

*709014817

PO BOX 231

LATROBE PA

KENNAMETAL INC

1600 TECHNOLOGY WAY

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

15650

800-564-9489

Request for

RFQ NUMBER 7011C035 1

ADDRESS CORRESPONDENCE TO ATTENTION OF:

ADDRESS CHANGES TO BE NOTED ABOVE

BUYER 33 <u> 304-558-2402</u>

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DIVISION OF HIGHWAYS VARIOUS LOCALES AS INDICATED BY ORDER

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| SIGNATURE | 2 | 60 | 10 | | TELEPHONE 80 | 0-564-9489 | August 12, 2011 |

25-0900-168

GENERAL TERMS & CONDITIONS REQUEST FOR QUOTATION (RFQ) AND REQUEST FOR PROPOSAL (RFP)

- 1. Awards will be made in the best interest of the State of West Virginia.
- 2. The State may accept or reject in part, or in whole, any bid.

3. Prior to any award, the apparent successful vendor must be properly registered with the Purchasing Division

and have paid the required \$125 fee.

- 4. All services performed or goods delivered under State Purchase Order/Contracts are to be continued for the term of the Purchase Order/Contracts, contingent upon funds being appropriated by the Legislature or otherwise being made available. In the event funds are not appropriated or otherwise available for these services or goods this Purchase Order/Contract becomes void and of no effect after June 30.
- 5. Payment may only be made after the delivery and acceptance of goods or services.
- 6. Interest may be paid for late payment in accordance with the West Virginia Code.
- 7. Vendor preference will be granted upon written request in accordance with the West Virginia Code.
- 8. The State of West Virginia is exempt from federal and state taxes and will not pay or reimburse such taxes.
- 9. The Director of Purchasing may cancel any Purchase Order/Contract upon 30 days written notice to the seller.
- 10. The laws of the State of West Virginia and the Legislative Rules of the Purchasing Division shall govern the purchasing process.
- 11. Any reference to automatic renewal is hereby deleted. The Contract may be renewed only upon mutual written agreement of the parties.
- 12. BANKRUPTCY: In the event the vendor/contractor files for bankruptcy protection, the State may deem this contract null and void, and terminate such contract without further order.
- 13. HIPAA BUSINESS ASSOCIATE ADDENDUM: The West Virginia State Government HIPAA Business Associate Addendum (BAA), approved by the Attorney General, is available online at www.state.wv.us/admin/purchase/vrc/hipaa.htm and is hereby made part of the agreement. Provided that the Agency meets the definition of a Cover Entity (45 CFR §160.103) and will be disclosing Protected Health Information (45 CFR §160.103) to the vendor.
- 14. CONFIDENTIALITY: The vendor agrees that he or she will not disclose to anyone, directly or indirectly, any such personally identifiable information or other confidential information gained from the agency, unless the individual who is the subject of the information consents to the disclosure in writing or the disclosure is made pursuant to the agency's policies, procedures, and rules. Vendor further agrees to comply with the Confidentiality Policies and Information Security Accountability Requirements, set forth in http://www.state.wv.us/admin/purchase/privacy/noticeConfidentiality.pdf.
- 15. LICENSING: Vendors must be licensed and in good standing in accordance with any and all state and local laws and requirements by any state or local agency of West Virginia, including, but not limited to, the West Virginia Secretary of State's Office, the West Virginia Tax Department, and the West Virginia Insurance Commission. The vendor must provide all necessary releases to obtain information to enable the director or spending unit to verify that the vendor is licensed and in good standing with the above entities.
- 16. ANTITRUST: In submitting a bid to any agency for the State of West Virginia, the bidder offers and agrees that if the bid is accepted the bidder will convey, sell, assign or transfer to the State of West Virginia all rights, title and interest in and to all causes of action it may now or hereafter acquire under the antitrust laws of the United States and the State of West Virginia for price fixing and/or unreasonable restraints of trade relating to the particular commodities or services purchased or acquired by the State of West Virginia. Such assignment shall be made and become effective at the time the purchasing agency tenders the initial payment to the bidder.

I certify that this bid is made without prior understanding, agreement, or connection with any corporation, firm, limited liability company, partnership, or person or entity submitting a bid for the same material, supplies, equipment or services and is in all respects fair and without collusion or Fraud. I further certify that I am authorized to sign the certification on behalf of the bidder or this bid.

INSTRUCTIONS TO BIDDERS

- 1. Use the quotation forms provided by the Purchasing Division. Complete all sections of the quotation form.
- 2. Items offered must be in compliance with the specifications. Any deviation from the specifications must be clearly indicated by the bidder. Alternates offered by the bidder as EQUAL to the specifications must be clearly defined. A bidder offering an alternate should attach complete specifications and literature to the bid. The Purchasing Division may waive minor deviations to specifications.
- 3. Unit prices shall prevail in case of discrepancy. All quotations are considered F.O.B. destination unless alternate shipping terms are clearly identified in the quotation.
- 4. All quotations must be delivered by the bidder to the office listed below prior to the date and time of the bid opening. Failure of the bidder to deliver the quotations on time will result in bid disqualifications: Department of Administration, Purchasing Division, 2019 Washington Street East, P.O. Box 50130, Charleston, WV 25305-0130
- 5. Communication during the solicitation, bid, evaluation or award periods, except through the Purchasing Division, is strictly prohibited (W.Va. C.S.R. §148-1-6.6).



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

Request for

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RFQ NUMBER 7011C035 2

ADDRESS CORRESPONDENCE TO ATTENTION OF:

BUYER 33 304-558-2402

DIVISION OF HIGHWAYS SHIP VARIOUS LOCALES AS INDICATED BY ORDER

*709014817 800-564-9489 KENNAMETAL INC PO BOX 231 1600 TECHNOLOGY WAY LATROBE PA 15650

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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

7011C035

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Request for Quotation

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PAGE 5

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DIVISION OF HIGHWAYS S VARIOUS LOCALES AS INDICATED BY ORDER

To

FREIGHT TERMS F.O.B. DATE PRINTED TERMS OF SALE SHIP VIA NET 30 DAYS prepaid/allowed 07/21/2011 truck destination **BID OPENING DATE:** 08/10/2011 BID OPENING TIME 01:30PM CAT. AMOUNT UNIT PRICE ITEM NUMBER LINE QUANTITY UOP NO. EXHIBIT 6 PRICE ADJUSTMENT PROVISION: THE STATE OF WEST VIRGINIA WILL CONSIDER BIDS THAT CONTAIN PROVISIONS FOR PRICE ADJUSTMENTS PRIOR TO THE ORIGINAL EXP!RATION OF THE CONTRACT, PROVIDED THAT \$UCH PRICE ADJUSTMENT COVERS BOTH UPWARD AND DOWNWARD MOVEMENT OF THE COMMODITY PRICE, AND THAT ADJUSTMENT S BASED ON THE "PASS THROUGH" INCREASE OR DECREASE OF RAW MATERIAL\$ AND NOR LABOR, WHICH MAKE UP ALL OR A \$UBSTANTIAL PART OF A PRODUCT. ADJUSTMENTS ARE TO BE BASED UPON AN ACTUAL DOLLAR FIGURE, NOT A PERCENTAGE. ALL PRICE ADJUSTMENT REQUESTS MUST BE \$UBSTANTIATED IN A MANNER ACCEPTABLE TO THE DIRECTOR PURCHASING, E.G. GOVERNMENTAL BENCH MARKS, GENERAL MARKET INCREASE, SUCH REQUESTS FOR AND INCREASE PUBLISHED PRICE LISTS. \$HOULD BE RECEIVED IN WRITING BY THE DIRECTOR OF PURCHASING AT LEAST 30 DAYS IN ADVANCE OF THE EFFECTIVE DATE OF THE INCREASE. ANY TIME THE VENDOR REQUESTS A PRICE ADJUSTMENT, THE PURCHASING DIVISTON MAY EITHER CCEPT THE PRICE ADJUSTMENT AND AMEND THE CONTRACT CCORDINGLY OR REJECT THE ADJUSTMENT IN ITS ENTIRETY AND CANCEL THE CONTRACT. PREFERRED TERMS: IT IS PREFERRED THAT THE PRICES ON THIS CONTRACT ARE IRM FOR LIFE OF THE CONTRACT, AS INDICATED IN THE LIF OF CONTRACT CLAUSE CONTAINED HEREIN, NOT TO EXCEED ONE 1) YEAR. IF THE VENDOR CANNOT GWARANTEE A FIRM PRICE FOR THE LIFE OF CONTRACT/HE MUST INDICATE ONE OF THE ARAGRAPHS LISTED BELOW. FAILURE TO QUALIFY THE SEE REVERSE SIDE FOR TERMS AND CONDITIONS SIGNATURE TELEPHONE 800-564-9489 August 12, 2011 πτιξales & Marketing Mgr. FEIN

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SNOW PLOW BLADES CONTRACT 7011C035

I. PURPOSE AND SCOPE:

The purpose of this Request for Quotation No. 7011C035 and resulting contract ("Contract") between West Virginia Department of Transportation, Division of Highways ("DOH") and the winning vendor ("Vendor") is to provide snow plow blades with tungsten carbide inserts as required by the WV DOH.

II. GENERAL REQUIREMENTS:

1. Blade Blank:

- a. Material: The blade blank shall be constructed of flat hot rolled steel of SAE 1020 or 1045.
- b. Punching: Shall be 11/16" square holes with counter sink to receive standard 5/8" diameter plow bolts.
- c. A groove shall be milled off center in the cutting edge to receive the tungsten carbide insert. The leading edge forward of the insert shall have the greatest thickness.

2. Dimensions:

- a. Length: 3 and 4 foot sections, number of pieces of each length will be specified on applicable purchase order.
- b. Width: 5 inches
- c. Thickness: 7/8"
- d. Mounting Holes: Vertical spacing AASHO regular, to be mounted on standard production domestic snow plows manufactured: Wausau, Good Roads, Valk, Frink Gettelman, Austin Western, Walters, Henke, Viking, Root, and Henderson.

3. Tungsten Carbide Insert:

a. Size of insert to be:

Width - .360+

Height - .750+

Length - 1.00 nominal

- b. Shall be of high shock resistant grade density of approximately minimum 14.3 to 14.6 and Rockwell "A" hardness approximately 88. Traverse rupture strength of 350,000 psi min.
- c. The bidder shall furnish with his bid proposal a manufacturer certification that the material of the inserts meets the specification as set forth. Also to certify that the inserts meet virgin tungsten carbide quality specification with no hard scrap granules.

4. Brazing:

- a. The insert shall be brazed in the groove using a high strength alloy type brazing material. The braze shear strength to be 30,000 PSI minimum.
- b. The insert shall be brazed on all sides consistent with sound brazing particles with no evidence or voids or use of shims.
- c. Each blade section shall have its insert groove completely filled with tungsten carbide for its entire length.

- 5. Exhibit A provides a list of 3 FT. and 4FT. Plow Blades that must be provided. Exhibit A must be completed for evaluation purposes.
- 6. Upon request vendor will provide proof of all mandatory requirements.

III. MANDATORY BLADE SPECIFIED REQUIREMENTS:

- Each blade will show no evidence of warpage, distortion, deformation, or surface cracking.
- 2. Each blade insert shall be uniform in height so that no individual insert unit will project more than 1/32" lower..
- 3. Each blade shall have the manufacturer's name or symbol readily identifiable on the blade metal at a point outside the normal wear area. Other means of identification, if permanent and easily interpreted may be used, providing it exhibits the above mentioned manufacturer's name or symbol. Painted on codes are acceptable.
- 4. Paint shall be manufacturer standard paint.
- 5. All orders will be 10,000 LBS minimum.

IV. PRICING:

- 1. This Contract shall be awarded based on a single cost per foot. Vendor must list the price per foot on the Bid Evaluation Price Chart, attached hereto and incorporated herein by reference as Exhibit A.
- 2. This Contract shall be limited to the item listed on contract. Subsequent changes or modifications to the price by Vendor will not be applied to this Contract unless approved by the Purchasing Division through contract change order.
- 3. Vendor shall submit the Bid Evaluation Price Chart, attached hereto and incorporated herein by reference as Exhibit A, to allow bid evaluation. The Vendor should insert the discounted unit price in the space provided. The Vendor should then multiply the estimated quantity by the discounted unit price to obtain the total discounted price to agency. After obtaining the total discounted cost to agency for each item listed, the column containing the total discounted cost to agency should be added together to arrive at the total. (Estimated Quantity X Discounted Unit price = Total Discounted price to Agency) (Sum of total Discounted cost to Agency for all items = Total).

V. ORDERING INFORMATION:

 Parts orders against this contract may be placed by the DOH Equipment Division and any other DOH District locations. A list of the current DOH locations is attached as Exhibit B. Orders may be placed by telephone and/or facsimile.

VI. DELIVERY REQUIREMENTS:

1. Vendor must ship all items to DOH under this Contract FOB DESTINATION.

- 2. DOH will pay freight charges only if DOH request 24 hour delivery.
- 3. Vendor shall deliver the goods to the DOH locations as requested by DOH. A list of the DOH locations is attached hereto and incorporated herein by reference as Exhibit B. DOH reserves the right to change DOH locations or request delivery to another location at no additional charge after notifying Vendor of the new location and requesting delivery thereto.
- 4. Delivery is an integral part of this contract and Vendor's failing to comply with the delivery terms will be grounds for submission of a WV-82 Form officially notifying the Purchasing Division and the Vendor of unsatisfactory performance.
- Vendor's failure to obtain prior approval from DOH for changes to delivery schedules or to deliver the goods in a timely manner may be grounds for cancellation of this Contract.
- 6. Vendor must ship orders promptly upon receipt and delivery must be made within three (3) business days of receipt of an order. Vendor shall not require that a certain order quantity be met prior to shipping DOH orders.
- 7. If Vendor cannot deliver the goods ordered within three working days then Vendor shall immediately notify DOH of the anticipated delivery date. If DOH finds the delivery date unacceptable then DOH may purchase the needed items on the open market with approval from the DOH Equipment Division Director, the DOH District Equipment Supervisor, or a designee of either. Any open market purchase made hereunder shall be in accordance with the laws, rules, and regulations, of the Department of Administration, Purchasing Division.
- 8. DOH is not responsible for any restocking charge on items that are returned to Vendor as faulty or for failure to confirm to the required specifications. In all other instances, DOH will only pay restocking fees if DOH, in its sole discretion, believes that such a charge is warranted.
- All deliveries must be conspicuously marked with the DOH Purchase Order Number. Any goods delivered without this information may be returned to Vendor at Vendor's expense.

VII. PAYMENT:

- 1. The State of West Virginia currently utilizes a Visa purchasing card program. The State of West Virginia Visa purchasing card is the preferred method of payment, but other methods of payments may be utilized from time to time at the sole description of DOH. The successful vendor must accept the State of West Virginia Visa purchasing card for payment of all orders placed under this Contract.
- 2. Vendor must supply a credit receipt, sales receipt, or cash register receipt to DOH after Payment has been made.
- Payment shall be made after DOH has received and accepted the goods being delivered.
 Vendor shall not charge the State of West Virginia Visa purchasing card until goods are received and accepted by DOH.

VIII. MISCELLANEOUS:

- 1. All warranty claims that require field service shall be performed by Vendor at no cost to DOH.
- 2. Vendor shall furnish any technical engineering service which might be needed in the proper installation of these parts at no extra cost to the DOH.
- 3. Vendor shall comply with all federal, state, and local laws, rules and regulations.
- 4. Concurrently with each shipment, Vendor shall forward a proper and current Material Safety Date Sheet ("MSDS") to the DOH Equipment Division in Buckhannon, WV. Vendor shall also furnish the State of West Virginia and/or any of its other agencies with Additional MSDS as requested.
- Vendor shall assume all liability and costs for failures and downtime that result from DOH use of Vendor's products.
- 6. This Contract will be awarded complete and not split.
- Vendor must guarantee that it will maintain adequate stock to supply the needs of DOH At all times.

EXHIBIT A: BID EVALUATION PRICE CHART

Blades will be purchased in 3 & 4 foot sections

| | SNOW PLOW | | | | |
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| Item | BLADES | | Estimated | Discounted | Total Discounted |
| No. | No. | | Quantity | Unit Cost | Cost to Agency |
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^{**} Pricing is based on Kennametal's ALTERNATE BID per attached specifications.

EXHIBIT B: DIVISION OF HIGHWAYS LOCATIONS

Equipment Division

WV Division of Highways

PO Box 610

Buckhannon, WV 26201

ATTENTION: Kevin Riley

(FOUR COPIES)

WVDOT/Division of Highways

D-1

1340 Smith St.

Charleston, WV 25301

Attn: Bob Heckert

WVDOT/Divison of Highways

D-2

Po. Box 880

Huntington, WV 25712

Attn: Barbara King

WVDOT/Division of Highways

D-3

626 Depot St.

Parkersburg, WV 26101

Attn: Beverly Myers

WVDOT/Division of Highways

D-4

P.O. BOX 2570

Clarksburg, WV 26301

Attn: John Bartlett

WVDOT/Division of Highways

D-5

PO BOX 99

BURLINGTON, WV 26710

Attn: Laranda Baldwin

WVDOT/Division of Highways

D-6

1 DOT Drive.

Moundsville, WV 26041-2353

Attn: Carol Ryan

WVDOT/Division Highways

D-7

Drawer 1228

Weston, WV 26452

Attn: Melissa Jordan

WVDOT/Division of Highways

D-8

PO Box 1516

Elkins, WV 26241

Attn: Debbie Barnett

WVDOT/Division of Highways

D-9

103 1/2 Church Street

Lewisburg, WV 24901

Attn: Sherry Bostic

WVDOT/Division of Highways

D-10

270 Hardwood Lane

Princeton, WV 24740

Attn: Tommy Camden

KENNAMETAL INC. MINING AND CONSTRUCTION DIVISION

RECOMMENDED SPECIFICATIONS FOR 7/8 x 5 SIZE SECTIONAL TUNGSTEN CARBIDE TIPPED SNOWPLOW BLADE CUTTING EDGES (BLADES) USING ¾" TALL TRAPEZOID SHAPED INSERTS

The following specifications are the result of years of constant field research and development. These revised specifications help assure State and Municipal Highway Departments of a quality product when procuring carbide tipped snowplow blades.

1. BLADE

- 1.1 The blade shall be flat hot-rolled finished steel to meet or exceed specifications for 1040 type steels.
- 1.2 Punching shall be 11/16" square holes with countersink to receive 5/8" diameter plow bolts. Location and spacing of the holes shall be as specified by the user.
- 1.3 The groove for the carbide inserts shall be milled in the center of the blade edge.
- 1.4 Center of holes shall be in line within 1/32" of established horizontal centerline and 1/16" of established vertical centerline.

2. TUNGSTEN CARBIDE INSERTS

2.1 The inserts shall be a high shock WC grade of tungsten carbide with (11 to 12½) percent cobalt content.

Density:

14.1 Minimum to 14.6 Maximum

Hardness:

87.5 Minimum to 89.0 Maximum

Rc. "A" Scale

Transverse Rupture Strength (p.s.i):

350,000 Minimum

Porosity: (Based on testing in accordance with ASTM designation B276-79)

A06

B02

C00

- 2.2 The carbide insert manufacturer to furnish certification to the State Highway Department that the inserts meet the specifications as set forth in 2.1.
- 2.3 The inserts shall be a trapezoid design of the following dimensions:

Height:

.750" +/-.005 (long side)

Width:

.360" +/- .010

Length:

1" Nominal

Bottom Angle:

30 degrees with a nose radius of

.045" minimum

A metallurgical evaluation of the carbide insert shall show no evidence of cross grade contamination. Evaluation to be based on a photomicrograph of a polished and etched specimen at 500x magnification.

3. BRAZING

- 3.1 The brazing material shall be a high strength alloy type.
- The tungsten carbide inserts shall be positioned in the milled groove at approximately .010 between the inserts the entire length of each cutting edge section.
- The inserts shall be brazed on all sides consistent with sound brazing practice with no evidence of voids or use of shims.
- 3.4 Each blade section to contain one insert, one inch nominal length for each inch of blade section length. Due to the thickness of the braze joints between inserts it may be necessary for several inserts to be slightly shorter or longer than the nominal 1" length to insure the carbide insert runs the entire length of the blade without protruding from the end of the steel body.

4. SPECIFIC REQUIREMENTS

- 4.1 The difference between the highest and lowest tip point (on any two adjacent inserts) not to exceed 1/32" on any given blade assembly.
- 4.2 The finished blade section shall be free of warpage and longitudinal deviation not to exceed 1/8" in a four-foot blade section.
- 4.3 Each blade section shall be identified with manufacturer's identification stamp.
- 4.4 The finished blade sections shall have marking showing the front edge of the blade to avoid improper mounting.



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

WV PURCHASING ACA SECT Fax 304-558-4115
REQUEST FOR BEARI BEQ NUMBER 7011C035 ADDRESS CORRESPONDENCE TO AFTENTION OF

PAUL REYNOLDS 104-558-0468

800-564-9489 *709014817 KENNAMETAL INC PO BOX 231 1600 TECHNOLOGY WAY LATROBE PA 15650

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DIVISION OF HIGHWAYS VARIOUS LOCALES AS INDICATED BY ORDER

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ADDENDUM #1

7011C035

QUESTIONS AND ANSWERS

I. Is the Estimated Quantity in feet or pieces?

Answer: Prices are by the foot.

II. Is there a breakdown of how many 3' and how many 4' blades would be required?

Answer: There is no breakdown in 3 and 4 ft. blades, cost sheets are for evaluation purposes only. Actual purchases will depend on demand due to the severity of the winters.

Rev. 09/08

DOES NOT APPLY

Kennametal Inc.

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.

| Bidder is an individual resident vendor and has resident outnectors in git he date of this certification, or, Bidder is a partnership, association or corporation resident vendor and has maintained its headquarters or principal place. But ownership interest of Bidder is held by another individual, partnership, association or corporation resident vendor how 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 resident and which has maintained its headquarters or principal place of business within West Virginia continuously for the four (years immediately preceding the date of this certification, or, 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 employe working on the project being bid are residents of West Virginia who have resided in the state continuously for the two yes immediately preceding submission of this bid; or, 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 affiliate or subsidiary which maintains its headquarters or principal place of business within West Virginia engloying minimum of one hundred state residents who certifies that, during the life of the contract, on average at least 75% of employees or Bidder's affiliately or subsidiary's employees are residents of West Virginia who have resided in the stoothously for the two years immediately preceding submission of this bid; or, Application is made for 3.5% resident vendor preference 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 Guert, it B | | Application is made for 2.5% resident vendor preference for the reason checked: Application is made for 2.5% resident vendor preference for the reason checked: |
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| Under penalty of law for false swearing (West Virginia Code, §61-5-3), Bidder hereby certifies that this certificate is and accurate in all respects; and that if a contract is issued to Bidder and if anything contained within this certificant changes during the term of the contract, Bidder will notify the Purchasing Division in writing immediately. Bidder: Signed: | By s auth the r | submission of this certificate, Bidder agrees to disclose any reasonably requested information to the Furchasing Division of provided the Department of Revenue to disclose to the Director of Purchasing appropriate information verifying that Bidder has provided that such information does not contain the amounts of taxes paid nor any other information to the confidential. |
| Bidder: Signed: | Und | der penalty of law for false swearing (West Virginia Code, §61-5-3), Bidder hereby certifies that this certific |
| Bidder: | | the same of the sa |
| | ЫQ | der: |

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

| RFQ No. 7011C035 |
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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 than one thousand dollars in the aggregate

DEFINITIONS:

WITNESS THE FOLLOWING SIGNATURE

"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 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 (West Virginia Code §61-5-3), it is hereby certified that the vendor affirms and acknowledges the information in this affidavit and is in compliance with the requirements as stated.

Vendor's Name: Kennametal Inc. Authorized Signature: Date: August 16, 2011 Eric V. Gentis State of Pennsylvania County of Westmoreland to-wit: Taken, subscribed, and sworn to before me this 16 day of August 16, 2011 My Commission expires April 30 , 2014. AFFIX SEAL HERE NOTORY PUBLIC For A Fedel

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal Toni L. Fedeli, Notary Public City of Latrobe, Westmoreland County My Commission Expires April 30, 2014

Member. Pennsylvania Association of Notaries

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