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TITLE

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

### Request for Quotation

DNR209122

ADDRESS CORRESPONDENCE TO ATTENTION OF

FRANK WHITTAKER

304-558-2316

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\*702142549 304-428-3000 DAVIS ATHLETICS LLC 2325 LIBERTY ST

PARKERSBURG WV 26101

DIVISION OF NATURAL RESOURCES CEDAR CREEK STATE PARK ATTN: PARK SUPERINTENDENT ROUTE 1, BOX 9

DATE

ADDRESS CHANGES TO BE NOTED ABOVE

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09.428.3000

GLENVILLE, WV

26351 462-7158

DATE PRINTED TERMS OF SALE SHIP VIA FOB FREIGHT TERMS 03/18/2009 BID OPENING DATE: 04/22/2009 OPENING TIME 01.30PM CAT LINE QUANTITY UOP ITEM NUMBER UNIT PRICE AMOUNT NO: D001 LS 650-38 1 PLAYGROUND EQUIPMENT (NOT OTHERWISE CLASSIFIED) THE WEST VIRGINIS PURCHASING DIVISION, FOR THE AGENCY, THE WEST VIRGINIA DIVISION OF NATURAL RESOURCES IS SOLICITING BEDS FROM RESPONSIBLE VENDORS FOR NEW PLAYGROUND EQUIPMENT FOR CEDAR CREEK STATE PARK PER THE ATTACHED SPECIFICATIONS. TECHNICAL QUESTIONS MAY BE SUBMITTED IN WRITING TO FRANK WHITTAKER VIA FAK AT 304-558-4115 OF VIA EMAIL AT FRANK.M.WHITTAKER@WV.GOV. DEADLINE FOR TECHNICAL QUESTIONS IS 04/05/2009 AT 4:00 PM BANKRUPTCY: IN THE EVENT THE VENDOR/CONTRACTOR FILES FOR BANKRUPTCY PROTECTION, THIS CONTRACT MAY BE DEEMED NULL AND VOID, AND TERMINATED WITHOUT FURTHER ORDER. THE MODEL/BRAND/SPECIFTCATIONS NAMED HEREIN ESTABLISH THE ACCEPTABLE LEVEL OF QUALITY ONLY AND ARE NOT Intended to reflect a preference or favor any PARTICULAR BRAND ØR VENDOR. VENDORS WHO ARE BIDDING ALTERNATES SHOULD SO STATE AND INCLUDE PERTINENT LITERATURE AND SPECIFICATIONS. FAILURE TO PROVIDE RECEIVED Information for any alternates may be grounds for REJECTION OF THE BID. THE STATE RESERVES THE RIGHT ro waive mindr irregularities in bids or specifications 2009 APR 22 A 10: 05 IN ACCORDANCE WITH SECTION 148-1-4(F) OF THE WEST VIRGINIA LEGISLATIVE RULES AND REGULATIONS. PURCHASING DIVISION NOTICE STATE OF WY SEE REVERSE SIDE FOR TERMS AND CONDITIONS

91.2171922



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 DNR209122

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FRANK WHITTAKER 304-558-2316

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PARKERSBURG WV 26101

DIVISION OF NATURAL RESOURCES CEDAR CREEK STATE PARK PARK SUPERINTENDENT ATTN: ROUTE 1, BOX 9 GLENVILLE, WV 26351 462-7158

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VENDOR

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 DNR209122 PAGE

ADDRESS CORRESPONDENCE TO ATTENTION OF

FRANK WHITTAKER 304-558-2316

\*702142549 304-428-3000 DAVIS ATHLETICS LLC 2325 LIBERTY ST

PARKERSBURG WV 26101 DIVISION OF NATURAL RESOURCES CEDAR CREEK STATE PARK

ATTN: PARK SUPERINTENDENT ROUTE 1, BOX 9

GLENVILLE, WV

26351 462-7158

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<u> </u>	WHEN RESPONDING TO BEO INSERT NAME AND ADDRESS IN SPACE ABOVE LARELED 'VENDOR'											

To supply playground equipment to offer play activities for children ages five (5) to twelve (12) at Cedar Creek State Park, Glenville, West Virginia. Playground equipment will be purchased for four separate areas in the park. Park personnel will install all playground equipment. The award may be split if it is in the best interest of the West Virginia Division of Natural Resources.

## **BATHHOUSE #1 AREA PLAYGROUND**

Henderson custom play structure, Model #PF09679RO, or equal. F.O.B. Destination. Freight or delivery charges must be included in the price of the goods. Delivery must be made within ninety (90) days of purchase order award. Structure components must Structure must include the following include all hardware necessary for assembly. components:

- •Ten (10) Henderson PF post caps or equal.
- •Two (2) Henderson 101" PF post with aluminum cap or equal.
- •Two (2) Henderson 126" P4 post with aluminum cap or equal.
- •Two (2) Henderson 129" P4 post with aluminum cap or equal.
- •Three (3) Henderson 132" P4 post with aluminum cap or equal.
- •One (1) Henderson 147" P4 post with aluminum cap or equal.
- •One (1) Henderson spacewalk or equal. Spacewalk must be a minimum of 4' in length.
- •One (1) Henderson accessible step deck or equal. Step deck must be a minimum of 32" in height.
- •One (1) Henderson grab bars (transfer point) or equal.
- •One (1) Henderson 90° loop challenge or equal.
- One (1) Henderson jump! Panel or equal.
- •One (1) Henderson accessible step up or equal. Step up must be a minimum of 12" in height.
- •One (1) Henderson rock wall climber or equal. Climber must be a minimum of 4' in height.
- •One (1) Henderson double scoop slide complete with hood or equal. Slide must be a minimum of 4' in height.

### LAUNDRY/BATHHOUSE AREA PLAYGROUND

Henderson custom play structure, Model #PF09680R0, or equal. F.O.B. Destination. Freight or delivery charges must be included in the price of the goods. Delivery must be made within ninety (90) days of purchase order award. Structure components must include all hardware necessary for assembly. Structure must include the following components:

- •One (1) Henderson PF post cap or equal.
- •One (1) Henderson 78" P4 post with aluminum cap or equal.
- •One (1) Henderson maze wheel or equal.
- •Eleven (11) PF post caps or equal.
- •Two (2) 126" P4 post with aluminum cap or equal.
- •Two (2) 135" P4 post with aluminum cap or equal.
- •One (1) 141" P4 post with aluminum cap or equal.
- •Three (3) 150" P4 post with aluminum cap or equal.
- •Two (2) 156" P4 post with aluminum cap or equal.
- •One (1) 104" P4 post with aluminum cap or equal.
- •One (1) Henderson rappel wall or equal. Wall must be a minimum of 6' in height.
- •One (1) Henderson racecar panel or equal.
- •One (1) Henderson accessible trapeze beam or equal.
- •One (1) Henderson right transfer station or equal. Transfer station must be a minimum of 4' in length.
- •One (1) Henderson tower climber or equal. Climber must be a minimum of 4' in height.
- •One (1) Henderson accessible step deck or equal. Step deck must be a minimum of 24" in height.
- •One (1) Henderson pipe ladder or equal. Ladder must be a minimum of 6' in height.
- •One (1) Henderson right stargate slide veer complete with hood or equal. Slide veer must be a minimum of 6' in height.

### **BATHHOUSE #3 AREA PLAYGROUND**

Henderson custom play structure, Model #PF09681R0, or equal. F.O.B. Destination. Freight or delivery charges must be included in the price of the goods. Delivery must be made within ninety (90) days of purchase order award. Structure components must include all hardware necessary for assembly. Structure must include the following components:

- •Twenty-one (21) Henderson PF post cap or equal.
- •Two (2) Henderson 48" P4 post with flat welded cap or equal.
- •Three (3) Henderson 108" P4 post with aluminum cap or equal.
- •One (1) Henderson 150" P4 post with aluminum cap or equal.
- •Two (2) Henderson 141" P4 post with aluminum cap or equal.
- •Two (2) Henderson 138" P4 post with aluminum cap or equal.
- •Four (4) Henderson 132" P4 post with aluminum cap or equal.
- •One (1) Henderson 126" P4 post with aluminum cap or equal.
- •Three (3) Henderson 114" P4 post with aluminum cap or equal.
- •One (1) Henderson 104" P4 post with aluminum cap or equal.
- •Two (2) Henderson 90" P4 post with aluminum cap or equal.
- •One (1) Henderson 78" P4 post with aluminum cap or equal.
- •One (1) Henderson 120" P4 post with aluminum cap or equal.
- •One (1) Henderson rappel wall or equal. Wall must be minimum of 5' in height.
- •One (1) Henderson cobra climber 4' deck to deck or equal.
- •One (1) Henderson maze wheel or equal.
- •One (1) Henderson accessible trapeze beam or equal.
- •One (1) Henderson jump! panel or equal.
- •One (1) Henderson twin track ride or equal.
- •One (1) Henderson 270° loop challenge or equal.
- •One (1) Henderson tidal wave link or equal.
- •One (1) Henderson deck ladder or equal. Ladder must be a minimum of 3' in height.
- •One (1) Henderson spacewalk or equal. Spacewalk must be a minimum of 4' in length.
- •One (1) Henderson bubble climber or equal.
- •One (1) Henderson left transfer station or equal. Station must be a minimum of 3' in length.
- •One (1) Henderson slide pole or equal. Pole must be a minimum of 4' in height.
- •One (1) Henderson rock wall climber or equal. Climber must be a minimum of 5' in height.
- •One (1) Henderson double dare slide complete with hood or equal. Slide must be a minimum of 5' in height.
- •One (1) Henderson playseat or equal.

### ONE ROOM SCHOOL AREA PLAYGROUND

Henderson custom play structure, Model #PF09682R0, or equal. F.O.B. Destination. Freight or delivery charges must be included in the price of the goods. Delivery must be made within ninety (90) days of purchase order award. Structure components must include all hardware necessary for assembly. Structure must include the following components:

- •Thirty-five (35) Henderson PF post cap or equal.
- •One (1) Henderson 104" P4 post with no cap or equal.
- •Six (6) Henderson 48" P4 post with flat welded cap or equal.
- •Four (4) Henderson 126" P4 post with aluminum cap or equal.
- •Two (2) Henderson 168" P4 post with aluminum cap or equal.
- •Two (2) Henderson 162" P4 post with aluminum cap or equal.
- •Three (3) Henderson 153" P4 post with aluminum cap or equal.
- •Four (4) Henderson 150" P4 post with aluminum cap or equal.
- •Two (2) Henderson 135" P4 post with aluminum cap or equal.
- •Two (2) Henderson 129" P4 post with aluminum cap or equal.
- •Six (6) Henderson 120" P4 post with aluminum cap or equal.
- •Two (2) Henderson 114" P4 post with aluminum cap or equal.
- •Two (2) Henderson 104" P4 post with aluminum cap or equal.
- •Three (3) Henderson 90" P4 post with aluminum cap or equal.
- •Three (3) Henderson 132" P4 post with aluminum cap or equal.
- •One (1) Henderson, single cliffhanger or equal. Cliffhanger must be a minimum of 6' in height.
- •One (1) Henderson incline connector or equal. Connector must be a minimum of 1' in height.
- •One (1) Henderson vertical rail or equal.
- •One (1) Henderson playseat or equal.
- •One (1) Henderson stargate left slide turn complete with hood or equal. Slide must be a minimum of 7' in height.
- •One (1) Henderson vertical rail or equal.
- •One (1) Henderson maze wheel or equal.
- •One (1) Henderson playseat or equal.
- •One (1) Henderson fredrock climber or equal. Climber must be a minimum of 4' in height.
- •One (1) Henderson accessible trapeze beam or equal.
- •One (1) Henderson twin track ride or equal.
- •One (1) Henderson loop-to-loop or equal.
- •One (1) Henderson jump! panel or equal.
- •One (1) Henderson cobra link or equal.
- •One (1) Henderson bubble climber or equal.
- One (1) Henderson pipe ladder or equal. Ladder must be a minimum of 3' in height.

## ONE ROOM SCHOOL AREA PLAYGROUND CONTD.

- •One (1) Henderson mineshaft link or equal. Link must be a minimum of 3' in length.
- •One (1) Henderson spacewalk or equal. Spacewalk must be a minimum of 3' in length.
- •One (1) Henderson accessible step deck or equal. Step deck must be a minimum of 12" in height.
- •One (1) Henderson double scoop slide complete with hood or equal. Slide must be a minimum of 4' in height.
- •One (1) Henderson tot arch bridge with protective barriers or equal.
- •One (1) Henderson left transfer station or equal. Transfer station must be a minimum of 4' in length.
- •One (1) Henderson accessible step deck or equal. Step deck must be a minimum of 24" in height.
- •One (1) Henderson triple slide complete with hood or equal. Slide must be a minimum of 6' in height.
- •One (1) Henderson rappel wall or equal. Wall must be a minimum of 6' in height.

Henderson 1-bay arch swing 8' complete with belt seats, Model #SW340, or equal.

Henderson arch swing 8' extend a half bay complete with baby seat, Model #SW342, or equal.

# ITEMS FOR ALL FOUR PLAYGROUNDS

Childforms funtimber with spike, Model #FTB-00002, or equal. F.O.B. Destination. Freight or delivery charges must be included in the price of the goods.

Childforms filler ends, Model #ADJ-00008, or equal. F.O.B. Destination. Freight or delivery charges must be included in the price of the goods.

Geo-textile fabric or equal. F.O.B. Destination. Freight or delivery charges must be included in the price of the goods.

Engineered wood fiber @ 8" compacted depth. F.O.B. Destination. Freight or delivery charges must be included in the price of the goods.

All playground equipment and engineered wood fiber must meet the following requirements:

- Compliance with U.S. Consumer Product Safety Commission, Handbook for Public Playground Safety.
- Compliance with ASTM Standard F 1487.
- Compliance with Architectural and Transportation Barriers Compliance Board, Americans with Disabilities Act (ADA) Accessibility Guidelines for Buildings and Facilities; Play Areas.

Vendors must submit the following attachments:

- Complete manufacturer's parts specifications and warranties.
- Layout drawing to scale of the proposed play structure or equipment.
- ASTM and CPSC Statement of Compliance

### Warranties:

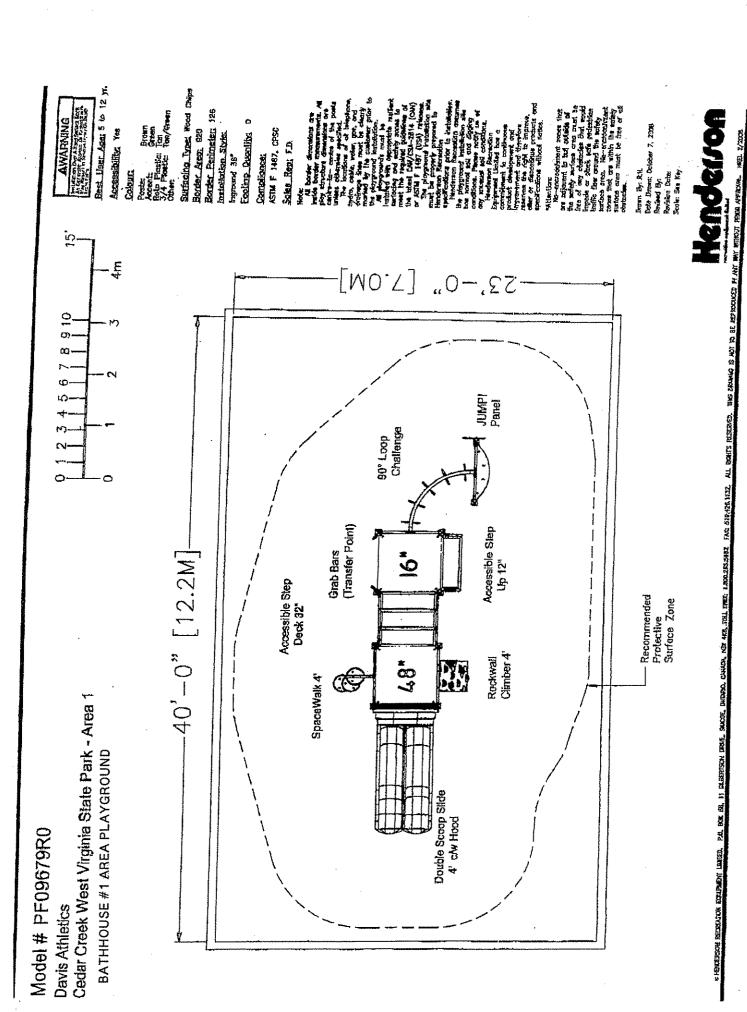
All equipment and engineered wood fiber must be guaranteed to be free of defects in workmanship and material for a minimum of one year from date of acceptance. However, if manufacturer warranty periods are longer than the required minimum one year warranty, those warranties shall apply.

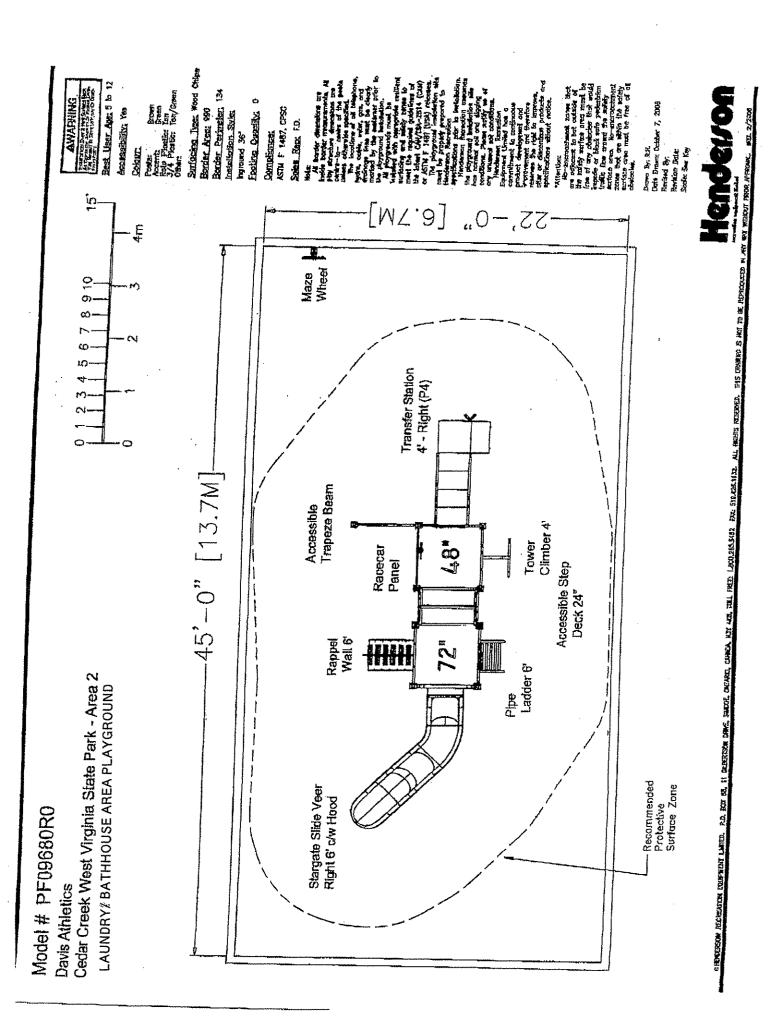
All playground equipment must include tamper proof fasteners to prevent theft and destruction.

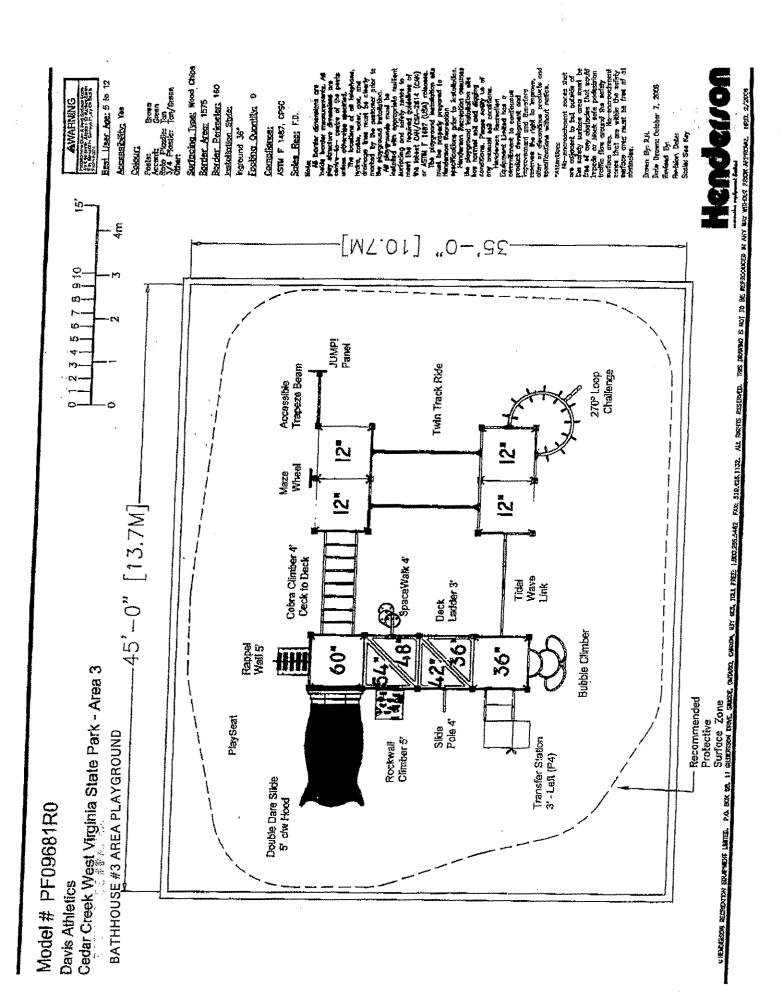
Color scheme of equipment must be coordinated with Cass Scenic Railroad State Park.

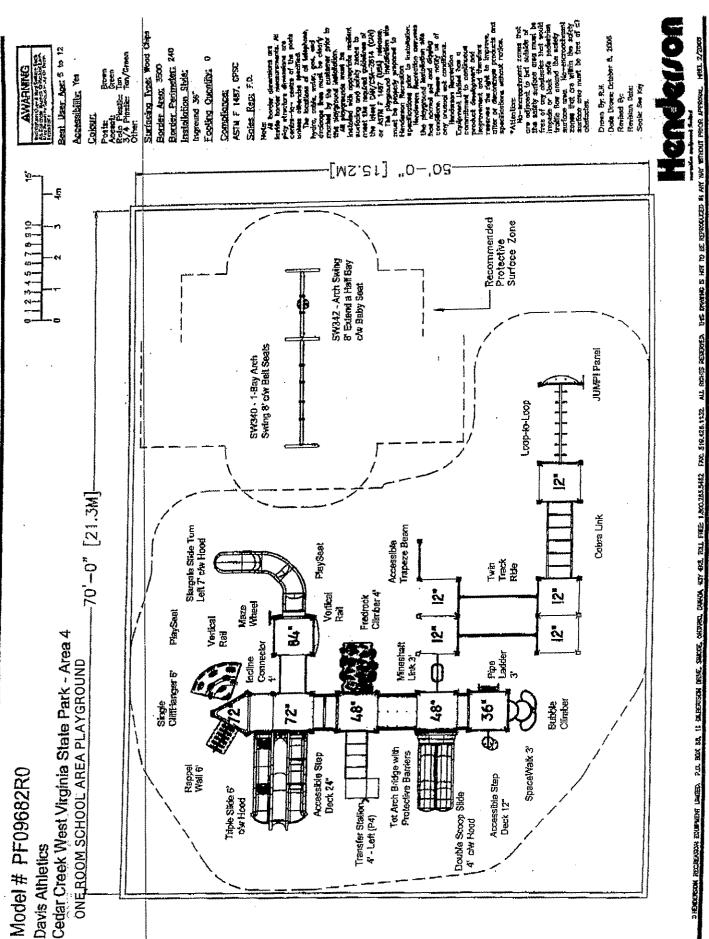
Color of items will be selected from manufacturer's standard colors.

A mandatory pre-bid conference will be held on April 1, 2009, at Cedar Creek State Park at 1:00 pm A failure to attend the mandatory pre-bid conference will result in bid disqualification. An individual may not represent more than one firm at the pre-bid conference.









# WVDNR209122 Cedar Creek State Park PLAYGROUND EQUIPMENT SHEET

Please complete the below information concerning the brand(s) of equipment being bid in relation to this project.

If bidding "or equal" brands, please attach manufacturer's literature documenting that it meets the mandatory requirements stated in the specifications. Vendors should note the areas of the provided manufacturer's literature that adheres to the mandatory requirements outlined in the Request For Proposal.

em No.	Equipment	Manufacturer	Model
1	Bathhouse # 1 Area Playground Henderson custom play structure, Model #PF09679RO, or equal.		
2	Laundry/Bathhouse Area Playgrounds Henderson custom play structure, Model #PF09680R0, or equal.		
3	Bathhouse #3 Area Playground Henderson custom play structure, Model #PF09681RO, or equal.		
4	One Room School Area Playground Henderson custom play structure, Model #PF09682RO, or equal.		
5	One Room School Area Playground Area Henderson 1 bay arch wing 8' complete with belt seats, Model #SW340, or equal.	ון	
6	One Room School Area Playground Area Henderson arch swing 8' extend a half bay complete with baby seat, Model #SW342, or equal.		
7	Playground, Laundry/Bathhouse Area Playground, Bathhouse #3 Area childforms funtimber with spike, Model #FTB-00002, or	h	

# WVDNR209122 Cedar Creek State Park PLAYGROUND EQUIPMENT SHEET

Item No.	Equipment	Manufacturer	Model
8	Bathhouse #1 Area Playground, Laundry/Bathhouse Area Playground, Bathhouse #3 Area childforms filter ends, Model #ADJ-00008, or equal.	·	
9	Playground, Laundry/Bathhouse Area Playground, Bathhouse #3 Area geo-textile fabric or		
10	Bathhouse #1 Area Playground, Laundry/Bathhouse Area Playground, Bathhouse #3 Area engineered wood fiber @ 8" compacted depth.		

All equipment bid is Henderson As specified.

# WVDNR209122 Cedar Creek State Park Playground Equipment PRICING SHEET

Item No. Quantity		Description	<b>Unit Price</b>	<b>Amount</b>
1		Bathhouse # 1 Area Playground Henderson custom play structure, Model #PF09679RO, or equal.		
2	1	Laundry/Bathhouse Area Playgrounds Henderson custom play structure, Model #PF09680R0, or equal.		
3	1	Bathhouse #3 Area Playground Henderson custom play structure, Model #PF09681RO, or equal.		
4	1	One Room School Area Playground Henderson custom play structure, Model #PF09682RO, or equal.		
5	1	One Room School Area Playground Area Henderson 1-bay arch wing 8' complete with belt seats, Model #SW340, or equal.		
6	1	One Room School Area Playground Area Henderson arch swing 8' extend a half bay complete with baby seat, Model #SW342, or equal.		
7	168	Bathhouse #1 Area Playground, Laundry/Bathhouse Area Playground, Bathhouse #3 Area childforms funtimber with spike, Model #FTB-00002, or equal.		
8	8	Bathhouse #1 Area Playground, Laundry/Bathhouse Area Playground, Bathhouse #3 Area childforms filter ends, Model #ADJ- 00008, or equal.	•	
9	6,985 square feet	Bathhouse #1 Area Playground, Laundry/Bathhouse Area Playground, Bathhouse #3 Area geo-textile fabric or equal.		
10	6,985 square feet	Bathhouse #1 Area Playground, Laundry/Bathhouse Area Playground, Bathhouse #3 Area engineered wood fiber @ 8" compacted depth.		RC a ra i
			TOTAL	#69,521

Rev. 09/08

## State of West Virginia

### **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.					
require agains or ded	understands if the Secretary of Revenue determines that a Bidder receiving preference has failed to continue to meet the ements for such preference, the Secretary may order the Director of Purchasing to: (a) reject the bid; or (b) assess a penalty t such Bidder in an amount not to exceed 5% of the bid amount and that such penalty will be paid to the contracting agency ucted from any unpaid balance on the contract or purchase order.					
authori the rec deeme	emission of this certificate, Bidder agrees to disclose any reasonably requested information to the Purchasing Division and izes the Department of Revenue to disclose to the Director of Purchasing appropriate information verifying that Bidder has paid juired business taxes, provided that such information does not contain the amounts of taxes paid nor any other information and by the Tax Commissioner to be confidential.					
	penalty of law for false swearing (West Virginia Code, §61-5-3), Bidder hereby certifies that this certificate is true ccurate in all respects; and that if a contract is issued to Bidder and if anything contained within this certificate les during the term of the contract, Bidder will notify the Purchasing Division in writing immediately.					
Bidder: Davis Athletics, Lucined: Thed & Dams						
Date:	4/21/09 Title: Owner					

<sup>\*</sup>Check any combination of preference consideration(s) indicated above, which you are entitled to receive.

# 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:	Davis	HT11	E/165,		<u>, , , , , , , , , , , , , , , , , , , </u>	
Authorized Signat	ure Thu	at I	Danis	Date: 4/	211	09
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Purchasing Affidavit (Revised 01/01/09)