



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
858C2006

PAGE
1

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

RFQ COPY
 TYPE NAME/ADDRESS HERE

VENDOR

COMADE, INC
17915-B Sky Park Circle
IRVINE, CA. 92614

SHIP TO

DIVISION OF HIGHWAYS
 VARIOUS LOCALES AS INDICATED
 BY ORDER

DATE PRINTED	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS
07/16/2007				

BID OPENING DATE: **08/08/2007** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	EA		550-80	\$ 71.89	71,890.00
<p>FLEXIBLE PLASTIC TRAFFIC CONTROL DRUMS AND BASES</p> <p>OPEN END CONTRACT</p> <p>TO PROVIDE FLEXIBLE PLASTIC TRAFFIC CONTROL DRUMS AND BASES TO THE WEST VIRGINIA DIVISION OF HIGHWAYS.</p> <p>SEE ATTACHED</p> <p>EXHIBIT 3</p> <p>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.</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</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>[Signature]</i>	TELEPHONE 888-923-9922	DATE 8-7-07
TITLE <i>TRAFFIC DIVISION MANAGER</i>	FEIN 33-1013311	ADDRESS CHANGES TO BE NOTED ABOVE

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

**GENERAL TERMS & CONDITIONS
REQUEST FOR QUOTATION (RFQ) AND REQUEST FOR PROPOSAL (RFP)**

1. Awards will be made in the best interest of the State of West Virginia.
2. The State may accept or reject in part, or in whole, any bid.
3. All quotations are governed by the *West Virginia Code* and the *Legislative Rules* of the Purchasing Division.
4. Prior to any award, the apparent successful vendor must be properly registered with the Purchasing Division and have paid the required \$125.00 registration fee.
5. All services performed or goods delivered under State Purchase Orders/Contracts are to be continued for the term of the Purchase Order/Contract, contingent upon funds being appropriated by the Legislature or otherwise being made available. In the event funds are not appropriated or otherwise available for these services or goods, this Purchase Order/Contract becomes void and of no effect after June 30.
6. Payment may only be made after the delivery and acceptance of goods or services.
7. Interest may be paid for late payment in accordance with the *West Virginia Code*.
8. Vendor preference will be granted upon written request in accordance with the *West Virginia Code*.
9. The State of West Virginia is exempt from federal and state taxes and will not pay or reimburse such taxes.
10. The Director of Purchasing may cancel any Purchase Order/Contract upon 30 days written notice to the seller.
11. The laws of the State of West Virginia and the *Legislative Rules* of the Purchasing Division shall govern all rights and duties under the Contract, including without limitation the validity of this Purchase Order/Contract.
12. Any reference to automatic renewal is hereby deleted. The Contract may be renewed only upon mutual written agreement of the parties.
13. **BANKRUPTCY:** In the event the vendor/contractor files for bankruptcy protection, this contract is automatically null and void, and is terminated without further order.
14. **HIPAA Business Associate Addendum** - The West Virginia State Government HIPAA Business Associate Addendum (BAA), approved by the Attorney General, and available online at the Purchasing Division's web site (<http://www.state.wv.us/admin/purchase/vrc/hipaa.htm>) is hereby made part of the agreement. Provided that, the Agency meets the definition of a Covered Entity (45 CFR §160.103) and will be disclosing Protected Health Information (45 CFR §160.103) to the vendor.

INSTRUCTIONS TO BIDDERS

1. Use the quotation forms provided by the Purchasing Division.
2. **SPECIFICATIONS:** Items offered must be in compliance with the specifications. Any deviation from the specifications must be clearly indicated by the bidder. Alternates offered by the bidder as **EQUAL** to the specifications must be clearly defined. A bidder offering an alternate should attach complete specifications and literature to the bid. The Purchasing Division may waive minor deviations to specifications.
3. Complete all sections of the quotation form.
4. Unit prices shall prevail in cases of discrepancy.
5. All quotations are considered F.O.B. destination unless alternate shipping terms are clearly identified in the quotation.
6. **BID SUBMISSION:** All quotations must be delivered by the bidder to the office listed below prior to the date and time of the bid opening. Failure of the bidder to deliver the quotations on time will result in bid disqualifications.

SIGNED BID TO:

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



State of West Virginia
 Department of Administration
 Purchasing Division
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COMADE, INC
17915-B Sky Park Circle
IRVINE, CA. 92614

DIVISION OF HIGHWAYS
 VARIOUS LOCALES AS INDICATED
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<p>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 SERVICE 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, 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</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>[Signature]</i>	TELEPHONE 888-927-9922	DATE 8-7-07
TITLE <i>Traffic Division Manager</i>	FEIN 33-1013311	ADDRESS CHANGES TO BE NOTED ABOVE

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



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*COMADE, INC
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<p>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>REV. 04/11/2001</p> <p>PURCHASING CARD ACCEPTANCE: THE STATE OF WEST VIRGINIA CURRENTLY UTILIZES A VISA PURCHASING CARD PROGRAM WHICH IS ISSUED THROUGH A BANK. THE SUCCESSFUL VENDOR MUST ACCEPT THE STATE OF WEST VIRGINIA VISA PURCHASING CARD FOR PAYMENT OF ALL ORDERS PLACED BY ANY STATE AGENCY AS A CONDITION OF AWARD.</p> <p>REV. 07/16/2007</p> <p>VENDOR PREFERENCE CERTIFICATE</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>() BIDDER IS A PARTNERSHIP, ASSOCIATION OR CORPORATION RESIDENT VENDOR AND HAS MAINTAINED ITS HEAD-</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>[Signature]</i>	TELEPHONE 888-923-9922	DATE 8-7-07
TITLE <i>Traffic Division Manager</i>	FEIN 33-1013711	ADDRESS CHANGES TO BE NOTED ABOVE

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



State of West Virginia
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 Purchasing Division
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ADDRESS CORRESPONDENCE TO ATTENTION OF
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304-558-2402

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PROPERTY

COMADE, INC
179 N-13 Sky Park Circle
Irwin, CA. 92614

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<p>QUARTERS OR PRINCIPAL PLACE OF BUSINESS CONTINUOUSLY IN WEST VIRGINIA FOR FOUR (4) YEARS IMMEDIATELY PRECEDING THE DATE OF THIS CERTIFICATION; OR 80% OF THE OWNERSHIP INTEREST OF BIDDER IS HELD BY ANOTHER INDIVIDUAL, PARTNERSHIP, ASSOCIATION OR CORPORATION RESIDENT VENDOR WHO HAS MAINTAINED ITS HEADQUARTERS OR PRINCIPAL PLACE OF BUSINESS CONTINUOUSLY IN WEST VIRGINIA FOR FOUR (4) YEARS IMMEDIATELY PRECEDING THE DATE OF THIS CERTIFICATION; OR</p> <p>() 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.</p> <p>B. APPLICATION IS MADE FOR 2.5% PREFERENCE FOR THE REASON CHECKED:</p> <p>() BIDDER IS A RESIDENT VENDOR WHO CERTIFIES THAT, DURING THE LIFE OF THE CONTRACT, ON AVERAGE AT LEAST 75% OF THE EMPLOYEES WORKING ON THE PROJECT BEING BID ARE RESIDENTS OF WEST VIRGINIA WHO HAVE RESIDED IN THE STATE CONTINUOUSLY FOR THE TWO YEARS IMMEDIATELY PRECEDING SUBMISSION OF THIS BID;</p> <p>OR</p> <p>() BIDDER IS A NONRESIDENT VENDOR EMPLOYING A MINIMUM OF ONE HUNDRED STATE RESIDENTS OR IS A NONRESIDENT VENDOR WITH AN AFFILIATE OR SUBSIDIARY WHICH MAINTAINS ITS HEADQUARTERS OR PRINCIPAL PLACE OF BUSINESS WITHIN WEST VIRGINIA EMPLOYING A MINIMUM OF ONE HUNDRED STATE RESIDENTS WHO CERTIFIES THAT, DURING THE LIFE OF THE CONTRACT, ON AVERAGE AT LEAST 75% OF THE EMPLOYEES OR BIDDERS' AFFILIATE'S OR</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>[Signature]</i>	TELEPHONE 888-927-9922	DATE 8-7-07
TITLE <i>Traffic Division Manager</i>	FEIN 37-143311	ADDRESS CHANGES TO BE NOTED ABOVE

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



State of West Virginia
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ADDRESS CORRESPONDENCE TO ATTENTION OF
**JOHN JOHNSTON
 304-558-2402**

RFQ COPY
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*COMADE, INC
 17915-D Sky Park Circle
 IRVINE, CA. 92614*

DIVISION OF HIGHWAYS
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<p>SUBSIDIARY'S EMPLOYEES ARE RESIDENTS OF WEST VIRGINIA WHO HAVE RESIDED IN THE STATE CONTINUOUSLY FOR THE TWO YEARS IMMEDIATELY PRECEDING SUBMISSION OF THIS BID.</p> <p>BIDDER UNDERSTANDS IF THE SECRETARY OF TAX & REVENUE DETERMINES THAT A BIDDER RECEIVING PREFERENCE HAS FAILED TO CONTINUE TO MEET THE REQUIREMENTS FOR SUCH PREFERENCE, THE SECRETARY MAY ORDER THE DIRECTOR OF PURCHASING TO: (A) RESCIND THE CONTRACT OR PURCHASE ORDER ISSUED; OR (B) ASSESS A PENALTY AGAINST SUCH BIDDER IN AN AMOUNT NOT TO EXCEED 5% OF THE BID AMOUNT AND THAT SUCH PENALTY WILL BE PAID TO THE CONTRACTING AGENCY OR DEDUCTED FROM ANY UNPAID BALANCE ON THE CONTRACT OR PURCHASE ORDER.</p> <p>BY SUBMISSION OF THIS CERTIFICATE, BIDDER AGREES TO DISCLOSE ANY REASONABLY REQUESTED INFORMATION TO THE PURCHASING DIVISION AND AUTHORIZES THE DEPARTMENT OF TAX AND REVENUE TO DISCLOSE TO THE DIRECTOR OF PURCHASING APPROPRIATE INFORMATION VERIFYING THAT 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: <i>COMADE, INC - Al Berger</i></p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>[Signature]</i>	TELEPHONE 888-928-9922	DATE 8-7-07
TITLE <i>THATIC Division MANAGER</i>	FEIN 33-1013311	ADDRESS CHANGES TO BE NOTED ABOVE

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State of West Virginia
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ADDRESS CORRESPONDENCE TO ATTENTION OF
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RFQ COPY

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COMADE, INC
17915-D Sky Park Circle
IRVINE, CA 92614

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LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>DATE: <i>8-7-07</i></p> <p>SIGNED: <i>[Signature]</i></p> <p>TITLE: <i>TRAFFIC Division Manager</i></p> <p>* CHECK ANY COMBINATION OF PREFERENCE CONSIDERATION(S) IN EITHER "A" OR "B", OR BOTH "A" AND "B" WHICH YOU ARE ENTITLED TO RECEIVE. YOU MAY REQUEST UP TO THE MAXIMUM 5% PREFERENCE FOR BOTH "A" AND "B". (REV. 12/00)</p> <p>NOTICE</p> <p>A 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>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>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>[Signature]</i>	TELEPHONE 888-920-9922	DATE 8-7-07
TITLE <i>Traffic Division Manager</i>	FEIN 33-1013311	ADDRESS CHANGES TO BE NOTED ABOVE

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ADDRESS CORRESPONDENCE TO ATTENTION OF
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304-558-2402

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TOP COPY

COMADE, INC
17915-B Sky Park Circle
FRUITER, CA. 92614

SHIP TO

DIVISION OF HIGHWAYS
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LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
RFQ. NO.:				858C2006		
BID OPENING DATE AND TIME						
PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID:						
				<i>949-474-0161</i>	-----	
CONTACT PERSON (PLEASE PRINT CLEARLY):						
				<i>AL Berger</i>	-----	
***** THIS IS THE END OF RFQ 858C2006 ***** TOTAL:						<i>\$35,945.00</i>

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>[Signature]</i>	TELEPHONE <i>888-923-9922</i>	DATE <i>8-7-07</i>
TITLE <i>Traffic Industry Manager</i>	FEIN <i>31-1013211</i>	ADDRESS CHANGES TO BE NOTED ABOVE

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

FLEXIBLE PLASTIC TRAFFIC CONTROL DRUMS

SCOPE OF CONTRACT

To provide Flexible Plastic Traffic Control Drums, including bases, with sheeting pre-applied, and replacement bases, as needed.

MATERIAL SPECIFICATIONS

Flexible Plastic Traffic Control Drums supplied as part of this Contract shall be low density, reboundable type barrels manufactured using polyethylene, or equal material. The drums shall be manufactured bright orange in color and shall be resistant to impact as well as deterioration and fading from UV light exposure. The drums shall be designed to be easily stackable after removal of the base. The cross section of the bottom portion of the drums, or the entire drum cross sections, shall be non-circular to inhibit rolling of the drums after impact. The drums shall be manufactured using a tiered construction, with the bottom section of the drums having the largest diameter, and successively narrower tiers corresponding with the alternating bands of sheeting above the bottom section. The drums shall meet the following requirements, based on the 2003 Manual on Uniform Traffic Control Devices (MUTCD):

- Height: 36 inches minimum
- Diameter: 18 inches minimum, top to bottom
- Markings on drums: Horizontal, circumferential, alternating orange and white retroreflective stripes 6 inches wide. Drums shall have a minimum of two orange and two white stripes with the top stripe being orange. Any nonretroreflectorized spaces between the horizontal orange and white stripes shall not exceed 3 inches
- Tops: Shall be closed to not allow collection of debris

Sheeting used on drums shall be **TYPE ASTM-III - HIGH INTENSITY GRADE**. The sheeting used by the supplier shall be a Type ASTM-III material, approved for used on reboundable drums, listed on the WVDOH Approved Products List for Retroreflective Sheetings.

Bases for drums shall be black rubber weighing 40 pounds minimum. The bases shall have molded in carrying handles. The drums and bases shall be designed for the drum to fit onto the base by snapping over a lip on the base. The drums and bases shall be designed such that the drum is not easily removable from the base, but will separate when the drum is struck by an errant vehicle.

APPROVED PRODUCTS

Flexible Plastic Traffic Control Drums bid by vendors shall be a model drum off of the current Approved Product Lists (APL's) meeting the above Materials Specifications. Approvals of Flexible Plastic Traffic Control Drums are based on results from NTPEP and/or WVDOH testing and demonstration projects. The Division reserves the right to remove products from the APL based on actual field performance. The current products on the APL for Flexible Plastic Traffic Control Drums applicable to this Contract are as follows:

MANUFACTURER	MODEL
Traffix Devices	1800 Low Density with 40# rubber base
Allsafe Serices and Materials	1510 (Low Density) with 35# rubber base
Work Area Protection	B400 Low Density with 40# rubber base
Bent Manufacturing	Superdome Low Density with 40# rubber base
Plastic Safety Systems	Lifeguard Low Density with 40# rubber base
Plastic Safety Systems	Lifeguard II Low Density with 40# rubber base
Plasticade Products	454 Low Density with sand-filled base
Eastern Molding International	HTLD-6HI with 40# rubber base

Approved Type ASTM-III sheeting applicable to this Contract is as follows:

MANUFACTURER	PRODUCT
3M	Scotchlite 381XI Series

DRUM MANUFACTURER SHEETING APPLICATION CERTIFICATION

The drum manufacturer will be required to submit a copy of a letter from 3M to the drum manufacturer, stating that the drum manufacturer has been certified by 3M to apply the sheeting specified to the product to be supplied. This letter should be included with the vendor's bid package.

NCHRP-350 CERTIFICATION

The drum manufacturer will be required to submit a letter self certifying that the product to be supplied meets the crashworthiness requirements of NCHRP-350. This letter should be included with the vendor's bid package.

BID ITEMS

Flexible Plastic Traffic Control Drums shall be bid complete with bases and pre-applied sheeting. Replacement drums with pre-applied sheeting and replacement bases shall also be available for purchase separately.

MINIMUM ORDER

A minimum order of Flexible Plastic Traffic Control Drums, or parts thereof, shall consist of 25 (twenty-five) complete units or \$1,500.00, whichever is less.

DELIVERY

All prices bid shall be FOB destination in accordance with the list of delivery destinations made a part of this contract. All orders shall be shipped complete within thirty (30) days A.R.O. Late delivery charges against the vendor may be assessed at a rate of \$50.00 per calendar day beyond thirty (30) days A.R.O. Notification of shipment from vendor shall be received a minimum of 48 hours before delivery of material at the location indicated on the release.

DISCLAIMER

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 Number	Estimated Quantity	Description	Unit Cost	Total Cost	Inventory Subcode (DOH Use Only) (Class 019 Type 008)
MANUFACTURER & MODEL DRUM BID:					
FLEXIBLE PLASTIC TRAFFIC CONTROL DRUMS					
1	500	Per each, Complete Flexible Plastic Traffic Control Drum, to include sheeting (pre-applied), and 40 # minimum rubber base	\$71.89	35,945.00	080662
2	1	Per each, Replacement Flexible Plastic Traffic Control Drum, to include sheeting (pre-applied) (DRUM ONLY)	\$50.70		080663
3	1	Per each, Replacement Flexible Plastic Traffic Control Drum 40 # minimum rubber base (BASE ONLY)	\$21.19		080664
CONTRACT TOTAL				\$35,945.00	

**CONTACT PERSON AND DELIVERY ADDRESS FOR EACH
DIVISION OF HIGHWAYS DESTINATION**

Delivery Address	Contact	Phone Number
WVDOH - D1 Sign Shop 75 Pickens Rd. Nitro, WV 25143	Jim Russell	304-759-0708 304-558-3001*
WVDOH - D2 Sign Shop 801 Madison Ave. Huntington, WV 25704	Ed Layman	304-528-5679 304-528-5600*
WVDOH - D3 Sign Shop 720 Depot St. Parkersburg, WV 26101	Tom Potts	304-420-4815 304-420-4645*
WVDOH - D4 Sign Shop US-19 - 1 mile N. of Clarksburg (gore yard) Clarksburg, WV 26301	Rick Reed	304-627-2401 304-842-1500*
WVDOH - D5 Sign Shop US-50 - 14 miles E. of Keyser Burlington, WV 26710	Doug Placka	304-289-3521 304-289-3521*
WVDOH - D6 Sign Shop US-40 - E. of Wheeling (Middle Creek Rd. 39) Triadelphia, WV 26059	Jim Wurtzbacher	304-238-1205 304-238-4008*
WVDOH - D7 Sign Shop US-33 - 1/2 mile E. of Weston Weston, WV 26452	Tyrone Campbell	304-269-0460 304-269-0414*
WVDOH - D8 Sign Shop Rt. 219 - 1 mile N. of Elkins Elkins, WV 26241	Mike Westfall	304-637-0215 304-637-0220*
WVDOH - D9 Sign Shop US-219 - 1-1/2 miles N. of Lewisburg Country Club Rd. - Brush Rd. Lewisburg, WV 24901	Harry Honaker	304-647-7551 304-647-7450*
WVDOH - D10 Sign Shop 270 Hardwood Lane Princeton, WV 24740	Curtis Whitlow	304-487-5283 304-487-5228*
WVDOH - Traffic Services Complex 180 Dry Branch Rd. Charleston, WV 25306	Richard Rawling Ted Whitmore	304-558-6356 304-558-9468

* District/Division headquarters phone number

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 exceeds five percent of the total contract amount.

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

LICENSING: 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: COMARZ, INC

Authorized Signature: [Signature] Date: 8-7-07



June 20, 2006

CORPORATE RESOLUTION

At the June 13, 2006 meeting of Directors of Comade, Incorporated, a quorum being there present, on motion duly made and seconded it was resolved:

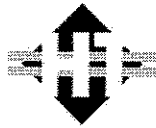
Chris Schaller, President of Comade, Inc., acting on behalf of the company appoint the positions identified below as having the authority to bind Comade, Inc. in the execution of documents of bids, contracts, and solicitations, and to receive and receipt therefore all purchase orders and notices issues pursuant to the provisions of any such bid or contract, this corporation hereby ratifying approving, confirming, and accepting each and every such act performed by said agent acting on behalf of the company.

Corporate Officer
National Sales Manager
Industry Manager
Project Manager

I hereby certify the foregoing to be a true and correct copy of an excerpt of the minutes of the above dated meeting of the Board of Directors of Comade Inc., and the same has not been revoked or rescinded.

A handwritten signature in black ink, appearing to read "Chris Schaller", written over a horizontal line.

Chris Schaller
Secretary-Treasurer



HIGHWAY TECH SAFETY PRODUCTS
EASTERN HOLDING INTERNATIONAL, LLC. EMI

NCHRP Report 350
“Certificate of Crashworthiness”

Identification Number: Model Numbers covered by this letter: HTHD-4EG, HTHD-4HI, HTHD-4DG, HTHD-6EG, HTHD-6HI, HTHD-6DG, HTHD, HTLD-4EG, HTLD-4HI, HTLD-4DG, HTLD-6EG, HTLD-6HI, HTLD-6DG, HTLD,

Number of Pages: 1

A Description of certified item:

A 41” tall Channelizing Drum with a mass of 7.5lbs. to 11lbs. (depending on material) and a 23” base diameter. There is a 21” diameter at the bottom to accommodate ballast, which is followed by 5 smaller diameters with gradual steps upward. The 5 diameters are: 20.60”, 19.81”, 19.36”, 18.74”, and 18.12”. The drum may be used with type A or type C warning lights that weigh less than 3 lbs. (including batteries). The drum will allow for 1 or 2 of these warning lights to be attached to the handle at the through holes. The handle thickness at the point of attachment is .5”. The lights will be securely attached with standard vandal resistant hardware. A low profile ballast may be used along with the Channelizing Drum.

This Channelizing Drum with light is being self certified to test level 3 of NCHRP Report 350. The basis being used for self certification is a reference to a standard design, based upon crash testing, to which the device complies. The standard design that the Channelizing Drum and attachments complies with can be found in Acceptance Letter WZ-54 titled “Work Zone Safety.”

Highway Tech Drum Specifications

	Dimensions	Typical Materials
Drum		High Density Polyethylene or Low Density Polyethylene
Mass	Between 7.5 LBS.-11 LBS. Depending on material. (HDPE or LDPE). Without ballast.	
Diameter	18.12” - 23.00”	
Height	41”	
Handle Thickness **	.5” thickness of plastic at point of attachment	

Chad A LaCivita

2/6/2003

This certificate shall not be reproduced except in full

FROM :EMI

FAX NO. :7045661114

Aug. 06 2007 05:01PM P1

3M Brownwood Plant4501 Hwy 377 South
Brownwood, TX 76801-5907
325/646-3551**CERTIFICATE OF COMPLIANCE**

TO: Highway Safety Devices International Corp.

THIS IS TO CERTIFY THAT THE MATERIAL SHIPPED AS INDICATED HEREIN
COMPLIES TO THE SPECIFICATION LISTED BELOW:

DESCRIPTION: 3M Brand Reflective Sheeting, Flexible High Intensity

<u>MATERIAL:</u>	<u>QUANTITY</u>	<u>SIZE - IN X YD</u>	<u>LOT NO</u>
3814I Orange	57 rolls	4 x 150	BAH4
3810I White	60 rolls	4 x 150	BIS3


PURCHASE ORDER NO: 2007-9

INVOICE NO: SS14266

SPECIFICATIONS:3M Company Specifications for Flexible, Encapsulated Lens,
Reflective Sheeting for Reboundable Elastic Traffic Control
Devices.

April 3, 2007

Document Received From:


FACTORY QUALITY ASSURANCE
TRAFFIC SAFETY SYSTEMS DIVISION
BROWNWOOD, TEXAS 76801