



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
 DRS120374

PAGE
 1

ADDRESS CORRESPONDENCE TO ATTENTION OF:
 SHELLY MURRAY
 304-558-8801

RFQ COPY
 TYPE NAME/ADDRESS HERE

709040056

VENDOR

Thornhill Superstore Inc
 PO Box 4454
 US RT 119 S. Trace Fork Rd
 Chapmanville WV 25508

SHIP TO

DIV OF REHABILITATION SERVICES
 JOBSITE
 SEE SPECIFICATIONS

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
01/10/2012				

BID OPENING DATE: 02/16/2012 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	2	EA		070-06-01-000		
<p>THE WEST VIRGINIA PURCHASING DIVISION, FOR THE AGENCY, THE WEST VIRGINIA DIVISION OF REHABILITATION SERVICES, IS SOLICITING BIDS FOR TWO (2) 2012 OR LATER CHEVROLET IMPALA LS VEHICLES OR EQUAL PER THE ATTACHED SPECIFICATIONS.</p> <p>TECHNICAL QUESTIONS MUST BE SUBMITTED IN WRITING TO SHELLY MURRAY IN THE WEST VIRGINIA PURCHASING DIVISION VIA MAIL AT THE ADDRESS SHOWN AT THE TOP OF THIS RFQ, VIA FAX AT 304-558-4115, OR VIA E-MAIL AT SHELLY.L.MURRAY@WV.GOV. DEADLINE FOR ALL TECHNICAL QUESTIONS IS 01/31/2012 AT THE CLOSE OF BUSINESS. ALL TECHNICAL QUESTIONS RECEIVED, IF ANY, WILL BE ADDRESSED BY ADDENDUM AFTER THE DEADLINE.</p> <p>CANCELLATION: THE DIRECTOR OF PURCHASING RESERVES THE RIGHT TO CANCEL THIS CONTRACT IMMEDIATELY UPON WRITTEN NOTICE TO THE VENDOR IF THE COMMODITIES AND/OR SERVICES SUPPLIED ARE OF AN INFERIOR QUALITY OR DO NOT CONFORM WITH THE SPECIFICATIONS OF THE BID AND CONTRACT HEREIN.</p> <p>BANKRUPTCY: IN THE EVENT THE VENDOR/CONTRACTOR FILES FOR BANKRUPTCY PROTECTION, THIS CONTRACT IS AUTOMATICALLY NULL AND VOID, AND IS TERMINATED WITHOUT FURTHER ORDER.</p> <p>ANY INDIVIDUAL SIGNING THIS BID IS CERTIFYING THAT:</p>						

RECEIVED

2012 FEB 15 AM 11:17

WV PURCHASING DIVISION

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE: *[Signature]* TELEPHONE: 304-855-1400 DATE: 2-14-12

TITLE: Sales Manager FEIN: 5503282031 ADDRESS CHANGES TO BE NOTED ABOVE

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

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).



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BID OPENING DATE: **02/16/2012** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>(1) HE OR SHE IS AUTHORIZED BY THE BIDDER TO EXECUTE THE BID OR ANY DOCUMENTS RELATED THERE TO ON BEHALF OF THE BIDDER, (2) THAT HE OR SHE IS AUTHORIZED TO BIND THE BIDDER IN A CONTRACTUAL RELATIONSHIP, AND (3) THAT THE BIDDER HAS PROPERLY REGISTERED WITH ANY STATE AGENCIES THAT MAY REQUIRE REGISTRATION.</p> <p>THE MODEL/BRAND/SPECIFICATIONS NAMED HEREIN ESTABLISH THE ACCEPTABLE LEVEL OF QUALITY ONLY AND ARE NOT INTENDED TO REFLECT A PREFERENCE OR FAVOR ANY PARTICULAR BRAND OR VENDOR. VENDORS WHO ARE BIDDING ALTERNATES SHOULD SO STATE AND INCLUDE PERTINENT LITERATURE AND SPECIFICATIONS. FAILURE TO PROVIDE INFORMATION FOR ANY ALTERNATES MAY BE GROUNDS FOR REJECTION OF THE BID. THE STATE RESERVES THE RIGHT TO WAIVE MINOR IRREGULARITIES IN BIDS OR SPECIFICATIONS IN ACCORDANCE WITH SECTION 148-1-4(F) OF THE WEST VIRGINIA LEGISLATIVE RULES AND REGULATIONS.</p> <p style="text-align: center;">NOTICE</p> <p>A SIGNED BID MUST BE SUBMITTED TO:</p> <p style="text-align: center;">DEPARTMENT OF ADMINISTRATION PURCHASING DIVISION BUILDING 15 2019 WASHINGTON STREET, EAST CHARLESTON, WV 25305-0130</p> <p>THE BID SHOULD CONTAIN THIS INFORMATION ON THE FACE OF THE ENVELOPE OR THE BID MAY NOT BE CONSIDERED:</p> <p>SEALED BID</p>						

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SIGNATURE	TELEPHONE	DATE
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE

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LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
BUYER: SHELLY MURRAY RFQ. NO.: DRS120374 BID OPENING DATE: 02/16/2012 BID OPENING TIME: 1:30 PM PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID: <u>304-855-8314</u> CONTACT PERSON (PLEASE PRINT CLEARLY): <u>Paul Johnson</u> ***** THIS IS THE END OF RFQ DRS120374 ***** TOTAL: _____						

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DRS120374

Specifications:

Two (2) 2012 or later model year, Chevrolet Impala LS, or equal, vehicles with the following requirements:

- 1. Automatic Transmission
- 2. Open floorboard area (gear selector on column)
- 3. 60/40 split bench front seat
- 4. Power seat in driver position
- 5. Power windows
- 6. Power locks
- 7. Light exterior color (white preferred)
- 8. Dark interior color (to eliminate glare for clients with optic diagnoses)
- 9. Vendors bidding alternates should indicate the make, model and year, and include all pertinent manufacturer literature with their bid.
- 10. Quotes shall be all-inclusive. No separate reimbursement shall be made to the vendor for delivery or any other expense.
- 11. Delivery shall be within 60 days of receipt of order by the vendor.

These vehicles will be modified for the WVDRS Drivers' Ed program for use with disabled clients. An open floorboard is a must due to the space needed for additional, adaptive gear. The agency will add the modifications after purchase and they are not part of this RFQ.

Alternate Bids: Yes No
 Make: _____ Model: _____ Year: _____
 Pertinent Literature Enclosed: Yes No

Delivery:

Delivery of the vehicles shall be to the following location:

West Virginia Surplus Property
2700 Charles Avenue
Dunbar, WV 25064

Surplus Property Contact:
Doug Elkins, Vehicle Coordinator
Phone: 304-766-2626
FAX: 304-766-2631

The vendor must receive prior approval from Surplus Property to deliver the vehicles. The delivery request must be made at least five (5) working days in advance. No deliveries will be accepted after 3:30pm.

Invoices:

All invoices must be received the same day the vehicle is delivered and should be hand carried to the address indicated on the "Invoice-to" section of the Purchase Order.

Invoice Contact:

Charlyn Miller, Procurement Manager

Phone: 304-356-2103

FAX: 304-558-1689

Documentation:

All documentation (Title Application, Certificate of Origin, Delivery/Odometer Statement) must read: "WV Division of Rehabilitation Services" and shall be delivered with the original invoice to the Procurement Manager named above.

The agency will perform the title, tag, and registration process and contact the WV Admin Fleet Management Office for enrollment in fuel and maintenance programs.

Vendor to complete:

Item	Quantity	Description	Unit Price	Extended Price
1	2 ea	Chevrolet Impala LS, or equal	\$19,156	\$38,316

Award shall be made to the lowest bid vendor meeting specifications.

- MANDATORY REQUIREMENTS -
[FOR CENTRAL PURCHASING (CPD) NON-EXEMPT AGENCIES]

FLEET MANAGEMENT OFFICE

2101 Washington Street, East

P.O. Box 50121

Charleston, WV 25305-0121

FAX: (304) 957-0198

Toll Free: 855-817-1910

EMAIL: Fleet@wv.com

Barry Gunnoe, Fleet Assistant
 Email: barry.d.gunnoe@wv.gov
 Telephone: (304) 558-2614

Janice Hartman, Fleet Manager
 Email: janice.l.hartman@wv.gov
 Telephone: (304) 558-0086

Clay Chandler, Executive Director
 Email: clay.d.chandler@wv.gov
 Telephone: (304) 558-0086

SPENDING UNIT PURCHASING A VEHICLE

REQUEST FOR ASSIGNMENT

Requests by spending units for vehicle assignment will be submitted to FMO using either DOA-FM-005, Fleet Vehicle Request or DOA-FM-009, Fleet Permanent (one-year or more) Increase Request. All fleet-related requests must be routed through the SUFC, spending officer, and either assigned cabinet secretary or assigned constitutional officer or designee prior to transmission or delivery to FMO. Forms should be transmitted or submitted at least 90 days prior to the need for the vehicle, when practical.

Requests may contain original signatures; may contain certified digital signatures; or may be unsigned when other methods are used to document approval, such as a supporting email or cover letter/memorandum. In cases where either the assigned cabinet secretary or assigned constitutional officer is not available for signature or has authorized delegation of authority, each request must contain the following statement: "I have been delegated authority to approve fleet-related requests by my assigned [cabinet secretary] [constitutional officer]."

VEHICLE REQUEST FORM DOA-FM-005

The FMO will review the DOA-FM-005, Fleet Vehicle Request and approve, disapprove, or request additional information within five (5) business days from receipt.

A purchase order number is not required for spending units requesting to: 1) lease vehicles from the FMO or 2) are requesting FMO to finance and lease vehicles to the spending unit.

For spending units requesting to: 1) to purchase vehicles outright using the statewide motor vehicle contract or 2) to purchase vehicles outright using statutorily authorized purchasing methods, the following documents are required:

DOA-FM-005, Fleet Vehicle Request
 WV-35 Purchase Requisition
 Vehicle Order Form (provided with statewide contract by CPD)
 FIMS Purchase Order Cover Sheet (Agency Sheet)
 FIMS Fixed Assets Retirement Cover Sheet

PERMANENT (One-year or more) INCREASE TO FLEET REQUEST DOA-FM-009

This form is required if you do not have a vehicle to decommission or retire.

The FMO will review the DOA-FM-009, Fleet Permanent (one-year or more) Increase Request and endorse as appropriate; or return to spending unit for additional information. Once approved, the spending unit will be provided an annotated copy of the completed DOA-FM-009.

Upon receipt of the annotated DOA-FM-009, spending units may:

Attach and return the following documents to FMO for additional endorsement and continued processing by the Central Purchasing Division:

DOA-FM-009 Fleet Permanent (one-year or more) Increase Request
 WV-35 Purchase Requisition
 Vehicle Order Form (provided with statewide contract by CPD)
 FIMS Purchase Order Cover Sheet (Agency Sheet)
 FIMS Fixed Assets Retirement Cover Sheet

BILLING CODE/S: For vehicles that are funded using multiple sources (Federal, State Restricted, Other, etc.), please indicate the billing codes and apportionment percentage for each fund type if multiple-line billing is required.

FUNDING: Indicate the funding source/s for the vehicle. This data will ensure proper continued fiscal accountability required by Federal Code, Rules, Regulations and West Virginia Code throughout the vehicle life-cycle (commissioning through decommissioning).

DESIRED VEHICLE OPTIONS FOR MOTOR VEHICLE STATE-WIDE CONTRACT: Only list options where there is an additional cost over the base contract.

- **COLOR:** You may select a color for new vehicles. You cannot select a particular color for any used vehicles.

ASSET MANAGEMENT AND INSURANCE: Agencies remain responsible for inputting asset management information contained in agency-administered asset management legacy programs and insurance systems administered by the Board of Risk and Insurance Management (BRIM).

VENDOR RECEIVING THE PURCHASE ORDER

INVOICES

All invoices must be received the same day the vehicle is delivered and should be hand carried to the address indicated on the "invoice to" section of the purchase order, release order, or other procurement, acquisition, or leasing agreement used by the agency.

DOCUMENTATION

GENERAL: All documentation (Title Application, Certificate of Origin, Delivery/Odometer Statement, Lease Agreement, etc.) must read: "NAME OF SPENDING UNIT."

DELIVERY

PRIOR TO DELIVERY: All vehicle identification numbers (VIN) must be supplied to the Fleet Management Office by email, referencing the purchase order, release order, or other procurement, acquisition, or leasing agreement number, the year, make, model, and color of each vehicle to the attention of Barry Gunnoe. This information must be received – ten (10) working days prior to the delivery of each vehicle.

ON DELIVERY: All documentation (Title Application, Certificate of Origin, Delivery/Odometer Statement, Lease Agreement, etc.) in original form must be mailed or hand carried to:

Department of Administration
Fleet Management Office
Capitol Complex, Bldg 17
2101 Washington Street, East
P.O. Box 50121
Charleston, WV 25305-0121

FLEET MANAGEMENT OFFICE

UPON RECEIPT OF DOCUMENTATION

Fleet Management Office will:

Perform the title, tag, and registration process.

Enroll the vehicle in fuel, roadside assistance, maintenance (if appropriate), and other fleet-related programs.

Schedule any post-procurement, Fleet Management Office-funded, vehicle enhancements (automatic vehicle location, drive cam, rear facing camera system, fuel management system, etc.).

Establish an appointment to meet with agency designated representative and/or vehicle driver to issue vehicle-specific Operating Manual, Fuel Card, and Maintenance ID Card, Proof of Insurance, complete Lease Agreement DOA-FM-007, Fleet Duty Appointment, DOA-FM-006, etc.

DELIVERY REQUIREMENTS

DELIVERIES NOT MADE TO WEST VIRGINIA SURPLUS PROPERTY

All vehicles must be delivered to the "ship to" section indicated on purchase order, release order, or other procurement, acquisition, or leasing agreement.

DELIVERIES MADE TO WEST VIRGINIA SURPLUS PROPERTY

The vendor must receive prior approval from Surplus Property to deliver vehicles. The delivery request must be made at least – five (5) – working days in advance. Surplus property will accept a maximum amount of – 20 – vehicles per day and no deliveries will be accepted after 3:30 p.m.

West Virginia Surplus Property Unit
2700 Charles Avenue
Dunbar, WV 25064

SURPLUS PROPERTY CONTACT INFORMATION

Doug Elkins, Vehicle Coordinator
Telephone: (304) 766-2626
Fax Number: (304) 766-2631

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,
[X] 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:

- [X] 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:

- [X] 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: Paul Johnson

Signed: [Signature]

Date: 02-14-12

Title: manager

*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 exceeds five percent of the total contract amount.

EXCEPTION: The prohibition of this section does not apply where a vendor has contested any tax administered pursuant to chapter eleven of this code, workers' compensation premium, permit fee or environmental fee or assessment and the matter has not become final or where the vendor has entered into a payment plan or agreement and the vendor is not in default of any of the provisions of such plan or agreement.

Under penalty of law for false swearing (*West Virginia Code* §61-5-3), it is hereby certified that the vendor affirms and acknowledges the information in this affidavit and is in compliance with the requirements as stated.

WITNESS THE FOLLOWING SIGNATURE

Vendor's Name: Thornhill Superstore Inc

Authorized Signature: [Signature] Date: 2-14-12

State of West Virginia

County of Logan, to-wit:

Taken, subscribed, and sworn to before me this 14 day of Feb., 2012.

My Commission expires 10-19, 2021.

AFFIX SEAL HERE

NOTARY PUBLIC Rhonda B Trent

