

Aqua Science

January 26, 2011

Ms. Krista S. Ferrell, Buyer Supervisor – File 21
DEPARTMENT OF ADMINISTRATION – PURCHASING DIVISION
Building 15, 2019 Washington Street
East Charleston, WV 25305-0130.

Subject: Bid for Water Treatment Services RFQ #GSD116661

Dear Ms. Ferrell:

We thank you for the opportunity to bid on this RFQ.

Our bid comply with all of the technical requirements of RFQ. We are registered with the state of WV. Our vendor registration number is #312133715.

Attached the following documents for your attention:

- ◆ RFQ main page duly filled-in
- ◆ Acknowledgement for Addendum #1
- ◆ Attachment A – Bid Form duly filled
- ◆ Purchasing Affidavit duly notarized

We will provide you the following additional documents prior to contract award:

- ◆ Detailed list of equipment to be used and method of delivery
- ◆ Copies of MSDS of all chemicals/products to be used
- ◆ Commercial general liability insurance for minimum coverage of \$250,000
- ◆ Worker's compensation certificate

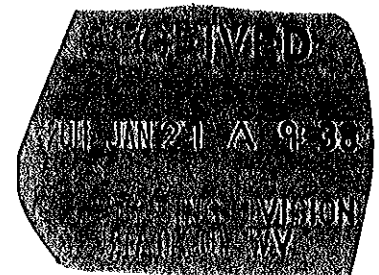
Hope our bid meets your requirement. Should you have any questions, please feel free to contact us.

Sincerely,



Daniel L. Smucker
President

Encl: As above





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
GSD116661

PAGE
1

ADDRESS CORRESPONDENCE TO ATTENTION OF
**KRISTA FERRELL
 304-558-2596**

RFQ COPY

TYPE NAME/ADDRESS HERE
**AQUA SCIENCE, INC.
 1601 WOODLAND AVE
 COLUMBUS OHIO 43219-1135.
 TEL: 614-252-5000
 FAX: 614-257-0008**

DEPARTMENT OF ADMINISTRATION
 VARIOUS LOCALES AS INDICATED
 BY ORDER

DATE PRINTED	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS
12/29/2010		ASI	DESTINATION	

BID OPENING DATE: **01/27/2011** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	MN		962-23	\$8,291.66 per month	\$99,500.00 per year
<p>MONTHLY WATER TREATMENT SERVICES</p> <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 TO PROVIDE THE AGENCY WITH AN OPEN END CONTRACT FOR WATER TREATMENT SERVICES FOR VARIOUS DEPARTMENT OF ADMINISTRATION OWNED AND OPERATED BUILDINGS PER THE ATTACHED SPECIFICATIONS.</p> <p>TECHNICAL QUESTIONS CONCERNING THIS SOLICITATION MUST BE SUBMITTED IN WRITING TO KRISTA FERRELL IN THE WEST VIRGINIA STATE PURCHASING DIVISION VIA MAIL AT THE ADDRESS SHOWN IN THE BODY OF THIS RFQ, VIA FAX AT 304-558-4115, OR VIA EMAIL AT KRISTA.S.FERRELL@WV.GOV. DEADLINE FOR ALL TECHNICAL QUESTIONS IS 01/12/2011 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.</p> <p>SITE VISITS MAY BE ARRANGED BY CONTACTING DAVID PARSONS, OPERATIONS AND MAINTENANCE MANAGER AT 304-558-0689 OR VIA EMAIL AT DAVID.K.PARSONS@WV.GOV.</p> <p>ANY VERBAL COMMUNICATION BETWEEN THE VENDOR AND ANY</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE 614-252-5000	DATE 01.26.2011
TITLE PRESIDENT	FEIN 31-1098949	ADDRESS CHANGES TO BE NOTED ABOVE

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



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1601 WOODLAND AVE
COLUMBUS OHIO 43219.
TEL: 614-252-5000
FAX: 614-257-0008

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12/29/2010				

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<p>STATE PERSONNEL IS NOT BINDING, INCLUDING THAT MADE DURING SITE VISITS. TECHNICAL QUESTIONS RESULTING FROM SITE VISITS MUST BE SUBMITTED IN ACCORDANCE WITH THE ABOVE PROVISIONS. ONLY INFORMATION ISSUED IN WRITING AND ADDED TO THE RFQ SPECIFICATIONS BY AN OFFICIAL WRITTEN ADDENDUM BY PURCHASING IS BINDING.</p> <p>EXHIBIT 10</p> <p>REQUISITION NO.: GSD116661</p> <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 ON REGISTRATION WITH STATE OF WEST VIRGINIA.</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</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE  TELEPHONE **614-252-5000** DATE **01.26.2011**

TITLE **PRESIDENT** FEIN **31-1098949** ADDRESS CHANGES TO BE NOTED ABOVE

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 304-558-2596**

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AQUA SCIENCE, INC.
 1601 WOODLAND AVE
 COLUMBUS OHIO 43219.
 TEL: 614-252-5000
 FAX: 614-257-0008

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 VARIOUS LOCALES AS INDICATED
 BY ORDER**

DATE PRINTED 12/29/2010	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS
BID OPENING DATE: 01/27/2011		BID OPENING TIME 01:30PM		

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>INFORMATION ISSUED IN WRITING AND ADDED TO THE SPECIFICATIONS BY AN OFFICIAL ADDENDUM IS BINDING.</p> <p>..... SIGNATURE AQUA SCIENCE, INC COMPANY 01.26.2011 DATE</p> <p>NOTE: THIS ADDENDUM ACKNOWLEDGEMENT SHOULD BE SUBMITTED WITH THE BID.</p> <p>REV. 09/21/2009</p> <p>EXHIBIT 1</p> <p>LIFE OF CONTRACT: THIS CONTRACT BECOMES EFFECTIVE UPON AWARD 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> <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>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS			
SIGNATURE 	TELEPHONE 614-252-5000	DATE 01.26.2011	
TITLE PRESIDENT	FEIN 31-1098949	ADDRESS CHANGES TO BE NOTED ABOVE	

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**RFQ COPY
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**AQUA SCIENCE, INC.
 1601 WOODLAND AVE
 COLUMBUS OHIO 43219.
 TEL: 614-252-5000
 FAX: 614-257-0008**

**DEPARTMENT OF ADMINISTRATION
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 BY ORDER**

DATE PRINTED 12/29/2010	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
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BID OPENING DATE: 01/27/2011 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
<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) SUCCESSIVE 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 WITH 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>INSURANCE: SUCCESSFUL VENDOR SHALL FURNISH PROOF OF COVERAGE OF COMMERCIAL GENERAL LIABILITY INSURANCE PRIOR TO ISSUANCE OF THE CONTRACT. UNLESS OTHERWISE SPECIFIED IN THE BID DOCUMENTS, THE MINIMUM AMOUNT OF INSURANCE COVERAGE REQUIRED IS \$250,000.</p> <p>WORKER'S COMPENSATION: VENDOR IS REQUIRED TO PROVIDE A CERTIFICATE FROM WORKER'S COMPENSATION IF SUCCESSFUL.</p> <p>BANKRUPTCY: IN THE EVENT THE VENDOR/CONTRACTOR FILES FOR BANKRUPTCY PROTECTION, THIS CONTRACT IS AUTOMATICALLY NULL AND VOID, AND IS TERMINATED WITHOUT FURTHER ORDER.</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE 614-252-5000	DATE 01.26.2011
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TITLE PRESIDENT	FEIN 31-1098949	ADDRESS CHANGES TO BE NOTED ABOVE
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RFQ COPY

TYPE NAME/ADDRESS HERE

VENDOR
 AQUA SCIENCE, INC.
 1601 WOODLAND AVE
 COLUMBUS OHIO 43219.
 TEL: 614-252-5000
 FAX: 614-257-0008

SHIP TO
 DEPARTMENT OF ADMINISTRATION
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 BY ORDER

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12/29/2010				

BID OPENING DATE: **01/27/2011** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
BID OPENING TIME: 1:30 PM PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID: ----- 614-257-0008 ----- CONTACT PERSON (PLEASE PRINT CLEARLY): DANIEL L. SMUCKER, PRESIDENT TEL: 614-252-5000 -----						
***** THIS IS THE END OF RFQ GSD116661 ***** TOTAL:						\$99,500.00 PER YEAR

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE 614-252-5000	DATE 01.26.2011
TITLE PRESIDENT	FEIN 31-1098949	ADDRESS CHANGES TO BE NOTED ABOVE

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VENDOR ROOM

HVC Aqua Science
 1601 Woodland Ave
 Columbus OH 43219

SHIP TO

DEPARTMENT OF ADMINISTRATION
 VARIOUS LOCALES AS INDICATED
 BY ORDER

DATE PRINTED 01/19/2011	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS
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BID OPENING DATE: 01/27/2011 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
ADDENDUM NO. 1						
THIS ADDENDUM IS ISSUED TO PROVIDE CLARIFICATION TO THE SPECIFICATIONS PER THE ATTACHED.						
BID OPENING DATE REMAINS: 01/27/2011						
BID OPENING TIME REMAINS: 1:30 PM						
***** END ADDENDUM NO. 1 *****						
001	1	MN		962-23	\$8,291.66 per month	\$99,500.00 per year
						***** THIS IS THE END OF RFQ GSD116661 ***** TOTAL: \$99,500.00 per year

RECEIVED

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GSD116661-Attachment A-Bid Form

Standard Testing and Treatment (Incl. those monthly testing specified on page 10 & 11 of RFQ.

LOCATION	Monthly Cost	Qty	Yearly Cost
<u>Capitol Complex Campus</u>			
Bldg. 1 Main Capitol Bldg	\$ 32.00	12	\$ 384.00
Bldg. 2 DMV Bldg	\$ 32.00	12	\$ 384.00
Bldg. 4 112 California Avenue	\$ 258.33	12	\$ 3,100.00
Bldg. 5 Highways	\$ 1,566.67	12	\$ 18,800.00
Bldg. 6 Education	\$ 275.00	12	\$ 3,300.00
Bldg. 8 Governor's Mansion	\$ 32.00	12	\$ 384.00
Bldg. 11 Chilled Water Plant	\$ 510.00	12	\$ 6,120.00
Bldg. 17 Finance(2101 Wash St.)	\$ 508.33	12	\$ 6,100.00
<u>Off Campus</u>			
Bldg. 22 Tax & Revenue	\$ 558.33	12	\$ 6,700.00
Bldg. 23 Beckley (407 Nevill St)	\$ 316.67	12	\$ 3,800.00
Bldg. 25 Parkersburg (5th & Avery)	\$ 641.67	12	\$ 7,700.00
Bldg. 36 One Davis Square	\$ 716.67	12	\$ 8,600.00
Bldg. 37 DEP (Kanawha City)	\$ 1,108.33	12	\$ 13,300.00
Bldg. 86 Greenbrooke (Smith St)	\$ 391.67	12	\$ 4,700.00
Rehab Center (Institute, WV)	\$ 444.00	12	\$ 5,328.00
 TOTAL ANNUAL STANDARD			 <u>\$ 88,700.00 (A)</u>

Legionella Testing

LOCATION	# of Tests	Price per Test Per Facility	Quarterly Cost	Qty.	Yearly Cost
<u>Capitol Complex Campus</u>					
Bldg. 4 (112 California Avenue)	1	\$ 100.00	\$ 100.00	4	\$ 400.00
Bldg. 5 Highways	1	\$ 100.00	\$ 100.00	4	\$ 400.00
Bldg. 6 Education	1	\$ 100.00	\$ 100.00	4	\$ 400.00
Bldg. 11 Chilled Water Plant	6	\$ 100.00	\$ 600.00	4	\$ 2,400.00
Bldg. 17 Finance(2101 Wash St.)	2	\$ 100.00	\$ 200.00	4	\$ 800.00
<u>Off Campus</u>					
Bldg. 22 Tax & Revenue	2	\$ 100.00	\$ 200.00	4	\$ 800.00
Bldg. 23 Beckley (407 Nevill St)	1	\$ 100.00	\$ 100.00	4	\$ 400.00
Bldg. 25 Parkersburg (5th & Avery)	2	\$ 100.00	\$ 200.00	4	\$ 800.00
Bldg. 36 One Davis Square	3	\$ 100.00	\$ 300.00	4	\$ 1,200.00
Bldg. 37 DEP (Kanawha City)	3	\$ 100.00	\$ 300.00	4	\$ 1,200.00
Bldg. 86 Greenbrooke (Smith St)	1	\$ 100.00	\$ 100.00	4	\$ 400.00
Rehab Center (Institute, WV)	4	\$ 100.00	\$ 400.00	4	\$ 1,600.00
 TOTAL ANNUAL LEGIONELLA					 <u>\$ 10,800.00 (B)</u>
 TOTAL BID (A + B) = C					 <u>\$ 99,500.00 (C)</u>

Work will be performed during normal business hours, 8:00am to 5:00 pm. Monday through Friday excluding State recognized holidays.

2.6 Facilities

The Agency maintains buildings throughout the State, with the majority located in the Charleston metro area. A listing of facilities for which service may be requested is located in Attachment B. The Agency reserves the right to not request service in any of the buildings covered by this Contract. Statewide buildings may be added to this list during the life of the Contract only by mutual agreement of both the Agency and the Contractor, through formal change order. The Contractor shall service added buildings under the same terms and conditions contained herein.

SECTION 3: WATER QUALITY TECHNICAL SPECIFICATIONS

3.1 Closed hydronic systems, including hot-water heating and chilled water, shall have the following water qualities:

- A. pH: Maintain a value within 9.0 to 10.5
- B. "P" Alkalinity: Maintain a value within 100 to 500 ppm.
- C. Boron: Maintain a value within 100 to 200 ppm.
- D. Chemical Oxygen Demand: Maintain a maximum value of 100 ppm.
- E. Soluble Copper: Maintain a maximum value of 0.20 ppm.
- F. TDS: Maintain at 3000 ppm with a maximum of 5000 ppm.
- G. Ammonia: maintain a maximum value of 20 ppm.
- H. Free caustic alkalinity: Maintain a maximum value of 20 ppm.
- I. Microbiological Limits:
 - 1) Total Aerobic Plate Count: Maintain a maximum value of 1000 organisms/ml.
 - 2) Total Anaerobic Plate Count: Maintain a maximum value of 100 organisms per ml.
 - 3) Nitrate Reducers: Maintain a maximum value of 100 organisms per ml.
 - 4) Sulfate Reducers: Maintain a maximum value of 0 organisms per ml.
 - 5) Iron Bacteria: Maintain a maximum value of 0 organisms per ml.

3.2 Steam boiler systems and steam condensate systems shall have the following water qualities:

- A. Steam Condensate:
 - 1) pH: Maintain a value within 7.8 to 8.4

- 2) Total Alkalinity: Maintain a value within 5 to 50 ppm.
- 3) Chemical Oxygen Demand: Maintain a maximum value of 15ppm.
- 4) Soluble Copper: Maintain a maximum value of 0.20 ppm.
- 5) TDS: Maintain a maximum value of 100 ppm.
- 6) Ammonia: Maintain a maximum value of 20 ppm.
- 7) Total Hardness: Maintain a maximum value of 2 ppm.

B. Steam boilers operating at 15 psig and less shall have the following water qualities:

- 1) "OH" Alkalinity: maintain a value within 200 to 400 ppm.
- 2) TDS: Maintain a value within 600 to 3000 ppm.

C. Steam boilers operating at more than 15 psig shall have the following water qualities:

- 1) "OH" Alkalinity: 200 to 400 ppm.
- 2) TDS: Maintain a value within 600 to 1200 ppm to a maximum 30 times return water TDS.

3.3 Passivation for galvanized steel for the first 60 days of operation.

- A. pH: Maintain a value within 7 to 8.
- B. Calcium Carbonate Hardness: Maintain a value within 100 to 300 ppm.
- C. Calcium Carbonate Alkalinity: Maintain a value within 100 to 300 ppm.

SECTION 4: RELEASE ORDERS AND INVOICING

4.1 Release Orders

Prior to beginning any work the Agency will issue a written release order to the Contractor. This release order shall have a unique number and reference the master contract number for the master contract. Issuance of the release order to the Contractor shall be considered authorization to perform said service. No work other than that specified on the individual release order shall be undertaken by the Contractor.

The Contractor shall provide the Agency with valid email addresses and fax numbers to which release orders may be communicated.

**LOCATION SCHEDULE
ATTACHMENT C**

GSD 116661 Attachment B

Location Schedule

Building Location	System
Capitol Complex	
1. Building 1, Main Capitol, Basement	Loop Ch water/ steam reduce. Sta
3. Building 3, DMV, Basement	Loop Ch water/ steam reduce. Sta
4. 112 California Avenue	Loop Ch water/ steam reduce. Sta
5. Building 5, Highways,	3 Bryan boilers, chill loop, water softening station
6. Building 6, Education	10 n900 boilers/chill loop
8. Building 8, Governor's Mansion	Loop Ch water/ steam reduce. Sta
11. Chilled Water Plant	Chill loop/ Towers (Dolphin) treated, test ONLY & Legionella
17. Finance (2101 Washington Street)	21 water loop heat pumps
22. Tax and Revenue (1001 Lee St.)	Closed chill water loop- 2 boilers
23. Beckley (407 Neville St.)	Hydronic heat pumps- 1 boiler- tower
25. Parkersburg (5th and Avery St.)	Hydronic heat pums- 2 boilers- tower
36. One Davis Square (Charleston)	Loop chilled water-tower-boiler
37. DEP (Kanawha City)	Kinetco water units-2 mammoth boilers (test mammoth unit)
86. Greenbrooke (1124 Smith St, Chas.)	1 boiler, 25 water source heat pump, 4 towers, 1 cooling loop
Rehab Center (Institute, WV)	
A, C, E, F, K Building	1 cooling tower, 10 closed loops, 2 cold, 8 hot.

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: AQUA SCIENCE, INC

Authorized Signature: [Signature] Date: 01.26.2011

State of OHIO

County of FRANKLIN, to-wit:

Taken, subscribed, and sworn to before me this 26 day of JANUARY, 2011.

My Commission expires 8-26, 2011.

AFFIX SEAL HERE

NOTARY PUBLIC

[Signature]



VINCENT MURDOCK
NOTARY PUBLIC, STATE OF OHIO
MY COMMISSION EXPIRES AUGUST 26, 2011