



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  
**DEP13707**

PAGE  
**1**

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

VENDOR

\*709022703      304-296-1751  
**GREER INDUSTRIES INC**  
**PO BOX 1900**  
  
**MORGANTOWN WV 26507-1900**

SHIP TO

**ENVIRONMENTAL PROTECTION**  
**DEPT. OF**  
**OFFICE OF SPECIAL RECLAMATION**  
**116 INDUSTRIAL DRIVE**  
**OAK HILL, WV**  
**25901**      **304-465-1911**

DATE PRINTED <b>04/18/2007</b>	TERMS OF SALE Net 30 Days	SHIP VIA Motorfreight	F.O.B. Destination	FREIGHT TERMS Prepaid
BID OPENING DATE: <b>05/10/2007</b>		BID OPENING TIME <b>01:30PM</b>		

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	JB		885-78		
<p><b>GRANULATED LIME, DELIVERED, PRICED PER TON</b></p> <p>THE WEST VIRGINIA PURCHASING DIVISION, FOR THE AGENCY, THE WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION'S OFFICE OF SPECIAL RECLAMATION, IS SOLICITING BIDS FOR THE PURPOSE OF AWARDED AN OPEN-END CONTRACT TO SUPPLY (APPROXIMATELY 70 TON), TRANSPORT, AND DELIVER GRANULATED LIME TO VARIOUS SPECIAL RECLAMATION JOB SITES WITH THE FOLLOWING SPECIFICATIONS:</p> <ol style="list-style-type: none"> <li>1. GRANULATED BURNT LIME</li> <li>2. 40 LB. BAGS - 3 PLY</li> <li>3. 94-95% CAO</li> <li>4. LESS THAN 1.0% LOSS ON IGNITION</li> <li>5. LESS THAN 1.5% MOISTURE</li> </ol> <p>ONE (1) BOX TRAILER WITH REAR AND SIDE ENTRANCE DOORS, TO BE FURNISHED FOR STORAGE OF LIME. THE COST SHOULD BE NO MORE THAN \$10.00 PER DAY.</p> <p>AS ON-SITE SUPPLIES OF THE CHEMICAL ARE DEPLETED, IT IS NECESSARY TO ORDER AND RECEIVE ADDITIONAL QUANTITIES TO MAINTAIN AN ADEQUATE SUPPLY ON SITE AT ALL TIME. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAKING DELIVERY OF THE LIME TO THE SITE. THE SITES ARE IN REMOTE AREAS. THE ROADS ARE PASSABLE, BUT DURING INCLEMENT WEATHER CONDITIONS, PASSAGE IS SOMETIMES DIFFICULT. DELIVERY WILL BE REQUIRED DURING ALL WEATHER CONDITIONS AND ON A SEVENTY-TWO (72) HOUR NOTICE AND AT AN AGREED UPON TIME. SOME ROAD MAINTENANCE EQUIPMENT AND OPERATORS WILL BE AVAILABLE, AND PERSONNEL WILL BE ON HAND T</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE 	Charles Bolyard	TELEPHONE 304-296-1751	DATE April 25, 2007
TITLE Vice President	FEIN 34-073-7241	<b>ADDRESS CHANGES TO BE NOTED ABOVE</b>	

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



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**25901      304-465-1911**

DATE PRINTED <b>04/18/2007</b>	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
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BID OPENING DATE: **05/10/2007**      BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT																					
				<p>DIRECT AND SUPERVISE THE PARKING OF THE BULK TRAILERS.</p> <p>THE ACQUISITION AND UTILIZATION OF ALL REASONABLE AND NECESSARY EQUIPMENT, LICENSES, PERMITS, SPECIALIZED EQUIPMENT, ETC., WILL BE THE EXCLUSIVE RESPONSIBILITY OF THE VENDOR.</p> <p>THE AREA OF WORK SHALL INCLUDE THE SOUTHERN COUNTIES OF WEST VIRGINIA. THE COUNTIES BELOW ARE THE COAL PRODUCING COUNTIES AND THOSE IN PARENTHESIS REPRESENT WHERE MOST OF THE WORK REQUIRED IS LOCATED. VENDOR IS TO PROVIDE PRICE PER TON FOR THE FOLLOWING:</p> <table border="0"> <tr> <td>1. PUTNAM</td> <td>8. LINCOLN</td> <td>14. WYOMING</td> </tr> <tr> <td>2. CLAY</td> <td>9. CABELL</td> <td>15. MINGO</td> </tr> <tr> <td>3. (GREENBRIER)</td> <td>10. KANAWHA</td> <td>16. BOONE</td> </tr> <tr> <td>4. SUMMERS</td> <td>11. NICHOLAS</td> <td>17. WAYNE</td> </tr> <tr> <td>5. RALEIGH</td> <td>12. FAYETTE</td> <td>18. MASON</td> </tr> <tr> <td>6. MCDOWELL</td> <td>13. MERCER</td> <td>19. (UPSHUR)</td> </tr> <tr> <td>7. LOGAN</td> <td></td> <td></td> </tr> </table> <p>CONTACT PERSON: <b>DAVID L. MARTIN</b>  <b>116 INDUSTRIAL DRIVE</b>  <b>OAK HILL, WV 25901</b>  <b>TELEPHONE: (304) 465-1911, EXT 3034</b></p> <p>EXHIBIT 3</p> <p>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</p>			1. PUTNAM	8. LINCOLN	14. WYOMING	2. CLAY	9. CABELL	15. MINGO	3. (GREENBRIER)	10. KANAWHA	16. BOONE	4. SUMMERS	11. NICHOLAS	17. WAYNE	5. RALEIGH	12. FAYETTE	18. MASON	6. MCDOWELL	13. MERCER	19. (UPSHUR)	7. LOGAN		
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 25901 304-465-1911

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
04/18/2007				

BID OPENING DATE: 05/10/2007 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>REASON UPON GIVING THE DIRECTOR OF PURCHASING 30 DAYS WRITTEN NOTICE.</p> <p>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.</p> <p>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.</p> <p>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.</p> <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,</p>						

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<p>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> <p>EXHIBIT 6          PRICE ADJUSTMENT PROVISION:          THE STATE OF WEST VIRGINIA WILL CONSIDER BIDS THAT CONTAIN PROVISIONS FOR PRICE ADJUSTMENTS PRIOR TO THE ORIGINAL EXPIRATION OF THE CONTRACT, PROVIDED THAT SUCH PRICE ADJUSTMENT COVERS BOTH UPWARD AND DOWNWARD MOVEMENT OF THE COMMODITY PRICE, AND THAT ADJUSTMENT IS BASED ON THE "PASS THROUGH" INCREASE OR DECREASE OF RAW MATERIALS AND/OR LABOR, WHICH MAKE UP ALL OR A SUBSTANTIAL PART OF A PRODUCT. ADJUSTMENTS ARE TO BE BASED UPON AN ACTUAL DOLLAR FIGURE, NOT A PERCENTAGE. ALL PRICE ADJUSTMENT REQUESTS MUST BE SUBSTANTIATED IN A MANNER ACCEPTABLE TO THE DIRECTOR PURCHASING, E.G. GOVERNMENTAL BENCH MARKS, GENERAL MARKET INCREASE, PUBLISHED PRICE LISTS. SUCH REQUESTS FOR AND INCREASE</p>						

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<p>SHOULD BE RECEIVED IN WRITING BY THE DIRECTOR OF PURCHASING AT LEAST 30 DAYS IN ADVANCE OF THE EFFECTIVE DATE OF THE INCREASE. ANY TIME THE VENDOR REQUESTS A PRICE ADJUSTMENT, THE PURCHASING DIVISION MAY EITHER ACCEPT THE PRICE ADJUSTMENT AND AMEND THE CONTRACT ACCORDINGLY OR REJECT THE ADJUSTMENT IN ITS ENTIRETY AND CANCEL THE CONTRACT.</p> <p>PREFERRED TERMS:            IT IS PREFERRED THAT THE PRICES ON THIS CONTRACT ARE FIRM FOR LIFE OF THE CONTRACT, AS INDICATED IN THE LIFE OF CONTRACT CLAUSE CONTAINED HEREIN, NOT TO EXCEED ONE (1) YEAR.</p> <p style="text-align: center;"><b>VENDOR PREFERENCE CERTIFICATE</b></p> <p>REQUISITION NO.: <b>DEP13707</b></p> <p>CERTIFICATION AND APPLICATION* IS HEREBY MADE FOR PREFERENCE IN ACCORDANCE WITH WEST VIRGINIA CODE 5A-3-37 (DOES NOT APPLY TO CONSTRUCTION CONTRACTS).</p> <p>A. APPLICATION IS MADE FOR 2.5% PREFERENCE FOR THE REASON CHECKED:</p> <p>( ) 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</p> <p>( X ) BIDDER IS A PARTNERSHIP, ASSOCIATION OR CORPORATION AND HAS MAINTAINED ITS HEADQUARTERS OR PRINCIPAL PLACE OF BUSINESS CONTINUOUSLY IN WEST VIRGINIA FOR FOUR (4) YEARS IMMEDIATELY PRECEDING THE DATE OF THIS CERTIFICATION; OR 80% OF THE OWNERSHIP</p>						

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<p>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</p> <p>( ) BIDDER IS A CORPORATION NONRESIDENT VENDOR WHICH HAS AN AFFILIATE OR SUBSIDIARY WHICH EMPLOYS A MINIMUM OF ONE HUNDRED (100) 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.</p> <p>B. APPLICATION IS MADE FOR 2.5% PREFERENCE FOR THE REASON CHECKED:</p> <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 WILL BE CONTINUOUS RESIDENTS OF WEST VIRGINIA FOR THE TWO (2) YEARS IMMEDIATELY PRECEDING SUBMISSION OF THIS BID;  OR</p> <p>( ) BIDDER IS A NONRESIDENT VENDOR EMPLOYING A MINIMUM OF ONE HUNDRED (100) 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 (100) 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 WILL BE CONTINUOUS RESIDENTS OF WEST VIRGINIA FOR THE TWO (2) YEARS IMMEDIATELY PRECEDING SUBMISSION OF THIS BID.</p>						

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<p>BIDDER UNDERSTANDS IF THE SECRETARY OF TAX &amp; 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 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 style="text-align: right;">Greer Industries, Inc. dba            Greer Lime Company</p> <p>BIDDER: -----</p> <p style="text-align: right;">April 25, 2007</p> <p>DATE: -----</p>						

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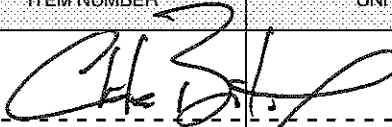
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<p>SIGNED:             Charles Bolyard            TITLE: Vice President</p> <p>* CHECK ANY COMBINATION OF PREFERENCE CONSIDERATION(S) IN EITHER "A" OR "B", OR BOTH "A &amp; B" WHICH YOU ARE ENTITLED TO RECEIVE. YOU MAY REQUEST UP TO THE MAXIMUM OF 5% PREFERENCE FOR BOTH "A &amp; B". (REV. 3/96)</p> <p>NOTICE</p> <p>AN ORIGINAL, SIGNED BID MUST BE SUBMITTED TO:</p> <p>DEPARTMENT OF ADMINISTRATION            PURCHASING DIVISION            BUILDING 15            2019 WASHINGTON STREET, EAST            CHARLESTON, WV 25305-0130</p> <p>BID MUST CONTAIN THIS INFORMATION ON THE FACE OF THE ENVELOPE OR THE BID MAY NOT BE CONSIDERED:</p> <p>SEALED BID</p> <p>BUYER: CB-23            REQ. NO.: DEP13707            BID OPENING DATE: 05/10/2007            BID OPENING TIME: 1:30 PM</p> <p>PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID:</p>						

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

V E N D O R	*709022703      304-296-1751
	GREER INDUSTRIES INC
	PO BOX 1900
	MORGANTOWN WV 26507-1900

S H I P T O	ENVIRONMENTAL PROTECTION
	DEPT. OF
	OFFICE OF SPECIAL RECLAMATION
	116 INDUSTRIAL DRIVE
	OAK HILL, WV 25901      304-465-1911

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
04/18/2007				

BID OPENING DATE: 05/10/2007      BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
				304-594-2158		
CONTACT PERSON (PLEASE PRINT CLEARLY): Charles Bolyard						
***** THIS IS THE END OF RFQ DEP13707 ***** TOTAL: _____						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
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TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE
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WHEN RESPONDING TO RFQ, INSERT NAME AND ADDRESS IN SPACE ABOVE LABELED 'VENDOR'

WV-36a                    STATE OF WEST VIRGINIA  
 Rev. 1/29/02        PURCHASING CONTINUATION SHEET  
 VENDOR:

As on-site supplies of the lime are depleted, it is necessary to order and receive additional quantities to maintain an adequate supply on site at all times. The contractor shall be responsible for acquiring and making delivery of the lime to the sites. The sites are in remote areas. The roads are passable, but during inclement weather conditions, passage is sometimes difficult. Delivery will be required during all weather conditions and on a seventy-two (72) hour notice and at an agreed upon time.

Vendor to provide a price per ton for delivery of 40 lb. bags of granulated lime. Also, provide a price for one box trailer with rear and side entrance doors, to be furnished for storage of lime, with the cost being no more than \$10.00 per day.

ITEM NO.	QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
1.0	70 ton	<b>GRANULATED LIME DELIVERED TO WATER TREATMENT SITES PACKAGED IN 40 LB BAGS.</b>	\$ 275.00* PER TON	
2.0	1	<b>ONE (1) BOX TRAILER WITH REAR AND SIDE ENTRANCE DOORS, TO BE FURNISHED FOR STORAGE OF LIME. THE COST SHOULD BE NO MORE THAN \$10.00 PER DAY.</b>	\$ 10.00 PER DAY	
			<b>TOTAL</b>	\$ _____
		<b><u>NOTE: The above quantities are for bidding purposes only.</u></b>		

\* Quoted price is for 50 lb bags delivered in a minimum quantity of 22.5 tons or 900 bags. Adequate and safe ingress and egress to be provided by customer.

STATE OF WEST VIRGINIA  
Purchasing Division

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**PURCHASING 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](http://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: Greer Industries, Inc. dba Greer Lime CompanyAuthorized Signature:   
Charles Bolyard, Vice PresidentDate: April 25, 2007