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Header 6

List View

- General Information
- Contact
- Default Values
- Discount
- Document Information
- Clarification Request

Procurement Folder: 931454

Procurement Type: Central Master Agreement

Vendor ID: 000000205334

Legal Name: MPL CORP

Alias/DBA:

Total Bid: \$1,009,771.60

Response Date: 03/29/2022

Response Time: 10:08

Responded By User ID: MPLCorporation2

First Name: Debbie

Last Name: Sweda

Email: accounting@mpl.com

Phone: 304-472-9520

SO Doc Code: CRFQ

SO Dept: 0314

SO Doc ID: HST2200000006

Published Date: 3/4/22

Close Date: 3/29/22

Close Time: 13:30

Status: Closed

Solicitation Description: Safety Information System
Service Computer System

Total of Header Attachments: 6

Total of All Attachments: 6



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

**State of West Virginia
 Solicitation Response**

Proc Folder: 931454
Solicitation Description: Safety Information System Service Computer System
Proc Type: Central Master Agreement

Solicitation Closes	Solicitation Response	Version
2022-03-29 13:30	SR 0314 ESR03292200000005942	1

VENDOR
 000000205334
 MPL CORP

Solicitation Number: CRFQ 0314 HST2200000006
Total Bid: 1009771.599999999976716935634 **Response Date:** 2022-03-29 **Response Time:** 10:08:44
Comments:

FOR INFORMATION CONTACT THE BUYER
 Toby L Welch
 (304) 558-8802
 toby.l.welch@wv.gov

Vendor Signature X **FEIN#** **DATE**

All offers subject to all terms and conditions contained in this solicitation

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Ln Total Or Contract Amount
1	Safety Information System				1009771.60

Comm Code	Manufacturer	Specification	Model #
81110000			

Commodity Line Comments: Contract amount reflects extended total price including all option years.

Extended Description:

Safety Information System:
 Vendor must complete Exhibit A Pricing page in its entirety and submit it with their bid. Vendors should enter the Total Bid amount from Exhibit A into the Contract amount section located on the commodity line.

ADDENDUM ACKNOWLEDGEMENT FORM
SOLICITATION NO.: CRFQ HST22*6

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 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.

MPL Corporation
Company

Amrallah Sureda, CEO
Authorized Signature

03-29-2022
Date

NOTE: This addendum acknowledgment should be submitted with the bid to expedite document processing.

DESIGNATED CONTACT: Vendor appoints the individual identified in this Section as the Contract Administrator and the initial point of contact for matters relating to this Contract.

Deborah Sweda, CEO
(Name, Title)
Deborah Sweda, CEO
(Printed Name and Title)
PO Box 2226, Buckhannon, WV 26201
(Address)
(304) 472-9520(P) / (304) 472-9546 (F)
(Phone Number) / (Fax Number)
dsweda@mpi.com
(email address)

CERTIFICATION AND SIGNATURE: By signing below, or submitting documentation through wvOASIS, I certify that: I have reviewed this Solicitation in its entirety; that I understand the requirements, terms and conditions, and other information contained herein; that this bid, offer or proposal constitutes an offer to the State that cannot be unilaterally withdrawn; that the product or service proposed meets the mandatory requirements contained in the Solicitation for that product or service, unless otherwise stated herein; that the Vendor accepts the terms and conditions contained in the Solicitation, unless otherwise stated herein; that I am submitting this bid, offer or proposal for review and consideration; that I am authorized by the vendor to execute and submit this bid, offer, or proposal, or any documents related thereto on vendor's behalf; that I am authorized to bind the vendor in a contractual relationship; and that to the best of my knowledge, the vendor has properly registered with any State agency that may require registration.

By signing below, I further certify that I understand this Contract is subject to the provisions of West Virginia Code § 5A-3-62, which automatically voids certain contract clauses that violate State law.

MPL Corporation
(Company)

Deborah Sweda, CEO
(Authorized Signature) (Representative Name, Title)

Deborah Sweda, CEO
(Printed Name and Title of Authorized Representative)

03-09-2022
(Date)

(304) 472-9520(P) / (304) 472-9546 (F)
(Phone Number) (Fax Number)

REQUEST FOR QUOTATION
Safety Information System

10.1.4. Failure to remedy deficient performance upon request.

10.2. The following remedies shall be available to Agency upon default.

10.2.1. Immediate cancellation of the Contract.

10.2.2. Immediate cancellation of one or more release orders issued under this Contract.

10.2.3. Any other remedies available in law or equity.

11. MISCELLANEOUS:

11.1. Contract Manager: During its performance of this Contract, Vendor must designate and maintain a primary contract manager responsible for overseeing Vendor's responsibilities under this Contract. The Contract manager must be available during normal business hours to address any customer service or other issues related to this Contract. Vendor should list its Contract manager and his or her contact information below.

Contract Manager: Hayes Theiling Schreurs

Telephone Number: (304) 288-5657

Fax Number: (304) 472-9546

Email Address: htheiling@mpl.com

EXHIBIT A - PRICING PAGE
SAFETY INFORMATION SYSTEM

RFQ Item#	Description/Item/part	Unit of Measure	Estimated Quantity	Unit Price Each (Year 1)	Extended Cost (Year 1)	Unit Price Each (Optional Renewal - Year 2)	Extended Cost (Year 2 Optional)	Unit Price Each (Optional Renewal - Year 3)	Extended Cost (Year 3 Optional)	Unity Price Each (Optional Renewal - Year 4)	Extended Cost (Year 4 Optional)
4.1.1	Enable WVOMHST User Access to Database Information System	MONTHS	12	\$ 9,750.00	\$ 117,000.00	\$ 9,750.00	\$ 117,000.00	\$ 9,750.00	\$ 117,000.00	\$ 9,750.00	\$ 117,000.00
4.1.2	Continued support and maintenance	HOURS	682	\$ 116.25	\$ 79,282.50	\$ 119.73	\$ 81,655.86	\$ 123.33	\$ 84,111.06	\$ 127.02	\$ 86,627.64
4.1.3	Data Processing Support Activities	HOURS	150	\$ 116.25	\$ 17,437.50	\$ 119.73	\$ 17,959.50	\$ 123.33	\$ 18,499.50	\$ 127.02	\$ 19,053.00
4.1.4	General System Support and online reporting activities.	HOURS	128	\$ 116.25	\$ 14,880.00	\$ 119.73	\$ 15,325.44	\$ 123.33	\$ 15,786.24	\$ 127.02	\$ 16,258.56
4.1.5	Web-Based Reporting	HOURS	40	\$ 98.81	\$ 3,952.40	\$ 101.77	\$ 4,070.80	\$ 104.83	\$ 4,193.20	\$ 107.97	\$ 4,318.80
4.1.6	New System Migration	HOURS	120	\$ 116.25	\$ 13,950.00	\$ 119.73	\$ 14,367.60	\$ 123.33	\$ 14,799.60	\$ 127.02	\$ 15,242.40
TOTAL BID PER YEAR											
					\$ 246,502.40		\$ 250,379.20		\$ 254,389.60		\$ 258,500.40

Extended Total Price
\$ 1,009,771.60

Vendor Name: _____ MPL Corporation _____

Address: _____ P.O. Box 2226 _____
 _____ Buckhannon, WV 26201 _____

Phone Number: _____ 304-472-9520 _____

Email Address: _____ dsweda@mpl.com _____

West Virginia Office of Miners' Health, Safety and Training
Safety Information System (SIS) Service Agreement

March 4, 2022

Signed,

Eugene White, Director
Office of Miners' Health, Safety and
Training

Signed,



Deborah Lynn Sweda, President
MPL Corporation

Background and Purpose

In April 1982, the West Virginia Department of Mines (DOM) entered into a cooperative agreement with West Virginia University and Management Information Systems, of Buckhannon, West Virginia. This agreement provided for a pilot project to computerize a few DOM files containing data related to maintaining and increasing the safety in which the West Virginia mining labor force worked. From this initial work, the viability and worth of a computer-based information system was demonstrated.

The Director of the DOM extended and expanded the scope of work, increasing fiscal support to accommodate data in a number of different areas. In addition to expansion in the area of mining health and safety, data related to oil and gas well operations were computerized using the information system. Access was also provided for the DOM regional offices during the expansion.

In June 1985, MIS Corporation was purchased by MPL Corporation, a certified women-owned business and an SBA-certified small business, which continues to provide timesharing, development, maintenance, and user support services for this undertaking. The information system was named the Safety Information System (SIS) by the committee that was formed to plan and evaluate system development and operations.

Since that time, the various changes in political administrations resulted in a succession of reorganizations. In its 1985 session, the West Virginia Legislature provided for creation of the West Virginia Department of Energy, to be formed from the DOM and units of the Department of Natural Resources. The Department of Energy reviewed the information products of the SIS and determined that continuation of the SIS was important for the successful operation of the Department.

In the late 80s, the West Virginia Legislature passed legislation that organized all existing State agencies into seven Departments, to be administered by Secretaries appointed by the Governor. Under this new legislation, the Department of Energy became the Division of Energy (DOE), a part of the State of West Virginia Department of Commerce, Labor and Environmental Resources. Under this Department, the Division of Energy (DOE), continued to use the SIS in the operation of its Oil and Gas and Health and Safety programs.

Then, in 1992, another re-organization saw the creation of the Office of Miners' Health, Safety and Training, with Oil and Gas and the remainder of the DOE (and various other environment-related agencies) combining to create the Division of Environmental Protection. Both the DEP and OMHST continued, separately, their information systems support contracts with MPL. DEP subsequently transitioned its data services to an in-house system, but OMHST has continued to use SIS productively to this date.

This Service Agreement provides for continuation of the OMHST Safety Information System for the period of September 1, 2022, to August 31, 2023.

SIS Facilities and Services

Hardware and Software Facilities

The SIS is available to the OMHST 24 hours per day, seven days per week, except during short periods of maintenance, repair, and backup.

The SIS is operated on a server system owned and operated by MPL Corporation of Buckhannon, West Virginia. MPL maintains the server and its operating systems at peak reliability.

Until May of 2013, the SIS was hosted on MPL-owned Vax hardware running the VMS operating system and the JANZABAR Data Management System (DMS). On its own initiative, beginning in May of 2012, MPL established an internal systems integration project to acquire, configure, and test a replacement for the Vax hardware that would be based upon current server hardware and Windows server software (including virtual machine capability) together with a Vax emulator package known as Charon Vax. MHST users have been operating the MHST SIS productively in that environment since that time.

As part of its long-term capital improvement plan, MPL acquired a gas-fired backup power generator in 2015 to address system access interruptions from long-term power outages such as that experienced during the derecho event in 2012. Hardware supporting the SIS has always been covered by an uninterruptible power supply, but its design is restricted to outages of less than 60 minutes duration. The backup generator addresses the need for coverage beyond 60 minutes, automatically kicking in within 15-30 seconds of the start of an outage event. Overall reliability of the SIS was improved as a result of this investment.

The SIS is operated as a private wide-area telecommunications network. This network makes the SIS available to central and regional offices located in Charleston, Westover, Danville, Welch, and Oak Hill. All sites are configured as local-area networks, and are connected to the SIS and to the Internet via State-acquired data services.

Several remote printers are currently attached to the SIS wide-area telecommunications network at each site. These printers provide high-speed printing for draft- and letter-quality documents originating on the SIS. OMHST data files will continue to be housed on MPL's storage media.

The Jenzabar DMS-Plus data management system (aka POISE) has been the primary software vehicle for applications services under the SIS. Since the SIS was started, MPL

has provided SIS access to the POISE software and has enhanced it with improvements made by the POISE Company (a division of Jenzabar, Inc.). MPL has been a source for advanced POISE training and for POISE documentation. MPL will continue to provide DMS-Plus support for the SIS under this agreement.

MPL also provides support to OMHST for its initiative to collect data from mine operators and contractors via the Internet. The required quarterly employment and production reports are accepted, processed, and stored on a secure server, located behind MPL's firewall. This server is updated with all security patches as they become available. Routines that run on the SIS update the appropriate SIS files with data received on the server from the Web once the data has been validated. Access to the server is username and password protected, with users authorized solely by OMHST.

Information Service Areas

The SIS provides information for the OMHST in the form of various reports produced from its data files. While most of the information is directly related to OMHST operations and is taken from data that various mining businesses furnish to the agency, some information is kept to assist users in successful operation of the SIS. The data files are organized in folders.

SIS folders contain many thousands of files. While some of these files are major data files, others are batch and command procedures used to create reports or data file maintenance activities. Other files are screen format files that are used to paint screens for data entry and recall. Other form files are used for custom report production.

The MINES root folder contains all data related to the OMHST's operations and also contains data related to SIS documentation and operations. Folders contained within the MINES root folder include (but are not limited to):

SISDOC. This folder contains documentation (descriptive information and instructions) concerning OMHST files and computing. Further, SISDOC contains a list of SIS users and is the folder where SIS mail distribution lists are stored. SISDOC contains an interactive help facility specific to SIS computing and menus for use by agency management.

PERSONAL. OMHST users have personal sub-folders contained in a MINES sub-folder called PERSONAL. These personal folders are used to store temporary files and reports generated by the user.

ASSESS. This folder holds information related to personal and company health and safety assessments. These assessments result from violations of WV Mining Laws cited by OMHST inspectors. The files and procedures in this folder replaced a manual assessment system, whereby assessments, assessment reductions, assessment

notifications, assessment payments, appeals and other assessment-related activities were tracked.

DEEP. This folder contains data related to the general operation of underground coal mines. The first and oldest folder under the SIS, DEEP is used to process data on around 6,300 underground mines. Files to track the issuance of special permits also reside on this folder, containing records on around 21,000 special permits. Mine ownership is also tracked on this folder in files containing ownership information for nearly 11,000 companies, 24,000 owners, and 25,000 facilities. Further, a code translation file is maintained under the DEEP folder that contains some 1,700 translations for various codes used within a number of files found on the various MINES folders.

SURFACE. The SURFACE folder provides tools for managing surface mining information and is organized in a structure parallel to the DEEP folder. Data are kept on some 7,800 surface mining permits, 370 quarries, 950 tipples/preparation plants, and 8,900 independent contractors.

SAFE. This folder contains files related to OMHST processing of the Comprehensive Mine Safety Programs submitted by mine owners and operators. The agency uses these files to conduct yearly evaluation of the programs of facilities with serious safety problems. These data files and procedures are also used to support the investigation of accidents, injuries, or fatalities.

INJ. This folder contains files related to mining accidents, injuries, and fatalities from 1980 to the present. Not only is it possible to recall specific accidents and injuries from these files, but occurrence may also be tallied in groups; for instance, by company, by region, by quarter, by type of injury, or by length of time a miner was off work because of an injury.

TON. This folder contains data related to mining production and employment from 1975 to the present. Detailed production and employment information has been entered into the system by OMHST personnel from 1983 to the present. Summary production and employment information from earlier years was entered into the system by WVGES employees, working in cooperation with the OMHST. These data files and procedures are used heavily in support of the production of the OMHST's Annual Report. Most requests for information from outside the agency involve files within this folder.

CERT. This folder contains miner certification information. The OMHST issues all of the certifications it grants using the SIS. Information is stored on the system for all types of certifications, as well as for test scores, apprentice courses, and certification test failures. There are currently records for around 450,000 certifications on the SIS. Certifications are added to the system as they are granted and historical information is added as time and resources allow.

INSPECT. This folder contains data on mine inspections from 1984 to the present. The information in this folder includes the number and type of violations issued (if any) as a result of each mine inspection, as well as information pertaining to current conditions at each mine inspected. These data support resource-planning efforts by the OMHST and assists it in focusing its efforts in support of mine health and safety.

ADMIN. Used primarily to manage the activities of the Mine Inspector's Examining Board of the OMHST. This folder also hosts data files used to perform in-house functions, such as managing employee information.

Scope of Work – SIS Operational Support Task

MPL agrees to provide the services described herein, in order to support the Safety Information System. It is according to the terms specified in this section that MPL will provide the information management system that encompasses the massive amount of data used by the West Virginia Office of Miners' Health, Safety and Training, as described above.

MPL will provide system support by maintaining hardware and software according to generally-accepted standards of availability and currency. The VMS operating system and POISE Data Management System, as well as server security, will be maintained at the highest level of update received by MPL.

MPL will assist the OMHST in arranging for interface between the SIS and other data systems and networks via data transportation on magnetic media and/or direct data systems intercommunications as required.

MPL Project Responsibilities

The primary responsibility of MPL shall be to work cooperatively with the OMHST in continued support of the project to maintain the server-based management information system for the OMHST.

In the next year of the project, MPL will continue to:

- Provide continued support for the project staff in the use of the VMS operating system, POISE Data Management System, and other software as deemed appropriate for the continued progress of this project.
- Provide assistance in developing the necessary files, forms, screens, menus, and specialized reports that OMHST staff deems necessary. This work will be performed as necessary to ensure that the system remains responsive to the agency's needs.

- Provide access to VMS and any other manuals relevant to the system at the MPL headquarters in Buckhannon, WV. MPL also provides an on-line HELP system through the SIS service that will aid the user in learning all relevant aspects of the VMS operating system. Each of the POISE programs also has standard help features available at the option level of the program.
- Prepare documentation in accordance with good auditing practices. MPL is familiar with standard auditing practices and will design all systems and related documentation for which it is responsible in accordance with those standards.
- Assist, when necessary, in demonstrations of SIS for outside agencies.
- Work with OMHST personnel in evaluating and designing improvements to the system.
- Make available on the SIS server the software necessary for the smooth function of the SIS, including the POISE Data Management System, a proprietary product of The POISE Product Center of Jenzabar, Inc. This software is available at all times that the server is in operation (24 hours per day, seven days a week, except for planned maintenance and backup).
- Support VMS, the operating system which provides SIS' system-level capabilities such as username/password login protection (for complete system security), text processing, device-to-device file copy routines, data backup routines, online help routine, and so on. MPL has over 30 years of experience with VMS, and is well acquainted with VMS capabilities and uses.
- Support the system that enables monthly reporting by operators and independent contractors of production and/or employment information via the Internet.
- Through modifications to this agreement or through separate agreements, participate in and support as appropriate other related projects.

System Operational Characteristics

Digital Equipment Corporation's VMS systems were designed for maximum uptime. Innovative features ensured data integrity, security, and reliability. For example, error correction code automatically detected and corrected many types of memory errors without disrupting operations. Many modern-day server platforms trace heritage back to VMS and the standards it set for usability, security, performance, flexibility of configuration, and reliability. Many non-stop "high availability" computer services continue to be hosted on VMS-based systems; see relevant Wikipedia entry for details. VMS (now referred to as OpenVMS) continues to be supported by Hewlett Packard, the descendent of Digital Equipment Corporation.

The combination of high-quality equipment and unique service provisions has given MPL an overall uptime greater than 99% in the years since 1982, and very few instances of unplanned downtime since service was initiated.

MPL performs daily backups of the server environment that hosts the SIS to network attached storage. The backup strategy is supported by a VMware-based virtual machine environment that enables rapid recovery in the event of hardware failure, allowing rehosting the servers quickly onto replacement hardware. Copies of backup snapshots are maintained offsite to provide disaster recovery capability. MPL has contingency plans in place, should a disaster strike the site that houses the server system serving the SIS.

VMS provides a hierarchical system of access and security, providing read-only access for certain accounts and read/write access for users specifically identified by the OMHST as needing such access. Users have user-modifiable passwords, and a policy of required password changes at 90-day intervals is in effect.

VMS provides a flexible system for defining the access rights of all legal users to all data files, programs, and devices on the system. By careful preparation and planning, the SIS has been designed to precisely define individual user access to system resources. In the event of unforeseeable tragedy, such as a fire at MPL corporate headquarters, MPL will execute its data processing catastrophe insurance to acquire remote data processing services at a compatible site.

Periodically, the OMHST requires special technical assistance. This assistance has included the sharing or exchange of data with other state and federal agencies, including the West Virginia Geological and Economic Survey, the State Tax Department, the State Worker's Compensation Commission, and the U. S. Department of Energy, via magnetic media or direct electronic transfer between data systems. MPL will continue to support these needs.

Data Processing Support Activities

The following list includes the tasks to be performed by MPL in support of SIS data processing.

- Meet with users periodically to identify needed improvements to SIS applications where time and feasibility analyses support such improvements.
- Develop new menus for specific user applications.
- Maintain, extend, modify, and/or archive existing system data files.
- Maintain and/or modify existing file-maintaining and list-producing batch jobs.
- Maintain, modify, and/or augment existing menus for easy data entry and information review.
- Maintain and/or modify existing command procedure files that allow the user to issue simple commands to perform complex tasks.

- Update system documentation to cover all existing batch jobs, command procedures, and data files.
- Support the end-of-the-year tasks:
 - Run file edits of all current year's files
 - Run the jobs to produce the permit extensions
 - Run the jobs to produce the annual report
 - Describe all the new year's files
 - Create all the new year's screens
 - Modify all batch jobs to run off the new files
 - Modify all menus to include the new year's files
- Develop any special reports, data files, and/or screen formats that the OMHST specifies, subject to the available personnel time as specified in the Budget.
- Produce machine-readable copies of any data, as required by the OMHST.
- Maintain the server-based system that enables monthly reporting by operators and independent contractors of production and/or employment information via the Internet.

General System Support Activities

- Update and maintain group login file.
- Plan new and old account transactions. This includes adding new usernames and folders, as well as deleting those no longer needed.
- Perform regular system-wide and archival backups of all data stored on the system's disk drives; store backup copies in safe storage.
- Maintain the system's software at the most current level consistent with operation of all existing software.
- Monitor system performance and review system performance reports. This includes planning and system management activities to prevent or cure degradation in system performance.
- Review and respond to trouble reports.

Wide-Area Telecommunications Network Support

- Describe telecommunications requirements to vendors.
- Recommend telecommunications options to OMHST.

- Support connection of the SIS to OMHST's WAN.

Equipment Installation and Maintenance

- Install and support upgrades to hardware, software, and firmware located at MPL's host site.
- Schedule equipment repair and preventive maintenance where applicable.
- Test equipment when malfunction is detected.
- Perform certain limited equipment repair in consultation with vendors.

Administrative Support Activities

- Budgeting and budget transfers.
- Write and process proposals.
- Interact with other units to keep paperwork moving.
- Maintain an equipment inventory and inventory transfers.
- Arrange for space for project facilities.

Data Management Support Activities

- In cooperation with OMHST personnel, continue overall system analysis and planning.
- Allocate, expand, support, and maintain databases.
- Design and maintain screen format files.

Terms and Conditions

Contract Period - This request is for the 12-month period from September 1, 2022 through August 31, 2023.

Deliverables - A monthly report showing labor hours consumed, labor hours remaining, and describing briefly the work completed during the month reported, due not later than the 5th business day of the month following.

Payment schedule and terms – Please deposit all payments issued by the State under the requisition number for the contract year September 1, 2022 to August 31, 2023, into MPL Corporation's account with Freedom Bank, on file with the State.

2022-2032 Budget			
Service	Quantity	Rate	Cost
Enable OMHST user access to SIS	12 months	\$9750/month	\$117,000.00
Continued Support and Maintenance	682 hours	\$116.25/hr	\$79,282.50
Data Processing Support Activities	150 hours	\$116.25/hr	\$17,437.50
General System Support and Online Reporting	128 hours	\$116.25/hr	\$14,880.00
Web-Based Reporting Support	40 hours	\$98.81/hr	\$3,952.40
New System Migration Support	120 hours	\$116.25/hr	\$13,950.00
Total			\$246,502.40

The Office of Miners' Health, Safety and Training will be invoiced at the end of each month for the work performed and accepted in that month, per the budget, and will vary based on the amount of work actually performed each month under the direction of the Office of Miners' Health, Safety and Training.

STATE OF WEST VIRGINIA
Purchasing Division

PURCHASING AFFIDAVIT

CONSTRUCTION CONTRACTS: Under W. Va. Code § 5-22-1(i), the contracting public entity shall not award a construction contract to any bidder that is known to be in default on any monetary obligation owed to the state or a political subdivision of the state, including, but not limited to, obligations related to payroll taxes, property taxes, sales and use taxes, fire service fees, or other fines or fees.

ALL CONTRACTS: 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: (1) for construction contracts, the vendor is not in default on any monetary obligation owed to the state or a political subdivision of the state, and (2) for all other contracts, 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: MPL Corporation

Authorized Signature: [Signature] Date: 03.09.2022

State of Alabama

County of Morgan, to-wit:

Taken, subscribed, and sworn to before me this 9 day of March, 2022

My Commission expires 4 November, 2024.



AFFIX SEAL HERE
NANCY LOTT
NOTARY PUBLIC
ALABAMA STATE AT LARGE
My Commission Expires 11-04-2024

NOTARY PUBLIC [Signature]