

June 28, 2012

State Government/Public Funds Group

Mailcode: 725-01-01-72
300 Summers Street
Charleston, WV 25301
Office (304) 348-7078
Fax (304) 348-1185

West Virginia Purchasing
Bid WWV12875
Paul Reynolds

Mr. Reynolds,

BB&T is pleased to offer services to Workforce WV. Enclosed please find the REVISED bid for deposit services WWV12875. As the bid price item sheet failed to express the Earnings Credit Rate (ECR) savings to the State, we have listed below each price item the estimated savings to the State. The pages, illustrating the services to be provided referenced the ECR, and this is an important part to the overall price paid by the agency. As a banking partner, we want to insure the lowest possible cost to our client, while providing proper credit for the deposits on hand. In the current low rate environment, returning value to the depositor is important to us.

BB&T would further indicate that we have and will continue to have a dedicated office to serve the State of West Virginia Agencies. We have a staff located in Charleston that is focused on and responsive to the State. We further illustrate that we can perform all items listed in the bid package and have met all of the standards of the state bidding process to be a preferred bidder. We further indicate that we will conform to the purchasing requirements as updated and in effect June 8, 2012.

Thank you for the opportunity to bid.



Michael Holtsclaw
Senior Vice President
Business Deposits Office
State Government Group Manager

RECEIVED

2012 JUN 28 AM 11:36

WV PURCHASING
DIVISION



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

Solicitation

NUMBER
WWV12875

PAGE
1

ADDRESS CORRESPONDENCE TO ATTENTION OF:
PAUL REYNOLDS 304-558-0468

VENDOR	*417144036 304-348-7078
	BRANCH BANKING & TRUST CO
	300 SUMMERS ST
	CHARLESTON WV 25301

SHIP TO	WV BUREAU OF EMPLOYMENT PROGRA
	3701 MAC CORKLE AVENUE SE
	CHARLESTON, WV
	25304 348-2634

DATE PRINTED
06/19/2012

BID OPENING DATE: 06/28/2012 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
				ADDENDUM NO. 1		
				ADD: ADDITIONAL TERMS AND CONDITIONS		
				REVISED SERVICES BID SHEET FOR ACCOUNTS SERVICES A		
				REVISED SERVICES BID SHEET FOR BOTH CLEARING AND BENEFIT ACCOUNTS - SERVICES C		
				ANSWER TO TECHNICAL QUESTIONS ATTACHED		
				BID OPENING DATE CHANGED		
				FROM: 06/21/12 @1:30 P.M.		
				TO: 06/28/12 @1:30 P.M.		
0001		LS		946-25		
				BANKING SERVICES		
				***** THIS IS THE END OF RFQ WWV12875 ***** TOTAL:		

SIGNATURE <i>Michael A. Holtsclaw</i>	TELEPHONE 304-348-7078	DATE 06-28-2012
TITLE SENIOR-VICE PRESIDENT	FEIN 56-1074313	ADDRESS CHANGES TO BE NOTED ABOVE

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

ADDITIONAL TERMS AND CONDITIONS

Various Legislative acts passed in the 2012 session require inclusion of certain provisions in all state contracts. Accordingly, this addendum will add the three provisions listed below to the solicitation and resulting contract entered into between the State of West Virginia and the vendor. In the event that the solicitation is not for construction or architectural/engineering work, sections 2 and 3 below will not apply.

1. **BACKGROUND CHECK:** In accordance with W. Va. Code § 15-2D-3, the Director of the Division of Protective Services may require any service provider whose employees are regularly employed on the grounds or in the buildings of the Capitol complex or who have access to sensitive or critical information to submit to a fingerprint-based state and federal background inquiry through the state repository.

After the contract for such services has been approved, but before any such employees are permitted to be on the grounds or in the buildings of the Capitol complex or have access to sensitive or critical information, the service provider shall submit a list of all persons who will be physically present and working at the Capitol complex to the Director of the Division of Protective Services for purposes of verifying compliance with this provision.

The State reserves the right to prohibit a service provider's employees from accessing sensitive or critical information or to be present at the Capitol complex based upon results addressed from a criminal background check.

2. **SUBCONTRACTOR LIST SUBMISSION:** In accordance with W. Va. Code § 5-22-1, The apparent low bidder on a contract for the construction, alteration, decoration, painting or improvement of a new or existing building or structure valued at more than \$500,000.00 shall submit a list of all subcontractors who will perform more than \$25,000.00 of work on the project including labor and materials. This provision shall not apply to any other construction projects, such as highway, mine reclamation, water or sewer projects.

a. **Required Information.** The subcontractor list shall contain the following information:

- I. Bidder's name
- II. Name of each subcontractor
- III. License numbers as required by W. Va. Code § 21-11-1 et. seq.

- iv. Notation that no subcontractors will be used if the bidder will perform the work
 - b. **Submission.** The completed subcontractor list shall be provided to the Purchasing Division within one business day of the opening of bids for review. Failure to submit the subcontractor list within one business day after the deadline for submitting bids shall result in disqualification of the bid.
 - c. **Substitution of Subcontractor.** Written approval must be obtained from the Purchasing Division before any subcontractor substitution is permitted. Substitutions are not permitted unless:
 - I. The subcontractor listed in the original bid has filed for bankruptcy;
 - II. The subcontractor in the original bid has been debarred or suspended; or
 - III. The contractor certifies in writing that the subcontractor listed in the original bill fails, is unable, or refuses to perform his subcontract.
3. **GREEN BUILDINGS MINIMUM ENERGY STANDARDS:** In accordance with § 22-29-4, all new building construction projects of public agencies that have not entered the schematic design phase prior to July 1, 2012, or any building construction project receiving state grant funds and appropriations, including public schools, that have not entered the schematic design phase prior to July 1, 2012, shall be designed and constructed complying with the ICC International Energy Conservation Code, adopted by the State Fire Commission, and the ANSI/ASHRAE/IESNA Standard 90.1-2007: *Provided*, That if any construction project has a commitment of federal funds to pay for a portion of such project, this provision shall only apply to the extent such standards are consistent with the federal standards.

WORKFORCE WEST VIRGINIA

Services Bid Sheet for Account – **Services A**

This Bid Sheet covers processing benefits for the following accounts:

1. Unemployment Compensation Benefit Payment Account
2. Trade Readjustment Act Account
3. Disaster Unemployment Act Account
4. Special Account
5. Trade Adjustment Assistance Account
6. Alternative Trade Adjustment Assistance Account
7. Health Care Tax Credit

Monthly Unemployment checks submitted to the financial institution
Monthly ACH transfers.

- | | |
|--|---------------------------|
| 1. Price per draft presented, edited, and paid*
*estimated at 100,000 per calendar year | \$ <u>0.273</u> per draft |
| 2. Stop payment per draft**
**estimated 400 per calendar year | \$ <u>0.007</u> per draft |
| 3. Daily Balance/Reporting On-line | \$ <u>0.134</u> per draft |
| 4. Daily Reconciliation and Exception Report | \$ <u>0.108</u> per draft |
| 5. Other (Check-Imaging CD ROM) | \$ <u>0.030</u> per draft |

TOTAL PER DRAFT FOR SERVICES A (1+2+3+4+5) \$0.552 per draft
**Cost prior to Earnings Credit Rate reduction. (Earning credit will reduce cost to \$0.486 per draft on average balances and prevailing Earnings Credit Rate)*

Services Bid Sheet for Clearing Account – **Services B**

This bid covers the following accounts:

Clearing Account A
Clearing Account B

- | | |
|---|---------------------------|
| 1. Price per draft presented, edited and paid*
*Deposits are made on a daily basis estimated to be 50,000 per year | \$ <u>0.144</u> per draft |
| 2. Daily Balance/Reporting On-line | \$ <u>0.021</u> per draft |

TOTAL PER DRAFT FOR SERVICES B (1+2) \$0.165 per draft
**Cost prior to Earnings Credit Rate reduction. (Earning credit will reduce cost to \$ - 0.026 per draft on average balances and prevailing Earnings Credit Rate)*

Services for Both Clearing And Benefit Accounts – Services C

FDIC Deposit Insurance Fund (DIF)***

**Subject to change pursuant to prevailing current published rate

\$0.1333 (Vendor's rate per \$1,000 average ledger balance multiplied by 3,800 = average monthly cost of \$506.54 divided by an average of 13,000 drafts per month = \$0.039 per draft

TOTAL PER DRAFT FOR SERVICES ON BOTH ACCOUNTS \$0.039 per draft

***Grand Total = (Services A Total + Services B Total + Services C Total)**

GRAND TOTAL \$0.756 per draft

******Estimated Earnings Credit will reduce per draft cost to \$0.499 per draft based on monthly average balances and prevailing Earnings Credit Rate.***

NOTE: WorkForce West Virginia supplies its own check drafts

NOTE: Costs/charges not specifically identified above will not be allowable. The above list contains all items for which the successful vendor will be permitted to charge under any resulting Purchase Order.

NOTE: FDIC DIF fess will be assessed to qualifying accounts at the standard published monthly rate. (For example: \$ 0.1333 per 1,000 on average ledger balances)

NOTE: Attachments A & B are **for example only** showing what information the successful vendor will submit to our agency so that we can be in compliance with reports required by the Department of Labor.

NOTE: AWARD OF THIS RFQ WILL BE BASED ON THE VENDOR WITH THE LOWEST COST AS REPRESENTED ON THE COST SHEET, AND MEETS THE SPECIFICATIONS OF THIS RFQ.

State of West Virginia
WorkForce West Virginia
RFQ #WWV12875
Technical Answers to Vendors' Questions

1. Question: Will WFWV please provide the average collected balances for all requested accounts as well as the number of deposits, items deposited, debits, ACH and Wire activity?

Answer: Please see Excel spreadsheet hereto attached as "Exhibit 1"

Result: No change to RFQ specifications

2. Question: A., Tasks Required for Benefit Accounts, Section II, B Service Requirements, Pages 5&6 – Do WFWV personnel currently logon to an electronic treasury services provided by the current vendor in order to import or upload the referenced check issues file? Secondly, do WFWV personnel utilize the same treasury services platform to view and decision exception items?

Answer: No - WFWV MIS Department sends a "Positive Pay" file daily which lists the checks issued. This file is sent via SFTP. Secondly, the current vendor provides an online service that WFWV staff logon to every day to view and decision exception checks.

Result: No change to RFQ specifications.

3. Question: A., Tasks Required for Benefit Accounts, Section II, C Service Requirements, Page 6 – Can the required check reconciliation file be made available online through a secure treasury services platform? Currently, do WFWV personnel access an online treasury services platform in order to export or download the check reconciliation file? Is the requirement that checks be listed in groups of 100 items flexible?

Answer: WFWV wants this to be an automatic update sent to designated WFWV staff. WFWV does not want for WFWV staff to go onto a website to pull up the information. The grouping of checks within 100 items is being removed from the RFQ specifications:

Result: Under A. TASKS REQUIRED FOR BENEFIT ACCOUNTS, Section II entitled "Service Requirements", Item C is hereby being updated as follows:

From: C. The financial institution must, on a monthly basis, provide separate electronic transmittals of the monthly check reconciliation data for each account. Specifications on the transmittal content must be provided to the financial institution by the WFWV prior (to be determined). The checks shall be listed in groups of one hundred items with the subtotals as well as a grand total at the end of the listing.-Also the financial institution must provide on-line access of the imaged copies of all checks cleared or via CD Rom if on-line access is not available. All items required by this paragraph must be provided by no later than the ninth calendar day of the month following the month said checks are paid. The Management Information Systems (MIS) Division reserves the right to accept or reject electronic transmittals provided by the financial institution. Transmittals rejected will be returned to the Bank with problems identified and the financial institution will have five (5) calendar days to provide a corrected file.

TO: C. The financial institution must, on a monthly basis, provide separate electronic transmittals of the monthly check reconciliation data for each account. Specifications on the transmittal content must be provided to the financial institution by the WFWV prior (to be determined). Also the financial institution must provide on-line access of the imaged copies of all checks cleared or via CD Rom if on-line access is not available. All items required by this paragraph must be provided by no later than the ninth calendar day of the month following the month said checks are paid. The Management Information Systems (MIS) Division reserves the right to accept or reject electronic transmittals provided by the financial institution. Transmittals rejected will be returned to the Bank with problems identified and the financial institution will have five (5) calendar days to provide a corrected file.

4. **Question: A., Tasks Required for Benefit Accounts, Section III, Compensation, B – Will WFWV provide the most recent form 84-13 with cost per draft redacted in order to determine monthly volumes?**

Answer: Please refer to Exhibit 1.

Result: No change to the RFQ specifications.

5. **Question: B., Tasks Required for Clearing Accounts, Section II, A Service Requirements, Page 7 – Would WFWV consider the deployment of remote scanning technology for depositing checks and other items?**

Answer: No, WFWV does not have the equipment or staff to scan all checks to be deposited. WFWV requires the procedure outlined in this section of the RFQ to be followed.

Result: No change to the RFQ specifications.

6. **Question: B., Tasks Required for Clearing Accounts, Section II, C Service Requirements, Page 7 – Would providing the Assistant Director of FAM real-time access to balance information online fulfill this balance reporting requirement?**

Answer: No, WFWV requires the procedure outlined in this section of the RFQ to be followed. Each morning the financial institution must provide the following information: Posted Balance, Deposits, Wires Incoming, Wires Outgoing, Internal Transfers, Checks, Return Checks, and Other Debits/Credits for all accounts.

Result: Under B. TASKS REQUIRED FOR CLEARING ACCOUNTS, Section III, Item C entitled "Service Requirements" is hereby being updated as follows:

FROM: C. The financial institution, by 10:30 AM on the day following the deposit pick-up, will; (1) process the deposit checks through the proof WFWV and sort such deposit checks by zero-, one-, and two- day clearing times; and (2) provide WFWV with the collected balance, upon request. The financial institution will send an e-mail each morning to WFWV of the total cash balance on hand to the Assistant Director of FAM, Accounting Section and his designee(s). WFWV will be responsible for determining the amount of transfer to the trust fund. Said transfer will be made in increments of one hundred dollars.

TO: C. The financial institution, by 10:30 AM on the day following the deposit pick-up, will; (1) process the deposit checks through the proof WFWV and sort such deposit checks by zero-, one-, and two- day clearing times; and (2) provide WFWV with the collected balance, upon request. The financial institution will send an e-mail each morning to WFWV of the posted balance, deposits, wires incoming, wires outgoing, internal transfers, checks, return checks, and other debit/credits for all accounts to the Assistant Director of FAM, Accounting Section and his designee(s). WFWV will be responsible for determining the amount of transfer to the trust fund. Said transfer will be made in increments of one hundred dollars.

7. **Question: B., Tasks Required for Clearing Accounts, Section III, Compensation, 2, Page 8** – Will WFWV provide the most recent form 84-14 with cost per draft redacted in order to determine monthly volumes?

Answer: Please see Excel spreadsheet hereto attached as “Exhibit 1”

Result: No change to the RFQ specifications.

8. **Question: C., Data Transmission, a., Page 8** – Currently, does WFWV personnel logon to the current vendor’s treasury services platform to send or receive data or are files exchanged by way of secure FTP?

Answer: Yes, WFWV personnel logon to the current vendor’s online system to transfer a file daily to DHHR for child support withheld from claimants’ UI benefit payments.

Result: No change to RFQ specifications.

9. **Question: C., Data Transmission, a., Page 8** – How flexible are the WFWV reconciliation and check issues file formats? For Example, would WFWV be open to a slightly different file format available through a secure treasury services platform?

Answer: Yes, the chosen vendor will have to work with WFWV (MIS) group to modify the format. The checks issued file is submitted by WFWV to the chosen vendor, therefore WFWV is not sure why the treasury platform is needed for checks issued. The “Positive Pay” file or checks issued file is for the chosen vendor to compare against before cashing checks.

Result: No change to RFQ specifications

10. **Question: WorkForce West Virginia, Services Bid Sheet for Accounts – Services A, Page 11** – Should item number 1 under Monthly Unemployment checks submitted to the financial institution Monthly ACH transfers read, “Price per draft presented, edited, and paid* estimated at 600, per calendar year” read 600,000 per calendar year?

Answer: Revised Services Bid Sheet attached

Result: Bid sheet revised

11. **Question: FDIC DIF Insurance** is listed as a per draft item in the bid, but is calculated by banks on the deposit balances. Banks calculate the fees as you detailed in your illustration “0.1333, per

\$1,000 on average ledger balances". Can you provide a formula that would, for consistent application, assist in converting the average balance fee, of this line item, to a per draft cost?

Answer: Revised Services Bid Sheet attached

Result: Bid Sheet revised

12. In the Services B section item number 1, lists "Price per deposit" should this be "price per deposited item?"

Answer: Yes, it should be "price per deposited item".

Result: Bid Sheet revised

13. Please confirm that the only items required in the bid response are: the Request for Quotation package with the price sheets (pages 11 & 12) and the attached Purchasing Affidavit completed. Bidders are affirming, by submitting the package, they are capable of performing the work, so no work related experience or answers to the individual sections of the package need to be returned, correct?

Answer: Revised terms and conditions became effective on June 8, 2012. Copies of the new terms and conditions are included with this addendum from State Purchasing. Work related experience is not required with the vendor response for this RFQ.

RFQ WWV12875 Exhibit 1

RFQ WWV12875 Exhibit 1										
UI Benefit Account						Clearing A Account				
Average Daily	No of	Items	Checks On Acct			Average Daily	No of	Items	Checks On Acct	
Collected Balance	Deposits	Deposited	(Debits)	ACH's		Collected Balance	Deposits	Deposited	(Debits)	ACH's
ETA-8413	(Credits)	(Credits)	ETA-8413	Wires		ETA-8414	(Credits)	(Credits)	ETA-8414	Wires
April, 2012	\$1,105,685	21	914	7,029	105	\$1,625,142	21	12,100	7,183	21
March, 2012	\$1,373,235	22	1,016	9,281	110	\$367,335	22	1,620	1,585	22
Feb, 2012	\$1,417,549	19	1,124	9,477	95	\$1,006,082	20	13,044	2,519	20
Jan, 2012	\$1,444,971	18	986	9,966	90	\$636,510	20	14,085	5,762	20
Dec, 2011	\$1,306,001	19	744	8,925	95	\$283,579	21	1,648	1,611	21
Nov, 2011	\$1,239,362	17	759	7,160	85	\$1,642,906	19	16,163	7,385	19
6 Month Average	\$1,314,467	19	924	8,640	97	\$926,926	21	9,777	4,341	21
Trade Readjustment Account (TRA)						Trade Adjustment Assistance Account (TAA)				
Average Daily	No of	Items	Checks On Acct			Average Daily	No of	Items	Checks On Acct	
Collected Balance	Deposits	Deposited	(Debits)	ACH's		Collected Balance	Deposits	Deposited	(Debits)	ACH's
	(Credits)	(Credits)	ETA-8413	Wires			(Credits)	(Credits)	ETA-8414	Wires
April, 2012	\$294,258	N/A	N/A	565	4	\$55,696	N/A	N/A	363	10
March, 2012	\$206,131	N/A	N/A	596	4	\$150,698	N/A	N/A	438	10
Feb, 2012	\$267,296	N/A	N/A	482	4	\$78,044	N/A	N/A	438	10
Jan, 2012	\$292,077	N/A	N/A	571	4	\$76,004	N/A	N/A	438	10
Dec, 2011	\$302,958	N/A	N/A	564	4	\$82,656	N/A	N/A	516	10
Nov, 2011	\$272,208	N/A	N/A	551	4	\$5,775	N/A	N/A	556	10
6 Month Average	\$272,488			555	4	\$74,812			458	10
Alternate Trade Adjustment Account (ATAA)						Health Care Tax Credit Account (HCTC)				
Average Daily	No of	Items	Checks On Acct			Average Daily	No of	Items	Checks On Acct	
Collected Balance	Deposits	Deposited	(Debits)	ACH's		Collected Balance	Deposits	Deposited	(Debits)	ACH's
	(Credits)	(Credits)	ETA-8413	Wires			(Credits)	(Credits)	ETA-8414	Wires
April, 2012	\$1,993	N/A	N/A	32	6	\$5,130	N/A	N/A	10	4
March, 2012	\$3,582	N/A	N/A	41	6	\$5,130	N/A	N/A	26	4
Feb, 2012	\$5,711	N/A	N/A	29	6	\$21,534	N/A	N/A	12	4
Jan, 2012	\$7,526	N/A	N/A	38	6	\$12,515	N/A	N/A	37	4
Dec, 2011	\$20,132	N/A	N/A	51	6	\$14,625	N/A	N/A	33	4
Nov, 2011	\$14,008	N/A	N/A	44	6	\$13,351	N/A	N/A	17	4
6 Month Average	\$8,825			39	6	\$12,048			23	4

Note: Activity in the Clearing B Account, Special Account, and the Disaster Unemployment Act (DUA) Account is minimal.
 The Clearing B Account has approximately 30 wires into the account per month and 30 transfers out to either WV Treasury or internal transfer.
 The Special Account has approximately 6 internal transfers into the account per month for checks written on the account.
 The DUA Account has wires into the account and checks issued only if there has been a disaster declared in West Virginia (normally a flood).

EXHIBIT 10

REQUISITION NO.:

ADDENDUM ACKNOWLEDGEMENT

I HEREBY ACKNOWLEDGE RECEIPT OF THE FOLLOWING CHECKED
ADDENDUM(S) AND HAVE MADE THE NECESSARY REVISIONS TO MY
PROPOSAL, PLANS AND/OR SPECIFICATION, ETC.

ADDENDUM NO.'S:

NO. 1

NO. 2

NO. 3

NO. 4

NO. 5

I UNDERSTAND THAT FAILURE TO CONFIRM THE RECEIPT OF THE
ADDENDUM(S) MAY BE CAUSE FOR REJECTION OF BIDS. VENDOR
MUST CLEARLY UNDERSTAND THAT ANY VERBAL
REPRESENTATION MADE OR ASSUMED TO BE MADE DURING ANY
ORAL DISCUSSION HELD BETWEEN VENDOR'S REPRESENTATIVES
AND ANY STATE PERSONNEL IS NOT BINDING. ONLY THE
INFORMATION ISSUED IN WRITING AND ADDED TO THE
SPECIFICATIONS BY AN OFFICIAL ADDENDUM IS BINDING.

Michael A. Holtsch SVP
SIGNATURE

Branch Banking & Trust Co.
COMPANY

06-28-2012
DATE

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: BRANCH BANKING & TRUST CO

Signed: Michael A. Hottel SUP

Date: 06-21-12

Title: SENIOR 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: BRANCH BANKING & TRUST CO.

Authorized Signature: Michael A. Holtzclaw SVP Date: 06-22-2012

State of West Virginia

County of Kanawha, to-wit:

Taken, subscribed, and sworn to before me this 22nd day of June, 2012.

My Commission expires August 3, 2014.

AFFIX SEAL HERE

NOTARY PUBLIC

[Signature]

