

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 <u>1364-558-3970</u> Date <u>7/13/10</u>
FromTony Vincent
Total Pages (Including this cover sheet)
RE:
RFQ Number: $\frac{\Delta EP/5057}{CB-23}$ Bid Opening Date: $\frac{7/33/10}{B}$
Bid Opening Time:
WV PURCHASING DIVISION 2019 WASHINGTON ST E
PO BOX 50130 ———————————————————————————————————

304-765-5389>>

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*510160447

SUTTON WV

BREAKAWAY INC

1075 OLD TURNPIKE ROAD

26601

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

Request for

RFQ NUMBER DEP15057

PAGE

ADDRESS CORRESPONDENCE TO ATTENTION OF:

CHUCK BOWMAN 304-558-2157

ENVIRONMENTAL PROTECTION S DEPARTMENT OF OFFICE OF AML&R 601 57TH STREET SE ō

CHARLESTON, WV 25304

304-926-0499

DATE PRINTED SHIP VIA FOBLY, STORY ACCOUNTERMS TO THE 05/16/2010 BID OPENING DATE: BID OPENING TIME <u>07/13/2010</u> <u>01:30PM</u> CAT. LINE QUANTITY UOP ITEM NUMBER UNIT PRICE AMOUNT JΒ 962-73 0001 349, 237.00 1 RECLAMATION: RESTORATION OF LAND & OTHER PROPERTIES 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 11-AC ABANDONED MINE PROJECT KNOWN AS THE "DELBARTON (DARDI) PORTALS" PROJECT NEAR DELBARTON, WEST VIRGINIA, (MINGO CO.). A MANDATORY ON SITE PREBID CONFERENCE SHALL BE HELD ON 06/11/10 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 NO ONE PERSON MAY REPRESENT MORE THAN ONE ALSO, PREBIDS WILL INVOLVE EXTENSIVE FOOT BIDDER. 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 PRE-BID. FAILURE TO PROVIDE YOUR COMPANY AND REPRESENTATIVE NAME ON THE ATTENDANCE SHEET WILL RESULT THE STATE WILL NOT IN DISQUALIFICATION OF THE BID. 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 TERMS AND CONDITIONS Dan Si Aquadaani TELEPHONE 1304 - 76 D TITLE ADDRESS CHANGES TO BE NOTED ABOVE dent



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DATE PRINTED TERMS OF SALE FREIGHTTERMS SHIP VIA F.O.B 05/16/2010 01:30PM BID OPENING DATE: 07/13/2010 BID OPENING TIME CAT AMOUNT: ITEM NUMBER UNITPRICE LINE QUANTITY. UOP : ADDITION, WE REQUEST THAT ALL POTENTIAL BIDDERS INCLUDE THEIR EMAIL ADDRESS AND FAX NUMBER. 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. DIRECTIONS TO PREBID: FROM CHARLESTON, TAKE US119, CORRIDOR G, SOUTH FOR APPROX. 64 MILES. TURN LEFT ON WV65 AND CONTINUE FOR APPROX. 7 MILES TO DELBARTON, WV. TURN LEFT ON CO. RT. 65/5, ROCKHOUSE FORK ROAD. SITE IS LOCATED APPROX. 0.5 MILES ON THE LEFT, ON THE OTHER SIDE OF THE RAILROAD, AROUND THE STAFFORD CEMETERY. PLANS AND SPECIFICATIONS MAY BE OBTAINED FROM WVDEP, OFFICE AML&R, 601 57TH ST., SE, CHARLESTON, WV 25304, PH. 304-926-0485 UPON PAYMENT OF \$10.00 NON-REFUNDABLE PAYMENT MUST BE MADE BY CHECK OR MONEY ORDER. NO CASH WILL BE ACCEPTED. EXHIBIT 5 WEST VIRGINIA CODE 21-ID-5 PROVIDES THAT: ANY SOLICI-TATION FOR A PUBLIC IMPROVEMENT CONSTRUCTION CONTRACT REQUIRES EACH VENDOR THAT SUBMITS A BID FOR THE WORK TO SUBMIT AT THE SAME TIME AN AFFIDAVIT OF COMPLIANCE THE ENCLOSED DRUG-FREE WORKPLACE AFFI-WITH THE BID. DAVIT HITTH DETTIMBUS DNA DENSIS EN TEUM TIVAD EVIDENCE OF THE VENDOR'S COMPLIANCE WITH THE PROVISIONS OF ARTICLE 10, CHAPTER 21 OF THE WV CODE. FAILURE TO SEE REVERSE SIDE FOR TERMS AND CONDITIONS waran ka aminginik TELEPHONE DATE SIGNATURE

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FREIGHT TERMS DATE PRINTED. TERMS OF SALE SHIP-VIA F.Q.B. 05/16/2010 01:30PM BID OPENING TIME BID OPENING DATE: 07/13/2010 AMOUNT CAT, UNIT PRICE ITEM NUMBER UOP QUANTITY LINE UNLESS OTHERWISE SPECIFIED IN ISSUANCE OF CONTRACT. THE BID DOCUMENTS, THE MINIMUM AMOUNT OF INSURANCE COVERAGE REQUIRED IS \$250,000. SUCCESSFUL VENDOR SHALL) BUILDERS 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. A TWO (2) YEAR MAINTENANCE) MAINTENANCE BOND: 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: 01/3/1/2010) IS ATTACHED. YOU MUST COMPLETE THIS ORIGINAL FORM TO OBTAIN AN AVS DATA EVALUATION TO DETERMINE YOUR ELIGIBILITY AS AN AML THIS IS A REQUIREMENT UNDER 30 CFR 874.16. CONTRACTOR. IF THE ORIGINAL OMB #1029-0119 IS NOT ATTACHED TO THE SEE REVERSE SIDE FOR TERMS AND CONDITIONS DATE TELEPHONE

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BREAKAWAY 304-765-5389 >>



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FREIGHT TERMS FOR SHIP VIA TERMS OF SALE DATE PRINTED 05/16/2010 01:30PM BID OPENING TIME BID OPENING DATE: 07/13/2010 AMOUNT ÇAT. UNIT PAICE TEM NUMBER UOP QUANTITY LINE NO: APPLICATION FOR PAYMENT WITH AN ITEMIZED SCHEDULE OF VALUES AS HEREIN BEFORE REQUESTED. THE FORM INCLUDED IN THE SPECIFICATIONS SHALL BE USED FOR APPLICATIONS IT IS THE DEP'S INTENT THAT THE PAYMENT TO OF PAYMENT. THE CONTRACTOR BE MADE WITHIN 60 DAYS AFTER RECEIPT OF APPLICATION FOR PAYMENT. APPLICATION FOR PARTIAL PAYMENT: (7) THE CONTRACTOR MAY, ON A PERIDDIC BASIS, SUBMIT FOR PARTIAL PAYMENT BASED ON THE AMOUNT OF WORK COMPLETED AT THE TIME OF THE SUBMITTAL. THE AMOUNT OF PAYMENT WILL BE DETERMINED FROM THE ACTUAL QUANTITY OF WORK COMPLETED IF BASED UPON UNIT MEASURES OR THE PERCENT COMPLETED IF BASED UPON A LUMP SUM. IN THE EVENT THE VENDOR/CONTRACTOR FILES **BANKRUPTCY:** FOR BANKRUPTCY PROTECTION, THE STATE MAY DEEM THIS CONTRACT NULL AND VOID, AND TERMINATE SUCH CONTRACT WITHOUT FURTHER ORDER. REV. 1/2005 PREFERENCE FOR USE OF DOMESTIC STEEL PRODUCTS EXCEPT WHEN AUTHORIZED BY THE DIRECTOR OF THE PURCHASING DIVISION PURSUANT TO SUBSECTION 2 BELOW, NO CONTRACTOR MAY USE OR SUPPLY STEEL PRODUCTS FOR A STATE CONTRACT PROJECT OTHER THAN THOSE STEEL PRODUCTS MADE IN THE UNITED STATES. AS USED IN THIS CONTRACT, "STATE CONTRACT PROJECT" MEANS ANY ERECTION OR CONSTRUCTION OF, OR ANY ADDITION TO, ALTERATION OF OR OTHER IMPROVEMENT TO ANY BUILDING OR STRUCTURE, INCLUDING, BUT NOT LIMITED TO, ROADS OR HIGHWAYS, OR THE INSTALLATION OF ANY HEATIN SEE REVERSE SIDE FOR TERMS AND CONDITIONS DATE **FELEPHONE** SIGNATURE

WHEN RESPONDING TO REQ. INSERT NAME AND ADDRESS IN SPACE ABOVE LABELED 'VENDOR'



BREAKAWAY 304-765-5389 >> State of West Virginia
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304-765-5389>>

304-765-5317



*510160447

SUTTON WV

BREAKAWAY INC

1075 OLD TURNPIKE ROAD

26601

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

Request for AFONUMBER Quotation

DEP15057

PAGE 10

ADDRESS CORRESPONDENCE TO ATTENTION 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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BREAKAWAY

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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

Request for Quotation

DEP15057

PAGE 1 1

CHUCK BOWMAN

304-558-2157

*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

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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

Request for Guotation DEP15057

DEP15057

ADDRESS CORRESPONDENCE TO ATTENTION OF CHUCK BOWMAN 304-558-2157

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

26601 SUTTON WV

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

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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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***510'160447** 304-765-5317 BREAKAWAY INC 1075 OLD TURNPIKE ROAD

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

SUTTON WV 26601

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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

Request for REONUMBER Quotation DEP15057

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DEP15057

ADDRESS CORRESPONDENCE TO ATTENTION OF CHUCK BOWMAN 304-558-2157

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

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

CHARLESTON, WV 304-926-0499 25304

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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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ADDRESS CORRESPONDENCE TO ATTENTION OF: CHUCK BOWMAN 304-558-2157

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

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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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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
Address: 1075 Old Turnping Road
Address: 10:25 Old Turnping Good  State: UV Zip Code: 210/01 Phone: 304-7/05-5317  Fax No.: 304-7/05-5:389 E-mail address: tonigae vincent @ verizon.ne t
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, Jonya Vincent, have the express authority to certify that:  (print name)
1. Information on the attached Entity Organizational Family Tree (OFT) from AVS is accurate, complete, and up-to-date. If you select this option, you must attach an Entity OFT from AVS to this form. Sign and date below and do not complete Part D.
2. Part of the information on the attached Entity OFT from AVS is missing or incorrect 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.
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.
7/13/10 Onya Tinunt President  Date Signature Title

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.

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#### Delbarton (Dardi) Portals Requisition # DEP15057 Contractor's Bid Sheet

Vendors Name:	Breakaway, Inc.	
	U	

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

ITEM				LA COLDUM
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		Mobilization/ Demobilization (Lump Sum)		
1.0	LS	(Cannot Exceed 10% of the Total Amount Bid)	LS	\$ 20,000,00
		Construction Layout (Lump Sum)		اديم
2.0	LS	(Cannot Exceed 5% of the Total Amount Bid)	LS	\$10,000.00
		Quality Control (Lump Sum)		\$ 40,000.00 \$10,000.00 \$ 4,500.00
3.0	LS	(Cannot Exceed 3% of the Total Amount Bid)	LS	s 2,500.00
		Clearing and Grubbing (Lump Sum)		
4.0	LS	(Cannot Exceed 5% of the Total Amount Bid)	LS	\$ 10,000.00
5.1	1 EA	Temporary Creek Crossing		\$ 50,000,00
5.2	7 EA	Rip-Rap Aprons	\$ 1,000.00	\$ 7,000.00
5.3	516 LF	Rip-Rap Ditches		\$ 20,640.00
5.4	13 EA	Wet Mine Scals		\$ 130,000.00
5.5	l EA	Bat Gate Mine Seal		\$ 16,000.00
5.6	LS	Rock Fill (Subsidence Hole)	LS	\$ 20,000.00
7.1	630 LF	Silt Fence	\$ 5.00	\$ 3,150,00
7.2	2,729 LF	Temporary Berms	\$ 5.00	\$ 13,645.00
7.3	42 LF	Water Bars	\$ 5.00	\$ 210.00
7.4	21 EA	Rock Check Dams	\$ 500.00	\$ 10,500.00
7.5	72 LF	Temporary Pipe (18" Dia.)	\$ 36.00	\$ 2,592.00
8.0	11 ACRES	Revegetation	\$3,000,00	\$ 33,000.00
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<b>基验证</b> 意	o by the state of	TOTAL	1997年	\$ 349, 237.00

Agency Purchasing Division	
REQ.P.O#DEP15057	_

#### BID BOND

	KNOW ALL MEN BY THESE	PRESENTS, That we, th	undersigned, Breakaway, Inc.	
of	Sutton ,	<u>wv</u>	, as Principal, and Ohio Farmers insurance Com	
of	Westfield Center	ОН	a corporation organized and existing under the laws of the Sta	ate of
	OH with its principal office	ce in the City ofWest	field Center, as Surety, are held and firmly bound unto the	ie State
of Wes	st Virginia, as Obligee, in the pen	al sum of <u>Five Percent</u>	of Amount Bid (\$ 5% ) for the payment	
vell ar	nd truly to be made, we jointly an	d severally bind ourselve	s, our heirs, administrators, executors, successors and assigns	<b>3.</b>
	The Condition of the above ob	oligation is such that whe	eas the Principal has submitted to the Purchasing Section of the	ne 
			hereto and made a part hereof, to enter into a contract in writi	ng ior
Delb	arton (Dardi) Portals, Mingo	County, WV		
	NOW THEREFORE,			
		ed. or		
			enter into a contract in accordance with the bid or proposat at	ilached The
herelo	and shall furnish any other bond	ds and insurance require of said bid, then this obli	by the bid or proposal, and shall in all other respects perform stall be null and void, otherwise this obligation shall rem	ain in full
(0.00	and affect till is expressiv unders	tood and agreed that the	liability of the Surety for any and all claims hereunder shall, in	no event,
excee	d the penal amount of this obliga	tion as herein stated.		
	m	sived hereby stipulates a	nd agrees that the obligations of said Surety and its bond shall	be in no
wav ir	npaired or affected by any extent	sion of the time within wh	ch the Obligee may accept such bid, and said Surety does her	reby
waive	notice of any such extension.			
	IN WITNESS WHEREOF, Pri	ncipal and Surety have t	ereunto set their hands and seals, and such of them as are co	rporations
hava	caused their corporate seals to b	e affixed hereunto and th	ese presents to be signed by their proper officers, this	
131		2010		
Princi	pal Corporate Seal		Breakaway, Inc. (Name of Principal)	
, ,,,,,	F		(Name of Americal)	
			Must be President or	
			Vice President)	
			Prasident	
	••••		(Title)	
Surel	y Corporate Seal		Ohio Farmers Insurance Company (Name of Strely)	
			(Name of affect)	
			- Muhant VV) Rule	_
			By: [VVVVVV ] Sold Albertage Albertage	in East
			Kimberly L. Miles, Licensed WWResident Agent Attorney	ini-Fact

General Power of Attorney

CERTIFIED COPY

POWER NO. 4750172 01

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

Westfield Center, Ohio

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 naving its principal office in Westfield Center, Medina County. Ohio, do by these presents make, constitute and appoint and appoint and represents 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, 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

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, 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:

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 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 Senior Executive and their corporate seals to be hereto affixed this 19th day of A.D. 2006 . JUNE

Corporate Seals **Affixed** 

State of Ohio County of Medina SS.:

MAY CONAL 

WESTFIELD INSURANCE COMPANY WESTFIELD NATIONAL INSURANCE COMPANY OHIO FARMERS INSURANCE COMPANY

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

A.D., 2006, before me personally came Richard L. Kinnaird, Jr. to me known, who, being by me duly On this 19th day of JUNE 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

35.3



William J. Kahelin, Auforney 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 A.D., 2010







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

STATE OF	
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	Breahaway, Inc. (Company Name)
maintains a valid written of policy is in compliance with	drug free workplace policy and that such the think the such the such the such that such th
The above statements are sworr	to under the penalty of perjury.
	By: Jonya Ince
	Title: President
	Date: 7/13/10
Taken, subscribed and sworn to	before me this 13th day of July 2010.
By Commission expires	2/15/ 2015
OFFICIAL SEAL NOTARY PUBLIC STATE OF WEST MRQUAA JEFFREY B. LILLY AND STATE STREET GASBAWAY, WY 20094 My continue on expire December 15, 2015	(Notary Public)
THIS AFFIDAVIT MUST BE S	UBMPTTED WITH THE BID IN ORDER TO
AFFIDAVIT WITH THE BID S	OVISIONS. FAILURE TO INCLUDE THE HALL RESULT IN DISQUALIFICATION OF
THE BID.	Rev March 2009

2010-07-13 11:24

304-765-5389 >>

RFQ No._ DEP15057

#### 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 owned is an amount greater that 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 subdivision 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 b a count 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 consideration from performance of a vendor contract with the part 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 (Wpst 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: Janua Inique Date: 7/13/10
State ofWV
County of Brax ton to-wit:
Taken, subscribed, and sworn to before me this Hay of July 2010.
My Commission expires $12/15$ $20/5$ .
AFFIX SEAL HERE NOTARY PUBLIC NOTARY PUBLIC
OFFICIAL SEAL NOTARY PUBLIC STATE OF WEST VIRGINA LIFEFRIEV B. LILLY

GASSAWAY, WV 2882 My comments on expires Dece