

Request for Quotation

PAGE

DEP15685

ADDRESS CORRESPONDENCE TO ATTENTION OF

GUY NISBET 304-558-8802

*C12140932 304-379-2641 BRUCETON AG SERVICES INC PO BOX 107

BRUCETON MILLS WV 26525

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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.html 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).



VENDOR

*C12140932

PO BOX 107

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

304-379-2641

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BRUCETON AG SERVICES INC

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WV-36 Rev. 10/81 STATE OF WEST VIRGINIA

PURCHASING CONTINUATION SHEET

Buyer:	Page	Req. or P.O. No:
GN-23	3	DEP15685
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Vendor:

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Item No:	Quantity	Description	Approximate Annual Usage	Unit Price	Amount
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Special Reclamation sites, approximate usage per year and tank information for the delivery of anhydrous ammonia.

NOTE: TRIAXLE TRUCK MUST HAVE MINIMUM 23,000 LB (11.5 TON) TRACTOR-TRAILER TANKER MUST HAVE MINIMUM 36,000 (18 TON) DELIVERY CAPACITY FOR EACH SITE.

		MINIMUM 36,000 (18 FON) DELIVERY CAI	PACITY FOR EACH S	11 .	
1	* 84 TN	F&M Project Vicinity of Tunnelton, WV	58 TN tractor/trailer	\$ <u>955</u> %TN	\$
		(1) 10,000 and (1) 12,000 gallon tanks	26 TN tri-axle	\$ <u>1545</u> 4N	\$
2	*192 TN	Omega Project Vicinity of Morgantown, WV	135 TN tractor/trailer	\$ <u>455°</u> †n	\$
		(1) 1,000 and (1)10,000 gallon tanks	57 TN tri-axle	\$ <u>1546°</u> TN	\$
3	*246 TN	T&T Project Vicinity of Albright, WV	172 TN tractor/trailer	\$ <u>455°°</u> TN	\$
		(1) 12,000 gallon tank	74 TN tri-axle	\$ <i>1595.</i> 4	\$
4	*80 TN	Buffalo Coal Co. Vicinity of Mt. Storm, WV			
	•	(6) 1,000 gallon tanks	80 TN tri-axle	\$ <u>1.595</u> TN	\$
			40 Thi transfer discussion	\$ 9750°TN	Ф
5	* 27 TN	Unforeseen sites (Anywhere in WV)	19 TN tractor/trailer		5
			8 TN tri-axle	\$ <u>/%95°</u> TN	\$
6		Split Deliveries (Price per mile to deliver a par location to a second location)	rtial load from first		\$5.00 Price per mile
7	*12 HR	Tank cleaning, repair and/or servicing (all trav	vel expenses	\$ <u>_j00</u> ,0\angle	\$
8	*40 HR	must be included in the hourly rate). Inclement weather road service (maximum ra May include, but not limited to, snow plowing,	te \$200/per hour)		
		chip addition for traction control.	omaoning, invoceme		
		ALL materials, travel and equipment mobiliza included in hourly rate. Billable time not to except the second secon	tion must be	\$ <u>100</u> 4	\$
		for each chemical delivery, but is not limited to required to service road, prior to chemical deliverified by on-site DEP staff.	o actual time		
				TOTAL	\$
		* All quantities noted above are estimates purposes only. Actual ordered quantities		. 4	***************************************
		Please note: No restrictions can be added bid sheet, only units of measure listed or			•

be accepted, NO EXCEPTIONS.

State of West Virginia

VENDOR PREFERENCE CERTIFICATE

Certification and application* is hereby made for Preference in accordance with **West Virginia Code**, §5A-3-37. (Does not apply to construction contracts). **West Virginia Code**, §5A-3-37, provides an opportunity for qualifying vendors to request (at the time of bid) preference for their residency status. Such preference is an evaluation method only and will be applied only to the cost bid in accordance with the **West Virginia Code**. This certificate for application is to be used to request such preference. The Purchasing Division will make the determination of the Resident Vendor Preference, if applicable.

1.	Application is made for 2.5% resident vendor preference for the reason checked: Bidder is an individual resident vendor and has resided continuously in West Virginia for four (4) years immediately preceding the date of this certification; or, Bidder is a partnership, association or corporation resident vendor and has maintained its headquarters or principal place of business continuously in West Virginia for four (4) years immediately preceding the date of this certification; or 80% of the ownership interest of Bidder is held by another individual, partnership, association or corporation resident vendor who has maintained its headquarters or principal place of business continuously in West Virginia for four (4) years immediately preceding the date of this certification; or, Bidder is a nonresident vendor which has an affiliate or subsidiary which employs a minimum of one hundred state residents and which has maintained its headquarters or principal place of business within West Virginia continuously for the four (4) years immediately preceding the date of this certification; or,
2.	Application is made for 2.5% resident vendor preference for the reason checked: Bidder is a resident vendor who certifies that, during the life of the contract, on average at least 75% of the employees working on the project being bid are residents of West Virginia who have resided in the state continuously for the two years immediately preceding submission of this bid; or,
3.	Application is made for 2.5% resident vendor preference for the reason checked: Bidder is a nonresident vendor employing a minimum of one hundred state residents or is a nonresident vendor with an affiliate or subsidiary which maintains its headquarters or principal place of business within West Virginia employing a minimum of one hundred state residents who certifies that, during the life of the contract, on average at least 75% of the employees or Bidder's affiliate's or subsidiary's employees are residents of West Virginia who have resided in the state continuously for the two years immediately preceding submission of this bid; or,
4://	Application is made for 5% resident vendor preference for the reason checked: Bidder meets either the requirement of both subdivisions (1) and (2) or subdivision (1) and (3) as stated above; or,
5.	Application is made for 3.5% resident vendor preference who is a veteran for the reason checked: Bidder is an individual resident vendor who is a veteran of the United States armed forces, the reserves or the National Guard and has resided in West Virginia continuously for the four years immediately preceding the date on which the bid is submitted; or,
6.	Application is made for 3.5% resident vendor preference who is a veteran for the reason checked: Bidder is a resident vendor who is a veteran of the United States armed forces, the reserves or the National Guard, if, for purposes of producing or distributing the commodities or completing the project which is the subject of the vendor's bid and continuously over the entire term of the project, on average at least seventy-five percent of the vendor's employees are residents of West Virginia who have resided in the state continuously for the two immediately preceding years.
require agains	understands if the Secretary of Revenue determines that a Bidder receiving preference has failed to continue to meet the iments for such preference, the Secretary may order the Director of Purchasing to: (a) reject the bid; or (b) assess a penalty t such Bidder in an amount not to exceed 5% of the bid amount and that such penalty will be paid to the contracting agency ucted from any unpaid balance on the contract or purchase order.
authori the req	mission of this certificate, Bidder agrees to disclose any reasonably requested information to the Purchasing Division and zes the Department of Revenue to disclose to the Director of Purchasing appropriate information verifying that Bidder has paid uired business taxes, provided that such information does not contain the amounts of taxes paid nor any other information d by the Tax Commissioner to be confidential.
and ac	penalty of law for false swearing (West Virginia Code, §61-5-3), Bidder hereby certifies that this certificate is true curate in all respects; and that if a contract is issued to Bidder and if anything contained within this certificate es during the term of the contract, Bidder will notify the Purchasing Division in writing immediately.
Bidder	: Bruceton ag Sarrice Signed: Charles 74 Morgers
Date:_	12-28-11 Title: <u>monager</u>
Uneck	any combination of preference consideration(s) indicated above which you are entitled to redeive

RFQ No. DEP 15685

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 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: Breeston Cog Sarrice Authorized Signature: Alaskas If Mosfers Date: 128-1/ State of West Virginia County of Preston, to-wit: Taken, subscribed, and sworn to before me this 28 day of December, 20//. My Commission expires October, 20. AFFIX SEAL HERE NOTARY PUBLIC October 20, 2013



WITNESS THE FOLLOWING SIGNATURE

DOMESTIC PROPERTY AND ADDRESS OF THE PROPERTY


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

Request for Quotation
DEP15685

ADDRESS:CORRESPONDEN
GUY NISBET

28° PAGE

ADDHESS:CORRESPONDENCE TO A TIENTION OF 304-558-8802

XC12140932 304-379-2641 BRUCETON AG SERVICES INC PO BOX 107 BRUCETON MILLS WV 26525

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304-379-2641

Request for PRONUMER Quotation

DEP15685

ADDRESS CORRESPONDENCE TO A GIENTION OF GUY NISBET 304-558-8802

BRUCETON AG SERVICES INC PO BOX 107

*C12140932

BRUCETON MILLS WV 26525

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# Request for Aconumber

<u>DE</u>P15685

304-558-8802

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AUDRESS CORRESPONDENCE TO ATTENTION OF GUY NISBET

*C12140932 304-379-2641 BRUCETON AG SERVICES INC PO BOX 107

BRUCETON MILLS WV 26525

ENVIRONMENTAL PROTECTION DEPT. OF OFFICE OF SPECIAL RECLAMATION 105 S. RAILROAD STREET PHILIPPI, WV 26416-9998 304-457-3219

DATE PAINTED TERMS OF SALES SHIPVA EQ.B FREIGHT TEAMS 12/12/2011 30 1) Alendres うか BID OPENING DATE; 12/29/2011 OPENING TIME 01:30PM LINE QUANTITY 400 ITEM NUMBER UNITARIOE AMOUNT CONTAINS TOO MANY CONTAMINANTS WHICH CAUSES FOULING OF EQUIPMENT, LINES AND REGULATORS. EXHIBIT 3 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. 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. 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 COMDITIONS OF THE ORIGINAL CONTRACT AND SHALL BE LIMITED TO TWO (2) ONE (1) YEAR PERIODS. CANCELLATION: THE DIRECTOR OF PURCHASING RESERVES THE RIGHT TO CANCEL THIS CONTRACT INMEDIATELY UPON WRITTEN NOTICE TO THE VENDOR IF THE COMMODITIES AND/OR SERVICES SUPPLIED ARE OF AN INFERIOR QUALITY OR DO NOT CONFORM TO THE SPECIFICATIONS OF THE BID AND CONTRACT HEREIN. OPEN MARKET CLAUSE: THE DIRECTOR OF PURCHASING MAY AUTHORIZE A SPENDING UNIT TO PURCHASE ON THE OPEN Bee Reverse side eon temms and conditions 55-062-63 94-031 ADDRESS CHANGES TO BE NOTED ABOVE

WHEN RESPONDING TO RFQ. INSERT NAME AND ADDRESS IN SPACE ABOVE LABELED WENDOD!



# Request for REGINUMBER Quotation

DEP15685

PAGE

**GUY NISBET** 304-558-8802

*C12140932 304-379-2641 BRUCETON AG SERVICES INC PO BOX 107 BRUCETON MILLS WV 26525

ENVIRONMENTAL PROTECTION DEPT. OF OFFICE OF SPECIAL RECLAMATION 105 S. RAILROAD STREET PHILIPPI, WV 26416-9998 304-457-3219

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## Request for BEGNUMBER Quotation

DEP15685

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*C12140932 304-379-2641 BRUCETON AG SERVICES INC PO BOX 107

BRUCETON MILLS WV 26525

ADDRESS CORRESPONDENCE TO A CENTION OF GUY NISBET 304-558-8802

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*C12140932

PO BOX 107



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

BRUCETON AG SERVICES INC

BRUCETON MILLS WV

304-379-2641

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# Request for Pronumber Quotation

DEP15685

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ADDRESS COMHESCONDENCE TO ATTENTION OF GUY NISBET 304-558-8802

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STATE OF WEST VIRGINIA

# **PURCHASING CONTINUATION SHEET**

Buyer:	Į
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GN-23	ı
i	ι

No. 1517___P. 7 Req. or P.O. No: DEP15685 Page

Spending Unit:

Vendor:

Item No: Quantity Description Approximate Annual Unit Price Amount Usage

Special Reclamation sites, approximate usage per year and tank information for the delivery of anhydrous ammonia.

NOTE: TRIAXLE TRUCK MUST HAVE MINIMUM 23,000 LB (11.5 TON) TRACTOR-TRAILER TANKER MUST HAVE MINIMUM 36,000 (18 TON) DELIVERY CAPACITY FOR EACH SITE.

1	* 84 TN	F&M Project Vicinity of Tunnelton, WV	58 TN tractor/trailer	\$ <u>9550</u> TN	\$		
		(1) 10,000 and (1) 12,000 gallon tanks	26 TN tri-axle	\$ <u>ไรๆร:</u> ชี่ท	\$		
	,						
2	*192 TN	Omega Project Vicinity of Morgantown, WV	135 TN tractor/trailer	\$ <u>965°</u> tn	\$		
		(1) 1,000 and (1)10,000 gallon tanks	67 TN tri-axle	\$ <u>1590°</u> TN	\$·		
3	*246 TN	T&T Project Vicinity of Albright, WV	172 TN tractor/trailer	\$ <u>96</u> 5°11N	\$		
		(1) 12,000 gallon tank	74 TN tri-axle	\$ <i>]595.</i> 4N	\$		
4	*80 TN	Buffalo Coal Co. Vicinity of Mt. Storm, WV					
	·	(6) 1,000 gallon tanks	80 TN tri-axle	\$ <u>1.595</u> TN	\$		
5	* 27 TN	Unforeseen sites (Anywhere in WV)	19 TN tractor/trailer	s <i>4750</i> °TN	\$		
			8 TN tri-axle	\$ <u>/845.</u> 4N	\$		
					i.		
6		Split Deliveries (Price per mile to deliver a par location to a second location)	tlal load from first		\$_5, &0 Price per mile		
7	*12 HR	Tank cleaning, repair and/or servicing (all trav	\$				
8	*40 HR	must be included in the hourly rate). Inclement weather road service (maximum rate \$200/per hour) May include, but not limited to, snow plowing, cindering, limestone chip addition for traction control.					
		ALL materials, travel and equipment mobilizatincluded in hourly rate, Billable time not to exc		\$ 100 CHR	\$		
		for each chemical delivery, but is not limited to required to service road, prior to chemical deliverified by on-site DEP staff,	*				
	•			TOTAL	\$		
		* All quantities noted above are estimates to purposes only. Actual ordered quantities w		· ·	Ψ		
		Please note: No restrictions can be added	•				

bid sheet, only units of measure listed on this schedule will be accepted, NO EXCEPTIONS.

# 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

DIVISIO	Twin make the determination of the Resident vendor Preference, it 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.
requirer against	understands if the Secretary of Revenue determines that a Bidder receiving preference has failed to continue to meet the ments for such preference, the Secretary may order the Director of Purchasing to: (a) reject the bid; or (b) assess a penally such Bidder in an amount not to exceed 5% of the bid amount and that such penalty will be paid to the contracting agency cted from any unpaid balance on the contract or purchase order.
autnorizi the requ	nission of this certificate, Bidder agrees to disclose any reasonably requested information to the Purchasing Division and es the Department of Revenue to disclose to the Director of Purchasing appropriate information verifying that Bidder has paid ired business taxes, provided that such information does not contain the amounts of taxes paid nor any other information I by the Tax Commissioner to be confidential.
ana acc change	penalty of law for false swearing (West Virginia Code, §61-5-3), Bidder hereby certifies that this certificate is true curate in all respects; and that if a contract is issued to Bidder and if anything contained within this certificate s during the term of the contract, Bidder will notify the Purchasing Division in writing immediately.
Bidder:	Bruceton Og Sarvice Signed: Thorses 74 Moyers

Title:

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

RFQ NO. DEP 15685

# 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 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.

WITNESS THE FOLLOWING SIGNATURE

Vendor's Name: Brundton Oy	Arrice
Authorized Signature: Charles It m	Ofen Date: 1228-11
State of West Virginias  County of <u>Preston</u> , to-wit:	
County of <u>Preston</u> , to-wit:	
Taken, subscribed, and sworn to before me this 28 da My Commission expires	y of <u>D-acambar</u> , 20 <u>//</u> . , 20
AFFIX SEAL HERE	NOTARY PUBLIC Ostolo, 20 2013

