

COST PROPOSAL

ORIGINAL

**Response to
RFQ No.: TOR3676**

Advertising Services

West Virginia Division of Tourism

Closing Date and Time

September 8, 2009

1:30 p.m.

Vendor Authorized Contact Person:

Patrick Gallagher, President & CEO

ph: 304.342.0161

fax: 304.342.1941

email: pgallagher@charlesryan.com

Signed: _____



Dated: September 8, 2009



agents must provide hourly quotes for the complete list of activities on the attached "Bid Schedule".

BID SCHEDULE

Vendors are to use this form and type in prices and percentages as applicable. All blanks must be completed. Failure to complete all sections may result in disqualification. (If you are not charging hourly rate or percentage markup insert "N/C")

A.

<u>Specific Activities</u> <u>Estimated</u>	<u>Estimated Hours</u> <u>Per Year (Note A)</u>	<u>Rate Per Hour</u>	<u>Annual</u> <u>Estimated Cost</u>
Account/Client Services/Strategic Planning/Research Analysis	1,440 x	\$80.00 /hr.	\$ 115,200.00
Media Planning and Buying	1,440 x	\$80.00 /hr.	\$ 115,200.00
Print Production	600 x	\$65.00 /hr.	\$ 39,000.00
Art Direction	600 x	\$75.00 /hr.	\$ 45,000.00
Copy Writing	450 x	\$75.00 /hr.	\$ 33,750.00
Broadcast Production	200 x	\$75.00 /hr.	\$ 15,000.00
Public Relations	200 x	\$ 80.00 /hr.	\$ 16,000.00
Creative Direction	150 x	\$ 80.00 /hr.	\$ 12,000.00

Note A: Estimated hours per year are 5,080 x the hourly activity

Sub Total \$ 391,150.00

Rates are applicable for both traditional media and online applications.

Five thousand eighty hours, the RFP's estimated number of hours per year, is multiplied by the percentage of time per year for each service to determine an estimated hours per year for service. Vendor hourly rates are multiplied by the respective hours to arrive at a cost and a total cost.

B. Add-on for Sub-Contracted Purchases:

All vendors responding to this RFP must provide a percentage of add-on for purchases from sub-contractors. This percentage will be multiplied by \$300,000. Bidder's add-on for Sub-Contracted Purchases is. 5 % times \$300,000 = \$ 15,000.00

C. Media Buying Add-on:

All vendors responding to this RFP must provide a percentage of add-on for media buying activities (not to exceed 5%) if the Vendor plans to charge an add-on. This percentage will be multiplied by \$3,000,000. Bidder's Add-on for Media Buying is 0 % (flat rate) times \$3,000,000 = \$ 0

D. Total Cost of Proposal (See Note B):

\$ 406,150.00

Note B: Costs from A, B, and C are to be added together to determine the total cost of the proposal.

SHIPPING CHARGES WILL BE REIMBURSED AT COST WITH PROPER DOCUMENTATION.

ALL TRAVEL IS TO BE INCLUDED IN THE BID SCHEDULE. NO COMPENSATION FOR TRAVEL EXPENSES WILL BE MADE TO THE SUCCESSFUL VENDOR.



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
TOR3676

PAGE
1

ADDRESS CORRESPONDENCE TO ATTENTION OF
**FRANK WHITTAKER
 304-558-2316**

VENDOR

SHIP TO

*709043838 304-342-0161
CHARLES RYAN ASSOCIATES INC
BB&T SQUARE
300 SUMMERS STREET SUITE 1100
CHARLESTON WV 25301

DIVISION OF TOURISM

90 MACCORKLE AVE SW
CHARLESTON, WV
25303 304-558-2200

DATE PRINTED 05/28/2009	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
-----------------------------------	---------------	----------	--------	---------------

OPENING DATE: **07/29/2009** **BID OPENING TIME 01:30PM**

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
1	1	LS		915-03		
<p>ADVERTISING SERVICES</p> <p>REQUEST FOR PROPOSAL (RFP)</p> <p>THE WEST VIRGINIA PURCHASING DIVISION, FOR THE AGENCY THE WEST VIRGINIA DIVISION OF TOURISM, IS SOLICITING PROPOSALS FOR ADVERTISING AND PUBLIC RELATION SERVICES PER THE ATTACHED SPECIFICATIONS.</p> <p>ALL TECHNICAL QUESTIONS MUST BE SUBMITTED IN WRITING TO FRANK WHITTAKER IN THE WEST VIRGINIA PURCHASING DIVISION VIA FAX AT 304-558-4115 OR VIA EMAIL AT FRANK.M.WHITTAKER@WV.GOV. DEADLINE FOR TECHNICAL QUESTIONS IS 06/11/09 AT 3:00 PM. ALL TECHNICAL QUESTIONS WILL BE ADDRESSED BY ADDENDUM AFTER THE DEADLINE.</p> <p>A MANDATORY PRE-BID MEETING WILL BE HELD 07/08/09 AT 1:30 PM IN THE DIVISION OF TOURISM CONFERENCE ROOM LOCATED AT 90 MACCORKLE AVENUE S.W. SOUTH CHARLESTON WV 25303. FAILURE TO ATTEND THE MANDATORY PRE-BID MEETING WILL RESULT IN BID DISQUALIFICATION. AN INDIVIDUAL MAY NOT REPRESENT MORE THAN ONE FIRM AT THE PRE-BID MEETING.</p> <p>EXHIBIT 3</p> <p>LIFE OF CONTRACT: THIS CONTRACT BECOMES EFFECTIVE ON AND EXTENDS FOR A PERIOD OF ONE (1</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

RE <i>[Signature]</i>	TELEPHONE 304-342-0161	DATE 9/4/09
IDENT CEO	FEIN 26-1136195	ADDRESS CHANGES TO BE NOTED ABOVE

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



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
TOR3676

PAGE
2

ADDRESS CORRESPONDENCE TO ATTENTION OF
**FRANK WHITTAKER
 304-558-2316**

*709043838 304-342-0161
**CHARLES RYAN ASSOCIATES INC
 BB&T SQUARE
 300 SUMMERS STREET SUITE 1100
 CHARLESTON WV 25301**

VENDOR

SHIP TO

**DIVISION OF TOURISM
 90 MACCORKLE AVE SW
 CHARLESTON, WV
 25303 304-558-2200**

DATE PRINTED 05/28/2009	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
OPENING DATE: 07/29/2009		BID OPENING TIME 01:30PM		

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>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 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>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

JRE		TELEPHONE 304-342-0161	DATE 9/4/09
President + CEO	FEIN 26-1136195	ADDRESS CHANGES TO BE NOTED ABOVE	

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



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
TOR3676

PAGE
3

ADDRESS CORRESPONDENCE TO ATTENTION OF
**FRANK WHITTAKER
 304-558-2316**

VENDOR

SHIP TO

*709043838 304-342-0161
**CHARLES RYAN ASSOCIATES INC
 BB&T SQUARE
 300 SUMMERS STREET SUITE 1100
 CHARLESTON WV 25301**

**DIVISION OF TOURISM
 90 MACCORKLE AVE SW
 CHARLESTON, WV
 25303 304-558-2200**

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
05/28/2009				

OPENING DATE: **07/29/2009** **BID OPENING TIME 01:30PM**

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
<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</p> <p>BANKRUPTCY: IN THE EVENT THE VENDOR/CONTRACTOR FILES FOR BANKRUPTCY PROTECTION, THE STATE MAY DEEM THE CONTRACT NULL AND VOID, AND TERMINATE SUCH CONTRACT 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>REV. 05/26/2009</p> <p style="text-align: center;">NOTICE</p> <p>A SIGNED BID MUST BE SUBMITTED TO:</p> <p style="text-align: center;">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</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

 Resident CEO	FEIN 26-1136195	TELEPHONE 304-342-0161	DATE 9/4/09
--	---------------------------	----------------------------------	-----------------------

ADDRESS CHANGES TO BE NOTED ABOVE

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



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

**Request for
 Quotation**

TOR3676

1

ADDRESS CORRESPONDENCE TO ATTENTION OF
 FRANK WHITTAKER
 304-558-2316

PROPERTY

*709043838 304-342-0161
 CHARLES RYAN ASSOCIATES INC
 BB&T SQUARE
 300 SUMMERS STREET SUITE 1100
 CHARLESTON WV 25301

SHIP TO

DIVISION OF TOURISM
 90 MACCORKLE AVE SW
 CHARLESTON, WV
 25303 304-558-2200

DATE PRINTED	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS
06/23/2009				

OPENING DATE: 07/29/2009 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
***** ADDENDUM NO. 1 *****						
THIS ADDENDUM IS ISSUED TO EXTEND THE DEADLINE FOR TECHNICAL QUESTIONS FROM 06/11/09 TO 07/10/09 @ 3:00 PM						
ALL TECHNICAL QUESTIONS WILL BE ADDRESSED BY ADDENDUM AFTER THE DEADLINE.						
01	1	LS		915-03		
ADVERTISING SERVICES						
***** THIS IS THE END OF RFQ TOR3676 ***** TOTAL:						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE: *[Signature]* TELEPHONE: 304-342-0161 DATE: 9/4/07

FEIN: 20-1136195 ADDRESS CHANGES TO BE NOTED ABOVE

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



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

Quotation

07 22 09 10:02 19

TOR3676	1
ADDRESS CORRESPONDENCE TO ATTENTION OF	
FRANK WHITTAKER	
304-558-2316	

PROPERTY

PROPERTY

RFQ COPY
 TYPE NAME/ADDRESS HERE

DIVISION OF TOURISM

 90 MACCORKLE AVE SW
 CHARLESTON, WV
 25303 304-558-2200

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
07/22/2009				

PENING DATE: 08/18/2009 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
	***** ADDENDUM NO. 2 *****					
	THIS ADDENDUM IS ISSUED TO EXTEND THE BID OPENING DATE AND PROVIDE THE ATTACHED MANDATORY PRE-BID SIGN IN SHEET.					
	THE BID OPENING DATE IS CHANGED FROM: 07/29/2009 TO: 08/18/2009 AT 1:30 PM.					
	AGENCY RESPONSE TO TECHNICAL QUESTIONS WILL BE ADDRESSED IN A SUBSEQUENT ADDENDUM.					
1	1	LS		915-03		
	ADVERTISING SERVICES					
***** THIS IS THE END OF RFQ TOR3676 ***** TOTAL:						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS		
SIGNED President & CEO	TELEPHONE 304-340-0161	DATE 9/4/09
FEIN 26-1136195	ADDRESS CHANGES TO BE NOTED ABOVE	

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



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
TOR3676

PAGE
1

ADDRESS CORRESPONDENCE TO ATTENTION OF
FRANK WHITTAKER
304-558-2316

PROPERTY

RFQ COPY
 TYPE NAME/ADDRESS HERE

SHIP TO

DIVISION OF TOURISM
 90 MACCORKLE AVE SW
 CHARLESTON, WV
 25303 304-558-2200

DATE PRINTED	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS
08/11/2009				

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>08/27/2009 BID OPENING TIME 01:30PM</p> <p>***** ADDENDUM NO. 3 *****</p> <p>THIS ADDENDUM IS ISSUED TO PROVIDE THE ATTACHED VENDOR TECHNICAL QUESTIONS, AGENCY RESPONSE TO THE TECHNICAL QUESTIONS AND TO EXTEND THE BID OPENING DATE AND TIME.</p> <p>THE BID OPENING DATE AND TIME HAVE BEEN CHANGED TO:</p> <p>BID OPENING DATE: 08/27/2009 BID OPENING TIME: 1:30 PM</p>						
0001	1	LS		915-03		
ADVERTISING SERVICES						
***** THIS IS THE END OF RFQ TOR3676 ***** TOTAL:						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE: *[Signature]* TELEPHONE: 304-342-0161 DATE: 9/4/09

FILE: President + CEO FEIN: 26-1136195 ADDRESS CHANGES TO BE NOTED ABOVE

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



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

Quotation

TOR3676	1
ADDRESS CORRESPONDENCE TO ATTENTION OF:	
FRANK WHITTAKER	
304-558-2316	

VENDOR

RFQ COPY
 TYPE NAME/ADDRESS HERE

SHIP TO

DIVISION OF TOURISM
 90 MACCORKLE AVE SW
 CHARLESTON, WV
 25303 304-558-2200

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
08/21/2009				

OPENING DATE: 09/08/2009 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
***** ADDENDUM NO. 4 *****						
THIS ADDENDUM IS ISSUED TO EXTEND THE BID OPENING DATE.						
THE BID OPENING IS CHANGED TO: 09/08/09 AT 1:30 PM						
A SUBSEQUENT ADDENDUM WILL CONTAIN TECHNICAL QUESTIONS AND ANSWERS THAT WERE OMITTED FROM ADDENDUM NO. 3 IN ERROR.						
1	1	LS		915-03		
ADVERTISING SERVICES						
***** THIS IS THE END OF RFQ TOR3676 ***** TOTAL:						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>[Signature]</i>	TELEPHONE 304-342-0161	DATE 9/4/09
PRESIDENT & CEO	FEIN 26-1136195	ADDRESS CHANGES TO BE NOTED ABOVE

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



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

Quotation

TOR3676

ADDRESS CORRESPONDENCE TO ATTENTION OF

FRANK WHITTAKER
304 558-2316

DIVISION OF TOURISM

90 MACCORKLE AVE SW
CHARLESTON, WV
25303 304-558-2200

RFQ COPY
TYPE NAME/ADDRESS HERE

RECEIVED

SHIP TO

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
08/25/2009				

BID OPENING DATE: 09/08/2009 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
01	1	LS		915-03		
<p>***** ADDENDUM NO. 5 *****</p> <p>THIS ADDENDUM IS ISSUED TO PROVIDE THE ATTACHED QUESTIONS AND ANSWERS OMITTED FROM ADDENDUM ADDENDUM NO. 3 IN ERROR.</p> <p>THE BID OPENING DATE AND TIME REMAIN 09/08/09 @ 1:30 PM</p> <p>ADVERTISING SERVICES</p>						
***** THIS IS THE END OF RFQ TOR3676 ***** TOTAL:						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

NAME	TELEPHONE	DATE
<i>[Signature]</i>	304-342-0161	9/4/09

President + CEO FEN 26-1136195

ADDRESS CHANGES TO BE NOTED ABOVE

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

State of West Virginia VENDOR PREFERENCE CERTIFICATE

Certification and application* is hereby made for Preference in accordance with *West Virginia Code*, §5A-3-37. (Does not apply to construction contracts). *West Virginia Code*, §5A-3-37, provides an opportunity for qualifying vendors to request (at the time of bid) preference for their residency status. Such preference is an evaluation method only and will be applied only to the cost bid in accordance with the *West Virginia Code*. This certificate for application is to be used to request such preference. The Purchasing Division will make the determination of the Resident Vendor Preference, if applicable.

- 1. **Application is made for 2.5% resident vendor preference for the reason checked:**
 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,
 Bidder is a partnership, association or corporation resident vendor 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 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,
 Bidder is a 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; or,
- 2. **Application is made for 2.5% resident vendor preference for the reason checked:**
 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; or,
- 3. **Application is made for 2.5% resident vendor preference for the reason checked:**
 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 Bidder's affiliate's or 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; or,
- 4. **Application is made for 5% resident vendor preference for the reason checked:**
 Bidder meets either the requirement of both subdivisions (1) and (2) or subdivision (1) and (3) as stated above; or,
- 5. **Application is made for 3.5% resident vendor preference who is a veteran for the reason checked:**
 Bidder is an individual resident vendor who is a veteran of the United States armed forces, the reserves or the National Guard and has resided in West Virginia continuously for the four years immediately preceding the date on which the bid is submitted; or,
- 6. **Application is made for 3.5% resident vendor preference who is a veteran for the reason checked:**
 Bidder is a resident vendor who is a veteran of the United States armed forces, the reserves or the National Guard, if, for purposes of producing or distributing the commodities or completing the project which is the subject of the vendor's bid and continuously over the entire term of the project, on average at least seventy-five percent of the vendor's employees are residents of West Virginia who have resided in the state continuously for the two immediately preceding years.

Bidder understands if the Secretary of 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) reject the bid; 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.

By submission of this certificate, Bidder agrees to disclose any reasonably requested information to the Purchasing Division and authorizes the Department of 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.

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.

Bidder: Charles Ryan Associates, LLC Signed: [Signature]
 Date: 9/4/09 Title: President & CEO

*Check any combination of preference consideration(s) indicated above, which you are entitled to receive.

RFQ No. TOR3676STATE 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 greater than one thousand dollars in the aggregate.

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 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. 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/noticeConfidentiality.pdf>.

Under 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.

Vendor's Name: Charles Ryan Associates, LLCAuthorized Signature:  Date: 9/4/09