

# BREAKAWAY, INC. 1075 OLD TURNPIKE ROAD SUTTON, WV 26601

General Contractor WV037089 Voice: 304-765-5317 FAX: 304-765-5389

## FAX COVER PAGE

To State of WV - Purchasing Division
Attention Chuck Bowman
Fax Number 304-558-3970 Date 4/15/10
From Tonyn Vincent
Total Pages (Including this cover sheet)
RE:  Sealed Bid Enclosed  RFQ Number:  Buyer:  Bid Opening Date:  Bld Opening Time:  DEP 14912  CB-23  4/15/10  1:30
Mail To:  WV PURCHASING DIVISION  2019 WASHINGTON ST E  PO BOX 50130  CHARLESTON WV 25305-0130



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Voice/

TYPE NAME/ADDRESS HERE

BREAKAWAY, INC.

1075 Old Turnpike Road

Sutton, WV 26601

304-765-5317

304-765-5389>> **BREAKAWAY** State of West Virginia
Department of Administration
Purchasing Division
2019 Washington Street East
Post Office Box 50130
Charleston, WV 25305-0130

#### Request for AFO NUMBER Quotation

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ENVIRONMENTAL PROTECTION DEPARTMENT OF OFFICE OF AML&R 601 57TH STREET SE CHARLESTON, WV 25304

THE WEST VIRGINIA PURCHASING DIVISION, FOR THE AGENCY, WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION, IS SOLICITING BIDS FROM QUALIFIED CONTRACTORS FOR A CONTRACT TO PROVIDE ALL LABOR AND MATERIALS FOR THE RECLAMATION OF 18-ACRE ABANDONAD MINE PROJECT KNOWN AS THE "DAVIDSON HIGHWALL" PROJECT LOCATED IN MORGANTOWN, WEST VIRGINIA, (MONONGALIA CO.).  A MANDATORY ON SITE PREBID CONFERENCE SHALL BE HELD ON 03/16/10 a 10:00 AM. ALL INTERESTED PARTIES ARE REQUIRED TO ATTEND THIS MEETING. FAILURE TO ATTEND TH MANDATORY PRE-BID SHALL RESULT IN DISQUALIFICATION OF THE BID. NO ONE PERSON MAY REPRESENT MORE THAN ONE BIDDER. ALSO, PREBIDS WILL INVOLVE EXTENSIVE FOOT TRAVEL OVER DIFFICULT TERRAIN AND/OR DURING INCLEMENT WEATHER.  AN ATTENDANCE SHEET WILL BE MADE AVAILABLE FOR ALL POTENTIAL BIDDERS TO COMPLETE. THIS WILL SERVE AS THE OFFICIAL DOCUMENT VERTYING ATTENDANCE AT THE MANDATORY PRE-BID. FAILURE TO PROVIDE YOUR COMPANY AND REPRESENTATIVE NAME ON THE ATTENDANCE AT THE MANDATORY PRE-BID. FAILURE TO PROVIDE YOUR COMPANY AND REPRESENTATIVE NAME ON THE ATTENDANCE SHEET WILL RESULT IN DISQUALIFICATION OF THE BID. THE STATE WILL NOT ACCEPT ANY OTHER DOCUMENTATION TO VERIFY ATTENDANCE. THE BIDDER IS RESPONSIBLE FOR ENSURING THEY HAVE COMPLETED THE INFORMATION REQUIRED ON THE ATTENDANCE SHEET. THE PURCHASING DIVISION AND THE STATE AGENCY WILL NOT ASSUME ANY RESPONSIBLITY FOR A BIDDER'S FAILURE TO COMPLETE THE PRE-BID ATTENDANCE SHEET. IN SEEREYARS SDEFORTERMS AND CONDITIONS  SEEREY AND THE DATE OF	DATE PRIN	TÈD	TER	MS OF SAI	<b>:</b>	SH	VIA	FOB	FREIGHT TEAMS
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304-765-5389>>

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

ADDRESS CORRESPONDENCE MOTATION OF THE SECOND CHUCK BOWMAN 304-558-2157

RFQ COPY TYPE NAME/ADDRESS HERE

BREAKAWAY, INC. 1075 Old Turnpike Road Sutton, WV 26601 304-765-5317 Voice

DATE PRINTED	TERMS OF SALE	SHIP:VJA	F.O.B	FREIGHT TERMS
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304-765-5389>> **BREAKAWAY** State of West Virginia Department of Administration
Purchasing Division
2019 Washington Street East
Post Office Box 50130

Charleston, WV 25305-0130

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CHUCK BOWMAN	
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RFQ COPY TYPE NAME/ADDRESS HERE >mzcor

BREAKAWAY, INC. 1075 Old Turnpike Road Sulton, WV 26601 Voice 304-765-5317

DOPENNODATE  OGALIZO10  DOPENNODATE  OGALIZO10  BID OPENING TIME 01:30PM  THE VENDOR'S COMPLIANCE WITH THE PROVISIONS OF ARTICLE 1D, CHAPTER 21 OF THE WEST VIRGINIA CODE. FAILURE TO SUBMIT THE SIGNED PURCHASING AFFIDAVIT WITH THE BID SHALL RESULT IN DISQUALIFICATION OF SUCH BID.  NOTICE TO PROCEED: THIS CONTRACT IS TO BE PERFORMED WITHIN 365 CALENDAR DAVS AFTER THE NOTICE TO PROCEED IS RECEIVED. UNLESS OTHERWISE SPECIFIED, THE FULLY EXECUTED PURCHASE ORDER WILL BE CONSIDERED NOTICE TO PROCEED.  CANCELLATION: THE DIRECTOR OF PURCHASING RESERVES THE RIGHT TO CANCEL THIS CONTRACT IMMEDIATELY UPON WRITTEN NOTICE TO THE VENDOR IF THE MATERIALS OR WORKMANSHIP SUPPLIED ARE OF AN INFERIOR QUALITY OR DO NOT CONFORM WITH THE SPECIFICATIONS OF THE BID AND CONTRACT HEREIN.  MAGE RATES: THE CONTRACTOR OR SUBCONTRACTOR SHALL PAY THE HIGHER OF THE U.S. DEPARTMENT OF LABOR MINIMUM WAGE RATES AS ESTABLISHED FOR MONONGALIA COUNTY, PURSUANT TO WEST VIRGINIA CODE 21-5A, ET,SEQ. (PREVAILING WAGE RATES APPLY TO THIS PROJECT.)  ARBITRATION: ANY REFERENCES MADE TO ARBITRATION OR INTEREST FOR PAYMENTS DUE (EXCEPT FOR ANY INTEREST REQUIRED BY STATE LAW) CONTRACT ARE HEREBY DELETED.  WORKERS' COMPENSATION: VENDOR IS REQUIRED TO PROVIDE A CERTIFICATE FROM WORKERS' COMPENSATION IF SUCCESSFUL.	DATE PRINTEC	TE/	AMS OF SALE	SHIP VIA	F.O.B	FREIGHT TERMS
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State of West Virginia
Department of Administration Purchasing Division 2019 Washington Street East Post Office Box 50130 Charleston, WV 25305-0130

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> BREAKAWAY, INC. 1075 Old Turnpike Road Sutton, WV 26601 304-765-5317 Voice

ADDRESS CONHESPONDENCE LO A NENTION OF CHUCK BOWMAN 304-558-2157

ENVIRONMENTAL PROTECTION DEPARTMENT OF OFFICE OF AML&R 601 57TH STREET SE CHARLESTON, WV 25304

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> BREAKAWAY, INC. 1075 Old Turnpike Road Sutton, WV 26601 Voice, 304-765-5317

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

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> BREAKAWAY, INC. 1075 Old Turnpike Road Sutton, WV 26601 304-765-5317 Voice

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BREAKAWAY, INC.

1075 Old Turnpike Road

Sutton, WV 26601

304-765-5389>> **BREAKAWAY** State of West Virginia Department of Administration Purchasing Division 2019 Washington Street East Post Office Box 50130

Charleston, WV 25305-0130

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State of West Virginia
Department of Administration
Purchasing Division
2019 Washington Street East
Post Office Box 50130
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304-765-5389>> **BREAKAWAY** State of West Virginia Department of Administration Purchasing Division 2019 Washington Street East Post Office Box 50130 Charleston, WV 25305-0130

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CHUCK BOWMAN 304-558-2157

ENVIRONMENTAL PROTECTION DEPARTMENT OF OFFICE OF AML&R 601 57TH STREET SE CHARLESTON, WV 25304

304-926-0499

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

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ENVIRONMENTAL PROTECTION DEPARTMENT OF OFFICE OF AML&R 601 57TH STREET SE CHARLESTON, WV

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REV. 10/01/01

EXHIBIT 7

DOMESTIC ALUMINUM, GLASS & STEEL IN PUBLIC WORKS PROJECTS

IN ACCORDANCE WITH WEST VIRGINIA CODE 5-19-1 ET., SEQ., EVERY CONTRACT FOR CONSTRUCTION, RECONSTRUCTION, ALTERATION, REPAIR, IMPROVEMENT OR MAINTENANCE OF PUBLIC WORKS, WHERE THE COST IS MORE THAN \$50,000 AND, IN THE CASE OF STEEL ONLY, WHERE THE COST OF STEEL IS MORE THAN \$50,000 OR WHERE MORE THAN 10,000 POUNDS OF STEEL ARE REQUIRED, THE STATE WILL ACCEPT ONLY ALUMINUM GLASS, OR STEEL PRODUCTS PRODUCED IN THE UNITED STATES. IN ADDITION, ITEMS OF MACHINERY OR EQUIPMENT PURCHASED FOR USE AT THE SITE OF PUBLIC WORKS SHALL BE MADE OF DOMESTIC ALUMINUM, GLASS OR STEEL, UNLESS THE COST OF THE PRODUCT IS LESS THAN \$50,000 OR LESS THAN 10,000 POUNDS OF STEEL ARE USED IN PUBLIC WORKS PROJECTS.

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SEE REVERSE SIDE FOR TERMS AND CONDITIONS

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BREAKAWAY, INC.

1075 Old Turnpike Road

Sutton, WV 26601

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304-765-5389>> BREAKAWAY State of West Virginia Department of Administration Purchasing Division 2019 Washington Street East Post Office Box 50130 Charleston, WV 25305-0130

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DEPARTMENT OF 304-926-0499 25304

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BREAKAWAY, INC.

1075 Old Turnpike Road

Sutton, WV 26601

304-765-5317

State of West Virginia
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Charleston, WV 25305-0130

## Request for Quotation

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BREAKAWAY, INC.

1075 Old Turnpike Road

Sutton, WV 26601

304-765-5389>> **BREAKAWAY** State of West Virginia Department of Administration Purchasing Division 2019 Washington Street East Post Office Box 50130 Charleston, WV 25305-0130

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BREAKAWAY, INC.

1075 Old Turnpike Road

Sulton, WV 26601

304-765-5389>> BREAKAWAY State of West Virginia Department of Administration Quotation Purchasing Division 2019 Washington Street East Post Office Box 50130 Charleston, WV 25305-0130

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## Request for

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ADDRESS CORRESPONDENCES O.A.	HENTION OF HER STORE
CHUCK BOWMAN	
304-558-2157	

ENVIRONMENTAL PROTECTION DEPARTMENT OF OFFICE OF AML&R 601 57TH STREET SE CHARLESTON, WV

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

304-765-5317

BREAKAWAY INC 1075 OLD TURNPIKE ROAD

SUTTON WV 26601

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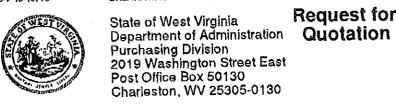
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ENVIRONMENTAL PROTECTION DEPARTMENT OF OFFICE OF AML&R 601 57TH STREET SE CHARLESTON, WV

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P 17/24



Request for REQUIREMENT

**DEP14912** 

ADDRESS CORRESPONDENCE TO ATTENTION OF:

CHUCK BOWMAN 104-558-2157

304-765-5317 \*510160447 BREAKAWAY INC 1075 OLD TURNPIKE ROAD 26601 SUTTON WV

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304-765-5389>>

#### P 18/24

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## REVISED ADDENDUM #2 DAVIDSON HIGHWALL PROJECT

Requisition DEP14912
Contractor's Bid Sheet

Company Name:	- BREAK	AWAY, INC.	
A d'Amore:		Turnpike Road	
Address:	Sutton,	WV 26601	
	Voice,	304-765-5317	

The DEP reserves the right to request additional information and supporting documentation regarding unit prices when the unit price appears to be unreasonable.

ITEM		·		
NO.	QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
3.0	1 L.S.	Mobilization and Demobilization (not to exceed 10% of total amount bid)	72,500.00	\$ 72,500.00
2.0	1 L.S.	Construction Layout Stakes (not to exceed 5% of total amount bid)	2,500.00	\$ 2,500.00
$\frac{2.0}{3.0}$	1 L.S.	Quality Control (not to exceed 3% of total amount bid)	1,000.00	\$ 1,000.00
4.1	1 L.S.	Site Preparation (not to exceed 10% of total amount bid)	72,500.00	\$ 12,500.00
4.2	2,330 L.F.	Aggregate Access Road	15.00	\$ 34,950.00
5.1	2,000 L.F.	Reinforced Sediment Barrier	2.00	\$ 4,000.00
5.2	7,000 L.F.	Silt Fence Sediment Barrier	1,00	\$ 7,000.00
6.0	18 Acres	Revegetation	2,000.00	\$ 36,000.00
7.1	2,350 L.F.	Type 1 Open Limestone Channel (1.5 ft deep)	30,00	\$ 70,500.00
7.2	820 L.F.	Type 2 Open Limestone Channel (2.0 ft deep)	40.00	\$ 32,800.00
7.3	40 L.F.	24-Inch HDPE Pipe Culvert	72.00	\$ 2,880.00
8.0.	79,000 C.Y.	Unclassified Excavation	2.00	\$ 158,000.00
9.1	10 EA.	Typical Wet Seal	8,000,00	\$ 80,000.00
9.2	1 EA.	Modified Wet Seal	6,000.00	\$ 6,000.00
9,3	1.860 L.F.	12-Inch PVC Mine Water Conveyance Pipe	18.00	\$ 33 480.00)
9.4		Soda Ash Briquettes	50.00	\$ 2,500.00
11.0	500 L.F.	Underdrain	10.00	\$ 5,000.00
12.0	104 V.L.F.	4' Diameter Manhole	200.00	\$ 20,800.00
13.1	270 Ton	Wearing I Asphalt	120.00	\$ 32,400,00
13.2	1,250 SY	Base Repair	60.00	\$ 75,000.00
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Part A: General Information

OMB #1029-0119 Expiration Date: 1/31/13

### AML CONTRACTOR INFORMATION FORM

You must complete this form for your AML contracting officer to request an eligibility evaluation from the Office of Surface Mining to determine if you are eligible to receive an AML contract. This requirement applies to contractors and their sub-contractors and is found under OSM's regulations at 30 CFR 874.16.

Business Name: Breakaway, Inc.	_Tax Payer ID No.:13-4279911
Business Name. <u>Diedwardy</u> Bood	
Address: 1075 Old Turnpike Road  Circi Sutton State: wy Zip C	Code: 26601 Phone: 304-765-5317
City: Succon	conyaevincent@verizon.net
Fax No.: 304-765-5389 B-mail address: 1	l I
Part B: Legal Structure	
(XX Corporation ( ) Other (please specify)	() Partnership () LLC
Part C: Certifying and updating information in the Select only one of the following options, follow the	,
I, Tonya Vincent have t	he express authority to certify that:
OFT from AVS to this form. Sign and date	e below and do not complete Part D.
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IMPORTANT! In order to certify in Part C to the accuracy of existing information in AVS, you must obtain a copy of your business' Entity OFT. To obtain an Entity OFT, contact the AVS Office, toll-free, at 800-643-9748 or from the AVS website at https://avss.osmre.gov.

THE THE DAG MAD CATE Entity OFT Applicant Violator System 22-Jul-2005 13:51:18 | Entity ID / Name : 155055 (BREAKAWAY INC ) Related ID / Name : Records retrieved: 7 The company and see that the company is the company in the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company is the company |Rel Ent|Name |Desc|Begin date|End date |Source |Hold| ADD(F5) LCCK/UNLOCK(F7) REPORTS(F11)

Agency	<u>Purchasing</u>	Division
	O# DEP149	

#### **BID BOND**

	KNOW ALL MEN BY THESE	PRESENTS, The	it we, the undersigned,	Breakaway, Inc.
of	1075 Old Turnpike Road	Sutton, W	/V 26601, as	Principal, and Ohio Farmers Insurance Company
of _	Westfield Center .	ОН	, a corporation	organized and existing under the laws of the State of
	OH with its principal offi	ce in the City of_	Westfield Center	, as Surety, are held and firmly bound unto the State
of W	Jest Virginia, as Obligee, In the per	nal sum of <u>Five F</u>	Percent of Amount Bio	(\$ 5% ) for the payment of which,
well	and truly to be made, we jointly ar	nd severally bind	ourselves, our heirs, ad	ministrators, executors, successors and assigns.
,, <b>,</b> ,,				
	The Condition of the above o	bligation is such t	hat whereas the Princip	al has submitted to the Purchasing Section of the
Dep	artment of Administration a certain	i bid or proposal,	altached hereto and mi	ade a part hereof, to enter into a contract in writing for
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	44-44			
	NOW THEREFORE,			
	(-) If weld hid shall be reject	ed, or		
	فخمه مسط المساهد الرفيا فرفيت فدارك أأن	dad and the Princ	ipal shall enter into a c	ontract in accordance with the bid or proposal attached
			INIC AMBRATIAN COOLING	proposal, and shall in all other respects perform the null and void, otherwise this obligation shall remain in full
fore	a and effect. It is expressly under	stood and agreed	that the liability of the	Surety for any and all claims hereunder shall, in no event,
exc	eed the penal amount of this oblig	ation as herein st	ated.	
	me a continuation on	aluest barahu etir	ulates and agrees that	the obligations of said Surety and its bond shall be in no
wa\	the Surety, for the value fector in the Surety, for the value fector in the same and the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the same in the s	ision of the time v	vithin which the Obliges	may accept such bid, and said Surety does hereby
wai	ve notice of any such extension.			
	MIMITNESS WHEREOF P	rincipal and Suret	v have hereunlo set the	eir hands and seals, and such of them as are corporations
	The speed of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the section of the sect	he affived hereun	o and these presents t	o be signed by their proper officers, this
	13th day of April	2010		4
	day of			
				Breakaway, Inc.
Principal Corporate Seal			(Name of Principal)	
		34		By Johun Tincent
				(Must be President or
			Vice President)	
			President	
				(Title)
Su	rely Corporate Seal			Ohio Farmers Insurance Company
44				(Name of Sugary)
				By: (Myech) (Nulls)
				Kimberly L. Miles, Licensed W. Regident Agent Attorney-in-Fact
				Chilbrath at tenent months and Lakenin them Little 116 A. Hill Co.

IMPORTANT - Surely executing bonds must be licensed in West Virginia to transact surely insurance. Corporate seals must be affixed, and a power of attorney must be attached.

2010-04-15 10:41 BREAKAWAY 304-765-5389>>
INTO POWER OF AT TURNEY SUPERCEDES ANY PREVIOUS POWER BEAKING THIS SAME POWER # AND ISSUED PRIOR TO 01/12/10, FOR ANY PERSON OR PERSONS NAMED BELOW.

General Power of Attorney POWER NO. 4750172 01

## Westfield Insurance Co. Westfield National Insurance Co. Ohio Farmers Insurance Co. Westfield Center, Ohio

CERTIFIED COPY

Know All Men by These Presents, That WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY, corporations, hereinafter referred to individually as a "Company" and collectively as "Companies," duly organized and existing under the laws of the State of Ohio, and having its principal office in Westfield Center, Medina County, Ohio, do by these presents make, constitute and appoint

ANDREW K. TEETER, KIMBERLY L. MILES, JANIS KAY PEACOCK, DOUGLAS P. TAYLOR, PAMELA D. OBRIEN, DONNA J. PRICE, TRAVIS A. HILL, JR., PAMELA V. LANHAM, GARY R. FREEMAN, JOINTLY OR SEVERALLY

of CHARLESTON and State of WV its true and lawful Attorney(s)-in-Fact, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver any and all bonds, recognizances, undertakings, or other instruments or contracts of suretyship-

LIMITATION: THIS POWER OF ATTORNEY CANNOT BE USED TO EXECUTE NOTE GUARANTEE, MORTGAGE DEFICIENCY, MORTGAGE GUARANTEE, OR BANK DEPOSITORY BONDS.

and to bind any of the Companies thereby as fully and to the same extent as if such bonds were signed by the President, seeled with the corporate

and to bind any of the Companies thereby as fully and to the same extent as if such bonds were signed by the President, sealed with the corporate seal of the applicable Company and duly attested by its Secretary, hereby ratifying and confirming all that the said Attorney(s)-in-Fact may do in the premises. Said appointment is made under and by authority of the following resolution adopted by the Board of Directors of each of the WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY:

Be It Resolved, that the President, any Senior Executive, any Secretary or any Fidelity & Surety Operations Executive or other Executive shall be and is hereby vested with full power and authority to appoint any one or more suitable persons as Attorney(s)-in-Fact to represent and act for and on behalf of the Company subject to the following provisions:

and on behalf of the Company subject to the following provisions.

The Attorney-in-Fact. may be given full power and authority for and in the name of and on behalf of the Company, to execute, acknowledge and deliver, any and all bonds, recognizances, contracts, agreements of indemnity and other conditional or obligatory undertakings and any and all notices and documents canceling or terminating the Company's liability thereunder, and any such instruments so executed by any such attorney-in-Fact shall be as binding upon the Company as if signed by the President and sealed and attested by the Corporate Secretary."

The it Further Resolved, that the signature of any such designated person and the seal of the Company heretofore or hereafter affixed to any newer of attorney or certificate bearing facsimile signatures or facsimile.

"Be it Further Resolved, that the signature of any such designated person and the seal of the Company heretofore or hereafter affixed to any power of attorney or any certificate relating thereto by facsimile, and any power of attorney or certificate bearing facsimile signatures or facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached." (Each adopted at a meeting held on February 8, 2000).

In Witness Whereof, WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY have caused these presents to be signed by their Serior Executive and their corporate seals to be hereto affixed this 12th day of JANUARY A.D., 2010.

Corporate Seals Affixed SEAL

State of Ohlo County of Medina ss.:

SEAL ON 1848

WESTFIELD INSURANCE COMPANY
WESTFIELD NATIONAL INSURANCE COMPANY
OHIO FARMERS INSURANCE COMPANY

Faland Khin

By: Richard L. Kinnaird, Jr., Senior Executive

On this 12th day of JANUARY A.D., 2010, before me personally came Richard L. Kinnaird, Jr. to me known, who, being by me duly sworn, did depose and say, that he resides in Medina, Ohio; that he is Senior Executive of WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY, the companies described in and which executed the above instrument; that he knows the seals of said Companies; that the seals affixed to said instrument are such corporate seals; that they were so effixed by order of the Boards of Directors of said Companies; and that he signed his name thereto by like order.

Notarial Seal Affixed

State of Ohio County of Medina

ss.:



William J. Kahelin, Attorney at Law, Notary Public

My Commission Does Not Expire (Sec. 147.03 Ohio Revised Code)

I, Frank A. Carrino, Secretary of WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney, executed by said Companies, which is still in full force and effect; and furthermore, the resolutions of the Boards of Directors, set out in the Power of Attorney are in full force and effect.

In Witness Whereof, I have hereunto set my hand and affixed the seals of said Companies at Westfield Center, Ohio, this 13th day of April A.D., 2010







Frank A. Carrino, Secretary



## State of West Virginia DRUG FREE WORKPLACE CONFORMANCE AFFIDAVIT West Virginia Code §21-1D-5

STATE OF West Virginia	anne e e e e e e e e e e e e e e e e e e	
COUNTY OF Braxton , TO	P-WIT:	
I, Tonya Vincent, after t	peing first duly sworn, depose and	
1. I am an employee ofBre	(Company Name); and,	
2. I do hereby attest that Bre	(Company Name)	
maintains a valid written drug fr policy is in compliance with <b>Wes</b>	ee workplace policy and that such <b>t Virginia Code</b> §21-1D-5.	
The above statements are sworn to un	der the penalty of perjury.	
Br	eakaway, Inc.	
Ву:	President Name)	
Title:	4/14/10	
Taken, subscribed and sworn to before me this Why day of Moril 2010.		
By Commission expires Donil 7 2019		
OFFICIAL SEAL STATE OF WEST VIRGINIA NOTARY PUBLIC SHELLA G, BUTLER 1200 CONRAD ORIVE	Shila G. Butter	
DRIANDO, WY 26412 (Notary Dublic)  MY - MANISSION EXPIRES APRIL 7, 2019  THIS AFFIDAVIT MUST BE SUBMITTED WITH THE BID IN ORDER TO		
COMPLY WITH WV CODE PROVISIONS. FAILURE TO INCLUDE THE		
AFFIDAVIT WITH THE BID SHALL RESULT IN DISQUALIFICATION OF		

RFQ NO. DE P14912

## STATE OF WEST VIRGINIA Purchasing Division

#### **PURCHASING AFFIDAVIT**

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

#### **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.

"Debtor" means any individual, corporation, partnership, association, limited liability company or any other form or business association owing a debt to the state or any of its political subdivisions. "Political subdivision" means any county commission; municipality; county board of education; any instrumentality established by a county or municipality; any separate corporation or instrumentality established by one or more counties or municipalities, as permitted by law; or any public body charged by law with the performance of a government function or whose jurisdiction is coextensive with one or more counties or municipalities. "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.

**EXCEPTION:** The prohibition of this section does not apply where a vendor has contested any tax administered pursuant to chapter eleven of this 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.

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.

WITNESS THE FOLLOWING SIGNATURE		
Vendor's Name: Breakaway Inc.		
Authorized Signature: Jonya 7in Con	P Date: 4/14/10	
State of WV		
County of Braxton , to-wit:		
Taken, subscribed, and sworn to before me this Whoday of April , 2019.		
My Commission expires	, 20 <u>/9</u> .	
AFFIX SEAL HERE	NOTARY PUBLIC Shills G. Butter	

