



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  
 03110259

PAGE  
 1

ADDRESS CORRESPONDENCE TO ATTENTION OF  
 BUYER 33  
 304-558-2402

VENDOR  
 \*709030104 800-600-7258  
 CARGILL INC DEICING TECHNOLOGY  
 24950 COUNTRY CLUB BLVD #450  
 NORTH OLMSTED OH 44070

SHIP TO  
 DIVISION OF HIGHWAYS  
 DISTRICT THREE  
 624 DEPOT ST  
 PARKERSBURG, WV  
 26101  
 304-557-4645  
 DISCONNECTED

| DATE PRINTED | TERMS OF SALE | SHIP VIA | F.O.B. | FREIGHT TERMS |
|--------------|---------------|----------|--------|---------------|
| 12/09/2010   |               |          |        |               |

BID OPENING DATE: 12/28/2010 BID OPENING TIME 01:30PM

| LINE   | QUANTITY | UOP | CAT NO | ITEM NUMBER | UNIT PRICE | AMOUNT |
|--|----------|-----|--------|-------------|------------|--------|
| 0001   | 1        | TN  |        | 775-45      |            |        |
| SODIUM CHLORIDE-FOR DELIVERY TO SMITHVILLE, WV<br><br>REQUEST FOR QUOTATION (RFQ)<br><br>THE WEST VIRGINIA STATE PURCHASING DIVISION FOR THE AGENCY, THE WEST VIRGINIA DIVISION OF HIGHWAYS, IS SOLICITING BIDS FOR A CONTRACT TO PROVIDE SODIUM CHLORIDE TO SMITHVILLE, WV, PER THE ATTACHED SPECIFICATIONS. WEST VIRGINIA DEPARTMENT OF TRANSPORTATION, DIVISION OF HIGHWAYS STANDARD SPECIFICATIONS ROADS AND BRIDGES CAN BE FOUND AT THE FOLLOWING WEB SITE:<br><br>HTTP://WWW.TRANSPORTATION.WV.GOV/HIGHWAYS/ENGINEERING/SPECIFICATIONS/2003/Y2KSPECB.PDF<br><br>TECHNICAL QUESTIONS CONCERNING THIS SOLICITATION MUST BE SUBMITTED IN WRITING TO SHERI SLONE IN THE WEST VIRGINIA STATE PURCHASING DIVISION VIA MAIL AT THE ADDRESS SHOWN IN THE BODY OF THIS RFQ, VIA FAX AT 304-558-2596, OR VIA EMAIL AT SHERI.D.SLONE@WV.GOV. DEADLINE FOR ALL TECHNICAL QUESTIONS IS 12/22/2010 AT THE CLOSE OF BUSINESS. ANY TECHNICAL QUESTIONS RECEIVED WILL BE ANSWERED BY FORMAL ADDENDUM TO BE ISSUED BY THE PURCHASING DIVISION AFTER THE DEADLINE HAS LAPSED.<br><br>EXHIBIT 10 |          |     |        |             |            |        |

RECEIVED  
 2010 DEC 23 AM 10:50  
 WV PURCHASING DIVISION

|   |                           |                                   |
|---|---------------------------|-----------------------------------|
| SEE REVERSE SIDE FOR TERMS AND CONDITIONS |                           |                                   |
| SIGNATURE<br><i>Ellen Z...</i>            | TELEPHONE<br>800-600-7258 | DATE<br>12-22-2010                |
| TITLE<br>Team Leader                      | FEIN<br>41-0177680        | ADDRESS CHANGES TO BE NOTED ABOVE |

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



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| REQUISITION NO.: 03110259..  |          |     |        |             |            |        |
| ADDENDUM ACKNOWLEDGEMENT   |          |     |        |             |            |        |
| I HEREBY ACKNOWLEDGE RECEIPT OF THE FOLLOWING CHECKED ADDENDUM(S) AND HAVE MADE THE NECESSARY REVISIONS TO MY PROPOSAL, PLANS AND/OR SPECIFICATION, ETC.   |          |     |        |             |            |        |
| ADDENDUM NO. S:  |          |     |        |             |            |        |
| NO. 1 .....  |          |     |        |             |            |        |
| NO. 2 .....  |          |     |        |             |            |        |
| NO. 3 .....  |          |     |        |             |            |        |
| NO. 4 .....  |          |     |        |             |            |        |
| NO. 5 .....  |          |     |        |             |            |        |
| I UNDERSTAND THAT FAILURE TO CONFIRM THE RECEIPT OF THE ADDENDUM(S) MAY BE CAUSE FOR REJECTION OF BIDS.  |          |     |        |             |            |        |
| VENDOR MUST CLEARLY UNDERSTAND THAT ANY VERBAL REPRESENTATION MADE OR ASSUMED TO BE MADE DURING ANY ORAL DISCUSSION HELD BETWEEN VENDOR'S REPRESENTATIVES AND ANY STATE PERSONNEL IS NOT BINDING. ONLY THE INFORMATION ISSUED IN WRITING AND ADDED TO THE SPECIFICATIONS BY AN OFFICIAL ADDENDUM IS BINDING. |          |     |        |             |            |        |
| .....<br>SIGNATURE   |          |     |        |             |            |        |

|   |                           |                                   |  |
|---|---------------------------|-----------------------------------|--|
| SEE REVERSE SIDE FOR TERMS AND CONDITIONS |                           |                                   |  |
| SIGNATURE<br><i>Allen Z...</i>            | TELEPHONE<br>800-600-7258 | DATE<br>12-22-2010                |  |
| TITLE<br>Team Lead                        | FEIN<br>41-0177680        | ADDRESS CHANGES TO BE NOTED ABOVE |  |

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|---|----------|-----|--------|---|------------|--------|
|   |          |     |        | Cargill Inc Deicing Technology Business Unit<br>COMPANY |            |        |
|   |          |     |        | .....12-22-2010.....<br>DATE                            |            |        |
| NOTE: THIS ADDENDUM ACKNOWLEDGEMENT SHOULD BE SUBMITTED WITH THE BID.   |          |     |        |   |            |        |
| REV. 09/21/2009   |          |     |        |   |            |        |
| 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. |          |     |        |   |            |        |
| NOTICE  |          |     |        |   |            |        |
| A SIGNED BID MUST BE SUBMITTED TO:  |          |     |        |   |            |        |
| DEPARTMENT OF ADMINISTRATION<br>PURCHASING DIVISION<br>BUILDING 15<br>2019 WASHINGTON STREET, EAST<br>CHARLESTON, WV 25305-0130   |          |     |        |   |            |        |
| THE BID SHOULD CONTAIN THIS INFORMATION ON THE FACE OF THE ENVELOPE OR THE BID MAY NOT BE CONSIDERED:   |          |     |        |   |            |        |
| SEALED BID  |          |     |        |   |            |        |
| BUYER:  |          |     |        | 33  |            |        |

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE *Allen Ziegler* TELEPHONE 800-600-7258 DATE 12-22-2010

TITLE Team Lead FEIN 41-0177680 ADDRESS CHANGES TO BE NOTED ABOVE

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| BID OPENING DATE:  |          |     |          | 12/28/2010  |            |        |
| BID OPENING TIME:  |          |     |          | 1:30 PM     |            |        |
| PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID: |          |     |          |             |            |        |
| ----- 888-739-8705 -----   |          |     |          |             |            |        |
| CONTACT PERSON (PLEASE PRINT CLEARLY):   |          |     |          |             |            |        |
| ----- Anna Sarley -----  |          |     |          |             |            |        |
| ***** THIS IS THE END OF RFQ 03110259 ***** TOTAL:                                     |          |     |          |             |            |        |

|   |                           |                                   |
|---|---------------------------|-----------------------------------|
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| SIGNATURE<br><i>Ellen Zigman</i>          | TELEPHONE<br>800-600-7258 | DATE<br>12-22-2010                |
| TITLE<br>Team Lead                        | FEIN<br>41-0177680        | ADDRESS CHANGES TO BE NOTED ABOVE |

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em No. Quantity Description

Unit Price Amount

1 1000 TN, Sodium Chloride

65.16/ton \$65,160.

TOTAL \$

SPECIFICATIONS

The following sections of the West Virginia Department of Transportation, Division of Highways Standard Specifications Roads and Bridges, adopted 2000 as modified by the current Supplemental Specifications shall apply to the administration of this contract: Section 101, 102.4, 102.5, 105.1, 105.3, 105.4, 105.10, 105.11, 105.12, 105.13, 106.3, 106.4, 106.5, 106.6, 106.7, 106.9, 107.1, 107.2, 107.3, 107.14, 107.19, 107.20, 108.8, 109.1, 109.2, and 109.20.

The requirements of the West Virginia Department of Transportation, Division of Highways, Standard Specifications Section 109.20, PRICE ADJUSTMENT FOR LOAD LIMIT VIOLATIONS shall apply to all material supplied under this contract. This will include material loaded by the vendor into Division of Highways owned and/or rented trucks.

The terms "Contractor" and "Vendor" used in the above specifications of this contract are interchangeable. Contractor shall mean Vendor and Vendor shall mean Contractor.

West Virginia Department of Transportation, Division of Highways' Standard Specification Roads and Bridges, adopted 2000 as modified by the current Supplement Specification may be obtained from:

West Virginia Division of Highways  
 Engineering Division, Technical Division  
 Building 5, Room A-650  
 1900 Kanawha Blvd. East  
 Charleston, West Virginia 25305  
 Phone: 304-558-2885

Sodium Chloride shall conform to the requirements of ASTM-D632-83 and Type I, Grade 1 and shall be delivered in bulk.

ACCEPTANCE AND DELIVERY GUARANTEE

The Division of Highways guarantees acceptance of ninety-five (95) percent of the total estimated quantity awarded to an individual vendor. However, conditions may dictate adjustment of the actual quantities delivered to specific sites.

The Vendor shall guarantee delivery, as requested by the Division of Highways, of one hundred and ten percent (110%) of the total estimated award quantity stated in this contract. All guaranteed deliveries shall be completed prior to March 15, 2011.

Bidder agrees, by execution of this bid, that the guaranteed accepted quantity (ninety-five percent (95%) of total estimated needs) shall be delivered to Division of Highways storage site or in a Department of Environmental Protection approved stockpile(s) by February 1, 2011.

Please give 24-hour notice of delivery at 304-420-4706 for delivery to:  
 18 Main Street  
 Smithville, WV 26178  
 Approximately ¼ Mile North of WV 47 Intersection

NOTE:



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| ADDENDUM NO. 1   |          |     |        |             |            |        |
| THIS ADDENDUM IS ISSUED TO ATTACH THE FOLLOWING DOCUMENTS TO THE BID |          |     |        |             |            |        |
| 1.) PURCHASING AFFIDAVIT FORM  |          |     |        |             |            |        |
| 2.) RESIDENT VENDOR PREFERENCE FORM                                  |          |     |        |             |            |        |
| ***** END ADDENDUM NO. 1*****  |          |     |        |             |            |        |
| 0001   | 1        | TN  |        | 775-45      |            |        |
| SODIUM CHLORIDE-FOR DELIVERY TO SMITHVILLE, WV                       |          |     |        |             |            |        |
| ***** THIS IS THE END OF RFQ 03110259 ***** TOTAL:                   |          |     |        |             |            |        |

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|                                  |                           |                                   |
|----------------------------------|---------------------------|-----------------------------------|
| SIGNATURE<br><i>Ellen Zugnon</i> | TELEPHONE<br>800-600-7258 | DATE<br>12/22/2010                |
| TITLE<br>Team Lead               | FEIN<br>41-0177680        | ADDRESS CHANGES TO BE NOTED ABOVE |

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## Technical Information

# Bulk Ice Control Salt

### DESCRIPTION:

Bulk Ice Control Salt is a coarse screened, translucent to white crystalline solid obtained from underground bedded salt deposits by physical mining. The salt is exploited by drilling and blasting with explosives in a manner similar to that used in other types of mineral mining. The mined salt is then crushed, screened and hoisted to the surface where it is stockpiled awaiting distribution as a highway deicing product.

### COMPLIANCE:

Bulk Ice Control Salt is not approved for human or animal consumption. It is intended for use only as a chemical deicer on roadways and thoroughfares. This salt complies fully with ASTM Specification D 632-99 Type 1, Grade 1.

### ADDITIVES:

Bulk Ice Control Salt may contain Yellow Prussiate of Soda, which is added to improve caking resistance.

### APPLICATIONS:

Bulk Ice Control Salt is intended for use as an ice and snow removal agent on highways and other roadways.

### PACKAGING AND SHIPPING:

Bulk Ice Control Salt is available only in bulk form. Bulk quantities are shipped by rail or truck.

### METHODS OF ANALYSIS:

Methods of analysis and product performance evaluation are taken from the ASTM designations D 632-99 and E 534-98.

### CHEMICAL ANALYSIS:

| Component                                  | Units | Typical | Specification |
|--|-------|---------|---------------|
| Sodium Chloride (dry basis) <sup>1</sup>   | %     | 95.8    | 95.0 min.     |
| Calcium & Magnesium (as Ca) <sup>1</sup>   | %     | 1.1     | -             |
| Sulfate (as SO <sub>4</sub> ) <sup>1</sup> | %     | 2.7     | -             |
| Water Insolubles <sup>1</sup>              | %     | 0.4     | 2.0 max.      |
| Surface Moisture <sup>2</sup>              | %     | 0.1     | 1.0 max.      |
| Yellow Prussiate of Soda <sup>3</sup>      | ppm   | 50      | 100 max.      |

<sup>1</sup>By difference of impurities before conditioning.

<sup>2</sup>110°C for 2 hours before conditioning.

<sup>3</sup>Optional anticaking agent (sodium ferrocyanide decahydrate).

### SIEVE ANALYSIS:

| U.S.S. Mesh | Opening Inches | Opening Microns | Typical | Specification |
|-------------|----------------|-----------------|---------|---------------|
| 1/2"        | 0.500          | 12500           | 100     | 100 min.      |
| 3/8"        | 0.375          | 9500            | 98      | 95 - 100      |
| 4           | 0.187          | 4750            | 71      | 20 - 90       |
| 8           | 0.0937         | 2360            | 39      | 10 - 60       |
| 30          | 0.0232         | 600             | 11      | 15 max.       |

Note: Sieve analysis is reported as percent passing.

### BULK DENSITY:

| Parameter             | Typical | Specification |
|-----------------------|---------|---------------|
| Pounds per Cubic Foot | 75      | 71 - 79       |
| Grams per Liter       | 1200    | 1135 - 1265   |

Note: Bulk density is reported as loose (uncompacted).

**PRODUCING LOCATION: CLEVELAND, OH**

**No. 4700 Revised May 2007**

### CARGILL SALT

P.O. Box 5621  
Minneapolis, MN  
55440  
1-888 385-7258

NOTICE: All of the above statements, recommendations, suggestions and data are based on our laboratory results, and we believe same to be reliable. Nevertheless, with the exception of data showing an express guaranty (such as in the case of products specifically designed for use as nutrient supplements), all such statements, recommendations, suggestions and data hereinabove presented are made without guaranty, warranty or responsibility of any kind on our part.



## Material Safety Data Sheet

Note: This MSDS has been compiled as a response to customer requests. It is not required under current OSHA regulations.

### 1. CHEMICAL PRODUCT AND COMPANY INFORMATION

|                              |                                    |
|------------------------------|------------------------------------|
| <b>Chemical Product Name</b> | Sodium Chloride (Salt)             |
| <b>Chemical Family</b>       | Alkali Metal/Halide                |
| <b>Chemical Name</b>         | Sodium Chloride                    |
| <b>INCI Name</b>             | SODIUM CHLORIDE                    |
| <b>INN Name</b>              | sodium chloride                    |
| <b>Formula</b>               | NaCl                               |
| <b>Molecular Weight</b>      | 58.44                              |
| <b>Commercial Name</b>       | Ice Control Salt                   |
| <b>Manufacturer</b>          | <b>Emergency Telephone Numbers</b> |
| Cargill Salt                 | CHEMTREC (800) 424-9300            |
| P.O. Box 5621                |                                    |
| Minneapolis, MN 55440        |                                    |

### 2. COMPOSITION/INFORMATION ON INGREDIENTS

**Description**  
White crystalline solid

| <b>Ingredient Name</b>                     | <b>Exposure Limits</b> | <b>Concentration (%)</b> |
|--|------------------------|--------------------------|
| <b>CAS Number</b>                          |                        |                          |
| Sodium Chloride 7647-14-5                  |                        | 95.8 - 99.8              |
| Sodium Ferrocyanide Decahydrate 13601-19-9 |                        | 0.0050 - 0.0100          |

### 3. HAZARDS IDENTIFICATION

#### EMERGENCY OVERVIEW

HMIS Health: 1, Flammability: 0, Reactivity: 0, Protective Equipment: A

#### Potential Health Effects

**Route(s) Of Entry:** Ingestion, skin/eye contact, inhalation.

**Human Effects and Symptoms of Overexposure:**

**Acute Inhalation:** Irritation of the respiratory tract.

**Chronic Inhalation:** No applicable information found for chronic system effects.

**Acute Skin Contact:** Large amounts can cause irritation, and, if applied to damaged skin, absorption can occur with effects similar to those via ingestion.

**Chronic Skin Contact:** No applicable information found for chronic system effects.

**Acute Eye Contact:** Irritation with burning and tearing (salt concentrations greater than the normal saline present).



**Chronic Eye Contact:** No applicable information found for chronic systemic effects.

**Acute Ingestion:** Intake of large amounts has generally occurred for deliberate reasons: suicide, absorption, and to induce vomiting. The following effects were observed; nausea and vomiting, diarrhea, cramps, restlessness, irritability, dehydration, water retention, nose bleed, gastrointestinal tract damage, fever, sweating, sunken eyes, high blood pressure, muscle weakness, dry mouth and nose, shock, cerebral edema (fluid on brain), pulmonary edema (fluid in lungs), blood cell shrinkage, and brain damage (due to dehydration of brain cells). Death is generally due to cardiovascular collapse or CNS damage. Less than a few grams would not be harmful. For larger quantities, drink large amounts of water or milk.

**Chronic Ingestion:** No applicable information found for chronic systemic effects.

**Carcinogenicity**

**NTP:** Not listed as carcinogen or mutagen.  
**IARC:** Not listed as carcinogen or mutagen.  
**OSHA:** Not listed as carcinogen or mutagen.

**Medical Conditions Aggravated by Exposure:** In some cases of confirmed hypertension, ingestion may result in elevated blood pressure.

**4. FIRST AID MEASURES**

**First Aid for Eyes:** For eye contact, flush with water immediately, lifting eyelids occasionally.

**First Aid for Skin:** Remove clothing from affected area. Wash skin thoroughly. Rinse carefully.

**First Aid for Inhalation:** If person breathes large quantities, remove to fresh air at once. If breathing stops, apply artificial respiration immediately.

**First Aid for Ingestion:** Less than a few grams would not be harmful. For larger quantities, drink large amounts of water or milk.

**5. FIRE AND MEASURES**

**Flash Point:** N/A

**Extinguishing Media:** N/A. This product is nonflammable.

**Special Fire Fighting Procedures:** N/A

**6. ACCIDENTAL RELEASE MEASURES**

**Spill or Leak Procedures:** Contain spills to prevent contamination of water supply or sanitary sewer system. Vacuum or sweep into containers for proper disposal.

**7. HANDLING AND STORAGE**

**Storage Temperature (min./max.):** Avoid humid or wet conditions as product will cake and become hard.

**Special Sensitivity:** Avoid contact with strong acids.

**Handling and Storage Precautions:** Becomes hygroscopic at 75% relative humidity.

## 8. EXPOSURE CONTROLS/PERSONAL PROTECTION

**Eye Protection Requirements:** Eyeglasses or goggles should be worn in dusty areas.

**Skin Protection Requirements:** Protective clothing may be worn in dusty areas, but is generally not required.

**Respiratory/Ventilation Requirements:** NIOSH/MSHA approved respirator for particulates.

**Exposure Limits:** Not listed.

## 9. PHYSICAL AND CHEMICAL PROPERTIES

**Physical Form:** White crystalline solid with slight halogen odor.

**Color:** White to opaque.

**Odor:** Halogen odor when heated.

**Boiling Point (760mm Hg)(°C):** 1465

**Melting Point/Freezing Point (°C):** 801

**pH:** 6.7 – 10.0

**Solubility in Water (g/cc)(%):** 26.4

**Specific Gravity (H<sub>2</sub>O = 1):** 2.16

**Bulk Density (lbs./ft<sup>3</sup>):** 35-83

**% Volatile by Weight:** N/A

**Vapor Pressure (mm Hg/747°C):** 2.4

**Vapor Density (Air=1):** N/A

## 10. REACTIVITY

**Stability:** Stable

**Incompatibilities:** Avoid contact with strong acids. Becomes corrosive to metals when wet.

**Decomposition Products:** May evolve chlorine gas when in contact with strong acids.

## 11. TOXICOLOGICAL INFORMATION

**Description:** Not listed.

## 12. ECOLOGICAL INFORMATION

**Ecotoxicity:** Not listed.

**Environmental Degradation:** Not listed.

### **13. DISPOSAL CONSIDERATIONS**

**Waste Disposal Method:** Follow applicable Federal, state, and local regulations.

### **14. TRANSPORTATION INFORMATION**

**D.O.T. Shipping Name:** Not listed.

**Technical Shipping Name:** Not listed.

**D.O.T. Hazard Class:** Not listed.

**U.N./N.A. Number:** Not listed.

**Product Rq (lbs.):** N/A

**D.O.T. Label:** Not listed.

**D.O.T. Placard:** N/A

**Freight Class Bulk:** N/A

**Freight Class Package:** N/A

**Product Label:** N/A

### **15. REGULATORY INFORMATION**

**OSHA Status:** Not listed.

**TSCA Status:** Listed as non-hazardous.

**CERCLA Reportable Quantity SARA Title III**

**Section 302 Extremely Hazardous Substances:** Not listed.

**Section 311/312 Hazard Categories:** Not an OSHA hazardous material.

**Section 313 Toxic Chemicals:** Not listed.

**RCRA Status:** Not listed.

**EINECS Number:** 231-598-3

**ENCS Number:** 1-236

**ECL Serial Number:** KE-31387

**SWISS Number:** G-2580

**HMIS Rating:** 1 0 0 A

**State Regulatory Information**

| <b>Company Name/Cas Number</b> | <b>Concentration</b> | <b>State Code</b> |
|--------------------------------|----------------------|-------------------|
| N/A                            |                      |                   |

**16. OTHER INFORMATION**

**Reason for Issue:** Regulatory compliance.

|                         |                    |
|-------------------------|--------------------|
| <b>Prepared By:</b>     | Steve Karl         |
| <b>Approved By:</b>     | Richard Scarsella  |
| <b>Title:</b>           | Technical Director |
| <b>Approval Date:</b>   | February 2009      |
| <b>Supersedes Date:</b> | May 2007           |
| <b>MSDS Number:</b>     | NB2                |

Disclaimer: All statements, technical information and recommendations contained herein are, to the best of our knowledge, reliable and accurate; however, no warranty, either expressed or implied is made with respect thereto, nor will any liability be assumed for damages resultant from the use of the material described.

It is the responsibility of the user to comply with all applicable Federal, state and local laws and regulations. It is also the responsibility of the user to maintain a safe workplace. The user should consider the health hazards and safety information provided herein as a guide and should take the necessary steps to instruct employees, and to develop work practice procedures to ensure a safe work environment.

This information is not intended as a license to operate under, or a recommendation to practice or infringe upon any patent of this Company or others covering any process, composition of matter or use.

**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: Cargill Inc Deicing Technology  
Business Unit

Signed: 

Date: 12-22-2010

Title: Team Leader

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

03110259

RFQ No. \_\_\_\_\_

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 owed 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.

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.

**WITNESS THE FOLLOWING SIGNATURE**

Vendor's Name: Cargill Inc Deicing Technology Business Unit

Authorized Signature: Ellen Ziegman *[Signature]* Date: 12/22/2010

State of Ohio

County of Medina, to-wit:

Taken, subscribed, and sworn to before me this 22 day of December, 2010.

My Commission expires Sept 28, 2015.

**AFFIX SEAL HERE**

NOTARY PUBLIC Rosemary Schwarz



ROSEMARY SCHWARZ  
NOTARY PUBLIC - OHIO  
MY COMMISSION EXPIRES 9-28-2015  
*Purchasing Affidavit (Revised 12/15/09)*