

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 Divisi	<u>un</u>
Attention Chuck Bowman	***************************************
Fax Number 552-3970	10
From Tonya Vincent	
Total Pages (Including this cover sheet)23	
RE:	
RFQ Number: DEP 14940 Buyer: C8-23 Bld Opening Date: 5/25/10	Total 2
Mail To:	725
WV PURCHASING DIVISION 2019 WASHINGTON ST E PO BOX 50130 CHARLESTON WV 25305-0130	→ · · · · · · · · · · · · · · · · · · ·

BREAKAWAY

304-765-5389>>

State of West Virginia

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

Request for [Department of Administration Quotation

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CHUCK BOWMAN 304-558-2157

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> BREAKAWAY, INC. 1075 Old Turnpike Road Sutton, WV 26601 Voice

ENVIRONMENTAL PROTECTION DEPARTMENT OF OFFICE OF AML&R 601 57TH STREET SE CHARLESTON, WV 304-926-0499 25304

304-765-5317FREIGHT TERMS DATE PRINTED A STATE TERMS OF SALE AND A SHIP VIA 03/29/2010 BID OPENING TIME 01:30PM BID OPENING DATE: 05/25/2010 UNIT PRICE (1) JTEM NUMBER . TAMOUNT : UQF 1 THE LINE THE . OF COUNTITY # 94.630.00 962-73 JB 0001 1 RECLAMATION: RESTORATION OF LAND & OTHER PROPERTIES THE WEST VIRGINIA PURCHASING DIVISION, FOR THE 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 1.5-AC ABANDONED MINE PROJECT KNOWN AS THE "ELK RIVER PORTALS" PROJECT LOCATED NEAR PINCH, WEST VIRGINIA, (KANAWHA CO.). A MANDATORY ON SITE PREBID CONFERENCE SHALL BE HELD ON 04/27/10 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 DNE 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 VERIFYING ATTENDANCE AT THE MANDATORY 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 THE PURCHASING DIVISION AND THE STATE AGENCY WILL NOT ASSUME ANY RESPONSIBILITY FOR A BIDDER'S FAILURE TO COMPLETE THE PRE-BID ATTENDANCE SHEET. SEE REVERSE SIDE FOR TEAMS AND CONDITIONS T*304-765-53*17 SIGNATUL ADDRESS CHANGES TO BE NOTED ABOVE 13-4279911



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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

304-765-5317

Request for REG NUMBER DEP14940

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	OFFICE OF AML&R	
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	25304	304-926-0499

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State of West Virginia
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ENVIRONMENTAL PR	ROTECTION
DEPARTMENT OF	
OFFICE OF AML&R	
601 57TH STREET	SE
CHARLESTON, WV	
25304	304-926-0499

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State of West Virginia
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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
25304 304-926-0499

Voice SHIP VIA DATE PRINTED. TERMS OF SALE 03/29/2010 BID OPENING TIME 01:30PM BID OPENING DATE: 05/25/2010 UNIT PRICE AMOUNT ITEM NUMBER UOP LINE QUANTITY UNLESS OTHERWISE SPECIFIED IN ISSUANCE OF CONTRACT. THE BID DOCUMENTS, THE MINIMUM AMOUNT OF INSURANCE COVERAGE REQUIRED IS \$250,000. SUCCESSFUL VENDOR SHALL) BUILDER'S RISK INSURANCE: FURNISH PROOF OF BUILDERS RISK - ALL RISK INSURANCE IN AN AMOUNT EQUAL TO 100% OF THE AMOUNT OF THE CONTRACT. | FIVE PERCENT (5%) OF THE TOTAL AMOUNT OF (XX) BONDS: THE BID PAYABLE TO THE STATE OF WEST VIRGINIA, SHALL BE SUBMITTED WITH EACH BID AS A BID BOND. THE SUCCESSFUL BIDDER SHALL ALSO FURNISH A PERFORMANCE BOND AND LABOR/ MATERIAL BOND FOR 100% OF THE AMOUNT OF THE CONTRACT. BONDS MAY BE PROVIDED IN THE FORM OF A CERTIFIED CHECK, IRREVOCABLE LETTER OF CREDIT, OR BOND FURNISHED BY A SOLVENT SURETY COMPANY AUTHORIZED TO DO BUSINESS IN THE A LETTER OF CREDIT SUBMITTED STATE OF WEST VIRGINIA. IN LIEU OF A BOND WILL ONLY BE ALLOWED FOR PROJECTS PERSONAL OR BUSINESS CHECKS ARE NOT UNDER \$100,000. ACCEPTABLE IN LIEU OF THE 5% BID BOND, PERFORMANCE BOND, OR LABOR/MATERIAL BOND.) MAINTENANCE BOND: A TWO (2) YEAR MAINTENANCE BOND COVERING THE ROOFING SYSTEM WILL BE A REQUIREMENT OF THE SUCCESSFUL VENDOR. REV. 11/00 AML CONTRACTOR INFORMATION FORM OMB #1029-0119 (EXPIRATION DATE: 01/31/2010) IS ATTACHED. YOU MUST COMPLETE THIS ORIGINAL FORM TO OBTAIN AN AVS DATA EVALUATION TO DETERMINE YOUR FITGIBILITY AS AN AML THIS IS A REQUIREMENT UNDER 30 CFR 874.16 CONTRACTOR. SEE REVERSE SIDE FOR TERMS AND CONDITIONS: SIGNATURE ADDRESS CHANGES TO BE NOTED ABOVE FEIN TITLE

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BREAKAWAY, INC.

1075 Old Turnpike Road

Sutton, WV 26601

304-765-5317

BREAKAWAY 304-765-5389>>

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ENVIRONMENTAL PROTECTION DEPARTMENT OF OFFICE OF AML&R 601 57TH STREET SE CHARLESTON, WV 304-926-0499 25304

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BIDDING DOCUMENTS YOU CAN CONTACT THE AVS OFFICE AT 800-643-9748 OR WWW.AVS.OSMRE.60V ***********************************	UNE	QUAI	VT IT Y	UOF		TEN NON	oen.		(A)	
WEST VIRGINIA STATE CODE 21-11-2 REQUIRES THAT ALL PERSONS DESIRING TO PERFORM CONTRACTING WORK IN THIS STATE MUST BE LICENSED. THE WEST VIRGINIA CONTRACTORS LICENSING BOARD IS EMPOWERED TO ISSUE THE CONTRACTORS LICENSE MAY BE MADE BY CONTACTING THE WEST VIRGINIA DIVISION OF LABOR, CAPITOL COMPLEX, 1900 KANAWHA BLVD. E, BLDG. 6, RM 749-B, CHARLESTON, WV 25305, PH. 304-558-7890. WEST VIRGINIA STATE CODE 21-11-11 REQUIRES ANY PROSPECTIVE BIDDER TO INCLUDE THE CONTRACTORS LICENSE NUMBER ON THEIR BID. BIDDER TO COMPLETE: CONTRACTORS NAME:		BIDDIN 800-64	G DOCU	MENTS OR W	WM'YA Adn	CAN CONTAC S.OSMRE.GO	OV THE	AVS	OFFICE AT	
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ADDRESS CORRESPONDENCE TO ATTENTION OF THE

CHUCK BOWMAN 304-558-2157

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

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	DEPARTMENT OF	
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7	601 57TH STREET	SE
0	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

RFQ COPY TYPE NAME/ADDRESS HERE BREAKAWAY, INC. 1075 Old Turnpike Road Sutton, WV 26601 304-765-5317

Voice/

ENVIRONMENTAL PROTECTION or I co 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

RFQ COPY TYPE NAME/ADDRESS HERE

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

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ENVIRONMENTAL PROTECTION DEPARTMENT OF OFFICE OF AML&R 601 57TH STREET SE CHARLESTON, WV 25304 304-926-0499

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

ADDAESSICONSE	SOVICENCE CANHELING NO SERVICE CONTRACTOR OF THE
CHUCK BOWMAN	
304-558-2157	

ENVIRONMENTAL PROTECTION DEPARTMENT OF OFFICE OF AML&R 601 57TH STREET SE CHARLESTON, WV 304-926-0499 25304

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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

BREAKAWAY, INC. 1075 Old Turnpike Road Sutton, WV 26601

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2019 Washington Street East
Post Office Box 50130
Charleston, WV 26305-0130

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CHUCK BOWMAN 304-558-2157

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TYPE NAME/ADDRESS HERE
BREAKAWAY, INC.
1075 Old Turnpike Road
Sutton, WV 26601
Voice, 304-765-5317

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
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Charleston, WV 25305-0130

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ADDRESS.CORRESE	ONDENCE TO ATTENTION OF
CHUCK BOWMAN	
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ENVIRONMENTAL PR	OTECTION
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601 57TH STREET	SE
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Department of Administration

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

MANAGEMENT OF THE PROPERTY OF
CHUCK BOWMAN
304-558-2157

ENVIRONMENTAL PROTECTION DEPARTMENT OF OFFICE OF AML&R 601 57TH STREET SE CHARLESTON, WV 304-926-0499 25304

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TITLE

BREAKAWAY

304-765-5389>>

State of West Virginia Department of Administration Purchasing Division 2019 Washington Street East Post Office Box 50130

Charleston, WV 25305-0130

Request for Quotation

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CHUCK BOWMAN

304-558-2157

25304

ADDRESS CORRESPONDENCE TO ATTENTION OF

ADDRESS CHANGES TO BE NOTED ABOVE

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RFQ TYPE	COPY NAME/ADDRESS	Щ Е ŖЕ
ITE	RANL/ ADDRESS	O B C H

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

ENVIRONMENTAL PR	ROTECTION
DEPARTMENT OF	
OFFICE OF AML&R	
601 57TH STREET	SE
CHARLESTON, WV	
25304	304-926-0499

SHIP VIA DATE PRINTED TERMS OF SALE 03/29/2010 01:30PM BID OPENING TIME BID OPENING DATE: 05/25/2010 CAT. AMOUNT UNIT PRICE LINE ITEM NUMBER UOP QUANTITY: SEALED BID CB-23 BUYER: DEP14940 RFQ. NO.: 05/25/2010 DATE: BID OPENING 1:30 PM BID OPENING TIME: PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID: *304-765-5389* VENDOR SHOULD SUBMIT WITH THEIR BID THE CURRENT REMIT-TO ADDRESS TO BE USED FOR PAYMENT PROCESSING: Old Turopike Kond Suttan, av 210601 PLEASE PRINT OR TYPE NAME OF PERSON TO CONTACT CONCERNING THIS QUOTE: SEE REVERSE SIDE FOR TERMS AND CONDITIONS SIGNATURE

FEIN



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

Request for

DEP14940

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ADDDES	C CODDESDONDENCE	TO ATTENTION OF 1:

dhuck bowman **-558-2157**

*510160447 304-765-5317 BREAKAWAY INC 1075 OLD TURNPIKE ROAD

SUTTON WV 26601

ENVIRONMENTAL PROTECTION DEPARTMENT OF OFFICE OF AML&R 601 57TH STREET SE CHARLESTON, WV 25304 304-926-0499

TERMS OF SALE THE SHEET SHIP VIA THE SELECT STATE OF SALE THE SALE THE SALE TO SALE THE SALE DATE:PRINTED. 05/10/2010 BID OPENING DATE: 01:30PM BID OPENING TIME 05/25CAT. AMOUNT ITEM NUMBER UNIT:PRICE . . . UOP. QUANTITY LINE ADDENDUM NO. 1 **** ADDENDUM ISSUED FOR THE ELK RIVER PORTALS PROJECT TO DISTRIBUTE THE PRE-BID SIGN-IN SHEETS, THE REVISED DRAWING #7, AND THE Q/A RESULTING FROM THE 04/27 MAND-ATORY PRE-BID MEETING. HID OPENING DATE AND TIME REMAIN UNCHANGED AS 05/25/10 AT 1:30 PM. NO OTHER CHANGES ************** 962 - 73\$94,630.00 JB 0001 1 RECLAMATION: RESTORATION OF LAND & OTHER PROPERTIES SEE REVERSE SIDE FOR TERMS AND CONDITIONS S'GNATUF '10 FEIN ADDRESS CHANGES TO BE NOTED ABOVE 3-4279911 WHEN RESPONDING TO RFQ, INSERT NAME AND ADDRESS IN SPACE ABOVE LABELED 'VENDOR'

Elk River Portals

Requistion# DEP14940 Contractor's Bid Sheet

Соптрвпу Name:	BREAKAWAY, INC.	
Address:	1075 Old Turnpike Road	
AGG1653	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.

NO.	QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
1.0	Lump Sum	MOBILIZATION (LIMTED TO 10% OF TOTAL BID)	8,000,00	\$ 8,000.00
2.0	Lump Sum	CONSTRUCTION LAYOUT (LIMITED TO 5% TOTAL BID)		\$ 200.00
3.0	Lump Sum	QUALITY CONTROL (LIMITED TO 3% OF TOTAL BID)	100.00	
4.0	Lump Sum	SITE PREPARATION (LIMITED TO 10% OF TOTAL BID)	8.000.00	\$ 8,000.00
5.0	600 L.F.	SEDIMENT CONTROL BARRIER		\$ 600,00
6.0		REVEGETATION	2,500,00	
7.1	290 L.F	CHANNEL / PIPE CLEANOUT		\$ 1,450.00
7.2	20 L.F.	18" I.D. HDPE PIPE	54.00	\$ 1.080.00
7.3	2	DROP INLET	1,500.00	\$ 3,000.00
7.4	4	SPLASH PADS		\$ 2.000.00
8.0	Lump Sum	SITE 2 EXCAVATION AND BACKFILL	2,000.00	\$ 2,000.00
9.0	55 TNS	1 - 1/2" CRUSHER RUN STONE	40.00	\$ 2,200,00
10.1	5	WET MINE SEAL	7,500.00	\$ 37 500,00
10.2	2	BAT GATE SEAL	13,500.00	\$ 25,000.00
10.3	1	CONCRETE BLOCK SEAL		\$ 500.00
10.4	1	PATIO	500.00	\$.500.00
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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: Breakoury, Inc. Tax Payer ID No.: 13-4279911 Address: 1075 Old Turnpike Read City: Sutton State: WV Zip Code: 26601 Phone: 304-765-5317 Fax No.: 304-765-5389 E-mail address: tonyaevincent@verizon.net	•
Part B: Legal Structure	
(Corporation () Sole Proprietorship () Partnership () LLC () Other (please specify)	•••
Part C: Certifying and updating information in the Applicant/Violator System (AVS). Select only one of the following options, follow the instructions for that option, and sign below I,	٧.
1. X Information on the attached Entity Organizational Family Tree (OFT) from AVS i accurate, complete, and up-to-date. If you select this option, you must attach an Ent OFT from AVS to this form. Sign and date below and do not complete Part D.	s ity
2. Part of the information on the attached Entity OFT from AVS is missing or incorre and must be updated. If you select this option, you must attach an Entity OFT from AVS to this form. Use Part D to provide the missing or corrected information. Sign and date below and complete Part D.	:ct
Our business currently has no information in AVS. If you select this option, you must provide all information required in Part D. Sign and date below and complete Part D. 5 25 10	st

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.

Entity ID / Name : 155 Related ID / Name :		~~~~~ 701701101		را الله الله الله الله الله الله الله ال		~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~
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BREAKAWAY 304-765-5389>>

Agency West Virginia Purchasing Division

REQ.P.O# <u>DEP14940</u>

P 20/23

BID BOND

KNOW ALL M	EN BY THESE	PRESENTS, That we, the	undersigned, E	Breakaway, Inc.		
of 1075 Old Turnp					armers Insurance Company	
of One Park COO Ohio with of West Virginia, as Ob	Dircle Westfing its principal office bilingee, in the pen	ce in the City of Westfi	ield Center (5%) of Amoun	_, as Surety, are held it Bid(\$	under the laws of the State of and firmly bound unto the State) for the payment of which, successors and assigns.	
well and daily to be the	ac, no joining an	a deversity with entrained	,, ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,			
The Condition	of the above ob	ligation is such that where	eas the Principa	l has submitted to the	Purchasing Section of the	
Department of Adminis	tration a certain	bid or proposal, allached	hereto and mad	e a part hereof, to en	ter into a contract in writing for	
Elk River Portals, k	(anawha Coun	ty, West Virginia				
NOW THERE	FORE,					
(a) If said bid shall be rejected, or (b) If said bid shall be accepted and the Principal shall enter into a contract in accordance with the bid or proposal attachment of shall furnish any other bonds and insurance required by the bid or proposal, and shall in all other respects perform the agreement created by the acceptance of said bid, then this obligation shall be null and void, otherwise this obligation shall remain force and effect. It is expressly understood and agreed that the liability of the Surety for any and all claims hereunder shall, in no exceed the penal amount of this obligation as herein stated.						
The Surely, for way impaired or affection waive notice of any sur	ed by any extens	ived, hereby stipulates and lon of the time within whic	d agrees that thich the Obligee n	e obligations of said S nay accept such bid, a	Surety and its bond shall be in no and said Surety does hereby	
IN WITNESS	WHEREOF, Prit	ncipal and Surety have he	reunto set their	hands and seals, and	such of them as are corporations	
		affixed hereunto and the				
					7	
Principal Corporate Se	al			Breakaway, Ind.		
•	•			(N	ame of Principal)	
				By 10041	1) //////Just be President or	
				~ \\	ice President)	
				Pre	sident	
					(Tille)	
Surely Corporate Scal				Ohio Farmers Insu	urance Company	
				<u>(V</u>	lame of Surety)	
				By: Dunas	t Price	
				Donna J. Price / Licensed West Vi	Allorney-in-Fact rginia Resident Agent	

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.

05-25 11:21 BREAKAWAY 304-765-5389 >> THIS POWER OF ATTORNEY SUPERCEDES ANY PREVIOUS POWER BEAKING THIS SAME 304-765-5389>> 2010-05-25 11:21 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 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

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

IMITATION: 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, 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 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:

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."

"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 shell 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).

held on February 8, 2000).

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

Corporate Seals

State of Ohio County of Medina



WESTFIELD INSURANCE COMPANY WESTFIELD NATIONAL INSURANCE COMPANY

OHIO FARMERS INSURANCE COMPANY

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 affixed 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.

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 25th day of A.D., 2010 May







Frank A. Carrino, Secretary



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

STATE OF WV	
COUNTY OF Braxton	, TO-WIT:
I, Tonya Vincent, state as follows:	, after being first duly sworn, depose and
1. I am an employee of	Breakaway, Inc.; and, (Company Name)
2. I do hereby attest that	Breakaway, Iri(- (Company Name)
policy is in compliance w	drug free workplace policy and that such ith West Virginia Code §21-1D-5.
The above statements are swor	Breakaway loc.
	By: Onun lincut
	Title: President
	Date: 5 25 10
Taken, subscribed and sworn t	o before me this 25 day of may 2010.
BY COMMITTION OF FICIAL SEAL	9. 36-2019
STATE OF WEST VIRGINIA NOTARY PUBLIC DONNA CORRAD 355 BRAYSTONE LN SUITON, WY 26601 MY COMMISSION EXPIRES 9:30-2019	Notary Public)
A MANUSCOLOR EXCIDED 9-30-2019	,, ·

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 THE BID. Rev March 2009

RFQ No. DEP14940

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P 23/23

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.

"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: Breckaway Inc.	Date: 5 25 10
Authorized Signature:	
County of <u>Braylon</u> , to-wit: Taken, subscribed, and sworn to before me this <u>25</u> day of	may 20 10
My Commission expires 9- 3c 20/9	OTARY PUBLIC Dar Gonal
AFFIX SEAL HERE OFFICIAL SEAL OFFICIAL SEAL	HAKY PUBLIC



STATE OF WEST VIRGINIA NOTARY PUBLIC DONNA CONRAD 355 GRAYSTONE LN SUITON, WV 26801 MY COMMISSION EXPIRES 9-30-2019