



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

Request for Quotation

RFQ NUMBER
DEP13745

PAGE
1

ADDRESS CORRESPONDENCE TO ATTENTION OF
CHUCK BOWMAN 304-558-2157

VENDOR

RFQ COPY
 TYPE NAME/ADDRESS HERE
MARK'S TANK CLEANING, INC.
P.O. BOX 6247
MARTINSBURG, WV 25402
701103831

SHIP TO

ENVIRONMENTAL PROTECTION
 DEPARTMENT OF
 OFFICE OF WASTE MANAGEMENT
 601 57TH STREET SE
 CHARLESTON, WV
 25304 304-926-0499

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
05/17/2006				

BID OPENING DATE: **06/22/2006** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	JB		962-86	<i>\$19.20/100 GALLONS</i>	
LEACHATE HAULING PER 100 GAL.						
<p>THE WEST VIRGINIA PURCHASING DIVISION, ON BEHALF OF THE AGENCY, THE WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION IS SOLICITING BIDS FOR A CONTRACT TO PROVIDE THE HAULING OF LEACHATE FROM THE JEFFERSON CO LANDFILL TO THE WILLIAMSPORT, MD WASTEWATER TREATMENT PLANT. THE CONTRACTOR WILL BE RESPONSIBLE FOR PUMPING, HAULING, AND DELIVERING THE LEACHATE FROM THE LANDFILL TO THE WATER TREATMENT PLANT. EACH LOAD WILL BE SAMPLED AT THE WASTE WATER TREATMENT PLANT, A COMPOSITE SAMPLE CREATED, AND THE SAMPLES ANALYZED PER THE ATTACHED SPECIFICATIONS, TERMS & CONDITIONS, AND SCOPE OF WORK.</p> <p>A MANDATORY ON-SITE PRE-BID MEETING WILL BE HELD ON 06/01/06 AT 11:00AM.</p> <p>DIRECTIONS: LANDFILL IS LOCATED 1.4 MILES EAST OF LEETOWN (TOWARD RANSON) ON LEEWOOD PIKE IN JEFFERSON COUNTY, WV.</p> <p>CONTACT: MARK CHURCH @ 304-626-0770.</p> <p>FAILURE TO ATTEND THIS MADATORY PRE-BID MEETING WILL RESULT IN THE DISQUALIFIICATION OF VENDOR'S SUBMITTED BID PROPOSAL.</p> <p>***** PLEASE SEE THE ATTACHED SPECIFICATIONS *****</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS			
SIGNATURE <i>[Signature]</i>	TELEPHONE 304-262-6725	DATE 6-9-06	
TITLE <i>PROPOSITOR</i>	FEIN 55-0723226	ADDRESS CHANGES TO BE NOTED ABOVE	

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



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				HAULING & TREATING LEACHATE COST PER 100 GAL:	19.20	
				EXHIBIT 1		
				LIFE OF CONTRACT: THIS CONTRACT BECOMES EFFECTIVE UPON AWARD AND EXTENDS FOR A PERIOD OF ONE (1) YEAR OR UNTIL SUCH "REASONABLE TIME" THEREAFTER AS IS NECESSARY TO OBTAIN A NEW CONTRACT OR RENEW THE ORIGINAL CONTRACT. THE "REASONABLE TIME" PERIOD SHALL NOT EXCEED TWELVE (12) MONTHS. DURING THIS "REASONABLE TIME" THE VENDOR MAY TERMINATE THIS CONTRACT FOR ANY REASON UPON GIVING THE DIRECTOR OF PURCHASING 30 DAYS WRITTEN NOTICE. UNLESS SPECIFIC PROVISIONS ARE STIPULATED ELSEWHERE IN THIS CONTRACT DOCUMENT, THE TERMS, CONDITIONS, AND PRICING SET HEREIN ARE FIRM FOR THE LIFE OF THE CONTRACT.		
				RENEWAL: THIS CONTRACT MAY BE RENEWED UPON THE MUTUAL WRITTEN CONSENT OF THE SPENDING UNIT AND VENDOR, SUBMITTED TO THE DIRECTOR OF PURCHASING THIRTY (30) DAYS PRIOR TO THE EXPIRATION DATE. SUCH RENEWAL SHALL BE IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE ORIGINAL CONTRACT AND SHALL BE LIMITED TO TWO (2) SUCCESSIVE ONE (1) YEAR PERIODS.		
				CANCELLATION: THE DIRECTOR OF PURCHASING RESERVES THE RIGHT TO CANCEL THIS CONTRACT IMMEDIATELY UPON WRITTEN NOTICE TO THE VENDOR IF THE COMMODITIES AND/OR SERVICES SUPPLIED ARE OF AN INFERIOR QUALITY OR DO NOT CONFORM WITH THE SPECIFICATIONS OF THE BID AND CONTRACT HEREIN.		
				OPEN MARKET CLAUSE: THE DIRECTOR OF PURCHASING MAY AUTHORIZE A SPENDING UNIT TO PURCHASE ON THE OPEN		

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Chuck Bowman</i>	TELEPHONE 304-262-6725	DATE 6-9-06
TITLE Purchasing Agent	FEIN 55-0223226	ADDRESS CHANGES TO BE NOTED ABOVE

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<p>MARKET, WITHOUT THE FILING OF A REQUISITION OR COST ESTIMATE, ITEMS SPECIFIED ON THIS CONTRACT FOR IMMEDIATE DELIVERY IN EMERGENCIES DUE TO UNFORESEEN CAUSES (INCLUDING BUT NOT LIMITED TO DELAYS IN TRANSPORTATION OR AN UNANTICIPATED INCREASE IN THE VOLUME OF WORK).</p> <p>INSURANCE: SUCCESSFUL VENDOR SHALL FURNISH PROOF OF COVERAGE OF COMMERCIAL GENERAL LIABILITY INSURANCE PRIOR TO ISSUANCE OF THE CONTRACT. UNLESS OTHERWISE SPECIFIED IN THE BID DOCUMENTS, THE MINIMUM AMOUNT OF INSURANCE COVERAGE REQUIRED IS \$250,000.</p> <p>WORKER'S COMPENSATION: VENDOR IS REQUIRED TO PROVIDE A CERTIFICATE FROM WORKER'S COMPENSATION IF SUCCESSFUL.</p> <p>BANKRUPTCY: IN THE EVENT THE VENDOR/CONTRACTOR FILES FOR BANKRUPTCY PROTECTION, THIS CONTRACT IS AUTOMATICALLY NULL AND VOID, AND IS TERMINATED WITHOUT FURTHER ORDER.</p> <p>REV. 9/98</p> <p>WAGE RATES: THE CONTRACTOR OR SUBCONTRACTOR SHALL PAY THE HIGHER OF THE U.S. DEPARTMENT OF LABOR MINIMUM WAGE RATES AS ESTABLISHED FOR VARIOUS COUNTIES, PURSUANT TO WEST VIRGINIA CODE 21-5A, ET, SEQ. (PREVAILING WAGE RATES APPLY TO THIS PROJECT) FOR PREVAILING WAGE RATES PLEASE REFER TO: HTTP://WWW.WVSOS.ORG/ADLAW/WAGERATES/BUILDING05.HTM FOR QUESTIONS OR ASSISTANCE IN DETERMINING THE CORRECT PREVAILING WAGE RATES, CALL 304.558.7890, DIVISION OF LABOR.</p>						

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LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
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). A. APPLICATION IS MADE FOR 2.5% PREFERENCE FOR THE REASON CHECKED: <input type="checkbox"/> 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 <input checked="" type="checkbox"/> BIDDER IS A PARTNERSHIP, ASSOCIATION OR CORPORATION RESIDENT VENDOR AND HAS MAINTAINED ITS HEAD-QUARTERS 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 <input type="checkbox"/> BIDDER IS A CORPORATION 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. B. APPLICATION IS MADE FOR 2.5% PREFERENCE FOR THE REASON CHECKED:						

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<p>(X) BIDDER IS A RESIDENT VENDOR WHO CERTIFIES THAT, DURING THE LIFE OF THE CONTRACT, ON AVERAGE AT LEAST 75% OF THE EMPLOYEES WORKING ON THE PROJECT BEING BID ARE RESIDENTS OF WEST VIRGINIA WHO HAVE RESIDED IN THE STATE CONTINUOUSLY FOR THE TWO YEARS IMMEDIATELY PRECEDING SUBMISSION OF THIS BID;</p> <p>OR</p> <p>() 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 BIDDERS' 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.</p> <p>BIDDER UNDERSTANDS IF THE SECRETARY OF TAX & 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) RESCIND THE CONTRACT OR PURCHASE ORDER ISSUED; 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.</p> <p>BY SUBMISSION OF THIS CERTIFICATE, BIDDER AGREES TO DISCLOSE ANY REASONABLY REQUESTED INFORMATION TO THE PURCHASING DIVISION AND AUTHORIZES THE DEPARTMENT OF TAX AND REVENUE TO DISCLOSE TO THE DIRECTOR OF PURCHASING APPROPRIATE INFORMATION VERIFYING THAT</p>						

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<p>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.</p> <p>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.</p> <p>BIDDER: <u>MARK'S TANK CLEANING, INC.</u></p> <p>DATE: <u>6-9-06</u></p> <p>SIGNED: <u>[Signature]</u></p> <p>TITLE: <u>PRESIDENT</u></p> <p>* CHECK ANY COMBINATION OF PREFERENCE CONSIDERATION(S) IN EITHER "A" OR "B", OR BOTH "A" AND "B" WHICH YOU ARE ENTITLED TO RECEIVE. YOU MAY REQUEST UP TO THE MAXIMUM 5% PREFERENCE FOR BOTH "A" AND "B". (REV. 12/00)</p> <p>NOTICE</p> <p>AN ORIGINAL, SIGNED BID MUST BE SUBMITTED TO:</p>						

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DEPARTMENT OF ADMINISTRATION PURCHASING DIVISION BUILDING 15 2019 WASHINGTON STREET, EAST CHARLESTON, WV 25305-0130						
BID MUST CONTAIN THIS INFORMATION ON THE FACE OF THE ENVELOPE OR THE BID MAY NOT BE CONSIDERED: SEALED BID						
BUYER:				23		
RFQ. NO.:				DEP13745		
BID OPENING DATE:				06/22/2006		
BID OPENING TIME:				1:30 PM		
PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID: <i>304-260-9231</i>						
CONTACT PERSON (PLEASE PRINT CLEARLY): <i>BRIAN FRAZEE</i>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

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WV-36a

STATE OF WEST VIRGINIA
PURCHASING CONTINUATION SHEET

MARK'S TANK CLEANING, INC.
P.O. BOX 6247
MARTINSBURG, WV 25402

Firm:

Buyer: CB-23	Page 8	Req. or P.O. No: DEP13745
Spending Unit:		

THE FIRM SHALL BE RESPONSIBLE FOR PAYMENT OF THE TREATMENT CHARGES TO THE WASTEWATER TREATMENT PLANTS. THESE COSTS WILL BE INCLUDED IN AMOUNT BID.

THE FIRM SHALL SUBMIT LOAD RECEIPTS TO THE WVDEP PROJECT MANAGER FROM THE WASTEWATER TREATMENT PLANT INDICATING DATE, TIME AND AMOUNT DISPOSED. THESE RECEIPTS MUST HAVE THE SIGNATURE OF THE AGENT OF WASTEWATER TREATMENT PLANT AND WILL BE THE BASIS FOR PAYMENT. STAMPED SIGNATURES ARE NOT ACCEPTED.

THE FIRM IS RESPONSIBLE FOR THE PUMPING, HAULING, AND DELIVERY OF LEACHATE FROM THE JEFFERSON COUNTY LANDFILL TO THE WILLIAMSPORT, MD. WASTEWATER TREATMENT PLANT OR AN AUTHORIZED ALTERNATIVE.

THE WVDEP SHALL BE RESPONSIBLE FOR PAYMENT OF THE SAMPLING, TESTING, AND REPORTING THE LEACHATE CONSTITUENTS AS MAY BE REQUIRED BY THE WASTEWATER TREATMENT PLANT. CURRENTLY, EACH LOAD IS SAMPLED AT THE WASTEWATER TREATMENT PLANT, COMPOSITE SAMPLES ARE CREATED AND THE SAMPLES ANALYZED.

THE FIRM SHALL COMPLY WITH ALL COMMON CARRIER REQUIREMENTS OF THE WEST VIRGINIA PUBLIC SERVICE COMMISSION TO HAUL LEACHATE IN STATE OF WEST VIRGINIA,

THE FIRM SHALL BE SOLELY LIABLE FOR ANY DAMAGES, OR CLAIM THEREOF RESULTING FROM THE FIRM'S CONDUCT IN LOADING, TRANSPORTING OR UNLOADING LEACHATE, AND AGREES TO FULLY INDEMNIFY THE WVDEP FOR ANY SUCH CLAIMS BROUGHT AGAINST IT.

THE FIRM WILL ONLY HAUL AND DISPOSE OF LEACHATE AT THE TIMES DESIGNATED BY THE WASTE WATER TREATMENT PLANT. THIS CONTRACT SHALL REQUIRE THE FIRM TO HAUL FROM THE TANK AS DIRECTED BY THE WVDEP.

THE FIRM SHALL LOCK ALL GATES AND FENCING WHILE THE SITE IS UNATTENDED AND SHALL REMAIN LOCKED TO PREVENT UNAUTHORIZED USE. ALL KEYS TO THE LOCKS AT THE FACILITY WILL BE FURNISHED BY THE WVDEP PROJECT MANAGER.

THE FIRM WILL HAVE APPROVED GAUGES OR METERS (SITE GLASSES OR MANOMETERS, ETC.) ON THE HAULING EQUIPMENT TO BE USED FOR EASY VERIFICATION OF THE AMOUNT OF EACH LOAD BY THE ATTENDENT AT THE DISPOSAL SITE.

STATE OF WEST VIRGINIA
PURCHASING CONTINUATION SHEET

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Firm:

Buyer: CB-23	Page 9	Req. or P.O. No: DEP13745
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THE FIRM SHALL MAINTAIN A LIQUID LEVEL IN THE LEACHATE STORAGE TANK AS LOW AS POSSIBLE TO COMPLY WITH THE 15 DAY STORAGE CAPACITY REQUIREMENT, AS WELL AS THE ZERO DISCHARGE LIMITATIONS IN EFFECT FOR THE STORAGE TANK.

THE FIRM SHALL NOTIFY THE WVDEP PROJECT MANAGER IF THE LIQUID LEVEL IN THE STORAGE TANK EXCEEDS THE FREEBOARD ARROW MARK ON THE GAUGE.

THE FIRM SHALL BE RESPONSIBLE FOR PAYMENT OF ALL COSTS ASSOCIATED WITH SNOW REMOVAL NECESSARY DURING PERIODS OF INCLEMENT WEATHER TO ASSURE COMPLIANCE WITH THIS CONTRACT.

THE WVDEP WILL OTHERWISE MAINTAIN THE ACCESS ROAD ON THE LANDFILL SITE, WHICH SHALL INCLUDE REPAIR OF POTHOLES, SOFT AREAS, MAINTENANCE OF DRAINAGE CONTROL DEVICES AND ALL OTHER INCIDENTALS REQUIRED.

THE FIRM SHALL PROVIDE EQUIPMENT SUITABLE TO THE WVDEP FOR PERFORMING THE WORK.

THE TANKER (S) SHALL HAVE ADEQUATE CAPACITY TO TRANSPORT THE VOLUMES REQUIRED.

THE WV DEP SHALL PROVIDE A GRADUATED SCALE CALIBRATED IN FEET AND INCHES SHOWING CONVERSION RATIOS IN GALLONS PER VERTICLE INCH (BASED UPON THE TANK GAUGE READING OF THE TANK CONTENTS)

THE WV DEP SHALL PROVIDE A FORM AND THE FIRM SHALL COMPLETE THE FORM, IN ACCORDANCE WITH THE GRADUATED SCALE, INDICATING THE BEGINNING FEET TO THE INCH AND CORRESPONDING NUMBER OF GALLONS AND THE ENDING FEET TO THE INCH AND CORRESPONDING NUMBER OF GALLONS FOR EVERY TRUCK LOAD AND ATTACH THE FORM (S) TO INVOICES SUBMITTED TO THE WV DEP FOR PAYMENT.

(SEE ATTACHMENTS "A" AND "B"

FOR ANY FUTURE METERS OR TOTALIZER INSTRUMENTS INSTALLED, THE FIRM SHALL MAINTAIN AND SUBMIT ALL RECORDS REFLECTING ANY VOLUMES OF LIQUIDS REMOVED FROM THE TANK.

PAUL BENEDUM, PROJECT MANAGER
WV DEP/DIVISION OF LAND RESTORATION
2031 PLEASANT VALLEY ROAD, SUITE 1
FAIRMONT, WV 26554
PHONE: 304-368-3950 OR CELL # 304-288-2748

APPLICABLE LAW

THE WEST VIRGINIA STATE CODE, PURCHASING DIVISION RULES & REGULATIONS, PURCHASING DIVISION POLICY STATEMENTS, AND THE INFORMATION PROVIDED IN "REQUEST FOR QUOTATION" ISSUED BY THE PURCHASING DIVISION IS THE SOLE AUTHORITY GOVERNING THIS PROCUREMENT.

ANY INFORMATION PROVIDED IN SPECIFICATION MANUALS, OR ANY OTHER SOURCE, VERBAL OR WRITTEN, WHICH CONTRADICTS OR ALTERS THE INFORMATION PROVIDED FROM THE SOURCE AS

Attachment "A"
Jefferson Leachate Tank Scale

Jefferson
County
Tank
Scale

Time	Feet	Gallons	Time	Feet	Gallons	
12:00	0.00	0	6:00	6.00	1,770	
12:15	0.25	74	6:15	6.25	1,844	
12:30	0.50	147	6:30	6.50	1,917	
12:45	0.75	221	6:45	6.75	1,992	
1:00	1.00	295	7:00	7.00	2,065	
1:15	1.25	369	7:15	7.25	2,139	
1:30	1.50	442	7:30	7.50	2,212	
1:45	1.75	517	7:45	7.75	2,287	
2:00	2.00	590	8:00	8.00	2,360	
2:15	2.25	664	8:15	8.25	4,767	Overfill
2:30	2.50	737	8:30	8.50	4,911	Level
2:45	2.75	812	8:45	8.75	5,056	
3:00	3.00	885	9:00	9.00	5,200	
3:15	3.25	959	9:15	9.25	5,345	
3:30	3.50	1,032	9:30	9.50	5,489	
3:45	3.75	1,107	9:45	9.75	5,634	
4:00	4.00	1,180	10:00	10.00	5,778	
4:15	4.25	1,254	10:15	10.25	5,923	
4:30	4.50	1,327	10:30	10.50	6,067	
4:45	4.75	1,402	10:45	10.75	6,212	
5:00	5.00	1,475	11:00	11.0	6,356	
5:15	5.25	1,549	11:15	11.25	6,501	
5:30	5.50	1,622	11:30	11.5	6,645	
5:45	5.75	1,697				

A F F I D A V I T**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 owned is an amount greater than one thousand dollars in the aggregate.

DEFINITIONS:

"Debt" means any assessment, premium, penalty, fine, tax or other amount of money owed to the state or any of its political subdivisions because of a judgment, fine, permit violation, license assessment, defaulted workers' compensation premium, penalty or other assessment presently delinquent or due and required to be paid to the state or any of its political subdivisions, including any interest or additional penalties accrued thereon.

"Debtor" means any individual, corporation, partnership, association, limited liability company or any other form or business association owing a debt to the state or any of its political subdivisions.

"Political subdivision" means any county commission; municipality; county board of education; any instrumentality established by a county or municipality; any separate corporation or instrumentality established by one or more counties or municipalities, as permitted by law; or any public body charged by law with the performance of a government function or whose jurisdiction is coextensive with one or more counties or municipalities.

"Related party" means a party, whether an individual, corporation, partnership, association, limited liability company or any other form or business association or other entity whatsoever, related to any vendor by blood, marriage, ownership or contract through which the party has a relationship of ownership or other interest with the vendor so that the party will actually or by effect receive or control a portion of the benefit, profit or other consideration from performance of a vendor contract with the party receiving an amount that meets or exceeds five percent of the total contract amount.

EXCEPTION:

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

LICENSING:

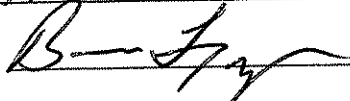
The vendor must be licensed in accordance with any and all state requirements to do business with the state of West Virginia.

CONFIDENTIALITY:

The vendor agrees that he or she will not disclose to anyone, directly or indirectly, any such personally identifiable information or other confidential information gained from the agency, unless the individual who is the subject of the information consents to the disclosure in writing or the disclosure is made pursuant to the agency's policies, procedures and rules. Vendors should visit www.state.wv.us/admin/purchase/privacy for the Notice of Agency Confidentiality Policies.

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

Vendor's Name: MARK'S TANK CLEANING, INC

Authorized Signature:  Date: 6-9-06