



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:
DNR210008

PAGE:
1

ADDRESS CORRESPONDENCE TO ATTENTION OF:
**FRANK WHITTAKER
 304-558-2316**

SUGGESTOR

RFQ COPY
 TYPE NAME/ADDRESS HERE
 Kanawha Stone Company, Inc.
 P.O. Box 503
 Nitro, WV 25143

SHIP TO

DIVISION OF NATURAL RESOURCES
 CANAAN VALLEY RESORT
 ATTN: PARK SUPERINTENDENT
 ROUTE 1, BOX 320
 DAVIS, WV
 26260 866-4111

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
08/13/2009				

BID OPENING DATE: **09/17/2009** BID OPENING TIME: **01:30PM**

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	LS		968-42		<i>see attached</i>
<p>CONSTRUCTION</p> <p>THE WEST VIRGINIA PURCHASING DIVISION, FOR THE AGENCY, THE DIVISION OF NATURAL RESOURCES IS SOLICITING BIDS FROM RESPONSIBLE VENDORS TO PROVIDE ALL LABOR, MATERIAL AND EQUIPMENT NECESSARY FOR THE CONSTRUCTION OF GOLF COURSE DRAINAGE IMPROVEMENTS AT CANAAN VALLEY STATE PARK, DAVIS, WV IN TUCKER COUNTY.</p> <p>MANDATORY PRE-BID</p> <p>A MANDATORY PRE-BID WILL BE HELD ON AUGUST 27, 2009 AT 11:00 AM AT THE PARK HEADQUARTERS. ALL INTERESTED PARTIES ARE REQUIRED TO ATTEND THIS MEETING. FAILURE TO ATTEND THE MANDATORY PRE-BID SHALL RESULT IN DISQUALIFICATION OF THE BID. NO ONE PERSON MAY REPRESENT MORE THAN ONE BIDDER.</p> <p>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 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 RESPONSIBILITY FOR A BIDDER-S FAILURE TO COMPLETE THE PRE-BID ATTENDANCE SHEET. IN ADDITION, WE REQUEST THAT ALL POTENTIAL BIDDERS INCLUD</p>						

RECEIVED
 2009 SEP 29 AM 11:40
 WV PURCHASING DIVISION

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE: *Paul W. Lamm* TELEPHONE: (304) 755-8271 DATE: 9/22/09
 TITLE: VICE PRESIDENT FEIN: 55-0535 003 ADDRESS CHANGES TO BE NOTED ABOVE

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



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<p>THEIR E-MAIL ADDRESS AND FAX NUMBER.</p> <p>ALL POTENTIAL BIDDERS ARE REQUESTED TO ARRIVE PRIOR TO THE STARTING TIME FOR THE PRE-BID. BIDDERS WHO ARRIVE LATE, BUT PRIOR TO THE DISMISSAL OF THE TECHNICAL PORTION OF THE PRE-BID WILL BE PERMITTED TO SIGN IN. BIDDERS WHO ARRIVE AFTER CONCLUSION OF THE TECHNICAL PORTION OF THE PRE-BID, BUT DURING ANY SUBSEQUENT PART OF THE PRE-BID WILL NOT BE PERMITTED TO SIGN THE ATTENDANCE SHEET.</p> <p>ALL TECHNICAL QUESTIONS MUST BE SUBMITTED IN WRITING TO FRANK WHITTAKER IN THE PURCHASING DIVISION VIA EMAIL AT FRANK.M.WHITTAKER@WV.GOV OR VIA FAX AT 304-558-4115. DEADLINS FOR TECHNICAL QUESTIONS IS 9/1/09 AT 4:00 PM. ALL TECHNICAL QUESTIONS WILL BE ADDRESSED BY ADDENDUM AFTER THE DEADLINE.</p> <p>REQUEST FOR QUOTATION MAY BE OBTAINED BY CONTACTING:</p> <p style="padding-left: 40px;">FRANK WHITTAKER, SENIOR BUYER WV PURCHASING DIVISION 2019 WASHINGTON STREET, EAST CHARLESTON, WV 25305 304-558-2316</p> <p>PLANS AND SPECIFICATIONS MAY BE OBTAINED BY CONTACTING:</p> <p style="padding-left: 40px;">DEBORAH DEMYAN WVDNR, PARKS AND RECREATION SECTION 1200 HARRISON, AVENUE SUITE 222 ELKINS, WV 26241 304-637-0300</p> <p>NO FEE REQUIRED FOR BIDDING DOCUMENTS.</p>						

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<p>OR IN ANY AMERICAN INSTITUTE OF ARCHITECTS DOCUMENTS PERTAINING TO THIS CONTRACT ARE HEREBY DELETED.</p> <p>WORKERS' COMPENSATION: VENDOR IS REQUIRED TO PROVIDE A CERTIFICATE FROM WORKERS' COMPENSATION IF SUCCESSFUL.</p> <p>ALL OF THE ITEMS CHECKED BELOW WILL BE A REQUIREMENT OF THIS CONTRACT:</p> <p>(XX) INSURANCE: SUCCESSFUL VENDOR SHALL FURNISH PROOF OF COMMERCIAL GENERAL LIABILITY INSURANCE PRIOR TO ISSUANCE OF CONTRACT. UNLESS OTHERWISE SPECIFIED IN COVERAGE REQUIRED IS \$250,000.</p> <p>() BUILDERS RISK INSURANCE: SUCCESSFUL VENDOR SHALL FURNISH PROOF OF BUILDERS RISK - ALL RISK INSURANCE IN AN AMOUNT EQUAL TO 100% OF THE AMOUNT OF THE CONTRACT.</p> <p>(XX) BONDS: FIVE PERCENT (5%) OF THE TOTAL AMOUNT OF 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 STATE OF WEST VIRGINIA. A LETTER OF CREDIT SUBMITTED IN LIEU OF A BOND WILL ONLY BE ALLOWED FOR PROJECTS UNDER \$100,000. PERSONAL OR BUSINESS CHECKS ARE NOT ACCEPCTABLE IN LIEU OF THE 5% BID BOND PERFORMANCE BOND, OR LABOR AND MATERIAL BOND.</p> <p>() MAINTENANCE BOND: A TWO (2) YEAR MAINTENANCE BOND COVERING THE ROOFING SYSTEM WILL BE A REQUIREMENT OF THE SUCCESSFUL VENDOR.</p>						

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<p>ALUMINUM, GLASS OR STEEL THAT IS REASONABLE AND LOWER THAN THE LOWEST BID DOMESTIC PRODUCTS, THE SPENDING OFFICE MAY REQUEST, IN WRITING, A REEVALUATION AND REDUCTION IN THE LOWEST BID FOR SUCH DOMESTIC PRODUCTS. ALL VENDORS MUST INDICATE IN THEIR BID IF THEY ARE SUPPLYING FOREIGN ALUMINUM, GLASS OR STEEL.</p> <p>REV. 3/88</p> <p>EXHIBIT 9</p> <p>NOTICE FOR ISSUANCE & ACKNOWLEDGEMENT OF CONSTRUCTION PROJECT ADDENDA</p> <p>THE ARCHITECT/ENGINEER AND/OR AGENCY SHALL BE REQUIRED TO ABIDE BY THE FOLLOWING SCHEDULE IN ISSUING CONSTRUCTION PROJECT ADDENDA FOR STATE AGENCIES:</p> <p>(1) THE ARCHITECT/ENGINEER SHALL PREPARE THE ADDENDUM AND A LIST OF ALL PARTIES THAT HAVE PROCURED DRAWINGS AND SPECIFICATIONS FOR THE PROJECT. THE ADDENDUM AND LIST SHALL BE FORWARDED TO THE BUYER IN THE STATE PURCHASING DIVISION. THE ARCHITECT/ENGINEER SHALL ALS SEND A COPY OF THE ADDENDUM TO THE STATE AGENCY FOR WHICH THE CONTRACT IS ISSUED.</p> <p>(2) THE BUYER SHALL SEND THE ADDENDUM TO ALL INTERESTED PARTIES AND, IF NECESSARY, EXTEND THE BID OPENING DATE ANY ADDENDUM SHOULD BE RECEIVED BY THE BUYER WITHIN FOURTEEN (14) DAYS PRIOR TO THE BID OPENING DATE</p> <p>(3) ALL ADDENDA SHOULD BE FORMALLY ACKNOWLEDGED BY ALL BIDDERS AND SUBMITTED TO THE STATE PURCHASING DIVISION. THE SAME RULES AND REGULATIONS</p>						

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<p>INFORMATION ISSUED IN WRITING AND ADDED TO THE SPECIFICATIONS BY AN OFFICIAL ADDENDUM IS BINDING.</p> <p>..... <i>Paul W. Lounsbury</i> VP SIGNATURE</p> <p>KANAWHA STONE CO., INC. COMPANY</p> <p>..... <i>9/22/09</i> DATE</p> <p>REV. 11/96 <i>DWL</i></p> <p>CONTRACTORS LICENSE</p> <p>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. APPLICATIONS FOR A CONTRACTORS LICENSE MAY BE MADE BY CONTACTING THE WEST VIRGINIA DIVISION OF LABOR CAPITOL COMPLEX, BUILDING 3, ROOM 319, CHARLESTON, WV 25305. TELEPHONE: (304) 558-7890.</p> <p>WEST VIRGINIA STATE CODE 21-11-11 REQUIRES ANY PROSPECTIVE BIDDER TO INCLUDE THE CONTRACTORS LICENSE NUMBER ON THEIR BID.</p> <p>BIDDER TO COMPLETE:</p> <p>CONTRACTORS NAME: <i>KANAWHA STONE COMPANY, INC.</i></p> <p>CONTRACTORS LICENSE NO.: <i>WV 006094</i></p> <p>THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FURNISH A COPY OF THEIR CONTRACTORS LICENSE PRIOR TO ISSUANCE OF</p>						

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Canaan Valley State Park, Golf Course Drainage Improvements
DIVISION OF NATURAL RESOURCES

FORM OF PROPOSAL-1

Name of Bidder:

KANAWHA STONE COMPANY, INC.

Address of Bidder:

P.O. BOX 503
NITRO WV 25143

Phone Number of Bidder:

(304) 755-8271

WV Contractors License No.

WV 006094

We, the undersigned, having examined the site and being familiar with the local conditions affecting the cost of the work and also being familiar with the general conditions to bidders, drawings, and specifications, hereby proposes to furnish all materials, equipment, and labor to complete all work in a workmanlike manner, as described in the Bidding documents.

Base Bid: Lump sum for all labor, materials, and equipment as stipulated in the Bidding Documents, written in numbers.

529,846.75

Base Bid: Lump sum for all labor, materials, and equipment as stipulated in the Bidding Documents, written in words.

FIVE HUNDRED TWENTY NINE THOUSAND
EIGHT HUNDRED FORTY SIX DOLLARS
AND SEVENTY FIVE CENTS.

Canaan Valley State Park, Golf Course Drainage Improvements
 DIVISION OF NATURAL RESOURCES

FORM OF PROPOSAL-3

ADDENDUM ACKNOWLEDGEMENT

I hereby acknowledge receipt of the following checked addendum and have made the necessary revisions to my bid or proposal.

Addendum No.	Date
1	9/1/09
2	9/10/09
3	9/18/09
4	9/21/09

I understand that failure to confirm the receipt of the Addendum is cause for rejection of my bid or proposal.

Respectfully submitted:

Date:

29 ^{ord.}
9/22/09

WV Vendor
 Registration Number:

709043155

By: (signature in ink)

David W. Lawman
 DAVID W. LAWMAN

Title:

VICE PRESIDENT

Firm Name:

KANAWHA STONE COMPANY, INC.

Firm Address:

P.O. Box 503
 Nitro WV 25143

**CANAAN VALLEY RESORT STATE PARK
GOLF COURSE DRAINAGE IMPROVEMENTS
BID SCHEDULE
BASE BID
LINES "A", "B" & "C"**

LINE "B"

ITEM NO.	DESCRIPTION	ESTIMATED QUANTITIES (Units)	UNIT PRICE	TOTAL AMOUNT
1.	12" Perforated HDPE pipe, including furnishing, trenching, bedding, laying, backfill	265 L.F.	\$ <u>36.00</u>	\$ <u>9,540.00</u>
2.	12" Solid HDPE pipe, including furnishing, trenching, bedding, laying, backfill	310 L.F.	\$ <u>32.50</u>	\$ <u>10,075.00</u>
3.	8" Solid HDPE pipe, including furnishing, trenching, bedding, laying, backfill	375 L.F.	\$ <u>28.00</u>	\$ <u>10,500.00</u>
4.	8" Perforated HDPE pipe, including furnishing, trenching, bedding, laying, backfill	430 L.F.	\$ <u>32.00</u>	\$ <u>13,760.00</u> <i>was</i> \$ <u>15,760.00</u>
5.	6" Perforated HDPE pipe, including furnishing, trenching, bedding, laying, backfill	228 L.F.	\$ <u>26.00</u>	\$ <u>5,928.00</u>
6.	4" Perforated HDPE pipe, including furnishing, trenching, bedding, laying, backfill	3920 L.F.	\$ <u>24.00</u>	\$ <u>94,080.00</u>
7.	24" Drain Basin, including furnishing, excavation, installation and backfill	5 Each	\$ <u>1825.00</u>	\$ <u>9,125.00</u>
8.	15" In Line Drain including furnishing, excavation, installation and backfill	1 Each	\$ <u>1,150.</u>	\$ <u>1,150.00</u>

**CANAAN VALLEY RESORT STATE PARK
GOLF COURSE DRAINAGE IMPROVEMENTS
BID SCHEDULE
BASE BID
LINES "A", "B" & "C"**

LINE "C"

ITEM NO.	DESCRIPTION	ESTIMATED QUANTITIES (Units)	UNIT PRICE	TOTAL AMOUNT
1.	12" Perforated HDPE pipe, including furnishing, trenching, bedding, laying, backfill	427 L.F.	\$ <u>36.⁰⁰</u>	\$ <u>15,372.⁰⁰</u>
2.	10" Solid HDPE pipe, including furnishing, trenching, bedding, laying, backfill	286 L.F.	\$ <u>31.⁰⁰</u>	\$ <u>8,866.⁰⁰</u>
3.	6" Perforated HDPE pipe, including furnishing, trenching, bedding, laying, backfill	437 L.F.	\$ <u>26.⁰⁰</u>	\$ <u>11,362.⁰⁰</u>
4.	4" Perforated HDPE pipe, including furnishing, trenching, bedding, laying, backfill	5662 L.F.	\$ <u>23.⁵⁰</u>	\$ <u>133,057.⁰⁰</u>
5.	24" Drain Basin, including furnishing, excavation, installation and backfill	4 Each	\$ <u>1825.⁰⁰</u>	\$ <u>7,300.⁰⁰</u>

TOTAL LINE "C" BID IN NUMBERS (ITEM 1-5) \$ 175,957.⁰⁰

TOTAL LINE "C" BID IN WORDS (ITEMS 1-5)

one hundred seventy five thousand nine hundred fifty seven DOLLARS

ZERO CENTS

TOTAL BASE BID, LINES "A", "B", & "C" IN NUMBERS \$ 529,846.⁷⁵

TOTAL BASE BID, LINES "A", "B", & "C" IN WORDS

Five hundred twenty ~~two~~ ^{nine} thousand Eight hundred forty six DOLLARS

Seventy - five CENTS

**CANAAN VALLEY RESORT STATE PARK
GOLF COURSE DRAINAGE IMPROVEMENTS
BID SCHEDULE
ADDITIVE ALTERNATIVE NO. 2**

LINE "E"

ITEM NO.	DESCRIPTION	ESTIMATED QUANTITIES (Units)	UNIT PRICE	TOTAL AMOUNT
1.	6" Perforated HDPE pipe, including furnishing, trenching, bedding, laying, backfill	915 L.F.	\$ <u>26.00</u>	\$ <u>23,790.00</u>
2.	4" Perforated HDPE pipe, including furnishing, trenching, bedding, laying, backfill	3928 L.F.	\$ <u>23.50</u>	\$ <u>92,308.00</u>

TOTAL ADDITIVE ALTERNATIVE NO. 2

TOTAL LINE "E" BID IN NUMBERS (ITEM 1-2) \$ 116,098.00

TOTAL LINE "E" BID IN WORDS (ITEMS 1-2)

One hundred sixteen thousand ninety eight DOLLARS

zero

CENTS

CANAAN VALLEY RESORT STATE PARK
GOLF COURSE DRAINAGE IMPROVEMENTS
BID SCHEDULE
ADDITIVE ALTERNATIVE NO. 4

LINES "T", "U", "V", & "W"

ITEM NO.	DESCRIPTION	ESTIMATED QUANTITIES (Units)	UNIT PRICE	TOTAL AMOUNT
1.	4" Perforated HDPE pipe, including furnishing, trenching, bedding, laying, backfill	4104 L.F.	\$ <u>23.20</u>	\$ <u>96,444.00</u>

TOTAL ADDITIVE ALTERNATIVE NO. 4

TOTAL LINES "T" THROUGH "W" BID IN NUMBERS (ITEM 1)

\$ 96,444.00

TOTAL LINES "T" THROUGH "W" BID IN WORDS (ITEMS 1)

Ninety six thousand four hundred forty four DOLLARS

ZERO CENTS

BID BOND

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, Kanawha Stone Company, Inc.
of Nitro, _____, as Principal, and Travelers Casualty and Surety Company
of America of Hartford, CT, _____, a corporation organized and existing under the laws of the State of _____
CT with its principal office in the City of Hartford, _____, as Surety, are held and firmly bound unto the State
of West Virginia, as Obligee, in the penal sum of Five Percent of Amount Bid (\$ 5%) for the payment of which,
well and truly to be made, we jointly and severally bind ourselves, our heirs, administrators, executors, successors and assigns.

The Condition of the above obligation is such that whereas the Principal has submitted to the Purchasing Section of the
Department of Administration a certain bid or proposal, attached hereto and made a part hereof, to enter into a contract in writing for
Canaan Valley State Park Golf Course - Drainage Improvements, Davis, WV

NOW THEREFORE,

(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 attached
hereto and 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 in full
force and effect. It is expressly understood and agreed that the liability of the Surety for any and all claims hereunder shall, in no event,
exceed the penal amount of this obligation as herein stated.

The Surety, for the value received, hereby stipulates and agrees that the obligations of said Surety and its bond shall be in no
way impaired or affected by any extension of the time within which the Obligee may accept such bid, and said Surety does hereby
waive notice of any such extension.

IN WITNESS WHEREOF, Principal and Surety have hereunto set their hands and seals, and such of them as are corporations
have caused their corporate seals to be affixed hereunto and these presents to be signed by their proper officers, this
22nd day of September, 2009.

Principal Corporate Seal

Kanawha Stone Company, Inc.
(Name of Principal)
By David W. Lawman
(Must be President or DAVID W. LAWMAN
Vice President)
VICE PRESIDENT
(Title)

Surety Corporate Seal

Travelers Casualty and Surety Company of America
(Name of Surety)
By: D.P.T.
Douglas P. Taylor
Licensed WV Resident Agent Attorney-in-Fact

IMPORTANT – Surety executing bonds must be licensed in West Virginia to transact surety insurance. Corporate seals must be affixed,
and a power of attorney must be attached.



POWER OF ATTORNEY

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
Seaboard Surety Company
St. Paul Fire and Marine Insurance Company

St. Paul Guardian Insurance Company
St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

Attorney-In Fact No. 220306

Certificate No. 002970128

KNOW ALL MEN BY THESE PRESENTS: That Seaboard Surety Company is a corporation duly organized under the laws of the State of New York, that St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company and St. Paul Mercury Insurance Company are corporations duly organized under the laws of the State of Minnesota, that Farmington Casualty Company, Travelers Casualty and Surety Company, and Travelers Casualty and Surety Company of America are corporations duly organized under the laws of the State of Connecticut, that United States Fidelity and Guaranty Company is a corporation duly organized under the laws of the State of Maryland, that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc. is a corporation duly organized under the laws of the State of Wisconsin (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint

Andrew K. Teeter, Donna J. Price, Douglas P. Taylor, Kimberly L. Miles, C. Lee Jordan, Pamela V. Lanham, and Christopher A. Michel

of the City of Charleston, State of West Virginia, their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 28th day of April, 2009

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
Seaboard Surety Company
St. Paul Fire and Marine Insurance Company

St. Paul Guardian Insurance Company
St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company



State of Connecticut
City of Hartford ss.

By: [Signature]
George W. Thompson, Senior Vice President

On this the 28th day of April, 2009, before me personally appeared George W. Thompson, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

In Witness Whereof, I hereunto set my hand and official seal. My Commission expires the 30th day of June, 2011.



[Signature]
Marie C. Tetreault, Notary Public



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

STATE OF WEST VIRGINIA

COUNTY OF PUTNAM, TO-WIT:

I, DAVID W. LAWMAN, after being first duly sworn, depose and state as follows:

- 1. I am an employee of KANAWHA STONE CO., INC.; and,
(Company Name)
- 2. I do hereby attest that KANAWHA STONE CO., INC.
(Company Name)

maintains a valid written drug free workplace policy and that such policy is in compliance with **West Virginia Code §21-1D-5**.

The above statements are sworn to under the penalty of perjury.

KANAWHA STONE CO., INC.
(Company Name)

By: David W. Lawman

Title: VICE PRESIDENT

Date: 9/22/09

Taken, subscribed and sworn to before me this 22 day of Sept, 2009.



Angela D. Drake
(Notary Public)

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.

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: KANAWHA STONE Co. INC.
 Authorized Signature: Don W. Lamm Date: 9-22-09
 Purchasing Affidavit (Revised 01/01/09) V.P.