



1-800-262-4614
304-658-8100
Fax: 304-658-8100

BARNETT BUILDERS

CONSTRUCTION GROUP INC.

HC 64, Box 430, Hillsboro, WV 24946
GENERAL & ENVIRONMENTAL CONTRACTORS • COMMERCIAL & INDUSTRIAL • LIST SPECIALISTS
WV #WV001549 • WV CERTIFICATION #AP053
EMAIL: barnettbuilders@frontier.net

FAX

To: Sheri D. Stone

From: Bill Barnett

Fax: 304-558-3970

Pages: 12

Phone: 304-558-2402

Date: 3/31/11

Re: RFQ NO. 6611C018

CC:

Urgent For Review Please Comment Please Reply Please Recycle

Comments:

RECEIVED
MARCH 31 A 11:06
PLANNING DIVISION
STATE OF WV





1-800-252-4613
304-653-8530
Fax: 304-653-8532

BARNETT BUILDERS

CONSTRUCTION BIDDING

HC 64, Box 430, Hillsboro, WV 24946

GENERAL & ENVIRONMENTAL CONTRACTORS • COMMERCIAL & INDUSTRIAL • UST SPECIALISTS

WV #WVG01549 • WV CERTIFICATION #ABO33

EMAIL: barnettbuilders@frontiernet.net

Sealed Bid

Buyer: Sheri Sloan – File 33

RFQ. NO.: 6611C081

Bid Opening Date: 03/31/2011

Bid Opening Time: 1:30



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
6611C018

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ADDRESS CORRESPONDENCE/NOTIFICATION OF
 BUYER 33
304-558-2402

RFQ COPY
 TYPE NAME/ADDRESS HERE

DIVISION OF HIGHWAYS
 VARIOUS LOCALES AS INDICATED
 BY ORDER

DATE PRINTED	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS
03/09/2011				
BID OPENING DATE: 03/31/2011		BID OPENING TIME 01:30PM		

LINE	QUANTITY	UOP	UNIT PRICE	AMOUNT
0001			975-66	
ROAD AND HIGHWAY EQUIPMENT RENTALS				
As Per Schedule II Page 28				
REQUEST FOR QUOTATION (RFQ) OPEN END CONTRACT				
THE WEST VIRGINIA STATE PURCHASING DIVISION FOR THE AGENCY, THE WEST VIRGINIA DIVISION OF HIGHWAYS, IS SOLICITING BIDS FOR AN OPEN END CONTRACT TO PROVIDE FOR LEASE OF EQUIPMENT FROM INDIVIDUALS AND ORGANIZATIONS FOR PURPOSES AND LOCATIONS TO BE DETERMINED BY THE DIVISION OF HIGHWAYS PER THE ATTACHED SPECIFICATIONS				
NOTE: SCHEDULE I- IS FOR EQUIPMENT WITHOUT DELIVERY AND WITHOUT AN OPERATOR.				
SCHEDULE II- IS FOR EQUIPMENT WITHOUT DELIVERY AND WITH AN OPERATOR.				
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 REQ, VIA FAX AT 304-558-4115, VIA EMAIL AT SHERI.D.SLONE@WV.GOV. DEADLINE FOR ALL TECHNICAL QUESTIONS IS 03/21/2011 AT THE CLOSE OF BUSINESS. ANY TECHNICAL QUESTIONS				

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>William A. ...</i>	TELEPHONE 304-653-8530	DATE 3/30/11
TITLE President	PEIN 55-070-5984	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

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ADDRESS FOR CORRESPONDENCE TO ATTENTION OF
 BUYER 33
 306-558-2402

REQ COPY
 TYPE NAME/ADDRESS HERE

DIVISION OF HIGHWAYS
 VARIOUS LOCALES AS INDICATED
 BY ORDER

DATE PRINTED 03/09/2011	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TRANS
BID OPENING DATE 03/31/2011	BID OPENING TIME			01:30PM

LINE	QUANTITY	UOP	PAT NO	RFQ NUMBER	UNIT PRICE	AMOUNT
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William C. Barnett
 SIGNATURE

Barnett Builders Construction Group, Inc.
 COMPANY

3/30/11
 DATE

NOTE: THIS ADDENDUM ACKNOWLEDGEMENT SHOULD BE SUBMITTED WITH THE BID.

REV. 09/21/2009

EXHIBIT 3

LIFE OF CONTRACT: THIS CONTRACT BECOMES EFFECTIVE UPON AWARD 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.

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

SEE REVERSE SIDE FOR TERMS AND CONDITIONS		
SIGNATURE <i>William C. Barnett</i>	PHONE 307-653-8530	DATE 3/30/11
TITLE President	FAX 55-070-5984	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
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DIVISION OF HIGHWAYS
 VARIOUS LOCALES AS INDICATED
 BY ORDER

DATE PRINTED 03/09/2011	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS
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BID OPENING DATE: 03/31/2011 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CA NO	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>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 SERVICES 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>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE: <i>William C. ...</i>	TELEPHONE: 304-653-8530	DATE: 3/30/11
TITLE: President	FAX: 55-070-5984	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
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 Post Office Box 50130
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**Request for
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ADDRESS CORRESPONDENCE TO BE SENT TO
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 304-558-2402

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DIVISION OF HIGHWAYS
 VARIOUS LOCALES AS INDICATED
 BY ORDER

DATE PRINTED	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS
03/09/2011				
BID OPENING DATE: 03/31/2011		BID OPENING TIME 01:30PM		

UNIT	QUANTITY	UOP	UNIT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
<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>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>EXHIBIT 4</p> <p>LOCAL GOVERNMENT BODIES: UNLESS THE VENDOR INDICATES IN THE BID HIS REFUSAL TO EXTEND THE PRICES, TERMS, AND CONDITIONS OF THE BID TO COUNTY, SCHOOL, MUNICIPAL AND OTHER LOCAL GOVERNMENT BODIES, THE BID SHALL EXTEND TO POLITICAL SUBDIVISIONS OF THE STATE OF WEST VIRGINIA. IF THE VENDOR DOES NOT WISH TO EXTEND THE PRICES, TERMS, AND CONDITIONS OF THE BID TO ALL POLITICAL SUBDIVISIONS OF THE STATE, THE VENDOR MUST CLEARLY INDICATE SUCH REFUSAL IN HIS BID. SUCH REFUSA</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>William C. Barman</i>	TELEPHONE 304-653-8530	DATE 3/30/11
TITLE President	FAX 55-070-5984	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

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ADDRESS CORRESPONDENCE TO ATTENTION OF
 BUYER 33
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RFQ COPY
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DIVISION OF HIGHWAYS
 VARIOUS LOCALES AS INDICATED
 BY ORDER

DATE PRINTED 03/09/2011	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS
BID OPENING DATE 03/31/2011	BID OPENING TIME			01:30PM

LINE	QUANTITY	UOP	QTY NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>RECEIVED WILL BE ANSWERED BY FORMAL ADDENDUM TO BE ISSUED BY THE PURCHASING DIVISION AFTER THE DEADLINE HAS LAPSED.</p> <p>EXHIBIT 10</p> <p>REQUISITION NO.: 6611C018</p> <p>ADDENDUM ACKNOWLEDGEMENT</p> <p>I HEREBY ACKNOWLEDGE RECEIPT OF THE FOLLOWING CHECKED ADDENDUM(S) AND HAVE MADE THE NECESSARY REVISIONS TO MY PROPOSAL, PLANS AND/OR SPECIFICATION, ETC.</p> <p>ADDENDUM NO.'S:</p> <p>NO. 1 <input checked="" type="checkbox"/></p> <p>NO. 2 <input checked="" type="checkbox"/></p> <p>NO. 3 <input type="checkbox"/></p> <p>NO. 4 <input type="checkbox"/></p> <p>NO. 5 <input type="checkbox"/></p> <p>I UNDERSTAND THAT FAILURE TO CONFIRM THE RECEIPT OF THE ADDENDUM(S) MAY BE CAUSE FOR REJECTION OF BIDS.</p> <p>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.</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE *WAS* DATE **3/30/11**
 TITLE **President** TELEPHONE **304-653-8530**
 FAX **55-070-5984** 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
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Request for Quotation

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

RFQ COPY
 TYPE NAME/ADDRESS HERE

DIVISION OF HIGHWAYS
 VARIOUS LOCALES AS INDICATED
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DATE PRINTED	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS
03/09/2011				
BID OPENING DATE	03/31/2011	BID OPENING TIME		01:30PM

LINE	QUANTITY	UOF	UNIT NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>SHALL NOT PREJUDICE THE AWARD OF THIS CONTRACT IN ANY MANNER.</p> <p>REV. 3/88</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: SHERI SLONE - FILE 33</p> <p>RFQ. NO.: 6611C018</p> <p>BID OPENING DATE: 03/31/2011</p> <p>BID OPENING TIME: 1:30 PM</p> <p>PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY</p>						

SEE REVERSE SIDE FOR REMAINING CONDITIONS

SIGNATURE: <i>William P. ...</i>	TELEPHONE: 304-653-8530	DATE: 3/30/11
TITLE: President	FAX: 55-070-5984	ADDRESS CHANGES TO BE NOTED ABOVE

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

2/23/2011

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XVIII
SUCCESSORS OR ASSIGNS

The terms of this agreement will apply to all lessees, successors or assigns of the parties hereto.

Note: Vendor should type Bid Schedule.

All contracts on Schedule II which requires equipment "with operator" Vendors should submit a copy of WV Contractor's License.

Vendor shall indicate that area which he wishes to lease equipment to the WVDOH by placing a check beside those Counties in said area. If Vendor fails to state which County or Counties he wishes to lease equipment to the WVDOH, it will be assumed that Vendor's bid is for statewide.

<input type="checkbox"/> Statewide			
<input type="checkbox"/> Barbour	<input type="checkbox"/>	<input type="checkbox"/> Lincoln	<input type="checkbox"/> Ritchie
<input type="checkbox"/> Berkeley	<input type="checkbox"/>	<input type="checkbox"/> Logan	<input type="checkbox"/> Roane
<input type="checkbox"/> Boone	<input type="checkbox"/>	<input type="checkbox"/> McDowell	<input type="checkbox"/> Summers
<input type="checkbox"/> Braxton	<input type="checkbox"/>	<input type="checkbox"/> Marion	<input type="checkbox"/> Taylor
<input type="checkbox"/> Brooke	<input type="checkbox"/>	<input type="checkbox"/> Marshall	<input type="checkbox"/> Tucker
<input type="checkbox"/> Cabell	<input type="checkbox"/>	<input type="checkbox"/> Mason	<input type="checkbox"/> Tyler
<input type="checkbox"/> Calhoun	<input type="checkbox"/>	<input type="checkbox"/> Mercer	<input type="checkbox"/> Upshur
<input type="checkbox"/> Clay	<input type="checkbox"/>	<input type="checkbox"/> Mineral	<input type="checkbox"/> Wayne
<input type="checkbox"/> Doddridge	<input type="checkbox"/>	<input type="checkbox"/> Mingo	<input checked="" type="checkbox"/> Webster
<input type="checkbox"/> Fayette	<input type="checkbox"/>	<input type="checkbox"/> Monongalia	<input type="checkbox"/> Wetzel
<input type="checkbox"/> Gilmer	<input type="checkbox"/>	<input type="checkbox"/> Monroe	<input type="checkbox"/> Wirt
<input type="checkbox"/> Grant	<input type="checkbox"/>	<input type="checkbox"/> Morgan	<input type="checkbox"/> Wood
<input checked="" type="checkbox"/> Greenbrier	<input checked="" type="checkbox"/>	<input type="checkbox"/> Nicholas	<input type="checkbox"/> Wyoming
<input type="checkbox"/> Hampshire	<input type="checkbox"/>	<input type="checkbox"/> Ohio	
<input type="checkbox"/> Hancock	<input checked="" type="checkbox"/>	<input type="checkbox"/> Pendleton	
<input type="checkbox"/> Hardy	<input type="checkbox"/>	<input type="checkbox"/> Pleasants	
<input type="checkbox"/> Harrison	<input checked="" type="checkbox"/>	<input type="checkbox"/> Pocahontas	
<input type="checkbox"/> Jackson	<input type="checkbox"/>	<input type="checkbox"/> Preston	
<input type="checkbox"/> Jefferson	<input type="checkbox"/>	<input type="checkbox"/> Putnam	
<input type="checkbox"/> Kanawha	<input type="checkbox"/>	<input type="checkbox"/> Raleigh	
<input type="checkbox"/> Lewis	<input checked="" type="checkbox"/>	<input type="checkbox"/> Randolph	

The "Bid Schedule" is available for download on Purchasing's Web site at www.state.wv.us/admin/purchase

SCHEDULE II

REQ. NO. 66-11-C018

Equipment Description	Equipment Offered		Rental Rate of Equipment		Equipment Delivery Fee
	Manufacturer's Name	Model/Serial #	\$/Day	\$/Week \$/ Month	
BACKHOE - CRWLR - HY-RAM 24,000 lbs. - 35,800 lbs.	Kebeico	SK 135 SR	850.00	3400.00 10,200.00	4.00 2.50
BACKHOE - CRWLR - HY-RAM 36,000 lbs. - 42,900 lbs.					
BACKHOE - CRWLR - HY-RAM 43,000 lbs. - 60,000 lbs.					
BACKHOE - CRWLR 1.25 Cyd. 128 - 141 HP 42,700 lbs. - 45,900 lbs.					
CONCRETE PUMP Trk. Mid. w/hoses; w/o Boom					
CONCRETE PUMP Trk. Mid. w/hoses and Boom up to 30 meters					
CONCRETE PUMP Trk. Mid. with hoses and Boom over 30 meters					
CRANE 15 - 25 TON Hyd. Rough Terrain					
CRANE - Hyd., Trk. Mid. D 30 TON					
CRANE - Hyd., Trk. Mid. D 35 TON					
CRANE - Hyd., Trk. Mid. D 40 TON					

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Rev. 09/08

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: Barnett Builders Construction Group Inc.Signed: *William A. Bennett*Date: March 30, 2011Title: President

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

RFQ No. 66110018

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.

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: Barnett Builders Construction Group, Inc.

Authorized Signature: [Signature] Date: March 30, 2011

State of West Virginia

County of Pocahontas to-wit:

Taken, subscribed, and sworn to before me this 30 day of March, 2011.

My Commission expires January 20, 2019

AFFIX SEAL HERE

NOTARY PUBLIC [Signature]

