default if it has entered into a repayment agreement with the Insurance Commissioner and remains in compliance with the obligations under the repayment agreement.

"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.

AFFIRMATION: By signing this form, the vendor's authorized signer affirms and acknowledges under penalty of law for false swearing (*W. Va. Code* §61-5-3) that: (1) for construction contracts, the vendor is not in default on any monetary obligation owed to the state or a political subdivision of the state, and (2) for all other contracts, that neither vendor nor any related party owe a debt as defined above and that neither vendor nor any related party are in employer default as defined above, unless the debt or employer default is permitted under the exception above.

WITNESS THE FOLLOWING SIGNATURE:

Vendor's Name: Phoenix Solutions, LLC

Authorized Signature: [signature] Date: 07/01/2021

State of WEST VIRGINIA

County of MONONGALIA, to-wit:

Taken, subscribed, and sworn to before me this 1ST day of JULY, 2021.

My Commission expires DECEMBER 17, 2024.

AFFIX SEAL HERE

OFFICIAL SEAL
NOTARY PUBLIC
STATE OF WEST VIRGINIA
Vincent Gaudio
Mid-Atlantic Energy Services
1910 Dents Run Road, Morgantown, WV 26501
My Commission Expires December 17, 2024

NOTARY PUBLIC [signature]

Authorized Shares	Young Entrepreneur

Addresses

Type	Address
Designated Office Address	1910 DENTS RUN ROAD MORGANTOWN, WV, 26501
Mailing Address	1910 DENTS RUN ROAD MORGANTOWN, WV, 26501
Notice of Process Address	JAY CLINGENPEEL 1910 DENTS RUN RD MORGANTOWN, WV, 26501
Principal Office Address	1910 DENTS RUN ROAD MORGANTOWN, WV, 26501 USA
Type	Address

Officers

Type	Name/Address
Member	JAY CLINGENPEEL 1910 DENTS RUN ROAD MORGANTOWN, WV, 26764
Member	JAMES LAURITA JR 1910 DENTS RUN ROAD MORGANTOWN, WV, 26501
Organizer	JAMES LAURITA JR 1910 DENTS RUN ROAD MORGANTOWN, WV, 26501
Type	Name/Address

DBA

DBA Name	Description	Effective Date	Termination Date
PHOENIX SOLUTIONS	TRADENAME	3/13/2017	

DBA Name	Description	Effective Date	Termination Date

Annual Reports
Filed For
2021
2020
2019
2018
Date filed

For more information, please contact the Secretary of State's Office at 304-558-8000.

Friday, July 9, 2021 — 2:43 PM

© 2021 State of West Virginia