



Date: 8/23/06

Time: 9:35AM

TO: Sharon Thompson - Bid Clerk

COMPANY: WV Purchasing Division

DEPARTMENT: _____

PHONE: _____

FAX: 304-558-3970

FROM: Greg Rogers

R. T. ROGERS OIL CO., INC.
P. O. Box 160
Hinton, WV 25951
Phone: 304-466-1733
Fax: 304-466-1735

PURCHASING DIVISION
STATE OF WV

2006 AUG 23 A 11: 37

RECEIVED

Number of pages (including cover sheet): 11

IF YOU DO NOT RECEIVE ALL OF THE PAGES, PLEASE CALL AS SOON AS POSSIBLE AND CONTACT THE ABOVE ADDRESSEE.

COMMENTS: Sealed Bid - Buyer 33
RFQ NO: 09700012
bid opening: 8-23-06 1:30pm

This fax is confidential and intended only for the addressee. It is strictly prohibited to duplicate or distribute. If you receive this telecopy in error, please call us immediately.

Thank You



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

Request for Quotation

RFO NUMBER
09700012

PAGE
1

ADDRESS CORRESPONDENCE TO ATTENTION OF:
**JOHN JOHNSTON
304-558-2402**

*709044938 304-466-1733
R T ROGERS OIL COMPANY INC
PO BOX 160
HINTON WV 25951

DIVISION OF HIGHWAYS
VARIOUS LOCALES AS INDICATED
BY ORDER
*558-3970 FAX
-Sharon Thompson Bid Clerk*

DATE PRINTED 07/31/2006	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
BID OPENING DATE: 08/23/2006 BID OPENING TIME 01:30PM				

LINE	QUANTITY	UOP	CAT NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	GL		405-03	\$0.3587	
LP GAS - FIRM FIXED MARKUP						
OPEN END CONTRACT						
TO FURNISH ALL MATERIALS, LABOR, EQUIPMENT AND TANKS TO SUPPLY LP GAS TO THE WV. DIVISION OF HIGHWAYS AT THE LOCATIONS PER THE ATTACHED.						
PRICING: VENDORS MUST BID A FIRM FIXED MARK-UP PRICE PER GALLON ON FUEL (INCLUSIVE OF ALL DELIVERY COSTS) WITH PRODUCT PRICE TIED TO THE OIL PRICE INFORMATION SERVICE NEWSLETTER, WHICH IS PUBLISHED, ON A WEEKLY BASIS. THE VENDOR IS TO BID ONLY A FIRM FIXED MARK-UP FOR BUSINESS PROFIT AND EXPENSES IN SUPPLYING THE PRODUCT TO THE AGENCY. PRODUCT COSTS SHALL BE THE U.S. RESELLER PROPANE PRICES AS PUBLISHED WITHIN THE DIXIE PL HEADING, FOR RALEIGH/APEX, NC. THE AVERAGE PRICE IS TO BE UTILIZED. THE GOVERNING PRICE SHALL BE THAT PRICE PUBLISHED FOR THE WEEK PRECEDING DELIVERY.						
SINCE PRODUCT PRICING IS SUBJECT TO WEEKLY CHANGES, THE AGENCY WILL VERIFY PRICING INFORMATION.						
PRICING WILL BE CALCULATED PURSUANT TO THE FORMULA BELOW:						
A) LPG COST PER OPIS						
B) FIXED VENDOR MARK-UP (MUST INCLUDE DELIVERY CHARGE)						
TOTAL PRICE PER GALLON DELIVERED(A+B) \$.....						
FOR THE SOLE PURPOSE OF BID EVALUATION THE SPECIFIED "AVERAGE" PRICE OF LIQUID PROPANE GAS REPORTED IN THE						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE: *Greg Rogers* TELEPHONE: **304-466-1733** DATE: **8-23-06**

TITLE: **VP-000** FEIN: **55-057-5547** ADDRESS CHANGES TO BE NOTED ABOVE

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



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
09700012

PAGE
2

ADDRESS CORRESPONDENCE TO ATTENTION OF:
JOHN JOHNSTON 304-558-2402

REPLY TO

*709044938 304-466-1733
R T ROGERS OIL COMPANY INC
PO BOX 160

HINTON WV 25951

SHIP TO

DIVISION OF HIGHWAYS
VARIOUS LOCALES AS INDICATED
BY ORDER

DATE PRINTED 07/31/2006	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
BID OPENING DATE: 08/23/2006 BID OPENING TIME 01:30PM				

LINE	QUANTITY	UOP	CAT NO.	ITEM NUMBER	UNIT PRICE	AMOUNT	
				OPIS PUBLICATION FOR THE WEEK PRECEEDING THE BID OPENING, WITHIN THE DIXIE PL HEADING FOR RALEIGH/APEX NC. WILL BE USED. SEE ATTACHED EXHIBIT 3 LIFE OF CONTRACT: THIS CONTRACT BECOMES EFFECTIVE ON 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) 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 TO THE SPECIFICATIONS OF THE BID AND CONTRACT HEREIN.			\$1,2401

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Ray Rogers</i>	TELEPHONE	DATE 8-23-06
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE

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



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
09700012

PAGE
3

ADDRESS CORRESPONDENCE TO ATTENTION OF:
JOHN JOHNSTON 304-558-2402

*709044938 304-466-1733
 R T ROGERS OIL COMPANY INC
 PO BOX 160
 HINTON WV 25951

VENDOR

SHIP TO

DIVISION OF HIGHWAYS
 VARIOUS LOCALES AS INDICATED
 BY ORDER

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
07/31/2006				
BID OPENING DATE: 08/23/2006		BID OPENING TIME 01:30PM		

LINE	QUANTITY	UOP	CAT NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>OPEN MARKET CLAUSE: THE DIRECTOR OF PURCHASING MAY AUTHORIZE A SPENDING UNIT TO PURCHASE ON THE OPEN 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>QUANTITIES: QUANTITIES LISTED IN THE REQUISITION ARE APPROXIMATIONS ONLY, BASED ON ESTIMATES SUPPLIED BY THE STATE SPENDING UNIT. IT IS UNDERSTOOD AND AGREED THAT THE CONTRACT SHALL COVER THE QUANTITIES ACTUALLY ORDERED FOR DELIVERY DURING THE TERM OF THE CONTRACT, WHETHER MORE OR LESS THAN THE QUANTITIES SHOWN.</p> <p>ORDERING PROCEDURE: SPENDING UNIT(S) SHALL ISSUE A WRITTEN STATE CONTRACT ORDER (FORM NUMBER WV-39) TO THE VENDOR FOR COMMODITIES COVERED BY THIS CONTRACT. THE ORIGINAL COPY OF THE WV-39 SHALL BE MAILED TO THE VENDOR AS AUTHORIZATION FOR SHIPMENT, A SECOND COPY MAILED TO THE PURCHASING DIVISION, AND A THIRD COPY RETAINED BY THE SPENDING UNIT.</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>THE TERMS AND CONDITIONS CONTAINED IN THIS CONTRACT SHALL SUPERSEDE ANY AND ALL SUBSEQUENT TERMS AND CONDITIONS WHICH MAY APPEAR ON ANY ATTACHED PRINTED DOCUMENTS SUCH AS PRICE LISTS, ORDER FORMS, SALES AGREEMENTS OR MAINTENANCE AGREEMENTS, INCLUDING ANY ELECTRONIC MEDIUM SUCH AS CD-ROM.</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
<i>Ray Rogers</i>		8-23-06
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE

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



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 09700012

PAGE 4

ADDRESS CORRESPONDENCE TO ATTENTION OF: JOHN JOHNSTON 304-558-2402

*709044938 304-466-1733
R T ROGERS OIL COMPANY INC
PO BOX 160
HINTON WV 25951

DIVISION OF HIGHWAYS
VARIOUS LOCALES AS INDICATED
BY ORDER

Table with columns: DATE PRINTED (07/31/2006), TERMS OF SALE, SHIP VIA, FOB, FREIGHT TERMS

BID OPENING DATE: 08/23/2006 BID OPENING TIME 01:30PM

Main table with columns: LINE, QUANTITY, UOP, CAT NO., ITEM NUMBER, UNIT PRICE, AMOUNT. Contains text: REV. 04/11/2001, PURCHASING CARD ACCEPTANCE, VENDOR PREFERENCE CERTIFICATE.

SIGNATURE (Handwritten), TELEPHONE, DATE (8-23-06), TITLE, FEIN, ADDRESS CHANGES TO BE NOTED ABOVE



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
09700012

PAGE
5

ADDRESS CORRESPONDENCE TO ATTENTION OF:
JOHN JOHNSTON 304-558-2402

VENDOR

*709044938 304-466-1733
 R T ROGERS OIL COMPANY INC
 PO BOX 160
 HINTON WV 25951

SHIP TO

DIVISION OF HIGHWAYS
 VARIOUS LOCALES AS INDICATED
 BY ORDER

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
07/31/2006				

BID OPENING DATE: **08/23/2006** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
CERTIFICATION; OR () 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: (X) BIDDER IS A RESIDENT VENDOR WHO CERTIFIES THAT, DURING THE LIFE OF THE CONTRACT, ON AVERAGE AT LEAST 75% OF THE EMPLOYEES WORKING ON THE PROJECT BEING BID ARE RESIDENTS OF WEST VIRGINIA WHO HAVE RESIDED IN THE STATE CONTINUOUSLY FOR THE TWO YEARS IMMEDIATELY PRECEDING SUBMISSION OF THIS BID; OR () 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. 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						

SIGNATURE <i>Andy Rogers</i>		SEE REVERSE SIDE FOR TERMS AND CONDITIONS		TELEPHONE	DATE <i>8-23-06</i>
TITLE <i>VP COO</i>	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE			

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



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
09700012

PAGE
6

ADDRESS CORRESPONDENCE TO ATTENTION OF:
**JOHN JOHNSTON
304-558-2402**

VENDOR

*709044938 304-466-1733
R T ROGERS OIL COMPANY INC
PO BOX 160

HINTON WV 25951

SHIP TO

DIVISION OF HIGHWAYS
VARIOUS LOCALES AS INDICATED
BY ORDER

DATE PRINTED 07/31/2006	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
BID OPENING DATE: 08/23/2006 BID OPENING TIME 01:30PM				

LINE	QUANTITY	UOP	CAT NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>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 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>R.T. Rogers Oil Co. Inc.</u></p> <p>DATE: <u>8-23-06</u></p> <p>SIGNED: <u>[Signature]</u></p> <p>TITLE: <u>VP-COO</u></p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE: [Signature] TELEPHONE: _____ DATE: 8-23-06

TITLE: _____ FEIN: _____ ADDRESS CHANGES TO BE NOTED ABOVE

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



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
09700012

PAGE
7

ADDRESS CORRESPONDENCE TO ATTENTION OF:
JOHN JOHNSTON
304-558-2402

VENDOR

*709044938 304-466-1733
R T ROGERS OIL COMPANY INC
PO BOX 160
HINTON WV 25951

SHIP TO

DIVISION OF HIGHWAYS
VARIOUS LOCALES AS INDICATED
BY ORDER

Table with columns: DATE PRINTED (07/31/2006), TERMS OF SALE, SHIP VIA, F.O.B., FREIGHT TERMS. Includes BID OPENING DATE: 08/23/2006 and BID OPENING TIME: 01:30PM

Main bid table with columns: LINE, QUANTITY, UOP, CAT NO., ITEM NUMBER, UNIT PRICE, AMOUNT. Contains detailed instructions and notices regarding the bidding process.

Signature section with fields for SIGNATURE, TITLE, FEIN, TELEPHONE, and DATE (8-23-06). Includes the instruction: ADDRESS CHANGES TO BE NOTED ABOVE

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



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
09700012

PAGE
8

ADDRESS CORRESPONDENCE TO ATTENTION OF:
JOHN JOHNSTON 304-558-2402

VENDOR

*709044938 304-466-1733
R T ROGERS OIL COMPANY INC
PO BOX 160
HINTON WV 25951

SHIP TO

DIVISION OF HIGHWAYS
VARIOUS LOCALES AS INDICATED
BY ORDER

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
07/31/2006				

BID OPENING DATE: 08/23/2006 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
TO CONTACT YOU REGARDING YOUR BID:						
----- 304-466-1735 -----						
CONTACT PERSON (PLEASE PRINT CLEARLY):						
----- Greg Rogers -----						
***** THIS IS THE END OF RFQ 09700012 ***** TOTAL: _____						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Greg Rogers</i>	TELEPHONE	DATE 8-23-06
TITLE VP-LOD	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE

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

LOCATION	TANK SIZE GALLONS	ESTIMATED MONTHLY USAGE	UNIT PRICE	AMOUNT
SUMMERS CO HINION (2 TANKS)	1000	430	\$ 1.5988	\$ 687.48
DISTRICI SIGN SHOP- LEWISBURG	500	100	\$ 1.5988	159.88
GREENBRJER CO CRAWLEY	1000	370	\$ 1.5988	591.56
FAYETTE CO LOOKOUT	500	250	\$ 1.5988	399.70
SUMMERS CO KEENEY'S KNOB	500	100	\$ 1.5988	159.88
(SERVES AS BACK UP IN CASE POWER GOES OFF		ALMOST NO USAGE)		
		<u>1250</u>	TOTAL	\$ <u>1998.50</u>

RFQ No 09700012

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 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 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

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: R. T. Rogers Oil Co. Inc
Authorized Signature: [Signature] Date: 8-23-06