

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

Request for

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ADDRESS CORRESPONDENCE TO ATTENTION OF

JOHN JOHNSTON <u> 304-558-2402</u>

*820131035 814-432-9347 FRANKLIN INDUSTRIES CO 645 ATLANTIC AVENUE

FRANKLIN PA 16323 DIVISION OF HIGHWAYS VARIOUS LOCALES AS INDICATED BY ORDER

DATE PRINTED TERMS OF SALE SHIP VIA F.O.B. FREIGHT TERMS 03/22/2007 BID OPENING DATE: 04/18/2007 BID OPENING TIME 01:30PM CAT. QUANTITY LINE HOP ITEM NUMBER AMOUNT UNIT PRICE 0001 LS 210-16 1 GALVANIZED STEEL U-CHANNEL SIGN SUPPORTS OPEN END CONTRACT TO FURNISH GALVANIZED STEEL U-CHANNEL SIGN SUPPORTS AND MISCELLANEOUS HARDWARE TO THE WEST VIRGINIA DIVISION OF HIGHWAYS AS PER THE ATTACHED SPECIFICATIONS EXHIBIT 3 THIS CONTRACT BECOMES EFFECTIVE ON LIFE OF CONTRACT: 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 (2001 APR) ORIGINAL CONTRACT AND SHALL BE LIMITED TO TWO (2) ONE (1) YEAR PERIODS. PERCHASING DIVIDIO ALAIE OF WV SEE REVERSE SIDE FOR TERMS AND CONDITIONS TELEPHONE (SIGNATURE ADDRESS CHANGES TO BE NOTED ABOVE



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FRANKLIN PA 16323

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SCOPE OF CONTRACT

The purpose of this Contract shall be to supply WVDOH maintenance personnel with galvanized u-channel for standard maintenance, and various accessories designed to aid in the installation/removal of u-channel supports and to enhance the performance of u-channel supports.

SPECIFICATIONS FOR ITEMS

Galvanized u-channel supports (Items 1-31): Acceptance of u-channel supports supplied as part of this Contract shall be in accordance with the normal WVDOH acceptance procedures. U-channel posts are to be of a material that meets the requirements of Section 657 of the West Virginia Division of Highways' Standard Specifications For Roads and Bridges, latest edition. U-channel posts shall meet the shape and dimensional requirements shown on Sheet TE1-7A of the WVDOH, Standard Details Book, Volume 2, latest edition. Post lengths shall be as specified with a tolerance of +/- one (1) inch. Galvanized posts are to be galvanized in accordance with ASTM Specification A123.

12" X 6" U-channel anchor plate and 12" X 6" U-channel anchor plate with stabilizer (Items 32 and 33): The anchor plate shall be manufactured of A36 steel, and shall be galvanized in accordance with ASTM A563, G-90, Structural Quality, Grade 50, Class I. The plate shall attach to the post by using locking hook bolts. The plate shall be 1/8" thick by 6" tall and shall measure 12" and 6" long on the top and bottom, respectively. The general design of the anchor plate and hook bolts shall be in accordance with the attached drawing.

Manual drive cap for 3# and 4# u-channel (Item 34): The drive cap shall be a DCH17 - Big Boy Protective Drive Cap for use with 2#, 3#, and 4# u-channel.

Manual U-channel Removal Tool (Item 35): The removal tool shall be a one-piece device, with the exception of a replaceable hardened steel engagement pin. The tool handle shall be manufactured of 4130 steel. The tool shall be capable of removing 2#, 3#, and 4# posts driven to within four (4) inches of the top of soil, and shall be capable of exerting an upward force of 4,000 #. The tool shall be approximately 48" in overall length and shall weigh approximately 15 lbs. The design of the tool shall be in general conformance with the attached drawing.

Side Mounting Bracket (Item 36): Each unit of the "Side Mounting Bracket Kit" item shall include two (2) ea. brackets. The brackets shall enable the user to mount an additional sign(s) onto a 2#, 3#, or 4# post perpendicular to the sign(s) mounted to the front of the post. Each bracket shall be manufactured of steel, and shall be galvanized in accordance with ASTM specification A123. The dimensioning of the bracket shall be in accordance with the attached detail drawing.

PURCHASE HISTORY REPORTS

As part of this Contract, the vendor shall be required to submit semi-annual purchase history reports to the WVDOH. The vendor should submit this report in a summarized spreadsheet format. The spreadsheet columns should be labeled in general conformance to the following:

PO NUMBER (Use VISA doc. number if purchased on P-card)
PURCHASE METHOD (Indicate "Blanket Release Order" or "P-card")
QTY. LINE ITEM 1 ORDERED
QTY. LINE ITEM 2 ORDERED

QTY LINE ITEM "N" ORDERED (N = number of line items on Contract)
SHIPPING DESTINATION (Indicate the city or town the order was shipped to)
TOTAL VALUE OF ORDER

Each report shall include summary totals of the quantity of each line item ordered and the total value of all orders placed for both the period that the report covers and from the original effective date of the Contract. After award of the Contract, the first report the Vendor will be required to submit shall be for the first 180 days of the Contract, beginning at the original effective date of the Contract. The next report shall be for the period between the end of the period covered by the first report and the expiration date of the Contract, or the effective renewal date of the Contract. Reports shall continue to be submitted as described above for the life of the Contract. The due date for submission of reports shall be 15 days after the last day of the period covered by the report.

Preferably, the Vendor should submit all reports in Microsoft Excel format to Ted Whitmore's attention at e-mail address twhitmore@@dot.state.wv.us. However, the Vendor may also submit reports to Ted Whitmore's attention at fax number 304-558-1209, or the following address:

WVDOH-Traffic Engineering Division Bldg. 5 – Rm. A550 1900 Kanawha Blvd. East Charleston, WV 25305

The Vendors reports shall include all purchases made, regardless of method of order placement (phone, fax, mail, internet). Failure to submit the above described reports may be grounds for cancellation of this Contract, and/or may result in a Vendor Complaint being registered with the State Purchasing Division.

MINIMUM ORDERS

When ordering Items listed on lines 1 through 31, the total combined material ordered, based on these Item numbers, shall be a minimum of 24,000 lbs.

There shall be no minimum order requirement for all other items on the contract.

DELIVERY

The supplier shall be allowed sixty (60) calendar days A.R.O. for delivery. The WVDOH shall assess liquidating damages against the supplier for each day that any delivery of material is delayed beyond the sixty (60) day limit. The District may waive a portion or all of the late delivery charges at their discretion provided an ample supply of material is in stock at the District.

The total amount of the liquidating damages shall be \$490 per day, per order, and is in accordance with Section 108.7 of the West Virginia Standard Specifications, Roads and Bridges.

The vendor must notify the receiving District a minimum of 72 hours (3 working days) prior to delivery.

The following estimated quantities are for bid purposes only. Actual quantities will be determined by needs of the West Virginia Division of Highways and may be increased or decreased.

| Item | Estimated | Description | Unit | Total | Inventory Class , Type / Subcode |
|--|-----------|---|-------|--------------|-------------------------------------|
| Number | Quantity | • | Cost | Cost | (DOH Use Only) |
| 1 | 700 | Galvanized U-Channel, 2 # per foot, 4 foot long | 6.96 | <u>4872.</u> | 019 014 200004 |
| 2 | 10 | Galvanized U-Channel, 2 # per foot, 5 foot long | 8.20 | 82. | 019 014 200005 |
| 3 | 300 | Galvanized U-Channel, 2 # per foot, 6 foot long | 9.84 | 2952. | 019 014 200006 |
| 4 | 1100 | Galvanized U-Channel, 2 # per foot, 7 foot long | 11.48 | 12628. | 019 014 200007 |
| 5 | 2000 | Galvanized U-Channel, 2 # per foot, 8 foot long | 13.12 | 26240. | 019 014 200008 |
| 6 | 10 | Galvanized U-Channel, 2 # per foot, 9 foot long | 14.76 | 147.60 | 019 014 20000 |
| 7 | 2000 | Galvanized U-Channel, 2 # per foot, 10 foot long | 16.40 | 32800. | 019 014 200016 |
| 8 | 10 | Galvanized U-Channel, 2 # per foot, 11 foot long | 18.04 | 180.40 | 019 014 20001 |
| 9 | 10 | Galvanized U-Channel, 2 # per foot, 12 foot long | 19.68 | 196.80 | 019 014 200012 |
| 10 | 10 | Galvanized U-Channel, 2 # per foot, 20 foot long | 37.58 | 225.2 | 019 014 200020 |
| 11 = | 6100 | Galvanized U-Channel, 3 # per foot, 4 foot long | 10.04 | 6/244. | 019 014 300004 |
| 12 8 | 10 | Galvanized U-Channel, 3 # per foot, 5-1/2 foot long | 12.98 | 129.80 | 019 014 30005 |
| 13 | 10 | Galvanized U-Channel, 3 # per foot, 6 foot long | 14.16 | 141.60 | 019 014 30000 |
| 14 | 500 | Galvanized U-Channel, 3 # per foot, 7 foot long | 16.52 | 8260. | 019 014 30000 |
| 15 ₽ | 10 | Galvanized U-Channel, 3 # per foot, 8 foot long | 18.88 | 188.80 | 019 014 30000 |
| 11 Total combined wt. of these items must be 24,000# min 18 19 20 20 | 1900 | Galvanized U-Channel, 3 # per foot, 9 foot long | 21.24 | 40356. | 019 014 30000 |
| 17 | 2700 | Galvanized U-Channel, 3 # per foot, 10 foot long | 23.60 | 63720. | 019 014 30001 |
| ust be | 800 | Galvanized U-Channel, 3 # per foot, 11 foot long | 25.96 | 26768 | 019 014 30001 |
| 19 24,00 | 700 | Galvanized U-Channel, 3 # per foot, 12 foot long | 28.32 | 19824. | 019 014 30001 |
| 20 | 10 | Galvanized U-Channel, 3 # per foot, 13 foot long | 30.68 | 364.80 | 019 014 30001 |
| 21 | 10 | Galvanized U-Channel, 3 # per foot, 14 foot long | 33.04 | 330.40 | 019 014 30001 |
| 22 | 10 | Galvanized U-Channel, 3 # per foot, 16 foot long | 37.76 | 377.60 | 019 014 30001 |
| 23 | 10 | Galvanized U-Channel, 3 # per foot, 18 foot long | 48.64 | 486.40 | 019 014 30001 |
| 24 | 10 | Galvanized U-Channel, 3 # per foot, 20 foot long | 54.04 | 540.40 | 019 014 30002 |
| 25** | 10 | Galvanized U-Channel, 4 # per foot, 4 foot long | 13.44 | 134.36 | 019 014 40000 |
| 26** | 10 | Galvanized U-Channel, 4 # per foot, 6 foot long | 18.35 | 183.54 | 019 014 40000 |
| 27** | 10 | Galvanized U-Channel, 4 # per foot, 12 foot long | 36.71 | 367.10 | 019 014 40001 |
| 28** | 10 | Galvanized U-Channel, 4 # per foot, 14 foot long | 42.83 | | 019 014 40001 |
| 29** | 10 | Galvanized U-Channel, 4 # per foot, 16 foot long | 48.94 | 489.40 | 019 014 40001 |
| 30** | 10 | Galvanized U-Channel, 4 # per foot, 18 foot long | 63.04 | 630.40 | 019 014 40001 |
| 31** | 10 | Galvanized U-Channel, 4 # per foot, 20 foot long | 70.04 | 760.40 | 019 014 40002 |

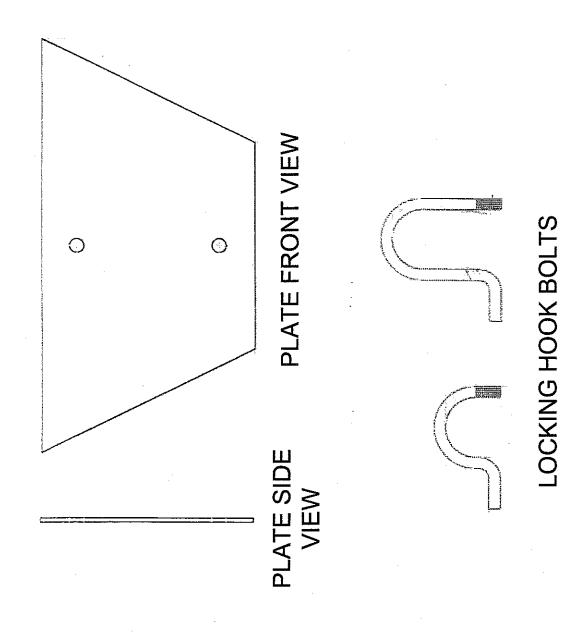
^{** 4#} per foot u-channel, 4# back to back u-channel, and 6# back to back u-channel supports, without an approved slip base or breakaway ground connection, are allowed to be installed only where the speed limit is 35 MPH or less, behind guardrail, or outside the "clear zone" as defined in the AASHTO Roadside Design Guide. Also, when using 3 or more 2# or 3# u-channel posts for an assembly, post spacing must be greater than 3-1/2 ft.

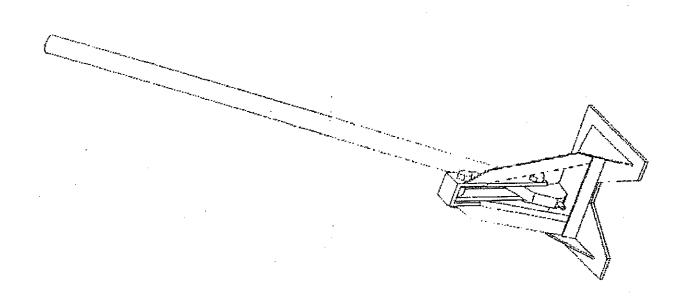
NOTE: Vendors can complete Bid Schedule at Purchasing's Web Site www.state.wv.us/admin/purchase

Note: Bid per specifications attached. 18'-26' posts only punched 16'.

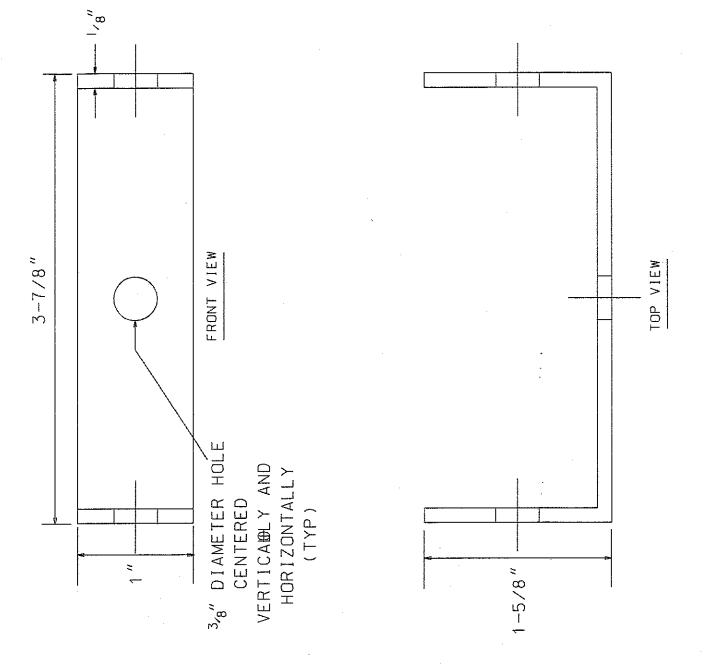
| 7 | - | 1 | |
|---|---|---|--|
| | | | |
| | | | |

| Îtem Numb | Estimated Quantity | Description | | Unit Cost | Total Cost | 1 | y Class / / Subcode se Only) |
|--------------|-----------------------|--|----|--------------|---------------|----------|------------------------------------|
| 32 | 5 | 12" x 6" u-channel anchor plate | No | Bid | | 019 008 | 080205 |
| 33 | 5 | 12" x 6" u-channel anchor plate with stabilizer | No | Bid | | 019 008 | 080205 |
| 34 | 10 | Manual Drive Cap, 2#, 3#, and 4# u-channel | No | Bid | | 019 008 | 080310 |
| 35_ | 5 | Manual U-channel Removal Tool | No | Bid | | 019 008 | 080340 |
| 36 | 5 | Side Mounting Bracket Kit | No | Bid | | 019 008 | 080547 |
| 37 | 10 | Per each, 2# to 4# U-Channel Anchor Mechanical Driving Tool, to include Driving Head and 4-1/4" x 7/8" Shank, for use with Atlas Copco Pionjar | No | Bid | | 019 008 | 080436 |
| 38 | 10 | Per each, 2# to 4# U-Channel Anchor Mechanical Driving Tool, to include Driving Head and 6" x 1-1/4" Shank, for use with Skidril BG231 and Atlas Copco Cobra MK-1 or FB-60 | No | Bid | | 019 008 | 080433 |
| | | CONTRACT TOTAL | | | 300081.90 |) | |









side mount.dgn 03/07/2007 11:16:10 AM

SIDE VIEW

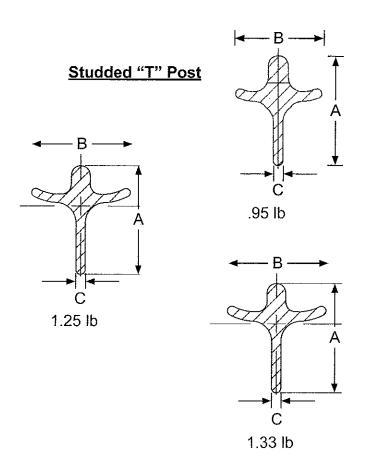
CONTACT PERSON AND DELIVERY ADDRESS FOR EACH DIVISION OF HIGHWAYS DESTINATION

| Delivery Address | Contact | Phone Number |
|---|-----------------|---------------|
| WVDOH - D1 Sign Shop | Jim Russell | 304-759-0708 |
| Pickens Rd. | | 304-558-3001* |
| Nitro, WV 25143 | | |
| | | |
| WVDOH - D2 Sign Shop | Ed Layman | 304-528-5679 |
| 801 Madison Ave. | | 304-528-5600* |
| Huntington, WV 25704 | | |
| Timington, WV 257V4 | | • |
| WVDOH - D3 Sign Shop | Tom Potts | 304-420-4815 |
| 720 Depot St. | | 304-420-4645* |
| Parkersburg, WV 26101 | | |
| Tarkersoung, W V 20101 | | |
| WVDOH - D4 Sign Shop | Rick Reed | 304-627-2401 |
| US-19 - 1 mile N. of Clarksburg (gore yard) | Rick Rood | 304-842-1500* |
| Clarksburg, WV 26301 | | 501 012 1500 |
| Ciarksourg, W V 20301 | | |
| WVDOH - D5 Sign Shop | Doug Placka | 304-289-3521 |
| US-50 - 14 miles E. of Keyser | Doug I mom | 304-289-3521* |
| Burlington, WV 26710 | | 5012073321 |
| Buttington, W V 20710 | [· | |
| WVDOH - D6 Sign Shop | Jim Wurtzbacher | 304-238-1205 |
| US-40 - E. of Wheeling | Jan Wartzbacher | 304-238-4008* |
| (Middle Creek Rd. 39) | | 501 250 1000 |
| | | |
| Triadelphia, WV 26059 | | |
| WVDOH - D7 Sign Shop | Tyrone Campbell | 304-269-0460 |
| US-33 - 1/2 mile E. of Weston | 1 yrone oumpeen | 304-269-0414* |
| Weston, WV 26452 | | 201 207 012. |
| Weston, W V 20432 | | |
| WVDOH - D8 Sign Shop | Mike Westfall | 304-637-0215 |
| Rt. 219 - 1 mile N. of Elkins | WINC WOSLAM | 304-637-0220* |
| Elkins, WV 26241 | | 304 037 0220 |
| EIKHIS, W V 20241 | | |
| WVDOH - D9 Sign Shop | Harry Honaker | 304-647-7551 |
| US-219 - 1-1/2 miles N. of Lewisburg | Tially Honard | 304-647-7450* |
| · | | 304 047 7430 |
| Country Club Rd Brush Rd. | | |
| Lewisburg, WV 24901 | | |
| WVDOH - D10 Sign Shop | Curtis Whitlow | 304-487-5283 |
| 270 Hardwood Lane | Cards Minnow | 304-487-5228* |
| | | JUT 107-JA40 |
| Princeton, WV 24740 | | |
| WADOII Treff's Comisso Compley | Richard Rawling | 304-558-6356 |
| WVDOH - Traffic Services Complex | Ted Whitmore | 304-558-9468 |
| 180 Dry Branch Rd. | 1 ca whithioic | JVT*JJ0*JTV0 |
| Charleston, WV 25306 | <u> </u> | |

^{*} District/Division headquarters phone number



Franklin Industries Co.'s Famous Gold Crown and Green/Light Grey Fence Posts are made from High-Strength Rail Steel and coated with high quality enamel paints to last years longer than other posts in the field. Even unfinished posts, used in silt fences, orchards, and vineyards, benefit from rail steel's inherent weathering resistance. For posts that will last for decades, hot dip galvanizing is also available.



Material: Posts are produced from standard "T" rails weighing 91 lbs/yd or more according to ASTM A499, Grade 60; or ASTM A702 (1.33 lbs/ft only).

Finish: Posts are either painted with baked green enamel, hot dip galvanized per ASTM A123, or unfinished.

Studded "T" Posts: The weight of each post is 0.95, 1.25 or 1.33 lbs/ft. Studs are spaced uniformly along the length of the "T" shaped post.

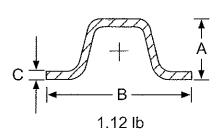
Self-Fastening "U" Posts: The weight is 1.12 lbs/ft. Lugs and holes are punched for easy wire attachment along the length of the "U" shaped post.

Anchor Plates: Standard on 1.25 and 1.33 lbs/ft Studded "T" Posts, securely swaged on the studs, and on 1.12 Self Fastening "U" Posts attached with rivets.

Wire Fasteners: Five pre-formed wire fasteners are included with each painted "T" post. Fasteners are not required with "U" Posts.

Bundling: Painted posts are banded in 5 piece subbundles in 200 piece master bundles, on blocking.

Self Fastening "U" Post



| Studded "T" Post Properties | | | | | | |
|-----------------------------|-------|-------|-------|-------------------|--|--|
| Weight | Dime | Area | | | | |
| Lbs/ft | "A" | "B" | "C" | Inch ² | | |
| 0.95 | 1.465 | 1.125 | 0.125 | 0.279 | | |
| 1.25 | 1.625 | 1.375 | 0.125 | 0.368 | | |
| 1.33 | 1.635 | 1.375 | 0.130 | 0.391 | | |

| Self Fasting "U" Post Properties | | | | | | |
|----------------------------------|-------|-------|-------|-------|--|--|
| Weight | Dime | Area | | | | |
| 1.12 | 0.841 | 2.037 | 0.112 | 0.329 | | |





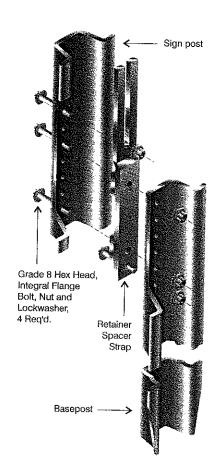
Franklin Flanged Channel Sign Posts are manufactured from high quality, high tensile rail steel and finished with a protective coating of weather resistant baked enamel paint, or galvanized by hot dipping per ASTM A123. They are designed to provide an attractive appearance and years of maintenance-free service. Special colors and finishes can be supplied for special applications.

With Franklin Sign Posts' great strength and rigidity, you can support the same load with a lighter weight post. And with four different sign post weights and two delineator weights available, you can select the exact post to meet each requirement, buying only the steel needed to do the job. One person can install or replace a complete post and sign assembly in minutes. No digging, drilling or concrete to mix.

Recommended for Warning, Regulatory and Guide Signs



Eze-Erect Sign Post System



Eze-Erect sign posts' design permits quick and easy installations from ground level with simple tools. The base posts are readily driven into hard soils, even asphalt. The sign post is then attached with the sign already in place. Crews are quickly trained and most installations take only minutes.

Connection Strength

Eze-Erect sign posts' connection develops the full design strength of the sign post; there is no compromise in sign supporting capability.

Full Versatility

A complete range of warning, regulatory and guide signs can be supported, from small signs on single posts to very large signs or sign clusters on multiple posts. Eze-Erect sign posts also work well for construction and temporary signing. Whatever your highway message, Eze-Erect sign posts can hold it reliably.

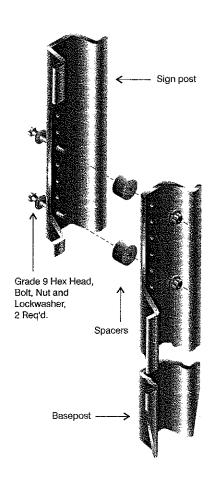
Low Labor Costs/High Salvage Value When impacted, base posts, sign posts and sign panels are often reusable. Even if damaged, sign posts can often be cut into base posts. And more importantly, because of the breakaway action, expensive sign panels, the major cost component of a sign installation are more likely to be reusable.

Widely Accepted

Hundreds of thousands of Eze-Erect sign posts are in use throughout the country. Try this proven system in your area and see how Eze-Erect sign posts can save you money.







Franklin Industries' base-bolted sign posts offer many of the advantages of Eze-Erect sign posts at lower cost, except there is no retaining feature. They are an economical alternative when this feature is not required.

Connection Strength

The base-bolted connection develops the full design strength of the sign post; so comparable signs can be supported reliably.

Full Versatility

Base-bolted sign posts will support any type of warning, regulatory or guide signs, from small signs on single posts to very large signs or sign clusters on multiple posts. Base-bolted sign posts also work well for construction and temporary signing. Franklin Industries' base-bolted sign posts can hold your sign dependably, whatever the message.

Low Labor Costs/High Salvage Value Base posts, sign posts and sign panels are often reusable after impact with an errant vehicle. If damaged, sign posts can often be cut into base posts. But more importantly, because of the breakaway action, expensive sign panels, the major cost component of a sign installation, can most likely be reused.

NCHRP Report 350 Compliant

FHWA has accepted Franklin Industries sign posts in single and multiple post installations for all Federal-aid routes and projects.



Accessories



Drive Caps



Studded "T" Posts

Drive Caps For Safe Installation

Protect post ends from driving damage. Driving caps are made of cast steel to withstand constant driving. Available in sizes to fit all Franklin Industries Posts.

Delineator - 3.0 lbs ea., for 1.12 to 1.33 lbs/ft posts Standard - 11 lbs ea., for 2.0 to 4.0 lbs/ft posts Heavy Duty - 17 lbs ea., for 2.0 to 4.0 lbs/ft posts

Right-of-Way and Silt Fence Posts Franklin Studded 'T' Posts are designed for easy installation and trouble free service for right of way and silt fencing. Heavy anchor plates protect against natural "lifting" and vandalism. They are available in 1.25 and 1.33 lbs/ft (ASTM A702) and are either painted or galvanized.

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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:

Vendors must be licensed and in good standing in accordance with any and all state and local laws and requirements by any state or local agency of West Virginia, including, but not limited to, the West Virginia Secretary of State's Office, the West Virginia Tax Department, West Virginia Insurance Commission, or any other state agencies or political subdivision. Furthermore, the vendor must provide all necessary releases to obtain information to enable the Director or spending unit to verify that the vendor is licensed and in good standing with the above entities.

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: Flank | lin Indus | tries | |
|--------------------------------------|-----------|-------|---------|
| Authorized Signature: | twee | Date: | 4-16-07 |
| No Debt Affidavit (Revised 10/13/06) | 9 | | |