



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
04700389

PAGE
1

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

\*709060315      304-422-0025  
 J C BOSLEY CONSTRUCTION INC  
 PO BOX 67

VENDOR

MINERAL WELLS WV 26150

SHIP TO

DIVISION OF HIGHWAYS  
 VARIOUS LOCALES AS INDICATED  
 BY ORDER

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
06/05/2007				

BID OPENING DATE: 07/03/2007      BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	3	EA		962-46		
INSTALLATION OF ABOVE GROUND FUEL TANKS  TO COMPLETE INSTALLATION OF THREE ABOVE GROUND, 10,000 GALLON, STANWADE DUAL COMPARTMENT FUEL TANKS.  THERE WILL BE A MANDATORY PRE-BID CONFERENCE AT THE WVDOH MAINTENANCE FACILITY LOCATED ON US ROUTE 250 IN MANNINGTON, WV. AT 1:00 PM ON 6/19/07. FAILURE TO ATTEND THE PRE-BID CONFERENCE WILL RESULT IN BID DISQUALIFICATION.  FOR ADDITIONAL INFORMATION OR DIRECTIONS CALL JOHN BARTLETT AT 304-842-1570.  SEE ATTACHED  EXHIBIT 5  NOTICE TO PROCEED: THIS CONTRACT IS TO BE PERFORMED WITHIN 90 CALENDAR DAYS AFTER THE NOTICE TO PROCEED IS RECEIVED. UNLESS OTHERWISE SPECIFIED, THE FULLY EXECUTED PURCHASE ORDER WILL BE CONSIDERED NOTICE TO PROCEED.  CANCELLATION: THE DIRECTOR OF PURCHASING RESERVES THE RIGHT TO CANCEL THIS CONTRACT IMMEDIATELY UPON WRITTEN NOTICE TO THE VENDOR IF THE MATERIALS OR WORKMANSHIP SUPPLIED ARE OF AN INFERIOR QUALITY OR DO NOT CONFORM WITH THE SPECIFICATIONS OF THE THE BID AND CONTRACT HEREIN.  WAGE RATES: THE CONTRACTOR OR SUBCONTRACTOR SHALL PAY						

RECEIVED  
 JUN 29 12:10  
 PURCHASING DIVISION

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>John A. Stevens</i>	TELEPHONE 304/422-0025	DATE July 3, 2007
TITLE General Superintendent FEIN 55-0691657	ADDRESS CHANGES TO BE NOTED ABOVE	

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



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				<p>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.</p> <p>ARBITRATION: ANY REFERENCES MADE TO ARBITRATION OR INTEREST FOR PAYMENTS DUE (EXCEPT FOR ANY INTEREST REQUIRED BY STATE LAW) CONTAINED IN THIS CONTRACT OR IN ANY AMERICAN INSTITUTE OF ARCHITECTS DOCUMENTS PERTAINING TO THIS CONTRACT ARE HEREBY DELETED.</p> <p>WORKERS' COMPENSATION: VENDOR IS REQUIRED TO PROVIDE A CERTIFICATE FROM WORKERS' COMPENSATION IF SUCCESSFUL</p> <p>ALL OF THE ITEMS CHECKED BELOW WILL BE A REQUIREMENT OF THIS CONTRACT:</p> <p>(XX) INSURANCE: SUCCESSFUL VENDOR SHALL FURNISH PROOF OF COMMERCIAL GENERAL LIABILITY INSURANCE PRIOR TO ISSUANCE OF CONTRACT. UNLESS OTHERWISE SPECIFIED IN THE BID DOCUMENTS, THE MINIMUM AMOUNT OF INSURANCE COVERAGE REQUIRED IS \$250,000.</p> <p>( ) BUILDERS RISK INSURANCE: SUCCESSFUL VENDOR SHALL FURNISH PROOF OF BUILDERS RISK - ALL RISK INSURANCE IN AN AMOUNT EQUAL TO 100% OF THE AMOUNT OF THE CONTRACT.</p> <p>(XX) BONDS: FIVE PERCENT (5%) OF THE TOTAL AMOUNT OF THE BID PAYABLE TO THE STATE OF WEST VIRGINIA, SHALL BE SUBMITTED WITH EACH BID AS A BID BOND. THE SUCCESSFUL BIDDER SHALL ALSO FURNISH A PERFORMANCE BOND AND LABOR/MATERIAL BOND FOR 100% OF THE AMOUNT OF THE CONTRACT. BONDS MAY BE PROVIDED IN THE FORM OF A CERTIFIED CHECK, IRREVOCABLE LETTER OF CREDIT, OR BOND FURNISHED BY A SOLVENT SURETY COMPANY AUTHORIZED TO DO BUSINESS IN THE STATE OF WEST VIRGINIA. A LETTER OF CREDIT SUBMITTED</p>		

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Jeffrey J. Stevens</i>	TELEPHONE 304/422-0025	DATE July 3, 2007
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<p>IN LIEU OF A PERFORMANCE AND LABOR &amp; MATERIAL BOND WILL ONLY BE ALLOWED FOR PROJECTS UNDER \$100,000. PERSONAL OR BUSINESS CHECKS ARE NOT ACCEPTABLE IN LIEU OF THE 5% BID BOND, PERFORMANCE BOND, OR LABOR/MATERIAL BOND.</p> <p>( ) MAINTENANCE BOND: A TWO (2) YEAR MAINTENANCE BOND COVERING THE ROOFING SYSTEM WILL BE A REQUIREMENT OF THE SUCCESSFUL VENDOR.</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. 11/00</p> <p style="text-align: center;">CONTRACTORS LICENSE</p> <p>WEST VIRGINIA STATE CODE 21-11-2 REQUIRES THAT ALL PERSONS DESIRING TO PERFORM CONTRACTING WORK IN THIS STATE MUST BE LICENSED. THE WEST VIRGINIA CONTRACTORS LICENSING BOARD IS EMPOWERED TO ISSUE THE CONTRACTORS LICENSE. APPLICATIONS FOR A CONTRACTORS LICENSE MAY BE MADE BY CONTACTING THE WEST VIRGINIA DIVISION OF LABOR CAPITOL COMPLEX, BUILDING 3, ROOM 319, CHARLESTON, WV 25305. TELEPHONE: (304) 558-7890.</p> <p>WEST VIRGINIA STATE CODE 21-11-11 REQUIRES ANY PROSPECTIVE BIDDER TO INCLUDE THE CONTRACTORS LICENSE NUMBER ON THEIR BID.</p> <p>BIDDER TO COMPLETE:          CONTRACTORS NAME - J. C. Bosley Construction, Inc.          CONTRACTORS LICENSE NO. - WV003012</p> <p>THE SUCCESSFUL BIDDER WILL REQUIRED TO FURNISH A COPY</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE 304/422-0025	DATE July 3, 2007
TITLE General Superintendent	55-0691657	ADDRESS CHANGES TO BE NOTED ABOVE

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<p>OF THEIR CONTRACTORS LICENSE PRIOR TO ISSUANCE OF A PURCHASE ORDER/CONTRACT.</p> <p style="text-align: center;">NOTICE</p> <p>A SIGNED BID MUST BE SUBMITTED TO:</p> <p style="margin-left: 40px;">DEPARTMENT OF ADMINISTRATION            PURCHASING DIVISION            BUILDING 15            2019 WASHINGTON STREET, EAST            CHARLESTON, WV 25305-0130</p> <p>THE BID SHOULD CONTAIN THIS INFORMATION ON THE FACE OF THE ENVELOPE OR THE BID MAY NOT BE CONSIDERED:</p> <p>SEALED BID</p> <p>BUYER: 33</p> <p>RFQ. NO.: 04700389</p> <p>BID OPENING DATE AND TIME</p> <p>PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID:</p> <p style="text-align: center;">----- 304/422-0414 -----</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>John Johnston</i>	TELEPHONE 304/422-0025	DATE July 3, 2007
TITLE General Superintendent FEIN 55-0691657	ADDRESS CHANGES TO BE NOTED ABOVE	

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BID OPENING DATE: 07/03/2007                      BID OPENING TIME 01:30PM

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CONTACT PERSON (PLEASE PRINT CLEARLY):						
----- Jeff Stevens -----						
***** THIS IS THE END OF RFQ 04700389 ***** TOTAL:						\$ 77,700.00

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Jeff Stevens</i>	TELEPHONE 304/422-0025	DATE July 3, 2007
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## ABOVE GROUND FUEL TANK INSTALLATION

West Virginia Department of Highways is seeking contractors to bid on plumbing and electrical work to complete the installation of 10,000 gallon, dual compartment fuel tanks. The attached diagram indicates the bung hole outside diameters on top of tank. The tanks are configured to accept dispensers on opposite sides or both dispensers on one side of the tank. Depending on the site specific location of the tank, the quantity of pipe and conduit will vary slightly. All work must meet the standards of NFPA 30A (Code for Motor Fuel Dispensing Facilities and Repair Garages). The West Virginia State Fire Marshall will provide a post construction inspection. A pre-bid meeting will be mandatory for all bidders to attend. The pre-bid meeting will be held at the WVDOH maintenance facility located on US Route 250 in Mannington on June 19, 2007 at 1:00 p.m.

The following items will be performed by WVDOH and are excluded from the contract:

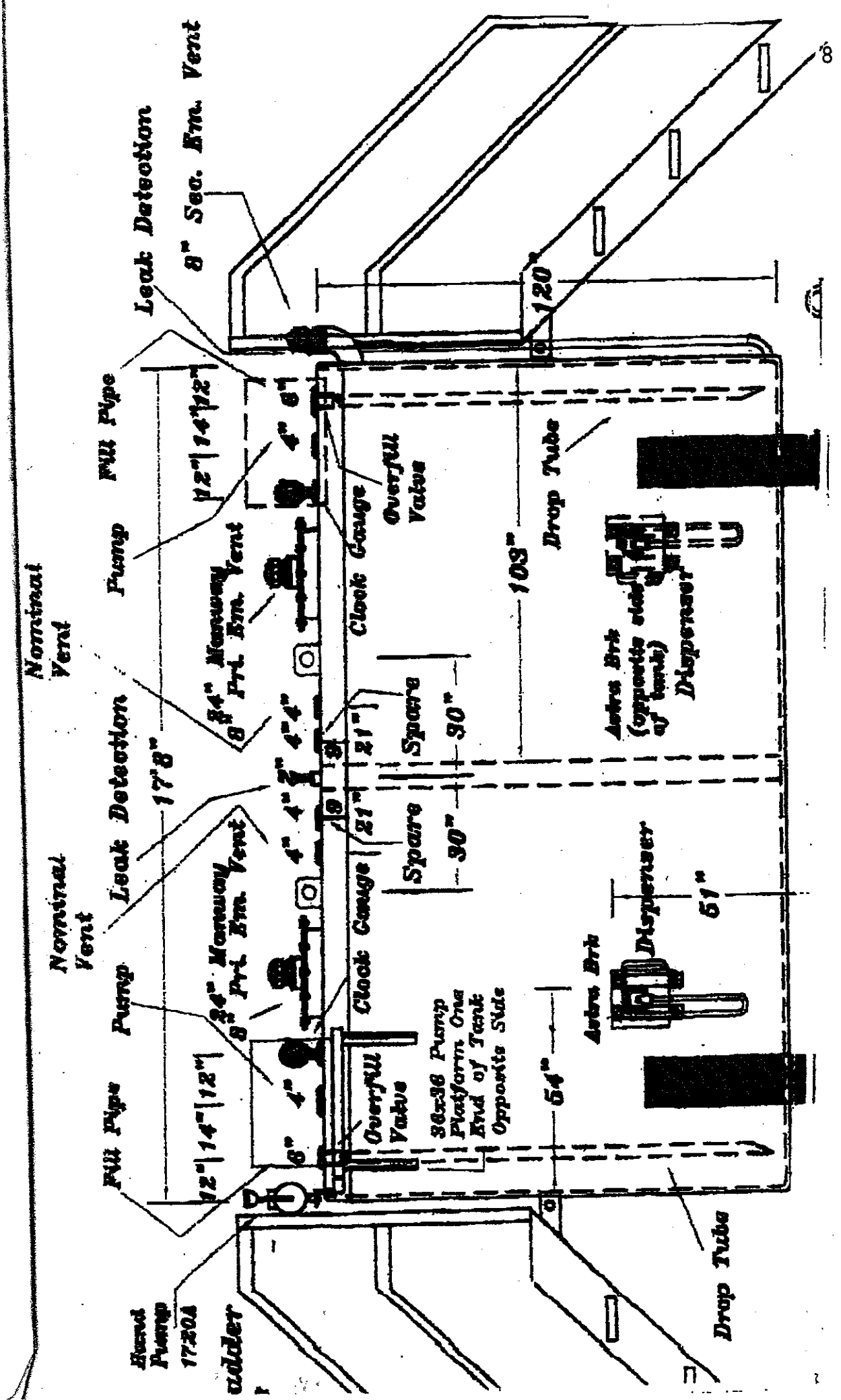
- Submit site plan to WV Fire Marshall
- Concrete pad installation
- Electrical conduit to pad and to the emergency shutoff device
- Install pipe bollards around perimeter of concrete pad
- Set 10000 gallon tank on pad
- Ground tank to ground rods
- Install steps on both ends of tank

Electrical and plumbing contract items: (note: The components supplied by WVDOH are incomplete and the contractor will be responsible for purchasing the additional components. All labor and equipment are to be included in the contractors' bid)

- 1) Beginning at the existing electrical conduit stubbed out of the concrete pad – purchase and install (2) hazardous location round outlet box with 3 sides T with  $\frac{3}{4}$  inch hubs with hazardous location seal fitting.
- 2) Purchase and install  $\frac{3}{4}$  inch hazardous location conduit from round outlet box to diesel dispenser, gas dispenser, and Warrick control unit with hazardous location seal fittings (3) at each location. Purchase and install  $\frac{3}{4}$  inch conduit beam clamps place on 4 ft centers.
- 3) Install hazardous location seal fitting (2) at diesel and gas dispensers and connect to  $\frac{3}{4}$  inch conduit. From seal fitting to dispensers connect  $\frac{3}{4}$  inch x 4 inch nipple to bottom of dispensers.
- 4) From each dispenser install 4 inch x  $\frac{3}{4}$  inch nipple to hazardous location seal fitting to  $\frac{3}{4}$  inch conduit to each pump (furnished) located on top of tank.
- 5) Mount the furnished Warrick control unit at the end of tank where the electrical conduit is stubbed in concrete pad. Contractor supplies the mounting bracket.
- 6) From already installed round outlet box – install  $\frac{3}{4}$  inch conduit to Warrick control unit. From control unit mount hazardous location  $\frac{1}{2}$  inch seal fitting to  $\frac{1}{2}$  inch conduit to top of tank to  $\frac{1}{2}$  inch T ( $\frac{1}{2}$  inch round outlet box with 3 sides with  $\frac{1}{2}$  inch hubs). From  $\frac{1}{2}$  inch T hub install  $\frac{1}{2}$  inch conduit to leak detection sensors at the diesel and gas tank compartments. Connect 18 gauge shielded wire from each sensor to Warrick control alarm unit.

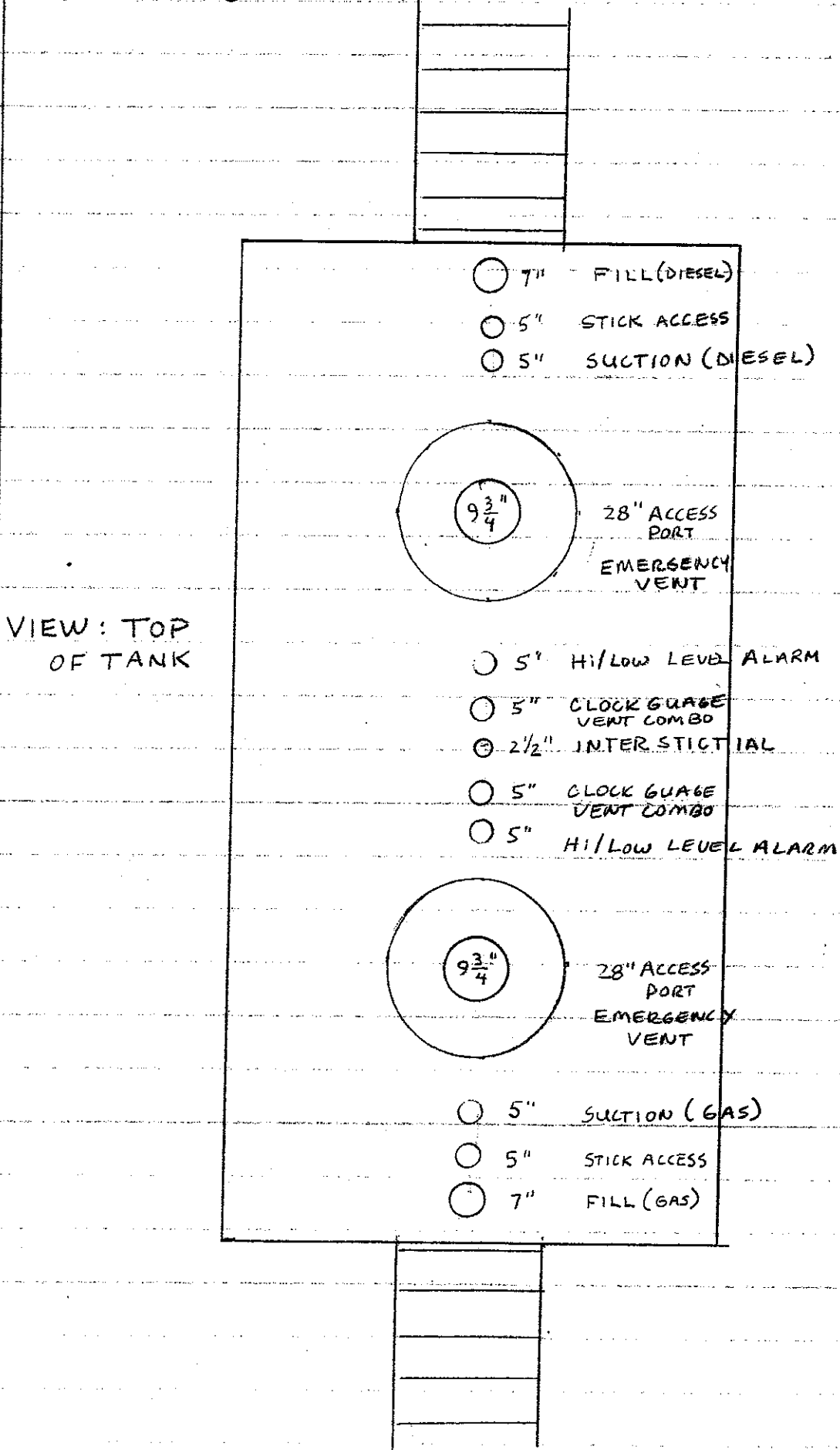
- 7) At each pump (located on top of tank) install ½ inch nipple to ½ inch hazardous location seal fitting to ½ inch conduit to solenoid valve (purchase 2 each 1 ½ inch hubs, 120 volts, 30 watts, min. pressure = 0 psi, max pressure = 101 psi, explosion proof for hazardous location) for fuel line. From solenoid valve install 1 ½ inch black iron pipe to each pump and install 1 ½ inch black iron pipe from solenoid valve to product line bung on top of tank. Use 12 gauge wire from each solenoid valve to 20 amp breaker at panel box. Purchase and install emergency shut off switch.
  - 8) From product line bung install furnish product line to within 4 inches of tank bottom.
  - 9) From each pump on top of tank purchase and install 1 inch black pipe to 1 inch ball valve located next to each dispenser. From each ball valve connect to fuel filter lid and from the fuel filter lid connect to dispenser hose and then to dispenser nozzle. (lids and hoses furnished)
  - 10) At top of tank – purchase and install 3 inch black iron pipe from 7 inch fill bung (reducer furnished) to 4 inch fill pipe inside diesel and gas compartments. Note: all black pipe must be painted yellow for diesel and white for all other pipe. 2 coats each.
  - 11) At top center of tank on diesel compartment – purchase and install 3 inch T to the 5 inch bung using 3 inch close nipple. From T leg to 90 degree 3 inch elbow to vent line (3inch x 22 inch vent line, vent cap furnished). From 3<sup>rd</sup> leg of T attach the furnished fuel gauge. Repeat procedure beginning at gas compartment bung.
  - 12) Upon completion of installation and inspection by the WV State Fire Marshall, the tanks will be filled and the contractor shall purge both pumps and calibrate both dispenser meters. The contractor shall present the State Fire Marshall inspector a letter indicating that a WV licensed electrician has completed the electrical work and that it meets the National Electrical Code.
  - 13) Contractor shall provide following decals/signs indicating “DIESEL, GAS, NO SMOKING, and EMERGENCY SHUT OFF”.
- NOTE: All work must be completed within 90 days from the date the contract is awarded.

The location of the tank installations for this bid are: WVDOH maintenance facility in Marion County – 916 Country Club Road Fairmont, WV 26554; Doddridge County maintenance facility – Route 2, Box 11 West Union, WV 26456; and the Tunnel Hill facility – US Route 50 Bristol, WV 26426.





STANWADE 10,000 GALLON, DUAL COMPARTMENT ABOVE  
GROUND FUEL TANK 9



# THE AMERICAN INSTITUTE OF ARCHITECTS

## AIA Document A310 Bid Bond

KNOW ALL MEN BY THESE PRESENTS, THAT WE J.C. Bosley Construction, Inc.

P.O. Box 67, Mineral Wells, WV 26150

as Principal, hereinafter called the Principal, and Travelers Casualty and Surety Company of America

1660 West 2nd Street, Ste. 500, Cleveland, OH 44113

a corporation duly organized under the laws of the State of CT

as Surety, hereinafter called the Surety, are held and firmly bound unto The State of West Virginia

2019 Washington Street, East Bldg. 15, Charleston,, WV 25305-0130

as Obligee, hereinafter called the Obligee, in the sum of Five Percent of Amount Bid

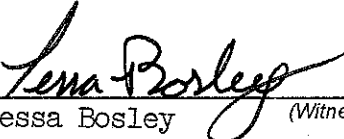
Dollars (\$ 5% ),

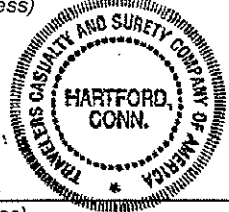
for the payment of which sum well and truly to be made, the said Principal and the said Surety, bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has submitted a bid for Installation of (3) above ground 10,000 gallon fuel tanks

NOW, THEREFORE, if the Obligee shall accept the bid of the Principal and the Principal shall enter into a Contract with the Obligee in accordance with the terms of such bid, and give such bond or bonds as may be specified in the bidding or Contract Documents with good and sufficient surety for the faithful performance of such Contract and for the prompt payment of labor and materials furnished in the prosecution thereof, or in the event of the failure of the Principal to enter such Contract and give such bond or bonds, if the Principal shall pay to the Obligee the difference not to exceed the penalty hereof between the amount specified in said bid and such larger amount for which the Obligee may in good faith contract with another party to perform the Work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect.

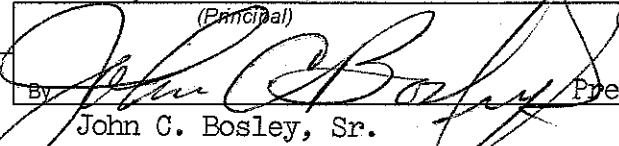
Signed and sealed this 3rd day of July, 2007

  
Tessa Bosley (Witness)



  
Linda M. Cowin (Witness)

J.C. Bosley Construction, Inc.

  
(Principal) (Seal)  
By: John C. Bosley, Sr. President (Title)

Travelers Casualty and Surety Company of America

(Surety) (Seal)  
By:   
Attorney-in-Fact Kelley J. Bakken (Title)



POWER OF ATTORNEY

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
Seaboard Surety Company
St. Paul Fire and Marine Insurance Company

St. Paul Guardian Insurance Company
St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

Surety Bond No. Bid Bond

Principal: J.C. Bosley Construction, Inc.

OR

Project Description: Installation of (3) above ground 10,000 gallon fuel tanks

Obligee: The State of West Virginia

KNOW ALL MEN BY THESE PRESENTS: That Seaboard Surety Company is a corporation duly organized under the laws of the State of New York, that St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company and St. Paul Mercury Insurance Company are corporations duly organized under the laws of the State of Minnesota, that Farmington Casualty Company, Travelers Casualty and Surety Company, and Travelers Casualty and Surety Company of America are corporations duly organized under the laws of the State of Connecticut, that United States Fidelity and Guaranty Company is a corporation duly organized under the laws of the State of Maryland, that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc. is a corporation duly organized under the laws of the State of Wisconsin (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint Kelley J. Bakken of the City of Cleveland, State of OH, their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 11th day of August, 2006.

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
Seaboard Surety Company
St. Paul Fire and Marine Insurance Company

St. Paul Guardian Insurance Company
St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company



State of Connecticut

City of Hartford ss.

By: [Signature]
George W. Thompson, Senior Vice President

On this the 11th day of August, 2006, before me personally appeared George W. Thompson, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

In Witness Whereof, I hereunto set my hand and official seal.

My Commission expires the 30th day of June, 2011.



[Signature]
Marie C. Tetreault, Notary Public

This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, which resolutions are now in full force and effect, reading as follows:

**RESOLVED**, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary may appoint Attorneys-in-Fact and Agents to act for and on behalf of the Company and may give such appointee such authority as his or her certificate of authority may prescribe to sign with the Company's name and seal with the Company's seal bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any of said officers or the Board of Directors at any time may remove any such appointee and revoke the power given him or her; and it is

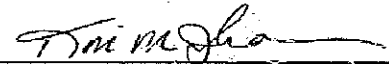
**FURTHER RESOLVED**, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing and a copy thereof is filed in the office of the Secretary; and it is

**FURTHER RESOLVED**, that any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary and duly attested and sealed with the Company's seal by a Secretary or Assistant Secretary; or (b) duly executed (under seal, if required) by one or more Attorneys-in-Fact and Agents pursuant to the power prescribed in his or her certificate or their certificates of authority or by one or more Company officers pursuant to a written delegation of authority; and it is

**FURTHER RESOLVED**, that the signature of each of the following officers: President, any Executive Vice President, any Senior Vice President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary, and the seal of the Company may be affixed by facsimile to any power of attorney or to any certificate relating thereto appointing Resident Vice Presidents, Resident Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such power of attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding on the Company in the future with respect to any bond or understanding to which it is attached.

I, Kori Johanson, the undersigned, Assistant Secretary, of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which is in full force and effect and has not been revoked.

**IN TESTIMONY WHEREOF**, I have hereunto set my hand and affixed the seals of said Companies this 3rd day of July, 2007.



Kori M. Johanson, Assistant Secretary



**To verify the authenticity of this Power of Attorney, call 1-800-421-3880 or contact us at [stpaultravelersbond.com](http://stpaultravelersbond.com). Please refer to the Attorney-In-Fact number, the above-named individuals and the details of the bond to which the power is attached.**

STATE OF WEST VIRGINIA  
Purchasing Division

## 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: J. C. Bosley Construction, Inc.

Authorized Signature:  Date: July 3, 2007