



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
LITTER10A

PAGE
1

ADDRESS CORRESPONDENCE TO ATTENTION OF
JO ANN ADKINS 304-558-8802

VENDOR

*709035121 304-343-7578
 F M PILE HARDWARE COMPANY
 PO BOX 6866
 CHARLESTON WV 25362

SHIP TO

ALL STATE AGENCIES
 AND POLITICAL SUBDIVISIONS
 VARIOUS LOCALES AS INDICATED
 BY ORDER

DATE PRINTED	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS
03/16/2010				

BID OPENING DATE: **04/14/2010** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	EA		485-67		
<p align="center">REQUEST FOR QUOTATION</p> <p>THE PURCHASING DIVISION IS SOLICITING BIDS FOR AN BLANKET OPEN-END STATEWIDE CONTRACT TO SUPPLY LITTER GRABBERS TO ALL WEST VIRGINIA STATE AGENCIES AND POLITICAL SUBDIVISIONS.</p> <p>ATTACHED: 1. LITTER10A SPECIFICATIONS, 3 PAGES. 2. LITTER10A PRICING PAGE 3. RESIDENT VENDOR PREFERENCE 4. PURCHASING AFFIDAVIT</p> <p>EXHIBIT 3</p> <p>LIFE OF CONTRACT: THIS CONTRACT BECOMES EFFECTIVE ON AND EXTENDS FOR A PERIOD OF ONE (1) YEAR OR UNTIL SUCH "REASONABLE TIME" THEREAFTER AS IS NECESSARY TO OBTAIN A NEW CONTRACT OR RENEW THE ORIGINAL CONTRACT. THE "REASONABLE TIME" PERIOD SHALL NOT EXCEED TWELVE (12) MONTHS. DURING THIS "REASONABLE TIME" THE VENDOR MAY TERMINATE THIS CONTRACT FOR ANY REASON UPON GIVING THE DIRECTOR OF PURCHASING 30 DAYS WRITTEN NOTICE.</p>						



SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>William L. Adams</i>	TELEPHONE 304-343-7578	DATE 4-12-10
TITLE President	FEIN 5560255080	ADDRESS CHANGES TO BE NOTED ABOVE

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



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ADDRESS CORRESPONDENCE TO ATTENTION OF:
JO ANN ADKINS 304-558-8802

VENDOR

*709010229 215-576-1000
 ATD-AMERICAN
 135 GREENWOOD AVENUE
 WYNCOTE PA 19095

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RECEIVED
 2010 APR -5 AM 9:38
 WV PURCHASING
 DIVISION

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TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE

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JO ANN ADKINS 304-558-8802

*709035121 304-343-7578
 F M PILE HARDWARE COMPANY
 PO BOX 6866
 CHARLESTON WV 25362

VENDOR

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<p>UNLESS SPECIFIC PROVISIONS ARE STIPULATED ELSEWHERE IN THIS CONTRACT DOCUMENT, THE TERMS, CONDITIONS AND PRICING SET HEREIN ARE FIRM FOR THE LIFE OF THE CONTRACT.</p> <p>RENEWAL: THIS CONTRACT MAY BE RENEWED UPON THE MUTUAL WRITTEN CONSENT OF THE SPENDING UNIT AND VENDOR, SUBMITTED TO THE DIRECTOR OF PURCHASING THIRTY (30) DAYS PRIOR TO THE EXPIRATION DATE. SUCH RENEWAL SHALL BE IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE ORIGINAL CONTRACT AND SHALL BE LIMITED TO TWO (2) ONE (1) YEAR PERIODS.</p> <p>CANCELLATION: THE DIRECTOR OF PURCHASING RESERVES THE RIGHT TO CANCEL THIS CONTRACT IMMEDIATELY UPON WRITTEN NOTICE TO THE VENDOR IF THE COMMODITIES AND/OR SERVICES SUPPLIED ARE OF AN INFERIOR QUALITY OR DO NOT CONFORM TO THE SPECIFICATIONS OF THE BID AND CONTRACT HEREIN.</p> <p>OPEN MARKET CLAUSE: THE DIRECTOR OF PURCHASING MAY AUTHORIZE A SPENDING UNIT TO PURCHASE ON THE OPEN MARKET, WITHOUT THE FILING OF A REQUISITION OR COST ESTIMATE, ITEMS SPECIFIED ON THIS CONTRACT FOR IMMEDIATE DELIVERY IN EMERGENCIES DUE TO UNFORESEEN CAUSES (INCLUDING BUT NOT LIMITED TO DELAYS IN TRANSPORTATION OR AN UNANTICIPATED INCREASE IN THE VOLUME OF WORK.)</p> <p>QUANTITIES: QUANTITIES LISTED IN THE REQUISITION ARE APPROXIMATIONS ONLY, BASED ON ESTIMATES SUPPLIED BY THE STATE SPENDING UNIT. IT IS UNDERSTOOD AND AGREED THAT THE CONTRACT SHALL COVER THE QUANTITIES ACTUALLY ORDERED FOR DELIVERY DURING THE TERM OF THE CONTRACT, WHETHER MORE OR LESS THAN THE QUANTITIES SHOWN.</p> <p>ORDERING PROCEDURE: SPENDING UNIT(S) SHALL ISSUE A</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>William H. Puley</i>	TELEPHONE 304-343-7578	DATE 4-12-10
TITLE President	EBIN 55-0255080	ADDRESS CHANGES TO BE NOTED ABOVE

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CHARLESTON WV 25362

**ALL STATE AGENCIES
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 BY ORDER**

VENDOR

SHIP TO

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LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>WRITTEN STATE CONTRACT ORDER (FORM NUMBER WV-39) TO THE VENDOR FOR COMMODITIES COVERED BY THIS CONTRACT. THE ORIGINAL COPY OF THE WV-39 SHALL BE MAILED TO THE VENDOR AS AUTHORIZATION FOR SHIPMENT, A SECOND COPY MAILED TO THE PURCHASING DIVISION, AND A THIRD COPY RETAINED BY THE SPENDING UNIT.</p> <p>BANKRUPTCY: IN THE EVENT THE VENDOR/CONTRACTOR FILES FOR BANKRUPTCY PROTECTION, THE STATE MAY DEEM THE CONTRACT NULL AND VOID, AND TERMINATE SUCH CONTRACT WITHOUT FURTHER ORDER.</p> <p>THE TERMS AND CONDITIONS CONTAINED IN THIS CONTRACT SHALL SUPERSEDE ANY AND ALL SUBSEQUENT TERMS AND CONDITIONS WHICH MAY APPEAR ON ANY ATTACHED PRINTED DOCUMENTS SUCH AS PRICE LISTS, ORDER FORMS, SALES AGREEMENTS OR MAINTENANCE AGREEMENTS, INCLUDING ANY ELECTRONIC MEDIUM SUCH AS CD-ROM.</p> <p>REV. 05/26/2009</p> <p>PURCHASING CARD ACCEPTANCE: THE STATE OF WEST VIRGINIA CURRENTLY UTILIZES A VISA PURCHASING CARD PROGRAM WHICH IS ISSUED THROUGH A BANK. THE SUCCESSFUL VENDOR MUST ACCEPT THE STATE OF WEST VIRGINIA VISA PURCHASING CARD FOR PAYMENT OF ALL ORDERS PLACED BY ANY STATE AGENCY AS A CONDITION OF AWARD.</p> <p>EXHIBIT 10</p> <p>REQUISITION NO.:</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>William L. Adkins</i>	TELEPHONE 304-343-7578	DATE 4-12-10
TITLE President	FEIN 55-0255080	ADDRESS CHANGES TO BE NOTED ABOVE

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304-558-8802

VENDOR

*709035121 304-343-7578
F M PILE HARDWARE COMPANY
PO BOX 6866

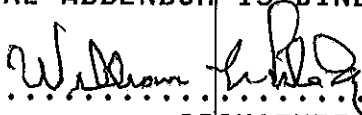
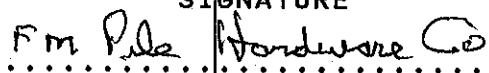
CHARLESTON WV 25362

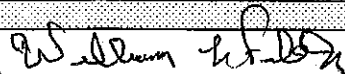
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BID OPENING DATE: **04/14/2010** **BID OPENING TIME 01:30PM**

LINE	QUANTITY	UOP	CAT NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>ADDENDUM ACKNOWLEDGEMENT</p> <p>I HEREBY ACKNOWLEDGE RECEIPT OF THE FOLLOWING CHECKED ADDENDUM(S) AND HAVE MADE THE NECESSARY REVISIONS TO MY PROPOSAL, PLANS AND/OR SPECIFICATION, ETC.</p> <p>ADDENDUM NO.'S:</p> <p>NO. 1 ✓</p> <p>NO. 2</p> <p>NO. 3</p> <p>NO. 4</p> <p>NO. 5</p> <p>I UNDERSTAND THAT FAILURE TO CONFIRM THE RECEIPT OF THE ADDENDUM(S) MAY BE CAUSE FOR REJECTION OF BIDS.</p> <p>VENDOR MUST CLEARLY UNDERSTAND THAT ANY VERBAL REPRESENTATION MADE OR ASSUMED TO BE MADE DURING ANY ORAL DISCUSSION HELD BETWEEN VENDOR'S REPRESENTATIVES AND ANY STATE PERSONNEL IS NOT BINDING. ONLY THE INFORMATION ISSUED IN WRITING AND ADDED TO THE SPECIFICATIONS BY AN OFFICIAL ADDENDUM IS BINDING.</p> <p style="text-align: center;">  SIGNATURE  COMPANY </p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS			
SIGNATURE 	TELEPHONE 304-343-7578	DATE 4-12-10	
TITLE President	FEIN 59-0255080	ADDRESS CHANGES TO BE NOTED ABOVE	

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***709035121 304-343-7578**
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LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
DATE						
NOTE: THIS ADDENDUM ACKNOWLEDGEMENT SHOULD BE SUBMITTED WITH THE BID.						
REV. 09/21/2009						
NOTICE						
A SIGNED BID MUST BE SUBMITTED TO:						
DEPARTMENT OF ADMINISTRATION PURCHASING DIVISION BUILDING 15 2019 WASHINGTON STREET, EAST CHARLESTON, WV 25305-0130						
THE BID SHOULD CONTAIN THIS INFORMATION ON THE FACE OF THE ENVELOPE OR THE BID MAY NOT BE CONSIDERED:						
SEALED BID						
BUYER:				FILE 42		
RFQ. NO.:				LITTER10A		
BID OPENING DATE:				04/14/2010		
BID OPENING TIME:				1:30 PM		

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>William L. Parley</i>	TELEPHONE 304-343-7578	DATE 4-12-10
TITLE President	FEIN 55-0255080	ADDRESS CHANGES TO BE NOTED ABOVE

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***709035121 304-343-7578**
F M PILE HARDWARE COMPANY
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CHARLESTON WV 25362

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LINE	QUANTITY	UOP	CAT NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID: ----- 304-343-7570 ----- CONTACT PERSON (PLEASE PRINT CLEARLY): William L Pile Jr ----- ***** THIS IS THE END OF RFQ LITTER10A ***** TOTAL: <u>103,050.00</u>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>William L Pile Jr</i>	TELEPHONE 304-343-7578	DATE 4-12-10
TITLE President	FEIN 55-6255080	ADDRESS CHANGES TO BE NOTED ABOVE

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LITTER10A - Specifications

This is a request for quotation to supply litter grabbers to all West Virginia state agencies and political subdivisions.

Award Conditions

The award shall be based on the lowest-cost provider meeting the specifications. The evaluation of this contract shall be done by multiplying the usage figures times the bidder's discounted unit prices. The extended total shall be the basis to determine the low bidder.

Questions

Written questions shall be accepted through close of business (5:00 p.m. EST) on Monday, March 29, 2010. Written questions may be sent via E-mail (preferred), USPS, Fax, courier or hand delivered. Send your questions to:

Purchasing Division
Attention : Jo Ann Adkins
2019 Washington Street, East
Charleston, WV 25305
304-558-4115 - FAX
Jo.a.adkins@wv.gov

All items stating "must" or "shall" are mandatory requirements. Failure to provide or meet any of these mandatory requirements shall be grounds to disqualify the entire quotation.

Samples of all items bid are required. These samples must be received no later than five (5) days after the bid opening date. If bidder wishes to have samples returned, they must include a pre-paid label or other information to have the items returned at vendor's expense. All samples shall be tested. Samples must be capable of picking up a brick without bending the grabber and must also be capable of picking up a dime.

Vendors should furnish detailed specifications and/or descriptive literature with the bid that details the strength and flexibility of the grabber.

Delivery

Successful vendor shall deliver product within 5 working days after receipt of order. If the successful vendor shows a pattern of failure to deliver, or delivery of product, which does not conform to specifications, or breach of any other terms and conditions of the contract, the contract may be subject to immediate cancellation.

LITTER10A - Specifications

Product Specifications

36" Heavy Duty Commercial Grade Grabber-

Ergonomic handle with trigger pull action.

Durable aluminum and/or stainless steel construction that will not rust.

1" Diameter replaceable rubber gripper cups.

Grabber must be light weight, weighting 12 ounces or less.

Grabber must be capable of picking up objects as small as a dime or heavy as an 8 lb. brick.

Hand grip must be enclosed to prevent pinching or injury to hand. /

Manufacture Warranty no less than one (1) year.

32" Regular / Light Duty Grabber-

Ergonomic handle with trigger pull action.

Durable aluminum and/or stainless steel construction that will not rust.

1" Diameter replaceable rubber gripper cups.

Grabber must be lightweight, weighting 12 ounces or less.

Grabber must be capable of picking up objects as small as a dime or heavy as a 5 lb. brick.

Hand grip must be enclosed to prevent pinching or injury to hand.

Manufacture Warranty no less than one (1) year.

Pricing Page

Bidders must complete the enclosed pricing page. The prices shown shall be firm for the life of the contract.

LITTER10A - Specifications

Vendor shall list the name, physical address, phone number and e-mail address of the zone manager, factory representative, or other individuals who will coordinate orders on the contract.

Bidders shall sign the certification indicating they meet all requirements of this request for quotation. Such certification is required prior to issuance of any contract.

LITTER10A - Pricing Page

Item	Quantity	Unit Price	Total	Min Order Qty
36" 36" Heavy Duty Grabber/Pistol Grip # P-321	2,000	12.00	24,000.00	48
36" 32" Regular/Light Duty Grabber # C-361	7,500	10.50	78,750.00	48
Rubber caps (Suction cups for model #C-361 - sold in pairs)	200	1.50 ea	300.00	48
TOTAL: (100 prs. 3.00 pr.)			103,050.00	

*Grabber must weigh less than 12 ounces each. See Attached Information

Vendor Contract Coordinator

Name: F.M. Pile Hardware Co. mailing address:
 Address: 1625 Wash. St. W. - Charleston, WV 25312 P.O. Box 6866 - Charleston, WV 25362
 Phone No.: 304-343-7578
 Fax No.: 304-343-7570
 E-Mail: pile.hw@adl.com

I, William L. Pile, Jr., representing F.M. Pile Hardware Co.
 (print name) (company name)

hereby certify, under penalty of law for fraud, that items priced above meet the specifications of this request for quotation.

Signature/Date: William L. Pile 4-12-10

36" Heavy Duty Commercial Grade Grabber

We can offer the PikStik Pro 32" (#P-321) reacher that meets most of your requirements. Please see below for specifications:

Ergonomic handle with trigger pull action
Durable aluminum construction that will not rust
Durable/permanent/fixed textured grips
Weighs 10 ounces
Capable of picking up objects as small as a dime or as heavy as an 8 lb. brick

32" Regular/Light Duty Grabber

We can offer the PikStik Classic 36" (#C-361) reacher that meets most of your requirements. Please see below for specifications:

Trigger pull handle
Durable, lightweight and rustproof ABS plastic construction in safety yellow color
Replaceable suction cup tips
Weighs 8 ounces
Capable of picking up objects as small as a dime or as heavy as a 5 lb. brick

Replacement suction cup tips – For jobs requiring more dexterity, suction cups add even more control. This fits the PikStik Classic 36" model.

Minimum order quantity – 48

Samples are available

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.

Bidder understands if the Secretary of Revenue determines that a Bidder receiving preference has failed to continue to meet the requirements for such preference, the Secretary may order the Director of Purchasing to: (a) reject the bid; or (b) assess a penalty against such Bidder in an amount not to exceed 5% of the bid amount and that such penalty will be paid to the contracting agency or deducted from any unpaid balance on the contract or purchase order.

By submission of this certificate, Bidder agrees to disclose any reasonably requested information to the Purchasing Division and authorizes the Department of Revenue to disclose to the Director of Purchasing appropriate information verifying that Bidder has paid the required business taxes, provided that such information does not contain the amounts of taxes paid nor any other information deemed by the Tax Commissioner to be confidential.

Under penalty of law for false swearing (West Virginia Code, §61-5-3), Bidder hereby certifies that this certificate is true and accurate in all respects; and that if a contract is issued to Bidder and if anything contained within this certificate changes during the term of the contract, Bidder will notify the Purchasing Division in writing immediately.

Bidder: F.M. Pile Hardware Co. Signed: William L. Peltz
Date: 4-12-10 Title: President

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

RFQ No. LITTER10A

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 exceeds 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: F.M. Pile Hardware Co.

Authorized Signature: *William H. King* Date: 4-14-10

State of WVa

County of Kanawha, to-wit:

Taken, subscribed, and sworn to before me this 14th day of April, 2010

My Commission expires March 21, 2020

AFFIX SEAL HERE

NOTARY PUBLIC *Jacky S. King*

