



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
CANLINE11

PAGE
1

ADDRESS CORRESPONDENCE TO ATTENTION OF
BUYER 42
304-558-8802

VENDOR

JANPAK INC
6144 LITTLE SEVEN MILE ROAD
HUNTINGTON, WV 25702

SHIP TO

ALL STATE AGENCIES
AND POLITICAL SUBDIVISIONS
VARIOUS LOCALES AS INDICATED
BY ORDER

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
03/23/2011				

BID OPENING DATE: **04/21/2011** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>REQUEST FOR QUOTATION</p> <p>THE PURCHASING DIVISION IS SOLICITING PROPOSALS FOR A STATEWIDE CONTRACT TO PROVIDE CAN LINERS TO ALL STATE AGENCIES AND POLITICAL SUBDIVISIONS.</p> <p>***** INQUIRIES</p> <p>WRITTEN QUESTIONS SHALL BE ACCEPTED THROUGH CLOSE OF BUSINESS ON TUESDAY, APRIL 5, 2011. QUESTIONS MAY BE SENT VIA USPS, FAX, COURIER OR EMAIL. IN ORDER TO ASSURE NO VENDOR RECEIVES AN UNFAIR ADVANTAGE, NO SUBSTANTIVE QUESTIONS WILL BE ANSWERED ORALLY. IF POSSIBLE, EMAIL QUESTIONS ARE PREFERRED.</p> <p>ADDRESS INQUIRIES TO:</p> <p>JEAN Y. JONES DEPARTMENT OF ADMINISTRATION PURCHASING DIVISION 2019 WASHINGTON STREET, EAST CHARLESTON, WV 25305 FAX: 304-558-4115 EMAIL: JEAN.Y.JONES@WV.GOV</p> <p>***** ATTACHMENTS:</p> <p>CANLINE// SPECIFICATIONS CANLINE// PRICING PAGE PURCHASING AFFIDAVIT RESIDENT VENDOR PREFERENCE</p>						

RECEIVED
 2011 APR 21 PM 12:15
 WV PURCHASING DIVISION

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE 	TELEPHONE 304-736-4046	DATE April 21, 2011
TITLE Vice President/Gen. Mgr	FEIN 55-033-0291	ADDRESS CHANGES TO BE NOTED ABOVE

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



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VENDOR

SHIP TO


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 VARIOUS LOCALES AS INDICATED
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03/23/2011				

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0001	1	CS		665-24-97-001		
<p>TRASH CAN LINERS</p> <p>EXHIBIT 3</p> <p>LIFE OF CONTRACT: THIS CONTRACT BECOMES EFFECTIVE ON AND EXTENDS FOR A PERIOD OF ONE (1) YEAR OR UNTIL SUCH "REASONABLE TIME" THEREAFTER AS IS NECESSARY TO OBTAIN A NEW CONTRACT OR RENEW THE ORIGINAL CONTRACT. THE "REASONABLE TIME" PERIOD SHALL NOT EXCEED TWELVE (12) MONTHS. DURING THIS "REASONABLE TIME" THE VENDOR MAY TERMINATE THIS CONTRACT FOR ANY REASON UPON GIVING THE DIRECTOR OF PURCHASING 30 DAYS WRITTEN NOTICE.</p> <p>UNLESS SPECIFIC PROVISIONS ARE STIPULATED ELSEWHERE IN THIS CONTRACT DOCUMENT, THE TERMS, CONDITIONS AND PRICING SET HEREIN ARE FIRM FOR THE LIFE OF THE CONTRACT.</p> <p>RENEWAL: THIS CONTRACT MAY BE RENEWED UPON THE MUTUAL WRITTEN CONSENT OF THE SPENDING UNIT AND VENDOR, SUBMITTED TO THE DIRECTOR OF PURCHASING THIRTY (30) DAYS PRIOR TO THE EXPIRATION DATE. SUCH RENEWAL SHALL BE IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE ORIGINAL CONTRACT AND SHALL BE LIMITED TO TWO (2) ONE</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE  TELEPHONE **304-736-4046** DATE **April 21, 2011**

TITLE **Vice President/Gen. Mgr** FEIN **55-033-0291** ADDRESS CHANGES TO BE NOTED ABOVE

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PROPERTY

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LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>(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> <p>BANKRUPTCY: IN THE EVENT THE VENDOR/CONTRACTOR FILES FOR BANKRUPTCY PROTECTION, THIS CONTRACT IS AUTOMATICALLY NULL AND VOID, AND IS TERMINATED WITHOUT FURTHER ORDER.</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
	304-736-4046	April 21, 2011
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE
Vice President/Gen. Mgr	55-033-0291	

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<p>THE TERMS AND CONDITIONS CONTAINED IN THIS CONTRACT SHALL SUPERSEDE ANY AND ALL SUBSEQUENT TERMS AND CONDITIONS WHICH MAY APPEAR ON ANY ATTACHED PRINTED DOCUMENTS SUCH AS PRICE LISTS, ORDER FORMS, SALES AGREEMENTS OR MAINTENANCE AGREEMENTS, INCLUDING ANY ELECTRONIC MEDIUM SUCH AS CD-ROM.</p> <p>REV. 04/11/2001</p> <p>PURCHASING CARD ACCEPTANCE: THE STATE OF WEST VIRGINIA CURRENTLY UTILIZES A VISA PURCHASING CARD PROGRAM WHICH IS ISSUED THROUGH A BANK. THE SUCCESSFUL VENDOR MUST ACCEPT THE STATE OF WEST VIRGINIA VISA PURCHASING CARD FOR PAYMENT OF ALL ORDERS PLACED BY ANY STATE AGENCY AS A CONDITION OF AWARD.</p> <p>VENDOR PREFERENCE CERTIFICATE</p> <p>THIS TEAM EXHIBIT HAS BEEN REPLACED BY THE ONLINE VERSION WHICH IS AVAILABLE HERE: HTTP://WWW.STATE.WV.US/ADMIN/PURCHASE/VRC/VENPREF.PDF</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>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
	304-736-4046	April 21, 2011
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE
Vice President/Gen. Mgr	55-033-0291	

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03/23/2011				

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LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
<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: FILE 42</p> <p>RFQ. NO.: CANLINE11</p> <p>BID OPENING DATE: 04/21/2011</p> <p>BID OPENING TIME: 1:30 PM</p> <p>PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID: ----- 304-736-2303 -----</p> <p>CONTACT PERSON (PLEASE PRINT CLEARLY): ----- Mark Tolliver -----</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE  TELEPHONE **304-736-4046** DATE **April 21, 2011**

TITLE **Vice President/Gen. Mgr** FEIN **55-033-0291** ADDRESS CHANGES TO BE NOTED ABOVE

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03/23/2011				

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LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
***** THIS IS THE END OF RFQ CANLINE11 ***** TOTAL:						

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SIGNATURE  TELEPHONE **304-736-4046** DATE **April 21, 2011**

TITLE **Vice President/Gen.Mgr** FEIN **55-033-0291** ADDRESS CHANGES TO BE NOTED ABOVE

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Vendor: **JANPAK INC**

CANLINE#1
PRICING PAGE

Vendor should complete all requested information on this sheet.

Item	Size	Description	Thickness	Size	Stock #	Mfg	Count Per Case	Est. Case Qty.	Cost Per Case	Total	
Black Can Liners											
1	15" x 9" x 23"	10 Gallons (200/case)	.5 Mil	Same	2423.5B2	Dyna Pak	200	500	4.55	2,275.00	
2	15" x 9" x 23"	10 Gallons (500/case)	.5 Mil	Same	2423.5B5	Dyna Pak	500	500	11.02	5,510.00	
3	15" x 9" x 23"	10 Gallons (200/case)	1.5 Mil	Same	24231.5B2	Dyna Pak	200	8,000	8.98	71,840.00	
4	15" x 9" x 23"	10 Gallons (500/case)	1.5 Mil	Same	24231.5B5	Dyna Pak	500	2,000	22.39	44,780.00	
5	20" x 13" x 40"	30-32 Gallons	2.0 Mil	Same	33401.5B	Dyna Pak	100	12,000	10.68	128,160.00	
6	22" x 16" x 58"	52 Gallons	2.0 Mil	Same	38582.0B	Dyna Pak	100	10,000	23.75	237,500.00	
7	23" x 17" x 48	39-40 Gallons	1.5 Mil	Same	40481.5B	Dyna Pak	100	500	15.34	7,670.00	
8	23" x 17" x 48	39-40 Gallons	2.0 Mil	Same	40482.0B	Dyna Pak	100	100	20.51	2,051.00	
9	23" x 17" x 48	39-40 Gallons	2.5 Mil	Same	40482.5B	Dyna Pak	100	400	25.91	10,364.00	
10	33" x 10" x 48	56 Gallons	1.5 Mil	Same	43481.5B	Dyna Pak	100	100	15.97	1,597.00	
Orange Can Liner											
11	33" x 10" x 39"	40 Gallons	2.5 Mil	Same	43392.50	Dyna Pak	100	1,000	28.30	28,300.00	
Light Green Can Liner											
12	33" x 10" x 39"	40 Gallons	2.5 Mil	Same	43392.5G	Dyna Pak	100	50	31.82	1,591.00	
Clear Can Liners											
13	15" x 9" x 23"	10 Gallons	.5 Mil	Same	2423.5G5	Dyna Pak	500	50	11.65	583.00	
14	15" x 9" x 23"	10 Gallons	1.5 Mil	Same	24231.5G2	Dyna Pak	200	200	11.65	2,330.00	
15	20" x 13" x 40"	30-32 Gallons	1.5 Mil	Same	33401.5G	Dyna Pak	100	200	13.64	2,728.00	
16	22" x 16" x 58"	52 Gallons	2.0 Mil	Same	38582.0G	Dyna Pak	100	500	30.74	15,370.00	
17	23" x 17" x 48	39-40 Gallons	1.5 Mil	Same	40481.5G	Dyna Pak	100	50	20.06	1,003.00	
18	23" x 17" x 48	39-40 Gallons	2.0 Mil	Same	40482.0G	Dyna Pak	100	20	26.76	536.00	
19	23" x 17" x 48	39-40 Gallons	2.5 Mil	Same	40482.5G	Dyna Pak	100	150	33.35	5,003.00	
Twist Tie											
20	4" Minimum Length			Same	TWT 4	Dyna Pak	100	100	1.65	165.00	
Bidders - enter charge for inside delivery - per order											
Inside Delivery Charge/Cost per order :								300	NC		
Grand Total										569,356.00	

Contract Coordinator **Mark Tolliver**

Telephone No.: **304-736-4046**

Toll Free Phone No.: **800-736-4046**

Fax No.: **304-736-2303**

E-Mail: **mtolliver@janpak.com**

Signature:



Date: **April 21, 2011**



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ADDRESS CORRESPONDENCE TO ATTENTION OF:
BUYER 42
304-558-8802

REQ COPY

VENDOR

Janpak Inc.
6144 Little Seven Mile Rd.
Huntington Wv. 25702

SHIP TO

ALL STATE AGENCIES
 AND POLITICAL SUBDIVISIONS
 VARIOUS LOCALES AS INDICATED
 BY ORDER

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
04/12/2011				

BID OPENING DATE: 04/21/2011 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
***** ADDENDUM NO. 1 *****						
1. QUESTIONS AND ANSWERS FOR CANLINE11 ATTACHED:						
2. ADDENDUM ACKNOWLEDGEMENT IS ATTACHED:						
THIS DOCUMENT SHOULD BE SIGNED AND RETURNED WITH YOUR BID. FAILURE TO SIGN AND RETURN MAY RESULT IN DISQUALIFICATION OF YOUR BID.						
***** END OF ADDENDUM NO. 1 *****						
0001	1	CS		665-24-97-001		
TRASH CAN LINERS						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE 304-736-4046	DATE April 21, 2011
TITLE Vice President/Gen.Mgr	FEIN 55-033-0291	ADDRESS CHANGES TO BE NOTED ABOVE

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CANLINE11 QUESTIONS AND ANSWERS

1Q	Will there be a quarterly escalation clause?
1A	No
2Q	Will Calico/Flexall be allowed to bid on this CANLINE11 since they have, in essence defaulted on the current contract?
2A	Yes
3Q	Confirm dimensions for item #11 and #12. Listed as 33"x10"x39" 40 gallon. The standard 40 gallon is a 23"x20"x39"?
3A	The dimensions for item #11 and #12, are listed correctly as 33"x10"x39" 2.5 Mil bags.
4Q	Are you requiring firm pricing for one year?
4A	Yes
5Q	
5A	
6Q	
6A	
7Q	
7A	
8Q	
8A	
9Q	
9A	
10Q	
10A	
11Q	
11A	
12Q	
12A	
13Q	
13A	
14Q	
14A	

EXHIBIT 10

REQUISITION NO.: CANLINE 11

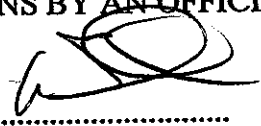
ADDENDUM ACKNOWLEDGEMENT

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.



.....
SIGNATURE

Jan Pak, Inc
.....

COMPANY

4-19-11
.....

DATE

April 20, 2011

Jean Jones
Department of Administration
Purchasing Division
2019 Washington Street, East
Charleston, WV 25305

Reference: RFQ CANLINE11

Dear Jean,

In reference to the request for samples for the enclosed bid please refer to the samples that were sent on 6/15/10 and approved by the Department of Weights and Measures. JanPak was one of 4 vendors approved to bid on RFQ CANLINE10 that was opened on 8/24/10. We are bidding Dyna Pak Corporation again on this bid and samples and quality are from the same manufacture as before.

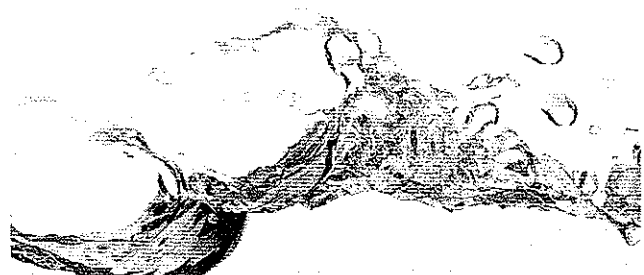
Thank you for the opportunity to quote you on your can liner requirements. If you have any further questions please give us a call.

Sincerely,

JanPak, Inc.



Mark Tolliver
VPGM



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: Jan Pak, Inc. Signed: 
 Date: 4-19-11 Title: VPGM

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

RFQ No. CANLINE11

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: Jan Pak, Inc.

Authorized Signature: [Signature] Date: 4-21-11

State of WV

County of Cabell, to-wit:

Taken, subscribed, and sworn to before me this 1 day of April, 2011.

My Commission expires 2-21, 2021.

AFFIX SEAL HERE

NOTARY PUBLIC Barbara L. Keaton

