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

# Request for Quotation

SHIP

T O REQ NUMBER 6610C007

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ADDRESS CORRESPONDENCE TO ATTENTION OF

MICHAEL AUSTIN 304-558-2402

DIVISION OF HIGHWAYS
VARIOUS LOCALES AS INDICATED
BY ORDER

\*709060334 304-946-2326 PATTERSON EXCAVATING INC PO BOX 99

CORA WV 25614

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# 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 fee.
- 5. All services performed or goods delivered under State Purchase Order/Contracts are to be continued for the term of the Purchase Order/Contracts, 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, the State may deem this contract null and void, and terminate such contract 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 Cover Entity (45 CFR §160.103) and will be disclosing Protected Health Information (45 CFR §160.103) to the vendor.
- 15. WEST VIRGINIA ALCOHOL & DRUG-FREE WORKPLACE ACT: If this Contract constitutes a public improvement construction contract as set forth in Article 1D, Chapter 21 of the West Virginia Code ("The West Virginia Alcohol and Drug-Free Workplace Act"), then the following language shall hereby become part of this Contract: "The contractor and its subcontractors shall implement and maintain a written drug-free workplace policy in compliance with the West Virginia Alcohol and Drug-Free Workplace Act, as set forth in Article 1D, Chapter 21 of the West Virginia Code. The contractor and its subcontractors shall provide a sworn statement in writing, under the penalties of perjury, that they maintain a valid drug-free work place policy in compliance with the West Virginia and Drug-Free Workplace Act. It is understood and agreed that this Contract shall be cancelled by the awarding authority if the Contractor: 1) Fails to implement its drug-free workplace policy; 2) Fails to provide information regarding implementation of the contractor's drug-free workplace policy at the request of the public authority; or 3) Provides to the public authority false information regarding the contractor's drug-free workplace policy."

# **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.
- Complete all sections of the quotation form.
- 4. Unit prices shall prevail in case 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: Department of Administration, Purchasing Division, 2019 Washington Street East, P.O. Box 50130, Charleston, WV 25305-0130

Rev. 5/19/09



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

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55-0691972

President

ADDRESS CHANGES TO BE NOTED ABOVE



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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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REQ NUMBER 6610C007

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MICHAEL AUSTIN 304-558-2402

DIVISION OF HIGHWAYS VARIOUS LOCALES AS INDICATED BY ORDER

304-946-2326 **\*709060334** PATTERSON EXCAVATING INC PO BOX 99

CORA WV 25614

FREIGHT TERMS SHIP VIA F.O.B. TERMS OF SALE DATE PRINTED 10/08/2009 BID OPENING TIME 01:30PM BID OPENING DATE: 10/21/2009 CAT. TANDOMA UNIT PRICE ITEM NUMBER QUANTITY UOP LINE NO: .... AND EXTENDS FOR A PERIOD OF SIX (6) MONTHS OR UNTIL SUCH "REASONABLE TIME" THEREAFTER AS IS NECESSARY TO OBTAIN A NEW CONTRACT OR RENEW THE THE "REASONABLE TIME" PERIOD SHALL ORIGINAL CONTRACT. DURING THIS "REASONABLE NOT EXCEED SIX(6) MONTHS. 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) SUCH RENEWAL SHALL DAYS PRIOR TO THE EXPIRATION DATE. BE IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE ORIGINAL CONTRACT AND SHALL BE LIMITED TO TWO (2) SIX (6) SIX MONTH PERIODS. CANCELLATION: THE DIRECTOR OF PURCHASING RESERVES THE RIGHT TO CANCEL THIS CONTRACT IMMEDIATELY UPON WRITTEN NOTICE TO THE VENDOR IF THE COMMODITIES AND/OR SERVICES SUPPLIED ARE OF AN INFERIOR QUALITY OR DO NOT CONFORM TO THE SPECIFICATIONS OF THE BID AND CONTRACT HEREIN. 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 TRANS-PORTATION OR AN UNANTICIPATED INCREASE IN THE VOLUME OF WORK.) SEE REVERSE SIDE FOR TERMS AND CONDITIONS DATE 10-20-2009 TELEPHONE 946-2326

55-0691972

President

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

# Request for REONUMBER Quotation

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\*709060334 304-946-2326 PATTERSON EXCAVATING INC PO BOX 99

CORA WV 25614 DIVISION OF HIGHWAYS VARIOUS LOCALES AS INDICATED BY ORDER

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BANKRUPTCY: IN THE EVENT THE VENDOR/COFOR BANKRUPTCY PROTECTION, THE STATE MACCONTRACT NULL AND VOID, AND TERMINATE SWITHOUT FURTHER ORDER.	AY DEEM THE
THE TERMS AND CONDITIONS CONTAINED IN TERMS SHALL SUPERSEDE ANY AND ALL SUBSEQUENT CONDITIONS WHICH MAY APPEAR ON ANY ATTAINED TO COMMENTS SUCH AS PRICE LISTS, ORDER FOR AGREEMENTS OR MAINTENANCE AGREEMENTS, INTERPROPERTY OF THE PROPERTY	TERMS AND ACHED PRINTED DRMS. SALES
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MICHAEL AUSTIN 304-558-2402

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

55-0691972

President



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

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

TERMS OF SALE

## Request for Quotation

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FREIGHT TERMS

ADDRESS CORRESPONDENCE TO ATTENTION OF:

MICHAEL AUSTIN 304-558-2402

304-946-2326 \*709060334 PATTERSON EXCAVATING INC ADDOR PO BOX 99 CORA WV

DIVISION OF HIGHWAYS NDICATED

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12.	1	Bidding	F.O.	в.	Vendor's	Storage	Site
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a) SOURCE OF MATERIAL (State all sources for which bid prices apply) (e.g., Quarry location if Sandstone or Limestone; dredging or pit location if Gravel; production plant name and location if Slag)

<u>Patterson Excavatir</u>	ıq,	Inc.	-Patte	erson	Qua <b>e</b> ry&	Mill
Logan County Route	44	Pine	Creek	Road		
Omar, WV -Sandston	re-					

b) EXACT LOCATION OF VENDOR'S STORAGE SITE(S) A separate bid schedule must be submitted when bid price varies between Vendors storage sites.

1 Mile up Pine	Creek Road off	Route 44	
Omar, WV			

Con- Tract Item	Description of Aggregate	Bid Price Per Ton F.O.B. Vendor's Storage Si		<b>.</b>
		LIMESTONE SANDSTONE, GRAVEL, SAND	BLAST FURNACE SLAG	STEEL SLAG
А	Class 1 Aggregate			
В	Class 2 Aggregate		***	
C	AASHTO #1 Aggregate			
D	AASHTO #3 Aggregate		***************************************	
E	AASHTO #4 Aggregate			
F	AASHTO #467 Aggregate			
G	AASHTO #57 Aggregate			
Н	AASHTO #67 Aggregate			
1	AASHTO #7 Aggregate			
J	AASHTO #8 Aggregate			
K	AASHTO #9 Aggregate			

NOTE: The <u>Bid Schedules</u> are ready for download on Purchasing's Web site at <u>www.state.wv.us/admin/purchase</u>

Patterson Excavating, Inc.

# BIDDING SCHEDULE (Continued)

12.1 Bidding F.O.B. Vendor's Storage Site (Continued)

L M	Stone for Gabions Fine Aggregate	\$11.00		-
N	Standard Abrasives			
Ô	Modified Abrasives			
P	Riprap	_ \$11.00		
Q	Shot Rock	\$11.00	######################################	
R	AASHTO #8 Modified	***************************************		
S	AASHTO #9 Modified			
T	Pea Gravel			
U	#11 Limestone Abrasives		<u> </u>	
٧	Haul by Vendor (Except Ite @ _2 . 20 \$ for F @ 30¢ \$ for E	irst Ton-Mile	<i>f</i> iile	
W	Haul by Vendor (Items Q ar @ _2 . 20 \$ for F @ 28 ¢ \$ for F	First Ton-Mile	Viile	

Con- Tract Item	Description of Material	Bid Price Per Ton F.O.B. Vendor's Storage Site
AA	Cinders	

Note 1: Bid price shall include cost of Vendor Loading Department trucks.

### DISTRICT TWO

12.2 Bidding F.O.B. Division's Storage Site

Item of Aggregate (TONS) Storage Site	ge Site
	AST
CABELL COUNTY SANDSTONE FURI	NACE STEEL
	LAG SLAG
A Class 1 6000 Barboursville Lot	
D No. 3 1000 Barboursville Lot	
F No. 467 2000 Barboursville Lot	
G No. 57 5000 Barboursville Lot	
H No. 67 500 Barboursville Lot	
J No. 8 2500 Barboursville Lot	
K No. 9 1000 Barboursville Lot	
L Gabion Stone 1000 Barboursville Lot	
N Standard Abr. 2000 Barboursville Lot	
O Modified Abr. 500 Barboursville Lot	
Q Shot Rock 1000 Barboursville Lot	
U #11 Limestone Abr. 3000 Barboursville Lot	
LINCOLN COUNTY	
A Class 1 5000 West Hamlin	
B Class 2 1000 West Hamlin	
D No. 3 1500 West Hamlin	
E No. 4 1500 West Hamlin	
F No. 467 1000 West Hamlin	
G No. 57 2000 West Hamlin	
H No. 67 1000 West Hamlin	
J No. 8 2000 West Hamlin	
K No. 9 1000 West Hamlin	
L Gabion Stone 1500 West Hamlin \$27.89	
N Standard Abr 1000 West Hamlin	
Q Shot Rock 1000 West Hamlin \$29.79	
U #11 Limestone Abr. 2000 West Hamlin	
LINCOLN COUNTY	
A Class 1 2000 Yawkey	
B Class 2 500 Yawkey	
C No. 1 500 Yawkey	
D No. 3 2000 Yawkey	
E No. 4 2000 Yawkey	
F No. 467 1000 Yawkey	
G No. 57 1000 Yawkey	
J No. 8 2000 Yawkey	
K No. 9 1000 Yawkey	
L Gabion Stone 500 Yawkey \$25.98	
N Standard Abr. 1000 Yawkey	
Q Shot Rock 1000 Yawkey \$27.73	
U #11 Limestone Abr. 1000 Yawkey	

# Patterson Excavating, Inc.

# 12. BIDDING SCHEDULE

### DISTRICT TWO

12.2 Bidding F.O.B. Division's Storage Site (Continued)

Contract Item	Description of Aggregate	Estimated Quantity (TONS)	Location of DOH Storage Site	Bid Price (S/Ton) F.O.B.  DOH Storage Site
	LINCOLN	COUNTY	-	LIMESTONE BLAST SANDSTONE FURNACE STEEL GRAVEL, SAND SLAG SLAG
Α	Class 1	1000	Harts	
В	Class 2	500	Harts	
D	No. 3	500	Harts	
Ē	No. 4	500	Harts	
F	No. 467	500	Harts	
G	No. 57	500	Harts	
Ĵ	No. 8	1000	Harts	
K	No. 9	1000	Harts	
L	Gabion Stone	1000	Harts	\$22.18
Ν	Standard Abr.	1000	Harts	
Q	Shot Rock	1000	Harts	\$24.17
U	#11 Limestone Abr.	1000	Harts	
	LOGAN C	OUNTY		
٨	Class 1	5000	Wilkinson	
A B	Class 2	1000	Wilkinson	
D	No. 3	1000	Wilkinson	
F	No. 467	500	Wilkinson	
Ġ	No. 57	1000	Wilkinson	
J	No. 8	2000	Wilkinson	
K	No. 9	1000	Wilkinson	
L	Gabion Stone	1500	Wilkinson	\$14.55
N	Standard Abr.	2000	Wilkinson	
Ö	Modified Abr.	500	Wilkinson	
Q	Shot Rock	1500	Wilkinson	\$16.30
Ũ	#11 Limestone Abr.	2000	Wilkinson	
	LOGAN C	COUNTY		
٨	Class 1	1000	Man	
A B	Class 1 Class 2	500	Man	
	No. 3	500	Man	
D		500	Man	
F	No. 467 No. 57	500	Man	
G		2000	Man	
J	No. 8 No. 9	1000	Man	
K	No. 9 Gabion Stone	1000	Man	\$20.27
L	Standard Abr.	1000	Man	P4V-61
N	Modified Abr.	500	Man	
0	Shot Rock	1000	Man	\$22.02
Q U	#11 Limestone Abr.	1000	Man	722.02
Ü	#11 LIHGSTONG ADI.	1000	141011	

### DISTRICT TWO

12.2 Bidding F.O.B. Division's Storage Site (Continued)

Contract Item	Description of Aggregate	Estimated Quantity (TONS)	Location of DOH Storage Site	Bid Price (\$Ton) F.0		
	,			LIMESTONE	BLAST	
	CORRIDOR G & I	<u>LOGAN COUN</u>	TY	SANDSTONE	FURNACE	STEEL
				GRAVEL, SAND	SLAG	SLAG
Α	Class 1	2000	Chapmanville	·		
В	Class 2	500	Chapmanville			
D	No. 3	500	Chapmanville			
J	No. 8	1500	Chapmanville		<u> </u>	
K	No. 9	1000	Chapmanville		-	
L	Gabion Stone	1000	Chapmanville	\$16.46		
N	Standard Abr.	1000	Chapmanville			
0	Modified Abr.	500	Chapmanville			
Q	Shot Rock	1000	Chapmanville	\$18.21		
U	#11 Limestone Abr.	3000	Chapmanville		<u> </u>	
	MINGO (	COUNTY				
۸	Class 1	5000	Miller Creek			T
A	Class 2	5000	Miller Creek			
B		500	Miller Creek			<b> </b>
C	No. 1	1000	Miller Creek			
D	No. 3	1000	Miller Creek			
G	No. 57	1500	Miller Creek			
J	No. 8	1000	Miller Creek			
K	No. 9	800	Miller Creek	\$17.67		
L	Gabion Stone		Miller Creek	\$17.67		<del> </del>
N	Standard Abr.	2000				
0	Modified Abr.	500	Miller Creek	\$18.10		
Q	Shot Rock	1000	Miller Creek	\$10.10		
U	#11 Limestone Abr.	3000	Miller Creek			<u> </u>
	MINGO	COUNTY				
А	Class 1	1000	Gilbert			
В	Class 2	3000	Gilbert			
Ċ	No. 1	1000	Gilbert			
D	No. 3	500	Gilbert			
G	No. 57	500	Gilbert			
J	No. 8	500	Gilbert			
K	No. 9	1000	Gilbert			
1	Gabjon Stone	1000	Gilbert	\$16.05		
N	Standard Abr.	200	Gilbert	T. T		
0	Modified Abr.	200	Gilbert		-	
Q	Shot Rock	500	Gilbert	\$17.00		
U	#11 Limestone Abr.	1000	Gilbert	<u> </u>		
O	" I Elliostono Abr.	,000				

### DISTRICT TWO

12.2 Bidding F.O.B. Division's Storage Site (Continued)

Contract Item	Description of Aggregate	Estimated Quantity (TONS)	Location of DOH Storage Site	DOH S	(\$Ton) F.O.B Storage Site	
				LIMESTONE	BLAST	
	MINGO CO	OUNTY		SANDSTONE	FURNACE	STEEL
				GRAVEL, SAND	SLAG	SLAG
Α	Class 1	2500	Dingess			
В	Class 2	500	Dingess			
Ċ	No. 1	1000	Dingess			
Ď	No. 3	500	Dingess			
Ğ	No. 57	500	Dingess			
J	No. 8	2000	Dingess			
K	No. 9	1000	Dingess			
L	Gabion Stone	1000	Dingess	\$16.46		
N	Standard Abr.	200	Dingess			
Ö	Modified Abr.	200	Dingess			
Q	Shot Rock	1000	Dingess	\$18.21		
Q	SHOE I YOUR	1000	5,1,9000			
	WAYNE C	COUNTY				
А	Class 1	9000	Wayne			
В	Class 2	8000	Wayne			
D	No. 3	1000	Wayne			
F	No. 467	2000	Wayne			
Ġ	No. 57	5000	Wayne			
Н	No. 67	2000	Wayne			
J	No. 8	3000	Wayne			
K	No. 9	. 1000	Wayne			
L	Gabion Stone	1000	Wayne			
N	Standard Abr.	2000	Wayne			
0	Modified Abr.	200	Wayne			
Q	Shot Rock	500	Wayne			
R	Modified No. 8	2000	Wayne			
r. U	#11 Limestone Abr.	2000	Wayne			
U	#11 Lintestone Abt.	2000				
	WAYNE	COUNTY				
А	Class 1	2000	Pritchard			
D	No. 3	1000	Pritchard			
F	NO. 467	1000	Pritchard			
G	No. 57	2000	Pritchard			
Н	No. 67	2000	Pritchard			
	No. 8	2000	Pritchard			
J K	No. 9	1000	Pritchard			
	Gabion Stone	3000	Pritchard			
L N	Standard Abr.	2000	Pritchard		1	
N	Modified Abr.	500	Pritchard			1
0		1000	Pritchard			1
Q	Shot Rock Modified Abr.	1000	Pritchard			1
R			Pritchard			1
U	#11 Limestone Abr.	2000	intonaru		_L	

DISTRICT TWO

12.2 Bidding F.O.B. Division's Storage Site (Continued)

Contract Item	Description of Aggregate	Estimated Quantity (TONS)	Location of DOH Storage Site
	WAYNE CO	YTNUC	
Α	Class 1	2000	Crum
D	No.3	2000	Crum
E	No. 467	2000	Crum
G	No. 57	2000	Crum
Н	No. 67	2000	Crum
ì	No. 8	2000	Crum
K	No. 9	1000	Crum
_	Gabion Stone	1000	Crum
N	Standard Abr.	1000	Crum
0	Modified Abr.	500	Crum
Q	Shot Rock	1000	Crum
U	#11 Limestone Abr.	1000	Crum

### Bid Price (\$/Ton) F.O.B. DOH Storage Site

LIMESTONE SANDSTONE GRAVEL, SAND	BLAST FURNACE SLAG	STEEL SLAG
\$25.08		
\$26.83		

669C0021 RFQ No

# STATE OF WEST VIRGINIA Purchasing Division

# PURCHASING AFFIDAVIT

# VENDOR OWING A DEBT TO THE STATE:

West Virginia Code §5A-3-10a provides that: 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 owed is an amount

# PUBLIC IMPROVEMENT CONTRACTS & DRUG-FREE WORKPLACE ACT:

If this is a solicitation for a public improvement construction contract, the vendor, by its signature below, affirms that it has a written plan for a drug-free workplace policy in compliance with Article 1D, Chapter 21 of the West Virginia Code. The vendor must make said affirmation with its bid submission. Further, public improvement construction contract may not be awarded to a vendor who does not have a written plan for a drug-free workplace policy in compliance with Article 1D, Chapter 21 of the West Virginia Code and who has not submitted that plan to the appropriate contracting authority in timely fashion. For a vendor who is a subcontractor, compliance with Section 5, Article 1D, Chapter 21 of the West Virginia Code may take place before their work on the public improvement is begun. ANTITRUST:

In submitting a bid to any agency for the state of West Virginia, the bidder offers and agrees that if the bid is accepted the bidder will convey, sell, assign or transfer to the state of West Virginia all rights, title and interest in and to all causes of action it may now or hereafter acquire under the antitrust laws of the United States and the state of West Virginia for price fixing and/or unreasonable restraints of trade relating to the particular commodities or services purchased or acquired by the state of West Virginia. Such assignment shall be made and become effective at the time the purchasing agency tenders the initial payment to the bidder.

I certify that this bid is made without prior understanding, agreement, or connection with any corporation, firm, limited liability company, partnership or person or entity submitting a bid for the same materials, supplies, equipment or services and is in all respects fair and without collusion or fraud. I further certify that I am authorized to sign the certification on behalf of the bidder or this bid. 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

### 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. Vendor further agrees to comply with the Confidentiality Policies and Information Security Accountability Requirements, set forth in http://www.state.wv.us/admin/purchase/privacy/

Juder penalty of law for false swearing (West Virginia Code §61-5-3), it is hereby certified that the vendor affirms and acknowledges the information in this affidavit and is in compliance with the requirements as stated.

'endor's Name: Patterson Excavating, Inc.	and requirements as stated
uthorized Signature: Manage M Polla	10-20-2009