

CERTIFICATION AND SIGNATURE PAGE

By signing below, I certify that I have reviewed this Solicitation in its entirety; understand the requirements, terms and conditions, and other information contained herein; that I am submitting this bid or proposal for review and consideration; that I am authorized by the bidder to execute this bid or any documents related thereto on bidder's behalf; that I am authorized to bind the bidder in a contractual relationship; and that to the best of my knowledge, the bidder has properly registered with any State agency that may require registration.

INWOOD QUARRY INC

(Company)

[Handwritten Signature]

(Authorized Signature)

D.L. MORGAN JR PRES.

(Representative Name, Title)

304-229-1771      229-1849

(Phone Number)

(Fax Number)

2-1-13

(Date)

02/11/13 09:07:38 AM  
West Virginia Purchasing Division

contract cost or two thousand five hundred dollars (\$2,500.00), whichever is greater. For the purposes of this section, the cost is the value of the steel product as delivered to the project; or

- b. The Director of the Purchasing Division determines that specified steel materials are not produced in the United States in sufficient quantity or otherwise are not reasonably available to meet contract requirements.

**53. PREFERENCE FOR USE OF DOMESTIC ALUMINUM, GLASS, AND STEEL:** In Accordance with W. Va. Code § 5-19-1 et seq., and W. Va. CSR § 148-10-1 et seq., for every contract or subcontract, subject to the limitations contained herein, for the construction, reconstruction, alteration, repair, improvement or maintenance of public works or for the purchase of any item of machinery or equipment to be used at sites of public works, only domestic aluminum, glass or steel products shall be supplied unless the spending officer determines, in writing, after the receipt of offers or bids, (1) that the cost of domestic aluminum, glass or steel products is unreasonable or inconsistent with the public interest of the State of West Virginia, (2) that domestic aluminum, glass or steel products are not produced in sufficient quantities to meet the contract requirements, or (3) the available domestic aluminum, glass, or steel do not meet the contract specifications. This provision only applies to public works contracts awarded in an amount more than fifty thousand dollars (\$50,000) or public works contracts that require more than ten thousand pounds of steel products.

The cost of domestic aluminum, glass, or steel products may be unreasonable if the cost is more than twenty percent (20%) of the bid or offered price for foreign made aluminum, glass, or steel products. If the domestic aluminum, glass or steel products to be supplied or produced in a "substantial labor surplus area", as defined by the United States Department of Labor, the cost of domestic aluminum, glass, or steel products may be unreasonable if the cost is more than thirty percent (30%) of the bid or offered price for foreign made aluminum, glass, or steel products.

This preference shall be applied to an item of machinery or equipment, as indicated above, when the item is a single unit of equipment or machinery manufactured primarily of aluminum, glass or steel, is part of a public works contract and has the sole purpose or of being a permanent part of a single public works project. This provision does not apply to equipment or machinery purchased by a spending unit for use by that spending unit and not as part of a single public works project.

All bids and offers including domestic aluminum, glass or steel products that exceed bid or offer prices including foreign aluminum, glass or steel products after application of the preferences provided in this provision may be reduced to a price equal to or lower than the lowest bid or offer price for foreign aluminum, glass or steel products plus the applicable preference. If the reduced bid or offer prices are made in writing and supersede the prior bid or offer prices, all bids or offers, including the reduced bid or offer prices, will be reevaluated in accordance with this rule.

A.1

Vendor's Source Information

2013 Spring/Summer #6613C021

Mandatory - Vendor shall complete this schedule and return with bid documents.

**Limestone, Sandstone, Gravel, Sand, Blast Furnance Slag and Steel S**

a) SOURCE OF MATERIAL (State all sources for which bid prices apply (e.g., Quarry location if Sandstone or Limestone; dredging or pit location if Gravel; production plant name and location if Slag)

|                   |
|-------------------|
| INWOOD QUARRY INC |
|                   |
|                   |
|                   |
|                   |
|                   |

b) EXACT LOCATION OF VENDOR'S STORAGE SITE(S) A separate bid schedule must be submitted when bid price varies between Vendors' storage sites.

|                     |
|---------------------|
| 9171 WINCHESTER AVE |
| INWOOD W.V.         |
|                     |
|                     |
|                     |
|                     |

**Cinders**

c) SOURCE OF MATERIAL: Name and Location of plant which produces Cinder material.

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d) EXACT LOCATION OF VENDOR'S STORAGE SITE(S) A separate bid schedule must be submitted when bid price varies between Vendors' storage sites.

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A.2

F.O.B. Vendor's Storage Site (Items A-W)

2013 Spring/Summer #6613C021

If the Vendor chooses to provide pickup pricing to the WVDOH, please complete the schedule below which shall include the loading of WVDOH trucks by the Vendor.

| Bid Price per Ton Items A-W<br>F.O.B. Vendor's Storage Site |                                                       |                                    |                    |            |
|-------------------------------------------------------------|-------------------------------------------------------|------------------------------------|--------------------|------------|
| Contract Item                                               | Description of Material                               | Limestone, Sandstone, Gravel, Sand | Blast Furnace Slag | Steel Slag |
| A                                                           | Class 1 Aggregate                                     | 9.33                               |                    |            |
| B                                                           | Class 2 Aggregate                                     | 9.33                               |                    |            |
| C                                                           | Class 10 Aggregate                                    | 9.33                               |                    |            |
| D                                                           | AASHTO #1 Aggregate                                   |                                    |                    |            |
| E                                                           | AASHTO #3 Aggregate                                   | 9.95                               |                    |            |
| F                                                           | AASHTO #4 Aggregate                                   |                                    |                    |            |
| G                                                           | AASHTO #467 Aggregate                                 |                                    |                    |            |
| H                                                           | AASHTO #57 Aggregate                                  | 11.95                              |                    |            |
| I                                                           | AASHTO #67 Aggregate                                  | 11.95                              |                    |            |
| J                                                           | AASHTO #7 Aggregate                                   | 11.95                              |                    |            |
| K                                                           | AASHTO #8 Aggregate                                   | 11.95                              |                    |            |
| L                                                           | AASHTO #9 Aggregate                                   | 11.95                              |                    |            |
| M                                                           | Stone for Gabions                                     | 11.80                              |                    |            |
| N                                                           | Fine Aggregate                                        | 11.95                              |                    |            |
| OA                                                          | Limestone Standard Abrasives                          | 10.33                              |                    |            |
| OB                                                          | Sandstone Standard Abrasives                          |                                    |                    |            |
| PA                                                          | Limestone Modified Abrasives                          | 10.33                              |                    |            |
| PB                                                          | Sandstone Modified Abrasives                          |                                    |                    |            |
| Q                                                           | Rip Rap                                               | 18.00                              |                    |            |
| R                                                           | Shot Rock                                             | 9.00                               |                    |            |
| S                                                           | AASHTO #8 Modified                                    | 11.54                              |                    |            |
| T                                                           | AASHTO #9 Modified                                    | 11.54                              |                    |            |
| U                                                           | Pea Gravel                                            |                                    |                    |            |
| V                                                           | #11 Limestone Abrasives                               |                                    |                    |            |
| W                                                           | Quarry Waste                                          | 8.50                               |                    |            |
| X                                                           | Haul by Vendor (Items A-W Except for Items Q and R):  |                                    |                    |            |
|                                                             | 4.05                                                  | \$ for First Ton-Mile              |                    |            |
|                                                             | .45                                                   | \$ for Each Additional Ton-Mile    |                    |            |
| Y                                                           | Haul by Vendor (Items Q and/or R only):               |                                    |                    |            |
|                                                             | 4.55                                                  | \$ for First Ton-Mile              |                    |            |
|                                                             | .45                                                   | \$ for Each Additional Ton-Mile    |                    |            |
| AA                                                          | Cinders (include cost of Vendor loading WVDOH trucks) |                                    |                    |            |

A.3

F.O.B. Division's Storage Site - DISTRICT 5

2013 Spring/Summer #6613C021

| Contract Item | Description of Aggregate | Estimated Quantity (TONS) | Location of DOH Storage Site | Bid Price (\$/Ton) F.O.B. DOH Storage Site |
|---------------|--------------------------|---------------------------|------------------------------|--------------------------------------------|
|---------------|--------------------------|---------------------------|------------------------------|--------------------------------------------|

BERKELEY COUNTY

|    |                    |      |             | LIMESTONE SANDSTONE GRAVEL, SAND | BLAST FURNACE SLAG | STEEL SLAG |
|----|--------------------|------|-------------|----------------------------------|--------------------|------------|
| A  | Class 1            | 3000 | Martinsburg | 14.33                            |                    |            |
| B  | Class 2            | 3000 | Martinsburg | 14.33                            |                    |            |
| C  | Class 10           | 1000 | Martinsburg | 14.33                            |                    |            |
| E  | AASHTO #3          | 3000 | Martinsburg | 14.95                            |                    |            |
| H  | AASHTO #57         | 3500 | Martinsburg | 16.95                            |                    |            |
| J  | AASHTO #7          | 3000 | Martinsburg | 16.95                            |                    |            |
| L  | AASHTO #9          | 1000 | Martinsburg | 16.95                            |                    |            |
| M  | Gabion Stone       | 500  | Martinsburg | 16.80                            |                    |            |
| N  | Fine Aggregate     | 500  | Martinsburg | 16.95                            |                    |            |
| OA | Limestone Std Abr. | 4500 | Martinsburg | 15.33                            |                    |            |
| OB | Sandstone Std Abr. | 4500 | Martinsburg |                                  |                    |            |
| PA | Limestone Mod Abr. | 4500 | Martinsburg | 15.33                            |                    |            |
| PB | Sandstone Mod Abr. | 4500 | Martinsburg |                                  |                    |            |
| Q  | Riprap             | 500  | Martinsburg | 23.00                            |                    |            |
| R  | Shot Rock          | 2000 | Martinsburg | 14.00                            |                    |            |
| S  | AASHTO #8M         | 5000 | Martinsburg | 16.95                            |                    |            |
| T  | AASHTO #9M         | 1000 | Martinsburg | 16.95                            |                    |            |
| W  | Quarry Waste       | 500  | Martinsburg | 13.50                            |                    |            |

GRANT COUNTY

|    |                    |      |            |  |  |  |
|----|--------------------|------|------------|--|--|--|
| A  | Class 1            | 3500 | Petersburg |  |  |  |
| B  | Class 2            | 3500 | Petersburg |  |  |  |
| C  | Class 10           | 1000 | Petersburg |  |  |  |
| E  | AASHTO #3          | 500  | Petersburg |  |  |  |
| J  | AASHTO #7          | 2500 | Petersburg |  |  |  |
| K  | AASHTO #8          | 2500 | Petersburg |  |  |  |
| M  | Gabion Stone       | 500  | Petersburg |  |  |  |
| OA | Limestone Std Abr. | 2000 | Petersburg |  |  |  |
| OB | Sandstone Std Abr. | 2000 | Petersburg |  |  |  |
| PA | Limestone Mod Abr. | 2000 | Petersburg |  |  |  |
| PB | Sandstone Mod Abr. | 2000 | Petersburg |  |  |  |
| Q  | Riprap             | 500  | Petersburg |  |  |  |
| R  | Shot Rock          | 2000 | Petersburg |  |  |  |
| S  | AASHTO #8M         | 3000 | Petersburg |  |  |  |
| T  | AASHTO #9M         | 750  | Petersburg |  |  |  |
| W  | Quarry Waste       | 500  | Petersburg |  |  |  |

F.O.B. Division's Storage Site - DISTRICT 5

2013 Spring/Summer #6613C021

| Contract Item       | Description of Aggregate | Estimated Quantity (TONS) | Location of DOH Storage Site | Bid Price (\$/Ton) F.O.B. DOH Storage Site |                    |            |
|---------------------|--------------------------|---------------------------|------------------------------|--------------------------------------------|--------------------|------------|
|                     |                          |                           |                              | LIMESTONE SANDSTONE GRAVEL, SAND           | BLAST FURNACE SLAG | STEEL SLAG |
| <u>HARDY COUNTY</u> |                          |                           |                              |                                            |                    |            |
| A                   | Class 1                  | 1000                      | Moorefield                   |                                            |                    |            |
| B                   | Class 2                  | 2000                      | Moorefield                   |                                            |                    |            |
| C                   | Class 10                 | 1000                      | Moorefield                   |                                            |                    |            |
| E                   | AASHTO #3                | 500                       | Moorefield                   |                                            |                    |            |
| H                   | AASHTO #57               | 500                       | Moorefield                   |                                            |                    |            |
| J                   | AASHTO #7                | 2000                      | Moorefield                   |                                            |                    |            |
| L                   | AASHTO #9                | 1500                      | Moorefield                   |                                            |                    |            |
| M                   | Gabion Stone             | 500                       | Moorefield                   |                                            |                    |            |
| OA                  | Limestone Std Abr.       | 4000                      | Moorefield                   |                                            |                    |            |
| OB                  | Sandstone Std Abr.       | 4000                      | Moorefield                   |                                            |                    |            |
| PA                  | Limestone Mod Abr.       | 4000                      | Moorefield                   |                                            |                    |            |
| PB                  | Sandstone Mod Abr.       | 4000                      | Moorefield                   |                                            |                    |            |
| Q                   | Riprap                   | 500                       | Moorefield                   |                                            |                    |            |
| R                   | Shot Rock                | 500                       | Moorefield                   |                                            |                    |            |
| S                   | AASHTO #8M               | 2000                      | Moorefield                   |                                            |                    |            |
| W                   | Quarry Waste             | 500                       | Moorefield                   |                                            |                    |            |

JEFFERSON COUNTY

|    |                    |      |              |       |  |  |
|----|--------------------|------|--------------|-------|--|--|
| A  | Class 1            | 4000 | Charles Town | 14.33 |  |  |
| B  | Class 2            | 4000 | Charles Town | 14.33 |  |  |
| C  | Class 10           | 1000 | Charles Town | 14.33 |  |  |
| E  | AASHTO #3          | 1000 | Charles Town | 14.95 |  |  |
| H  | AASHTO #57         | 1000 | Charles Town | 16.95 |  |  |
| J  | AASHTO #7          | 3000 | Charles Town | 16.95 |  |  |
| M  | Gabion Stone       | 1500 | Charles Town | 16.80 |  |  |
| OA | Limestone Std Abr. | 1500 | Charles Town | 15.33 |  |  |
| OB | Sandstone Std Abr. | 1500 | Charles Town |       |  |  |
| PA | Limestone Mod Abr. | 1500 | Charles Town | 15.33 |  |  |
| PB | Sandstone Mod Abr. | 1500 | Charles Town |       |  |  |
| Q  | Riprap             | 1500 | Charles Town | 23.00 |  |  |
| R  | Shot Rock          | 1500 | Charles Town | 14.00 |  |  |
| S  | AASHTO #8M         | 4000 | Charles Town | 16.95 |  |  |
| T  | AASHTO #9M         | 2000 | Charles Town | 16.95 |  |  |
| W  | Quarry Waste       | 500  | Charles Town | 13.50 |  |  |

Exhibit Pricing Page Schedule  
A.3

VENDOR NAME INWOOD QUARRY INC

F.O.B. Division's Storage Site - DISTRICT 5

2013 Spring/Summer #6613C021

|                      |                    |                              |                                            |
|----------------------|--------------------|------------------------------|--------------------------------------------|
| Contract Description | Estimated Quantity | Location of DOH Storage Site | Bid Price (\$/Ton) F.O.B. DOH Storage Site |
| Item of Aggregate    | (TONS)             | Storage Site                 |                                            |

MINERAL COUNTY

|    |                    |      |         | LIMESTONE SANDSTONE GRAVEL, SAND | BLAST FURNACE SLAG | STEEL SLAG |
|----|--------------------|------|---------|----------------------------------|--------------------|------------|
| A  | Class 1            | 1500 | Skyline |                                  |                    |            |
| B  | Class 2            | 2000 | Skyline |                                  |                    |            |
| C  | Class 10           | 1000 | Skyline |                                  |                    |            |
| J  | AASHTO #7          | 1500 | Skyline |                                  |                    |            |
| K  | AASHTO #8          | 1000 | Skyline |                                  |                    |            |
| M  | Gabion Stone       | 500  | Skyline |                                  |                    |            |
| OA | Limestone Std Abr. | 2000 | Skyline |                                  |                    |            |
| OB | Sandstone Std Abr. | 2000 | Skyline |                                  |                    |            |
| PA | Limestone Mod Abr. | 2000 | Skyline |                                  |                    |            |
| PB | Sandstone Mod Abr. | 2000 | Skyline |                                  |                    |            |
| Q  | Riprap             | 500  | Skyline |                                  |                    |            |
| R  | Shot Rock          | 500  | Skyline |                                  |                    |            |
| S  | AASHTO #8M         | 1500 | Skyline |                                  |                    |            |

MORGAN COUNTY

|    |                    |      |                  |       |  |  |
|----|--------------------|------|------------------|-------|--|--|
| A  | Class 1            | 2000 | Berkeley Springs | 20.33 |  |  |
| B  | Class 2            | 2500 | Berkeley Springs | 20.33 |  |  |
| C  | Class 10           | 1000 | Berkeley Springs | 20.33 |  |  |
| E  | AASHTO #3          | 500  | Berkeley Springs | 20.95 |  |  |
| H  | AASHTO #57         | 500  | Berkeley Springs | 22.95 |  |  |
| J  | AASHTO #7          | 2500 | Berkeley Springs | 22.95 |  |  |
| K  | AASHTO #8          | 2000 | Berkeley Springs | 22.95 |  |  |
| OA | Limestone Std Abr. | 1500 | Berkeley Springs | 21.33 |  |  |
| OB | Sandstone Std Abr. | 1500 | Berkeley Springs |       |  |  |
| PA | Limestone Mod Abr. | 1500 | Berkeley Springs | 21.33 |  |  |
| PB | Sandstone Mod Abr. | 1500 | Berkeley Springs |       |  |  |
| Q  | Riprap             | 500  | Berkeley Springs | 36.95 |  |  |
| R  | Shot Rock          | 500  | Berkeley Springs | 20.00 |  |  |
| S  | AASHTO #8M         | 2500 | Berkeley Springs | 22.54 |  |  |
| T  | AASHTO #9M         | 750  | Berkeley Springs | 22.54 |  |  |
| W  | Quarry Waste       | 500  | Berkeley Springs | 19.50 |  |  |

**ADDENDUM ACKNOWLEDGEMENT FORM**  
**SOLICITATION NO.: 6613C021**

**Instructions:** Please acknowledge receipt of all addenda issued with this solicitation by completing this addendum acknowledgment form. Check the box next to each addendum received and sign below. Failure to acknowledge addenda may result in bid disqualification.

**Acknowledgment:** I hereby acknowledge receipt of the following addenda and have made the necessary revisions to my proposal, plans and/or specification, etc.

**Addendum Numbers Received:**

(Check the box next to each addendum received)

- |                                                    |                                          |
|----------------------------------------------------|------------------------------------------|
| <input checked="" type="checkbox"/> Addendum No. 1 | <input type="checkbox"/> Addendum No. 6  |
| <input type="checkbox"/> Addendum No. 2            | <input type="checkbox"/> Addendum No. 7  |
| <input type="checkbox"/> Addendum No. 3            | <input type="checkbox"/> Addendum No. 8  |
| <input type="checkbox"/> Addendum No. 4            | <input type="checkbox"/> Addendum No. 9  |
| <input type="checkbox"/> Addendum No. 5            | <input type="checkbox"/> Addendum No. 10 |

I understand that failure to confirm the receipt of addenda may be cause for rejection of this bid. I further 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.

INWOOD QUARRY INC  
Company

[Signature]  
Authorized Signature

2-8-13  
Date

**NOTE:** This addendum acknowledgment should be submitted with the bid to expedite document processing.  
 Revised 6/8/2012



# 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.
- 7. **Application is made for preference as a non-resident small, women- and minority-owned business, in accordance with West Virginia Code §5A-3-59 and West Virginia Code of State Rules.**  
 Bidder has been or expects to be approved prior to contract award by the Purchasing Division as a certified small, women- and minority-owned business.

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: INWOOD QUARRY INC

Signed: [Signature]

Date: 2-1-13

Title: PRESIDENT

RFQ No. 6613C021

STATE OF WEST VIRGINIA  
Purchasing Division

# PURCHASING AFFIDAVIT

**MANDATE:** Under W. Va. Code §5A-3-10a, 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: (1) the debt owed is an amount greater than one thousand dollars in the aggregate; or (2) the debtor is in employer default.

**EXCEPTION:** The prohibition listed above does not apply where a vendor has contested any tax administered pursuant to chapter eleven of the W. Va. 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.

**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.

**"Employer default"** means having an outstanding balance or liability to the old fund or to the uninsured employers' fund or being in policy default, as defined in W. Va. Code § 23-2c-2, failure to maintain mandatory workers' compensation coverage, or failure to fully meet its obligations as a workers' compensation self-insured employer. An employer is not in employer default if it has entered into a repayment agreement with the Insurance Commissioner and remains in compliance with the obligations under the repayment agreement.

**"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.

**AFFIRMATION:** By signing this form, the vendor's authorized signer affirms and acknowledges under penalty of law for false swearing (W. Va. Code §61-5-3) that neither vendor nor any related party owe a debt as defined above and that neither vendor nor any related party are in employer default as defined above, unless the debt or employer default is permitted under the exception above.

**WITNESS THE FOLLOWING SIGNATURE:**

Vendor's Name: Inwood Quarry Inc

Authorized Signature: [Signature] Date: 2-1-13

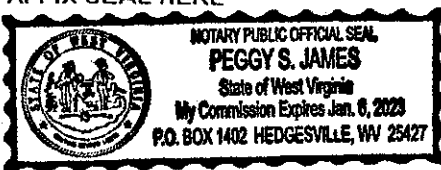
State of West Virginia

County of Berkeley, to-wit:

Taken, subscribed, and sworn to before me this 1 day of February, 2013.

My Commission expires January 6, 2023, 20  .

AFFIX SEAL HERE



NOTARY PUBLIC

Peggy S. James

*Purchasing Affidavit (Revised 07/01/2012)*

**NOTE:**

Vendor and Notary's date must be the same.

Notary required to AFFIX SEAL on Purchasing Affidavit.