

**Response To:**

**Request for Bid**

RFQ # GSD116447  
Open End Grounds Plants

**Prepared for:**

State of West Virginia  
Krista Ferrell

**Prepared and Offered By:**

Lowe's Home Centers, Inc.  
1605 Curtis Bridge Rd.  
Wilkesboro, NC 28697  
Mail Code- A3ECS  
Email- [GovMilAccounts@Lowes.com](mailto:GovMilAccounts@Lowes.com)

April 5, 2011




LOWE'S IS AN ENERGY  
STAR AWARD WINNER  
AND RETAILER OF THE  
YEAR 2001-2009





## Statement of Qualifications

ITEM	DESCRIPTION
Company Description	Lowe's has been helping our customers improve their businesses as well as the places they call home for more than 60 years. Lowe's operates more than 1,700 stores in the United States and offers over 40,000 off-the-shelf products (SKUs) and thousands more are available for special orders. Lowe's has over 228,000 team members and for each and every one the number one priority is to deliver the highest level of service. Lowe's is Ranked 47 on the FORTUNE® 500.
Commercial Services  	Lowe's is your contracting partner in helping to maintain the agencies you serve. <ul style="list-style-type: none"> <li>• <b>Business Credit For Easy Ordering</b> - Our business credit offers easy-to read itemized billing, secure online account management, customized account setup and employee spending control. Ordering is easy with Lowe's Phone/Fax/Order Online Programs.</li> <li>• <b>Dedicated Account Specialists</b> - Lowe's has a dedicated team of Government Account Specialists focused solely on maintaining the highest level of service and satisfaction for our Government customers. A Lowe's Account Specialist will work closely with your representatives to insure contract compliance, on-time delivery and more.</li> <li>• <b>Environmentally Responsible, Energy Efficient Products</b> - Lowe's is proud of our past performance in promoting products offering the highest standards in energy efficiency. EPA &amp; U.S. Department of Energy / ENERGY STAR® Awards have been given to Lowe's for seven consecutive years.</li> <li>• <b>Maintenance Supply Rack Program</b> - Help keep your maintenance crews in stock. With an initial supply purchase of just \$150, we provide a 5 shelf metal rack for only a penny! We also provide labels for your racks to track inventory making reorders a breeze. We even contact you regularly to inquire about your replenishment needs. Save time and money by keeping people on-site.</li> <li>• <b>Open 7 Days a Week, Extended Business Hours</b> - You may have needs outside of normal business hours. To answer the call, we are open extended hours during the week and on the weekends.</li> <li>• <b>Delivery</b> - Lowe's has one of the largest fleets of supply and construction delivery vehicles in the business to get customers what they need when they need it. Our delivery fleet runs 7 days a week.</li> <li>• <b>Additional Every Day Savings with Contractor Pack Pricing</b> - Lowe's offers additional savings on over 800 in-stock "buy in bulk" items. Look for the yellow "Contractor Pack" label to save or ask your local Account Representative.</li> <li>• <b>LOWE'S BECOMES FIRST RETAILER FOR 2010 TO WIN ENERGY STAR AWARD FOR SUSTAINED EXCELLENCE IN RETAIL.</b> The U.S. Environmental Protection Agency has named Lowe's Companies, Inc. the first winner of the ENERGY STAR Sustained Excellence Award in Retail. The award recognizes Lowe's long-standing leadership as a retailer of energy-efficient products.</li> </ul>
Company Designations	<b>CAGE Code:</b> 1HFY9 <b>DUNS:</b> 018810275 <b>CCR / ORCA:</b> Yes - records available on-line  <b>PSC Categories:</b> 3220, 4030, 4110, 4310, 4510, 4710, 5110, 5210, 5305, 5510, 5610, 5925, 6115, 6210, 6840, 7125, 7220, 7310, 7910, 8010, 8720  <b>FSC Groups:</b> 051, 105, 341, 550, 600, 612, 613, 639, 834
Past Performance	<b>Some current customers include:</b> <ul style="list-style-type: none"> <li>• United States Coast Guard</li> <li>• United States Army</li> <li>• United States Air Force</li> <li>• Maricopa County Housing Authority</li> <li>• Dover Housing Authority</li> <li>• Monroe County Board of Cooperative Educational Services (BOCES)</li> <li>• New Jersey Community Action Association</li> <li>• Alief Independent School District</li> <li>• North Carolina (Statewide Appliance Contract)</li> </ul>
Point of Contact	<b>LOWE'S OF E. CHARLESTON, WV (0675)</b> 5750 MACCORKLE AVE SE CHARLESTON, WV 25304 304-926-6700  <b>Roger Massey - Commercial Sales Specialist</b>



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Please consider Lowe's programs and services outlined below when reviewing our proposal. Thank you for the opportunity to earn your business.

**Dedicated, Service Driven Sales Specialists**

Our Commercial Team is here to assist you in your purchasing needs. Depend on us to provide you the items you need, when you need it. With our Low Price Guarantee, rest assured saving your business money is our number one priority as we are committed to providing the lowest prices in town.

**Lowe's Business Credit**

Lowe's is committed to offering you the easiest, most convenient business credit program anywhere. Our business credit offers easy-to read itemized billing; secure online account management, customized account setup and employee spending control. In addition to the great benefits mentioned, we also provide a discounted delivery rate when you purchase with a Lowe's Business Account (LBA) or Lowe's Account Receivable (LAR). *Contact us for a reduced delivery rate.*

**Quote Support Program (QSP):**

Lowe's Quote Support Program is designed to give volume discounts on orders totalling \$2500.00 or more depending on the material you are requesting. Let us submit your order to the Quote Support Team at our Customer Service Center to see what volume savings are available. Have a large project but not ready for the material? Its ok, with the Quote Support Program, pricing is good for 30 days.

**Phone/Fax/Order Online Program:**

At Lowe's, we understand that time away from the jobsite means money lost for your business. With the Phone/Fax/Order Online Program, Commercial Customers have the option of submitting an order via fax, calling in an order to the Commercial Sales Desk, and even placing an order online via [www.Lowesforpros.com](http://www.Lowesforpros.com). *Contact us to request a "Phone/Fax/Order Online Worksheet" to assist you in completing your order requests. Note: Certain conditions apply, see store for details.*

**LowesForPros.com**

Visit LowesForPros.com to access special offers exclusively for the pros, industry articles, construction calculators, account management, and much more. You can also access Lowe's Property Management System and Lowe's Quotation Center for faster service.

**Maintenance Supply Rack Program:**

Utilize the Maintenance Supply Rack Program to help keep your business in stock. With an initial supply purchase of just \$150 or more, we will provide you a 5 shelf metal rack to stock your items for only a penny! We also provide labels for your racks to track inventory that makes reordering a breeze. Our Team will even contact you on a regular basis to inquire on your replenishment needs. Let Lowe's help keep your business in stock.

**Contractor Pack Pricing**

Lowe's offers Contractor Pack pricing on over 800 products across the store. Look for the yellow "Contractor Pack" label to save, or stop by the Commercial Sales Desk to review a complete list of Contractor Pack items.

**Extended Business Hours**

At Lowe's, we understand that your business may have needs outside of normal business hours. That is why we are open extended hours during the week and open on the weekend to meet your business needs. Operating hours may vary by location. See store for details.

1000 Lowe's Blvd./ Mooresville, NC 28117/Phone: 704-757-4141/Fax: 336-651-3300

2011-03-14

07:46

304-926-6678

06759COMMERCIAL SALE

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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

GSDLL6447

1

KRISTA FERRELL  
304-538-2596

RFQ COPY  
TYPE NAME/ADDRESS HERE  
Lowe's Home Centers, Inc.  
1605 Curtis Bridge Road (AeBCB)  
Milkeshoro, NC 28697

DEPARTMENT OF ADMINISTRATION  
VARIOUS LOCALES AS INDICATED  
BY ORDER

03/10/2011		04/05/2011		07:30PM	
0001	1	988-36	OPEN END GROUNDS PLANT CONTRACT		
<p>REQUEST FOR QUOTATION (RFQ) OPEN END CONTRACT</p> <p>THE WEST VIRGINIA STATE PURCHASING DIVISION FOR THE AGENCY, THE WEST VIRGINIA DIVISION OF GENERAL SERVICES, IS SOLICITING BIDS FOR AN OPEN END CONTRACT TO PROVIDE PLANT GOODS (ANNUALS, PERENNIALS, SHRUBS, AND TREES) USED BY THE GENERAL SERVICES DIVISION'S GROUNDS SECTION FOR WEST VIRGINIA DEPARTMENT OF ADMINISTRATION OWNED AND OPERATED BUILDINGS (PRIMARILY LOCATED ON THE WEST VIRGINIA STATE CAPITOL COMPLEX IN CHARLESTON, WEST VIRGINIA) PER THE ATTACHED SPECIFICATIONS.</p> <p>PLANTS WILL BE DISPLAYED IN VARIOUS PUBLIC AREAS OF THE WEST VIRGINIA STATE CAPITOL COMPLEX AND OTHER LOCATIONS. AS SUCH, THE AESTHETIC INTEGRITY OF THE CAMPUS MUST BE MAINTAINED AND ALL PLANTS PROVIDED BE OF HIGHEST QUALITY AND DURABILITY. THE SUCCESSFUL VENDOR WILL BE EXPECTED TO WORK CLOSELY WITH THE DIVISION OF GENERAL SERVICES GROUNDS SECTION TO ACHIEVE THIS GOAL.</p> <p>TECHNICAL QUESTIONS CONCERNING THIS SOLICITATION MUST BE SUBMITTED IN WRITING TO THE KRISTA FERRELL IN THE WEST VIRGINIA STATE PURCHASING DIVISION VIA MAIL AT THE ADDRESS SHOWN IN THE BODY OF THIS RFQ, VIA FAX AT</p>					
SIGNATURE		TELEPHONE		DATE	
		704-756-2088		April 5, 2011	
FAX		FAX		ADDRESS	
		56-0748358			

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

Approved by Legal Dept



2011-03-14

07:47

304-926-6678

06759COMMERCIAL SALE

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State of West Virginia  
Department of Administration  
Purchasing Division  
2019 Washington Street East  
Post Office Box 50180  
Charleston, WV 25305-0180

### Request for Quotation

RFP NUMBER  
**GSD116447**

PAGE  
**2**

ADDRESS OF RESPONDENT  
**KRISTA FERRELL  
304-558-2596**

**RFP COPY**  
**TYPE NAME/ADDRESS HERE**  
Lowe's Home Centers, Inc.  
1605 Curtis Bridge Road (A3ECS)  
Wilkesboro, NC 28697

**DEPARTMENT OF ADMINISTRATION  
VARIOUS LOCALS AS INDICATED  
BY ORDER**

**03/10/2011**  
BID OPENING DATE: **04/05/2011** BID OPENING TIME: **01:30PM**

304-558-4115, OR VIA EMAIL AT KRISTA.S.FERRELL@WV.GOV.  
VENDORS ARE ASKED TO INCLUDE THE RFP NUMBER (GSD116447)  
ON ALL INQUIRIES. IF SUBMITTING VIA EMAIL, PLEASE  
INCLUDE THIS NUMBER ON THE SUBJECT LINE. DEADLINE FOR  
ALL TECHNICAL QUESTIONS IS MARCH 22, 2011 AT THE  
CLOSE OF BUSINESS. ANY TECHNICAL QUESTIONS RECEIVED  
SHALL BE ANSWERED BY FORMAL ADDENDUM TO BE ISSUED BY  
THE PURCHASING DIVISION AFTER THE DEADLINE HAS LAPSED.

NO CONTACT BETWEEN THE VENDOR AND THE AGENCY IS  
PERMITTED WITHOUT THE EXPRESS WRITTEN CONSENT OF THE  
STATE BUYER. VIOLATION MAY RESULT IN REJECTION OF THE  
BID. THE STATE BUYER NAMED ABOVE IS THE SOLE CONTACT  
FOR ANY AND ALL INQUIRIES AFTER THIS RFP HAS BEEN  
RELEASED.

EXHIBIT 10

REQUISITION NO.: GSD116447

ADDENDUM ACKNOWLEDGEMENT

I HEREBY ACKNOWLEDGE RECEIPT OF THE FOLLOWING CHECKED  
ADDENDUM(S) AND HAVE MADE THE NECESSARY REVISIONS TO  
MY PROPOSAL, PLANS AND/OR SPECIFICATION, ETC.

ADDENDUM NO. S:

NO. 1 N/A

NO. 2

NO. 3

NO. 4

SIGNATURE: **Robert F Wagner** TELEPHONE: **704-758-2088** DATE: **April 5, 2011**  
TITLE: **SVP Store Operations** FAX: **56-0748356** ADDRESS: **Approved by Legal Dept**

WHEN RESPONDING TO RFP, INSERT NAME AND ADDRESS IN SPACE ABOVE

2011-03-14

07:47

304-926-6678

06759COMMERCIAL SALE

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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**

GSD116447

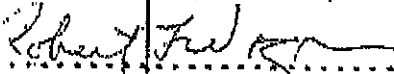
3

KRISTA FERRELL  
304-558-2596

**RFQ COPY  
TYPE NAME/ADDRESS HERE**

Lowe's Home Centers, Inc.  
1605 Curtis Bridge Road  
Wilkesboro, NC 28697

DEPARTMENT OF ADMINISTRATION  
VARIOUS LOCALES AS INDICATED  
BY ORDER

02/10/2011		04/05/2011		BID OPENING TIME 01:30PM	
BID OPENING DATE:		BID OPENING DATE:		BID OPENING TIME	
<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: right;">             SIGNATURE Robert F Wagner            Lowe's Home Centers, Inc.            COMPANY            April 5, 2011            DATE         </p> <p>NOTE: THIS ADDENDUM ACKNOWLEDGEMENT SHOULD BE SUBMITTED WITH THE BID.</p> <p>REV. 09/21/2009</p> <p>THE MODEL/BRAND/SPECIFICATIONS NAMED HEREIN ESTABLISH THE ACCEPTABLE LEVEL OF QUALITY ONLY AND ARE NOT INTENDED TO REFLECT A PREFERENCE OR FAVOR, ANY PARTICULAR BRAND OR VENDOR. VENDORS WHO ARE BIDDING ALTERNATES SHOULD SO STATE AND INCLUDE PERTINENT LITERATURE AND SPECIFICATIONS. FAILURE TO PROVIDE INFORMATION FOR ANY ALTERNATES MAY BE GROUNDS FOR REJECTION OF THE BID. THE STATE RESERVES THE RIGHT</p>					
SIGNATURE		TELEPHONE		DATE	
		704-758-2088		April 5, 2011	
TITLE		FAX		ADDRESS	
		56-0748358			

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

Approved by Legal Dept

2011-03-14

07:49

304-926-6678

06759COMMERCIAL SALE

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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

GSD116447

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KRISTA FERRELL  
304-558-2596

**RFQ COPY**  
**TYPE NAME/ADDRESS HERE**  
  
Lowe's Home Centers, Inc.  
1505 Curtie Bridge Road (A3ECS)  
Wilkesboro, NC 28697

**DEPARTMENT OF ADMINISTRATION**  
**VARIOUS LOCALES AS INDICATED**  
**BY ORDER**

DATE PREPARED		RFQ NUMBER		RFQ TITLE	
03/10/2011		GSD116447		VARIOUS LOCALES AS INDICATED BY ORDER	
BID OPENING DATE		BID OPENING TIME			
04/05/2011		01:30PM			
RFQ NO.:	GSD116447				
BID OPENING DATE:	APRIL 5, 2011				
BID OPENING TIME:	1:30 PM				
PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID:					
336-651-3300					
-----					
CONTACT PERSON (PLEASE PRINT CLEARLY):					
Laura Good 704-758-2088					
-----					
***** THIS IS THE END OF RFQ GSD116447 ***** TOTAL:					\$166,187.70
SIGNATURE					
TITLE		TELEPHONE		FAX	
		56-0748358			
ADDRESS					

WHEN RESPONDING TO RFQ, INSERT NAME AND ADDRESS IN SPACE ABOVE *Approved by Legal Dept*

GSD116447 Attachment A: Bid Form

PLANT	Container Size	Cost per Container	Estimated Quantity	Extended Price
<b>Trees</b>				
	<b>5'-7' Ball and Burlap</b>			
Elms	5'-7' B&B		10	No Bid
Pin Oaks	5'-7' B&B		10	No Bid
Crabapple	5'-7' B&B	\$12.56	10	\$125.60
Bradford Pears	5'-7' B&B	\$10.49	10	\$104.90
Maple	5'-7' B&B	\$9.32	10	\$93.20
Dogwoods	5'-7' B&B	\$15.70	10	\$157.00
Ash	5'-7' B&B		10	No Bid
<b>Deciduous Shrubs</b>				
Burning Bush	3 Gallon	\$9.07	25	\$226.75
Lilac	3 Gallon	\$8.06	25	\$201.50
<b>Flowering Shrubs</b>				
Azalea	3 Gallon	\$8.06	25	\$201.50
Roses	3 Gallon	\$10.37	100	\$1,037.00 * See attached sheet for alternates
Rhododendron	3 Gallon	\$14.09	25	\$352.25
<b>Evergreen Shrubs</b>				
Holly	3 Gallon	\$9.04	75	\$678.00
Junipers	3 Gallon	\$8.80	100	\$880.00
Boxwood	3 Gallon	\$9.07	75	\$680.25
<b>Upright Evergreen Shrubs</b>				
Junipers	7 Gallon		50	No Bid
Boxwood	7 Gallon	\$26.17	50	\$1,258.50
Holly	7 Gallon	\$17.11	50	\$855.50
<b>Perennials</b>				
Perennial Grasses	2 Gallon	\$9.11	100	\$911.00
Perennial Grasses	1 Gallon	\$3.44	100	\$344.00
Perennial Flowers	2 Gallon	\$6.16	200	\$1,232.00
Perennial Flowers	1 Gallon	\$2.62	800	\$2,096.00
<b>Annuals</b>				
Hardy Mums	8" pot		400	No Bid
Pansies	4" pot	\$5.16	8200	\$62,436.00
Pansias Combined with price above	6" pot	see above	3900	see above
Annual Flower	4" pot	\$11.30	5900	\$90,400.00
Annual Flower combined with price above	6" pot		1800	
Annual Flower combined with price above	1 Gallon		200	
Annual Flower combined with price above	2 Gallon		100	
Delivery Fee for orders under \$500	Each Order		10	\$0.00
<b>Total Bid</b>				<b>\$166,187.70</b>

Total Quantity 12,100

Total Quantity 6,000

Approved by Legal Dept. 



2011-03-14 07:52

304-926-6678

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GSD116447 Attachment A: Bid Form

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Vendor Information

Company Name: Lowe's Home Centers, Inc.

Company Address:

1805 Curtis Bridge Road (A3ECS)

Wilkesboro, NC 28697

Contractor Contact Name:

Roger Massey

Contractor Phone Number:

(304)926-6700

Contractor Fax Number:

(304)926-6678

Contractor Email Address:

govmilaccounts@lowes.com

Please provide the following numbers below:

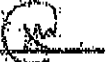
24 Hour Phone Number for Callback Services:

N/A

Fax/email for Release Order Receipt:

336-851-3300 or govmilaccounts@lowes.com

Approved by Legal Dept



Bid Info			Lowes Sku and Divd Cost		
Description	Size	Qty	Lowes Sku	Description	Ext Price
Elm	5' to 7' (B&B)	10			
Pin Oaks	5' to 7' (B&B)	10			
Crabapple	5' to 7' (B&B)	10	94345	3.25 GAL CRABAPPLE FLWR RED	\$12.56 \$ 125.60
Bradford Pear	5' to 7' (B&B)	10	94102	3.25 GAL PEAR BRADFORD	\$10.49 \$ 104.90
Maple	5' to 7' (B&B)	10	99884	3.25 GAL MAPLE AUTUMN BLAZE	\$9.32 \$ 93.20
Dogwoods	5' to 7' (B&B)	10	52915	3.25 GAL DOGWOOD WHITE	\$15.70 \$ 157.00
Ash	5' to 7' (B&B)	10			
Burning Bush	3 Gallon	25	90807	2.25 GAL EUONYMUS BRNING BUSH DWF	\$9.07 \$ 226.75
Lilac	3 Gallon	25	64231	2.25 GAL LILAC ASSORTED	\$8.06 \$ 201.50
			50174	1.5 GAL LILAC ASSORTED	\$8.23 \$ 205.75
Azalea	3 Gallon	25	94857	2.25 GAL AZALEA ASSORTED	\$8.06 \$ 201.50
Roses	3 Gallon	100	157214	2.25 GAL ROSE KNOCKOUT	\$10.37 \$ 1,037.00
			55753	1.0 GAL KNOCKOUT DOUBLE ASRT	\$6.98 \$ 698.00
			86848	3.0 GAL KNOCKOUT DOUBLE ASRT	\$10.13 \$ 1,013.00
Rhododendren	3 Gallon	25	93508	2.25 GAL RHODODENDRON ASSORTED	\$14.09 \$ 352.25
Holly	3 Gallon	75	36871	2.25 GAL HOLLY BLUE PRINCE	\$9.04 \$ 678.00
Juniper	3 Gallon	100	94880	2.25 GAL JUNIPER SEA GREEN	\$8.80 \$ 880.00
Boxwood	3 Gallon	75	51800	2.25 GAL BOXWOOD WINTERGREEN	\$9.07 \$ 680.25
Juniper	7 Gallon	50			
Boxwood	7 Gallon	50	111736	5.5 GAL BOXWOOD WINTERGREEN	\$25.17 \$ 1,258.50
Holly	7 Gallon	50	13681	5.5 GAL HOLLY ASSORTED	\$17.11 \$ 855.50
Perennial Grasses	2 Gallon	100	61411	2.25 GAL GRASS ORNAMENTAL ASTRD	\$9.11 \$ 911.00
Perennial Grasses	1 Gallon	100	51415	2.5 QT GRASS ORNAMENTAL	\$3.44 \$ 344.00
Perennial Flowers	2 Gallon	200	84680	1.5 GAL PERENNIALS ASSORTED	\$6.16 \$ 1,232.00
Perennial Flowers	1 Gallon	800	96041	2.5 QT PERENNIAL	\$2.62 \$ 2,096.00
Hardy Mums		400			
Pansies		12100	33390	1.0 GAL PANSY COLOR BOWL	\$5.16 \$ 62,436.00
Annual Flower		8000	272031	18PK ANNUALS PREMIUM LANDSCAPE	\$11.30 \$ 90,400.00
Delivery Fee					Free
Total Bid Opportunity					\$ 166,187.70

2011-03-14

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304-926-6678

06759COMMERCIAL SALE

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Rev. 09/08

## State of West Virginia

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**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, §81-5-3*), 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: Lowe's Home Centers, Inc.Signed: 

Robert F. Wagner

Date: April 5, 2011Title: SVP Store Operations

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

Approved by Legal Dept 

RFQ No. GSD116447

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, following due diligence and to the best of its knowledge and belief.

**WITNESS THE FOLLOWING SIGNATURE**

Vendor's Name: Lowe's Home Centers, Inc.

Authorized Signature: *Robert F Wagner* Date: April 5, 2011  
Robert F Wagner SVP Store Operations

State of North Carolina

County of Iredell, to-wit:

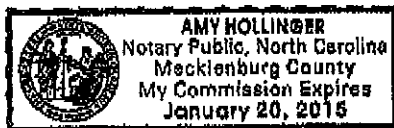
Taken, subscribed, and sworn to before me this 5th day of April, 2011

My Commission expires January 20, 2015.

**AFFIX SEAL HERE**

**NOTARY PUBLIC**

*Amy Hollinger*



Approved by Legal Dept *[Signature]*