



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:
 669C0031

PAGE:
 1

ADDRESS CORRESPONDENCE TO ATTENTION OF:
 MICHAEL AUSTIN
 304-558-2402

RFQ COPY
 TYPE NAME/ADDRESS HERE

VENDOR

Comade, Inc.
 17915 Sky Park Cir, Ste B
 Irvine, CA 92614
 (949)474-0160 Fax(949)474-0161

SUPPLIER

DIVISION OF HIGHWAYS
 VARIOUS LOCALES AS INDICATED
 BY ORDER

DATE PRINTED	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS
04/07/2009				

BID OPENING DATE: 04/29/2009 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	TN		775-45		
SODIUM CHLORIDE						
OPEN END CONTRACT						
TO PROVIDE ALL LABOR, MATERIALS, AND EQUIPMENT TO SUPPLY SODIUM CHLORIDE TO THE WEST VIRGINIA DIVISION OF HIGHWAYS AND THE WEST VIRGINIA PARKWAY AUTHORITY PER THE ATTACHED SPECIFICATIONS.						
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.						
EXHIBIT 3						
LIFE OF CONTRACT: THIS CONTRACT BECOMES EFFECTIVE ON 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.						

RECEIVED

2009 APR 29 A 10: 25

PURCHASING DIVISION
 STATE OF WV

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
	949 474 0160	4/29/2009
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE
PRESIDENT	33-1013811	

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



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<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> <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</p>						

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04/07/2009				

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<p>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, THIS CONTRACT IS AUTOMATICALLY NULL AND VOID, AND IS TERMINATED WITHOUT FURTHER ORDER.</p> <p>THE TERMS AND CONDITIONS CONTAINED IN THIS CONTRACT 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. 04/11/2001</p> <p>EXHIBIT 10</p> <p>REQUISITION NO.:</p> <p>ADDENDUM ACKNOWLEDGEMENT</p> <p>I HEREBY ACKNOWLEDGE RECEIPT OF THE FOLLOWING CHECKED ADDENDUM(S) AND HAVE MADE THE NECESSARY REVISIONS TO M PROPOSAL, PLANS AND/OR SPECIFICATION, ETC.</p> <p>ADDENDUM NO.'S:</p> <p>NO. 1</p>						

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	NO. 2					
	NO. 3					
	NO. 4					
	NO. 5					
<p>I UNDERSTAND THAT FAILURE TO CONFIRM THE RECEIPT OF THE ADDENDUM(S) MAY BE CAUSE FOR REJECTION OF BIDS.</p> <p>VENDOR MUST CLEARLY 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.</p> <p>..... SIGNATURE COMPANY DATE</p> <p>REV. 11/96</p> <p>NOTICE</p> <p>A SIGNED BID MUST BE SUBMITTED TO:</p>						

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DEPARTMENT OF ADMINISTRATION- PURCHASING DIVISION BUILDING 15 2019 WASHINGTON STREET, EAST CHARLESTON, WV 25305-0130 THE BID SHOULD CONTAIN THIS INFORMATION ON THE FACE OF THE ENVELOPE OR THE BID MAY NOT BE CONSIDERED: SEALED BID BUYER: 33 RFQ. NO.: 669C0031 BID OPENING DATE: ----- BID OPENING TIME: ----- PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID: ----- 949 474 0160 ----- CONTACT PERSON (PLEASE PRINT CLEARLY): ----- MR. LAURA BLOSSEY -----						

SIGNATURE			TELEPHONE		DATE
TITLE		FEIN		ADDRESS CHANGES TO BE NOTED ABOVE	

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LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
***** THIS IS THE END OF RFQ 669C0031 ***** TOTAL:						
4/28/2009						
* COMADE, INC. ELECTS NOT TO EXTEND PRICES, TERMS AND CONDITIONS OF THE RFQ AND ANY SUBSEQUENT CONTRACT TO ANY POLITICAL SUB-DIVISION OF THE STATE.						
Comade, Inc. 17915 Sky Park Cir., Ste B Irvine, CA 92614 (949)474-0160 Fax(949)474-0161						
FOB VENDOR'S STORAGE SITE: WILMINGTON, DE						\$ 65 ⁷⁵

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE: *[Signature]* TELEPHONE: **949 474 0160** DATE: **4/28/2009**

TITLE: **PRESIDENT** FEIN: **33-101331** ADDRESS CHANGES TO BE NOTED ABOVE

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	TYPE OF SALT			COARSE	ASTM	DEICING
	REG	FINE				
CHEMICAL ANALYSIS						
CALCIUM (Ca)	0.055	0.050	0.050	CALCIUM (Ca)	0.073	0.073
MAGNESIUM (Mg)	0.022	0.020	0.020	MAGNESIUM (Mg)	0.023	0.025
SULFATE (SO4)	0.170	0.170	0.170	SULFATE (SO4)	0.191	0.205
INSOLUBLE MATTER	0.022	0.017	0.016	INSOLUBLE MATTER	0.027	0.03
TOTAL IMPURITIES	0.269	0.257	0.256	TOTAL IMPURITIES	0.314	0.333
MOISTURE	2.50	2.20	2.00	MOISTURE	2.60	2.80
SCREEN ANALYSIS (MESH SIZE)	% RETAINED	% RETAINED	% RETAINED		% PASSING	% PASSING
+ 3/4 INCH	0.43	0.00	1.00	+ 3/4 INCH	100.00	98.00
- 3/4 + 5/8 INCH	1.74	0.00	3.80	+ 1/2 INCH	100.00	93.00
- 5/8 + 1/2 INCH	3.82	0.24	15.00	+ 3/8 INCH	95.00	90.00
- 1/2 + 1/4 INCH	26.55	26.68	71.00	+ 1/4 INCH	70.00	70.00
- 1/4 + 7 MESH	37.89	40.80	5.40	4 MESH	40.00	50.00
- 7 MESH + 12 MESH	22.10	22.43	2.40	8 MESH	15.00	25.00
- 12 MESH + 20 MESH	7.47	9.85	1.40	30 MESH	0.00	0.00
- 20 MESH	0.00	0.00	0.00			
TOTAL	100.00	100.00	100.00			

The "Bid Schedule" is available for download on Purchasing's Web site at
 10. BID SCHEDULE www.state.wv.us/admin/purchase

Delivery: F.O.B. Division's Storage Site

SODIUM CHLORIDE

(DOH CLASSIFICATION 011-010-000001)

DISTRICT 1

COUNTY	DELIVERY SITE	ESTIMATED NEEDS (TONS)	County Bid Price (PER TON)
Boone	Clinton @ WV 85	1000	
Boone	Rock Creek	1500	
Boone	Seth	1000	<u>84⁵⁰</u>
Clay	Widen Rd. @ CR 11	1600	
Clay	Maysel	500	<u>84⁵⁰</u>
Kanawha	Chelyan	2500	
Kanawha	Elkview	2200	
Kanawha	North Charleston	3000	
Kanawha	St. Albans	2500	
Kanawha	I-64 @ Scary	1600	
Kanawha	I-64 @ Rt. 119 & Penn. Ave.	2000	
Kanawha	I-77 @ Sissonville	1600	
Kanawha	I-79 & Amma	2000	
Kanawha	Corridor G @ Alum Creek	2000	<u>84⁵⁰</u>
Mason	Point Pleasant	3500	<u>84⁵⁰</u>
Putnam	Red House	1500	
Putnam	Hurricane @ Rt. 34	1500	
Putnam	US 35	2500	<u>84⁵⁰</u>

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10. BID SCHEDULE

Delivery: F.O.B. Division's Storage Site

SODIUM CHLORIDE

(DOH CLASSIFICATION 011-010-000001)

DISTRICT 2

COUNTY	DELIVERY SITE	ESTIMATED NEEDS (TONS)	County Bid Price (PER TON)
Cabell	Barboursville	2500	
Cabell	I-64 @ Huntington	1400	<u>84⁵⁰</u>
Lincoln	West Hamlin	1200	
Lincoln	Yawkey	800	
Lincoln	Harts	800	<u>84⁵⁰</u>
Logan	Chapmanville	0	
Logan	Corridor G @ Chapmanville	1800	
Logan	Wilkinson	1300	
Logan	Man	800	<u>84⁵⁰</u>
Mingo & Corr. G.	Miller's Creek	2300	
Mingo	Gilbert	700	<u>84⁵⁰</u>
Wayne	Pritchard	1100	
Wayne	Wayne	1800	
Wayne	Crum	600	<u>84⁵⁰</u>

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10. BID SCHEDULE (Continued)

Delivery: F.O.B. Division's Storage Site

SODIUM CHLORIDE

(DOH CLASSIFICATION 011-010-000001)

DISTRICT 3

COUNTY	DELIVERY SITE	ESTIMATED NEEDS (TONS)	County Bid Price (PER TON)
Calhoun	Millstone	1000	<u>84⁵⁰</u>
Jackson	Ripley	3000	
Jackson	I-77 @ Medina	1500	<u>84⁵⁰</u>
Pleasants	Belmont	2000	<u>84⁵⁰</u>
Ritchie	APD Ellenboro	2500	
Ritchie	Ellenboro	3000	
Ritchie	Corridor D @ Nutter Farm	800	
Ritchie	Corridor D @ Ellenboro	1000	<u>84⁵⁰</u>
Roane	Lefthand @ WV 36	750	
Roane	Amber Hill @ US 119	400	
Roane	Spencer	1500	<u>84⁵⁰</u>
Wirt	Elizabeth	1500	<u>84⁵⁰</u>
Wood	Parkersburg @ Rt. 95S	4500	
Wood	I-77 @ Parkersburg	1500	
Wood	Riverhill US50	500	
Wood	Riverhill	1500	<u>84⁵⁰</u>

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DISTRICT 4

COUNTY	DELIVERY SITE	ESTIMATED NEEDS (TONS)	County Bid Price (PER TON)
Doddridge	Smithburg	1700	<u>84⁵⁰</u>
Harrison	Gore	2800	
Harrison	Saltwell	1000	
Harrison	I-79 @ Goshen Rd.	2500	
Harrison	I-79 @ Lost Creek	2500	
APD 50	Tunnel Hill	2500	<u>84⁵⁰</u>
Marion	Fairmont	2000	
Marion	Mannington	1200	<u>84⁵⁰</u>
Monongalia	Sabraton	3700	
Monongalia	Pentress	1600	<u>84⁵⁰</u>
Preston	Bruceton Mills	10500	
Preston	Albright	2500	
Preston	Bruceton	1600	
Preston	Terra Alta	1200	
Preston	Fellowsville	1400	
Preston	Aurora	2000	
i-68	Cooper's Rock	4000	<u>84⁵⁰</u>
Taylor	Fetterman/Prunytown	2500	<u>84⁵⁰</u>

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DISTRICT 5

COUNTY	DELIVERY SITE	ESTIMATED NEEDS (TONS)	County Bid Price (PER TON)
Berkeley & I-81	Martinsburg	3000	<u>84⁵⁰</u>
Grant	Petersburg	1000	
Grant	Mt. Storm	2000	<u>84⁵⁰</u>
Hampshire	Romney	1400	
Hampshire	Capon Bridge	1200	
Hampshire	Slanesville	700	<u>84⁵⁰</u>
Hardy	Moorefield	1500	
Hardy	Baker	2000	<u>84⁵⁰</u>
Jefferson	Charles Town	2000	<u>84⁵⁰</u>
Mineral	New Creek	900	
Mineral	Sky Line	1000	
Mineral	Short Gap	750	
Mineral	District Headquarters	500	<u>84⁵⁰</u>
Morgan	Berkeley Springs	900	
Morgan	Largent	350	<u>84⁵⁰</u>

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10. BID SCHEDULE (continued)

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SODIUM CHLORIDE

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DISTRICT 6

COUNTY	DELIVERY SITE	ESTIMATED NEEDS (TONS)	County Bid Price (PER TON)
Brooke	Wellsburg	2500	
Brooke	Weirton	2500	<u>84⁵⁰</u>
Hancock	New Manchester	2500	<u>84⁵⁰</u>
Marshall	Glen Dale	3500	
Marshall	Cameron	1500	<u>84⁵⁰</u>
Ohio	Triadelphia	3000	
Ohio	I-70 @ Triadelphia	2500	<u>84⁵⁰</u>
Tyler	Sistersville	1500	
Tyler	Centerville	1000	<u>84⁵⁰</u>
Wetzel	New Martinsville	2000	
Wetzel	Pine Grove	1000	
Wetzel	Hundred	1200	<u>84⁵⁰</u>

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DISTRICT 7

COUNTY	DELIVERY SITE	ESTIMATED NEEDS (TONS)	County Bid Price (PER TON)
Barbour	Phillipi	2000	
Barbour	Belington	2000	<u>84.50</u>
Braxton	Gassaway	1100	
Braxton	Heaters	900	
Braxton	I-79 & Coon Knob	1400	
Braxton	I-79 & Burnsville	1400	<u>84.50</u>
Gilmer	Glenville	1500	<u>84.50</u>
Lewis	Weston (Ben Dale)	2000	
Lewis	Corridor H @ Mudlick	1200	<u>84.50</u>
Upshur	Clow Lot @ Buckhannon	2300	
Upshur	Tennerton	200	
Upshur	Kanawha Head	800	<u>84.50</u>
Webster	Cherry Falls	1200	
Webster	Cowen	900	
Webster	Hacker Valley	500	<u>84.50</u>

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DISTRICT 8

COUNTY	DELIVERY SITE	ESTIMATED NEEDS (TONS)	County Bid Price (PER TON)
Pendleton	Franklin	1000	
Pendleton	Judy Gap	600	
Pendleton	Brandywine	400	
Pendleton	Onego	350	<u>84⁵⁰</u>
Pocahontas	Marlinton	800	
Pocahontas	Seebert	700	
Pocahontas	Green Bank	500	
Pocahontas	Bartow Thornwood)	600	
Pocahontas	Slaty Fork	700	<u>84⁵⁰</u>
Randolph	Elkins	3500	
Randolph	Harmon	1500	
Randolph	Coalton	2000	
Randolph	Valley Head	700	
Randolph	Mill Creek	1500	
Randolph	Pickens	450	
Randolph	Elkins Corridor H Lot	4000	<u>84⁵⁰</u>
Tucker	Parsons	1500	
Tucker	Thomas	1800	<u>84⁵⁰</u>

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DISTRICT 9

COUNTY	DELIVERY SITE	ESTIMATED NEEDS (TONS)	County Bid Price (PER TON)
Fayette	Oak Hill	1000	
Fayette	Corridor L @ Oak Hill	1000	
Fayette	Lookout	2000	
Fayette	Glen Ferris	500	<u>84⁵⁰</u>
Greenbrier	Lewisburg	1200	
Greenbrier	Crawley	2000	
Greenbrier	I-64 @ Harts Run	1500	<u>84⁵⁰</u>
Monroe	Union	1000	
Monroe	Peterstown	400	<u>84⁵⁰</u>
Nicholas	Summersville	2000	
Nicholas	Curtin	1200	
Nicholas	Corridor L @ Muddlety	2000	<u>84⁵⁰</u>
Summers	Hinton	2000	<u>84⁵⁰</u>

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DISTRICT 10

COUNTY	DELIVERY SITE	ESTIMATED NEEDS (TONS)	County Bid Price (PER TON)
McDowell	Havaco	2200	
McDowell	Yukon	250	
McDowell	Johnnycake Mt.	500	
McDowell	Raysel	200	<u>84⁵⁰</u>
Mercer	Princeton @ WV 20	2000	
Mercer	Flat Top	900	
Mercer	I-77 @ Princeton	1400	<u>84⁵⁰</u>
Raleigh	Skelton	2000	
Raleigh	Bolt	1500	
Raleigh	I-64 @ Bragg	3000	<u>84⁵⁰</u>
Wyoming	Pineville	2100	
Wyoming	Still Run	950	
Wyoming	Hanover	800	<u>84⁵⁰</u>

Comade, Inc.
 17915 Sky Park Cir, Ste B
 Irvine, CA 92614
 (949)474-0160 Fax(949)474-0161

10. BID SCHEDULE (Continued)

Delivery: F.O.B. Division's Storage Site

SODIUM CHLORIDE

(DOH CLASSIFICATION 011-010-000001)

WV Turnpike

COUNTY	DELIVERY SITE	ESTIMATED NEEDS (TONS)	County Bid Price (PER TON)
Kanawha	Chelyan	1000	
Kanawha	Standard	3500	<u>84⁵⁰</u>
Mercer	Princeton	1500	<u>84⁵⁰</u>
Raleigh	Beckley	6000	
Raleigh	Ghent	5000	<u>84⁵⁰</u>

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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.

Not Applicable

STATE OF WEST VIRGINIA
Purchasing Division**PURCHASING AFFIDAVIT****VENDOR OWING A DEBT TO THE STATE:**

West Virginia Code §5A-3-10a provides that: 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.

PUBLIC IMPROVEMENT CONTRACTS & DRUG-FREE WORKPLACE ACT:

If this is a solicitation for a public improvement construction contract, the vendor, by its signature below, affirms that it has a written plan for a drug-free workplace policy in compliance with Article 1D, Chapter 21 of the *West Virginia Code*. The vendor **must** make said affirmation with its bid submission. Further, public improvement construction contract may not be awarded to a vendor who does not have a written plan for a drug-free workplace policy in compliance with Article 1D, Chapter 21 of the *West Virginia Code* and who has not submitted that plan to the appropriate contracting authority in timely fashion. For a vendor who is a subcontractor, compliance with Section 5, Article 1D, Chapter 21 of the *West Virginia Code* may take place before their work on the public improvement is begun.

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 materials, 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.

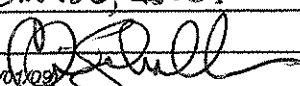
LICENSING:

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, West Virginia Insurance Commission, or any other state agencies or political subdivision. Furthermore, 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.

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>.

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.

Vendor's Name: COMADE, INC.Authorized Signature: Date: 4/28/2009