

**PROPOSAL FOR MAPPING SERVICES  
FOR NORTHERN COUNTIES OF WEST  
VIRGINIA, OPEN-END CONTRACT  
RFQ NO. DEP15704**

*Prepared for:*

**West Virginia Department of Environmental Protection**  
Office of Abandoned Mine Lands and Reclamation  
601 57<sup>th</sup> Street, SE  
Charleston, West Virginia 25304

*Prepared by:*

**Potesta & Associates, Inc.**  
7012 MacCorkle Avenue, SE  
Charleston, West Virginia 25304  
Phone: (304) 342-1400 Fax: (304) 343-9031  
E-mail: potesta@potesta.com

**CONTACT: Mr. Dana Burns, Vice President**

**Signature:** *Dana L. Burns*

Project No. 0101-12-0008

January 31, 2012

**POTESTA**

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WEST VIRGINIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

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**PROPOSAL FOR MAPPING SERVICES  
FOR NORTHERN COUNTIES OF  
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RFQ NO. DEP15704**

**1.0 QUALIFICATIONS**

**1.1 Corporate History and Experience**

Potesta & Associates, Inc. (POTESTA) proposes to provide surveying and mapping services to the West Virginia Department of Environmental Protection, Office of Abandoned Mine Lands & Reclamation (WVDEP, AML). These services will consist of the development of detailed topographic mapping from field survey data, as well as aerial photography, design data surveys, and the development of field survey information suitable and adequate for the development of detailed plans and specifications. Surveying and mapping services will be provided on an open-end contract basis for various locations in northern counties of West Virginia, as identified by the Office of Abandoned Mine Lands & Reclamation.

POTESTA is an engineering and environmental consulting firm providing professional services to deliver innovative, cost-effective solutions to complex problems. Our firm is multi-disciplinary and has a diversified practice covering engineering (civil, chemical, environmental, geotechnical, mechanical, and mining), permitting, site characterization and remediation, and general environmental consulting. Civil/site, geotechnical and mining engineering are areas of extensive expertise at POTESTA. We have worked on numerous engineering projects (ranging from site grading and drainage plans for university dorms and commercial/presidential developments, to power plant foundations to mine layouts/reclamation of abandoned mine lands) throughout the region. Our 15 registered professional engineers have over 250 years of experience among them and are supported by a large group of engineers, designers, surveyors and a landscape architect. Regulatory liaison and environmental compliance are areas of exceptional strength for POTESTA as the President of the company is a former director of the West Virginia Department of Natural Resources, and a Vice President is a former director of the West Virginia Division of Environmental Protection.

POTESTA has an experienced, efficient survey and mapping department within the engineering group. We routinely complete survey and mapping services for our clients and provide quality field survey data, topographic mapping, survey control, construction stakeout services, survey plat development, and related services.

Our clients include state, local, and federal government agencies, mining companies, manufacturers, utility companies, waste management companies, chemical companies, architects, attorneys, financial institutions, insurance companies, land developers, and construction companies.

We carry a full line of insurance coverage including general liability, errors and omissions, and workers' compensation. We also have quality control procedures to assist in providing our clients with quality projects.

POTESTA, since starting in 1997, has grown to over 100 employees in three offices. Included are 15 registered professional engineers (R.P.E.'s), three registered professional licensed land surveyors (P.L.S.'s), one registered professional geologist, and two PhD's whose specialties include aquatic biology and water quality. POTESTA has assembled a team that has historically served WVDEP, AML on numerous AML projects. In fact our staff has worked on over 80 AML projects for WVDEP (and more in other states) dating back into the mid 1980's. We have an ongoing workload with WVDEP, AML.

POTESTA will perform the work for this project from our Morgantown, West Virginia office with support as necessary from our Charleston, West Virginia office. POTESTA emphasizes that we will make a priority commitment to this project.

**Appendix A** contains the executed Request for Quotation form, POTESTA's completed bid schedule, and Purchasing Affidavit form.

The following describes POTESTA's qualifications for surveying and aerial mapping services necessary for this project:

POTESTA proposes to utilize our own survey crews on this project. POTESTA will perform all of the surveying required for this contract using in-house personnel. POTESTA has three licensed professional surveyors with over 40 years of combined surveying experience. Our surveyors are experienced in all aspects of surveying such as topographic mapping, boundary and property surveys, and construction surveys for layout of work, record drawings, and quantity measurements. We have three survey crews and the capability to add a fourth crew if necessary.

POTESTA's surveyors use state-of-the-art "Field to Finish" equipment such as total station instruments, Trimble R-8 Glonass, data collectors, AutoCAD 2011, Autodesk Civil 3D design software, computer hardware for data management, and a Hewlett Packard Designjet 4000 color ink jet plotter.

POTESTA is equipped with modern survey-grade GPS and conventional survey equipment allowing efficient data processing and accurate gathering of field information. GPS equipment includes Trimble R8 GNSS receivers to set and determine control points with sub-centimeter accuracy. Total station instruments equipped with data collectors are utilized for complete field-to-office automation allowing for high levels of productivity in the field for conventional surveying tasks. The latest versions of software are then used to process survey data and create drawings or required end products.

POTESTA utilizes state of the art computers and hardware, networked through Windows NT, for interfacing of drafting and surveying departments. Thus, drawing and surveying data files can be shared efficiently.

Surveys and mapping are completed to the standards as outlined by the National Map Standards as well as other applicable quality standards referenced in the Request for Quotation.

POTESTA will subcontract aerial photography and aerial mapping compilation.

## **1.2 Licensed Land Surveyors**

POTESTA has three licensed land surveyors. The licensed land surveyors are:

- Mr. Dana Burns, PE, PS
- Mr. William Drinkard, PE, PS
- Mr. Victor Dawson, PS

Primary project responsibilities will be performed by Mr. Victor Dawson, PS No. 956.

POTESTA's Certificate of Authorization with the West Virginia Board of Professional Surveyors is Certificate No. 11-5368.

## **1.3 List of Similar Projects Completed Previously by POTESTA**

**Appendix B** includes a list of representative, similar mapping projects completed by POTESTA over the past five years. These projects are designated as "complete."

## **1.4 List of Similar Projects Currently Working On**

**Appendix B** includes a list of similar mapping projects currently ongoing.

## **1.5 Project Manager**

POTESTA's project manager will be Mr. Victor Dawson, PS. Mr. Dawson has 30 years of experience in surveying work and is a registered professional surveyor in West Virginia, North Carolina, and South Carolina.

## **1.6 Years of Experience**

POTESTA has been providing surveying and mapping services to our clients for 15 years.

## **2.0 CLOSING**

We look forward to continuing to serve WVDEP, AML on the open-end contract for surveying and mapping. Our commitment is to provide quality service, rapid response and project completion, and to exceed your expectations for services performed under this project. We believe the track record of our professionals demonstrates our ability and commitment.



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
DEP15704

PAGE
1

ADDRESS CORRESPONDENCE TO ATTENTION OF:
GUY NISBET 304-558-8802

RFQ COPY  
 TYPE NAME/ADDRESS HERE

**VENDOR**

Potesta & Associates, Inc.  
 7012 MacCorkle Avenue, SE  
 Charleston, WV 25304

**SHIP TO**

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

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
01/24/2012				

BID OPENING DATE: 01/31/2012 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	JB	962-52	MAPPING SERVICES FOR NORTHERN COUNTIES OF WV		
ADDENDUM ISSUED TO PUBLISH Q&A'S RECEIVED AND AS ANSWERED BY THE AGENCY. BID OPENING DATE AND TIME REMAINS UNCHANGED. NO OTHER CHANGES. END OF ADDENDUM NO. 1						
***** THIS IS THE END OF RFQ DEP15704 ***** TOTAL:						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
<i>Dana L. Burns</i>	(304) 342-1400	January 31, 2012
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE
Vice President	31-1509066	

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





State of West Virginia  
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12/22/2011				

BID OPENING DATE: 01/31/2012 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	JB		962-52		
<p>OPEN END CONTRACT</p> <p>MAPPING SERVICES FOR NORTHERN COUNTIES OF WV</p> <p>THE WEST VIRGINIA PURCHASING DIVISION, FOR THE AGENCY, THE WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION OFFICE OF ABANDONED MINE LANDS AND RECLAMATION IS SOLICITING BIDS FROM QUALIFIED VENDOR'S FOR A OPEN-END CONTRACT TO PROVIDE MAPPING SERVICES IN THE NORTHERN COUNTIES OF WEST VIRGINIA PER THE FOLLOWING SPECIFICATIONS, TERMS AND CONDITIONS, BID REQUIREMENTS AND THE VENDOR'S SUBMITTED AND ACCEPTED BID SCHEDULE.</p> <p>THESE MAPPING SERVICES WILL RESULT IN THE DEVELOPMENT OF CONTRACT DOCUMENTS FOR DESIGN &amp; CONSTRUCTION PROJECTS THROUGHOUT THE NORTHERN COUNTIES OF WEST VIRGINIA INDICATED HEREIN.</p> <p>INQUIRES:</p> <p>WRITTEN QUESTIONS SHALL BE ACCEPTED THROUGH THE CLOSE OF BUSINESS ON FRIDAY, JANUARY 13, 2012. QUESTIONS MAY BE SENT VIA: USPS, FAX, COURIER OR EMAIL. IN ORDER TO ASSURE THAT NO VENDOR RECEIVES AN UNFAIR ADVANTAGE, NO SUBSTANTIVE QUESTION WILL BE ANSWERED ORALLY. IF POSSIBLE, EMAIL QUESTIONS ARE PREFERRED. ANY TECHNICAL QUESTIONS RECEIVED WILL BE ANSWERED BY FORMAL WRITTEN</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Dana L. Burns</i>	TELEPHONE (304) 342-1400	DATE January 31, 2012
TITLE Vice President	FEIN 31-1509066	ADDRESS CHANGES TO BE NOTED ABOVE

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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](http://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).



State of West Virginia  
 Department of Administration  
 Purchasing Division  
 2019 Washington Street East  
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DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
12/22/2011				

BID OPENING DATE: 01/31/2012 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>ADDENDUM TO BE ISSUED BY THE PURCHASING DIVISION AFTER THE DEADLINE HAS LAPSED.</p> <p>ADDRESS INQUIRIES TO:</p> <p>GUY NISBET            DEPARTMENT OF ADMINISTRATION            PURCHASING DIVISION            2019 WASHINGTON STREET, EAST            CHARLESTON, WV. 25305            FAX: 304.558.4115            EMAIL: GUY.L.NISBET@WV.GOV</p> <p>EXHIBIT 3</p> <p>LIFE OF CONTRACT: THIS CONTRACT BECOMES EFFECTIVE ON 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> <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) ONE</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Dana L. Burns</i>	TELEPHONE (304) 342-1400	DATE January 31, 2012
TITLE Vice President	FEIN 31-1509066	ADDRESS CHANGES TO BE NOTED ABOVE

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LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
	(1)	YEAR PERIODS.				
<p><b>CANCELLATION:</b> 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 TO THE SPECIFICATIONS OF THE BID AND CONTRACT HEREIN.</p> <p><b>OPEN MARKET CLAUSE:</b> 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><b>QUANTITIES:</b> QUANTITIES LISTED IN THE REQUISITION ARE APPROXIMATIONS ONLY, BASED ON ESTIMATES SUPPLIED BY THE STATE SPENDING UNIT. IT IS UNDERSTOOD AND AGREED THAT THE CONTRACT SHALL COVER THE QUANTITIES ACTUALLY ORDERED FOR DELIVERY DURING THE TERM OF THE CONTRACT, WHETHER MORE OR LESS THAN THE QUANTITIES SHOWN.</p> <p><b>ORDERING PROCEDURE:</b> SPENDING UNIT(S) SHALL ISSUE A WRITTEN STATE CONTRACT ORDER (FORM NUMBER WV-39) TO THE VENDOR FOR COMMODITIES COVERED BY THIS CONTRACT. THE ORIGINAL COPY OF THE WV-39 SHALL BE MAILED TO THE VENDOR AS AUTHORIZATION FOR SHIPMENT, A SECOND COPY MAILED TO THE PURCHASING DIVISION, AND A THIRD COPY RETAINED BY THE SPENDING UNIT.</p> <p><b>BANKRUPTCY:</b> IN THE EVENT THE VENDOR/CONTRACTOR FILES FOR BANKRUPTCY PROTECTION, THE STATE MAY DEEM THE CONTRACT NULL AND VOID, AND TERMINATE SUCH CONTRACT WITHOUT FURTHER ORDER.</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Dana L. Burns</i>	TELEPHONE (304) 342-1400	DATE January 31, 2012
TITLE Vice President	FEIN 31-1509066	ADDRESS CHANGES TO BE NOTED ABOVE

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State of West Virginia  
 Department of Administration  
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**Request for  
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12/22/2011				

BID OPENING DATE: **01/31/2012** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>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: center;">             .....            SIGNATURE            . Potesta &amp; Associates, Inc. .            COMPANY            January 31, 2012            .....            DATE         </p> <p>NOTE: THIS ADDENDUM ACKNOWLEDGEMENT SHOULD BE SUBMITTED WITH THE BID.</p> <p>REV. 09/21/2009</p> <p>PURCHASING CARD ACCEPTANCE: THE STATE OF WEST VIRGINIA CURRENTLY UTILIZES A VISA PURCHASING CARD PROGRAM WHICH IS ISSUED THROUGH A BANK. THE SUCCESSFUL VENDOR MUST ACCEPT THE STATE OF WEST VIRGINIA VISA PURCHASING CARD FOR PAYMENT OF ALL ORDERS PLACED BY ANY STATE AGENCY AS A CONDITION OF AWARD.</p> <p style="text-align: center;">NOTICE</p> <p>A SIGNED BID MUST BE SUBMITTED TO:            DEPARTMENT OF ADMINISTRATION            PURCHASING DIVISION</p>						

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LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
***** THIS IS THE END OF RFQ DEP15704 ***** TOTAL: _____						

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Rev. 09/08

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.

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*, §61-5-3), 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: Potesta & Associates, Inc.Signed: Date: January 31, 2012Title: Vice President

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



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: Potesta & Associates, Inc.

Authorized Signature: *Dana L. Burns* Date: January 31, 2012

State of West Virginia

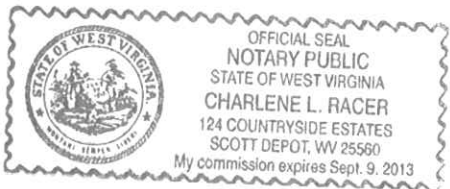
County of Kanawha, to-wit:

Taken, subscribed, and sworn to before me this 31 day of January, 2012.

My Commission expires September 9, 2013.

**AFFIX SEAL HERE**

NOTARY PUBLIC *Charlene L. Racer*



## LIST OF SIMILAR MAPPING PROJECTS

Project No.	Client	Project Description
<i>Complete</i>		
11-0107	Southern West Virginia Asphalt, Inc.	850 Acres Aerial Mapping of Kelly Mountain Quarry
11-0108	Southern West Virginia Asphalt, Inc.	550 Acres Aerial Mapping of Bowden Quarry
10-0423	West Virginia Department of Environmental Protection	Sundial Abandoned Mine Lands Aerial Mapping
10-0195	Marion County Regional Development Authority	25 Acres Aerial Mapping of Owens Glass Plant, ALTA
11-0142	Bridge Partners	20 Acres Aerial Mapping of West Run Student Housing, ALTA
09-0161	West Virginia Department of Environmental Protection	Aerial Mapping for South Charleston Sanitary Landfill
07-0408	West Virginia Department of Environmental Protection	Jessop Highwall Abandoned Mine Lands Aerial Mapping
08-0437	Shafer Brothers Mines	300 Acres Aerial Mapping of Bucy 2 Mine
08-0600	Shafer Brothers Mines	475 Acres Aerial Mapping of Edna Gas Mine
08-0615	Shafer Brothers Mines	240 Acres Aerial Mapping of West Hills Mine
11-0056	University of Charleston	Aerial Mapping of Entire Campus
11-0227	Copper Beech Townhome Communities, LLP	42 Acres Aerial Mapping of Copper Beech, ALTA
08-0438	Shafer Brothers Mines	450 Acres Aerial Mapping of Miller Mine
10-0042	Shafer Brothers Mines	366 Acres Aerial Mapping of National Mine
10-0274	Shafer Brothers Mines	350 Acres Aerial Mapping – Bucy 3 Mine
11-0533	LANGAN Properties	65 Acres Aerial Mapping – Proposed Shopping/Motel Site
11-0256	Ridgeline	20 Acres Aerial Mapping for New Store

*Note: POTESTA has completed all mapping projects under contract and has no current mapping projects waiting to be performed.*