

BEVERLY WV

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 DNRB11117

ADDRESS CORRESPONDENCE TO ATTENTION OF

FRANK WHITTAKER 304-558-2316

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***709041518** 304-636-1194 TRIPLE H CONSTRUCTION CO PO BOX 176 DODSON RUN ROAD

26253

DIVISION OF NATURAL RESOURCES PARKS & RECREATION SECTION

324 4TH AVENUE SOUTH CHARLESTON, WV 304-558-3397 25303-1228

DATE PRINTED TERMS OF SALE SHIP VIA F,O,B. FREIGHT TERMS 02/09/2011 BID OPENING DATE: 03/22/2011 **BID OPENING TIME** 01:30PM CAT, LINE QUANTITY UOP ITEM NUMBER UNIT PRICE AMOUNT 0001 LS 968-42 1 GENERAL CONSTRUCTION THE WEST VIRGINIA PURCHASING DIVISION, FOR THE AGENCY, THE WEST VIRGINIA DIVISION OF NATURAL RESOURCES, IS SOLICITING BIDS FOR REPAIR OF DRAINAGE TRENCHES AT THE CANAAN VALLEY RESORT STATE PARK IN TUCKER COUNTY, WV. MANDATORY PRE-BID A MANDATORY PRE-BID WILL BE HELD ON 02/24/2011 AT 11:00 AM @ THE CANAAN VALLEY GOLF COURSE CLUBHOUSE. ALL INTERESTED PARTIES ARE REQUIRED TO ATTEND THIS MEETING. FAILURE TO ATTEND THE MANDATORY PRE-BID SHALL RESULT I DISQUALIFICATION OF THE BID. NO ONE PERSON MAY REPRESENT MORE THAN ONE BIDDER. AN ATTENDANCE SHEET WILL BE MADE AVAILABLE FOR ALL POTENTIAL BIDDERS TO COMPLETE. THIS WILL SERVE AS THE OFFICIAL DOCUMENT VERIFYING ATTENDANCE AT THE MANDATOR FAILURE TO PROVIDE YOUR COMPANY AND REPRESENTATIVE NAME ON THE ATTENDANCE SHEET WILL RESULT IN DISQUALIFICATION OF THE BID. THE STATE WILL NOT ACCEPT ANY OTHER DOCUMENTATION TO VERIFY ATTENDANCE. THE BIDDER IS RESPONSIBLE FOR ENSURING THEY HAVE COMPLETED THE INFORMATION REQUIRED ON THE ATTENDANCE THE PURCHASING DIVISION AND THE STATE AGENCY SHEET. WILL NOT ASSUME ANY RESPONSIBILITY FOR A BIDDER-S ADDITION, WE REQUEST THAT ALL POTENTIAL BIDDERS INCLUDE 2011 MER 24 PM 12:00 FAILURE TO COMPLETE THE PRE-BID ATTENDANCE SHEET. THEIR E-MAIL ADDRESS AND FAX NUMBER.

TELEPHONE

ADDRESS CHANGES TO BE NOTED ABOV'

SEE REVERSE SIDE FOR TERMS AND CONDITIONS



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

Request for

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FRANK WHITTAKER 304-558-2316

304-636-1194 ***709041518** TRIPLE H CONSTRUCTION CO PO BOX 176 DODSON RUN ROAD BEVERLY WV 26253

DIVISION OF NATURAL RESOURCES PARKS & RECREATION SECTION

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324 4TH AVENUE SOUTH CHARLESTON, WV 25303-1228 304-558-3397

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55-0487970

TELEPHONE 304-636-1194

ADDRESS CHANGES TO BE NOTED ABOVE



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PARKS & RECREATION SECTION

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SEE REVERSE SIDE FOR TERMS AND CONDITIONS

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

55-0482970

TELEPHONE



***709041518**

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Canaan Valley Resort State Park Golf Course Drainage Repairs DIVISION OF NATURAL RESOURCES

The bidding documents consist of the Request for Quotations, plans and specifications.

Request for quotations may be obtained by contacting:

Frank Whittaker, Senior Buyer
Finance and Administration, Purchasing Division
2019 Washington Street, East
Charleston, WV 25305
Telephone: 304-558-2316 Ext. 218

Plans and specifications may be obtained for a non-refundable deposit of \$25.00, plus shipping and handling for sets that are mailed, by contacting:

Chapman Technical Group 200 Sixth Avenue St. Albans, West Virginia 25177 Telephone: 304-727-5501

The bidder understands that to the extent allowed by the West Virginia Code, the Owner reserves the right to waive any informality or irregularity in any Bid, or Bids, and to reject any or all Bids in whole or in part; to reject a bid not accompanied by the required bid security or by other data required by the Bidding Documents; to reject any condition of the bid by the Bidder that is in any way inconsistent with the requirements, terms and conditions of the Bidding Documents; or to reject a bid that is in any way incomplete or irregular.

The Bidder, if successful and awarded the contract, agrees that all work is to be complete within **60** consecutive calendar days following receipt of the Owner's written Notice to Proceed. For each calendar day of delay in achieving completion, the Contractor shall be liable for, and shall pay the Owner liquidated damages in the amount of \$250 per day.

Any work performed or any materials contracted for prior to the receipt of the Owner's written Notice to Proceed, shall be at the Bidder's risk.

PROGRESS PAYMENTS - The CONTRACTOR will make current estimates in writing once each month on AIA Forms G702 and G703 on or before the date set by the OWNER at the time of starting the WORK. The progress payments shall be a true estimate of the materials complete in place and the amount of WORK performed in accordance with the CONTRACT during the preceding month and the value thereof figured at the CONTRACT unit prices or based on the approved schedule of value. Should there be any doubt of the OWNER as to the integrity of any part of the COMPLETED work, the estimates for that portion will not be allowed modified by the CONTRACTOR accordingly. CONTRACTOR shall submit evidence to document the extent of progress payments as required by the OWNER.

Progress payments will not be made when the total value of the WORK done since the last estimate amounts to less than Five Hundred Dollars (\$500.00). From the total of the amounts ascertained as payable, an amount equivalent to and in accordance with Article 9 of A201-2007 Supplementary Conditions of the State of West Virginia will be deducted and retained by the OWNER until completion of the entire CONTRACT in an acceptable manner. The balance, less all previous payments, will be certified for payment by the OWNER.

When the WORK under contract has been completed and its acceptance is recommended by the OWNER, the retainage shall be released and paid to the CONTRACTOR.



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

W PURCHASING DIVN. Fax 304-553-3970
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BEVERLY WV 26253

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SOUTH CHARLESTON, WV
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Canaan Valley Resort State Park Golf Course Drainage Improvements Requisition DNRB11117 Addendum No. 1

- Gravel excavated from the trenches shall be stockpiled near the golf course maintenance complex as directed by the Owner.
- Soil mix may be stockpiled near the golf course maintenance complex as directed by the Owner. After soil mix is removed, the stockpile area does not have to be seeded.
- On-site mixing of the specified soil mix by the Contractor shall not be permitted.
- 4. Contractor shall be responsible for repairing sod damaged by golfers.
- 5. Contractor shall be responsible for watering sod installations as necessary to maintain the sod in a viable condition through the specified maintenance period. The Contractor will be allowed access to the golf course for watering even on days he is prohibited from doing construction.
- The Park will furnish water for watering, but the Contractor may need to furnish his own fittings for connecting to the irrigation system.
- The Contractor may use the area near the golf course maintenance complex as a staging area.
- 8. The Contractor may work night hours.
- Sod may be installed at any time during the contract period.
 Seasonal restrictions indicated in Section 02900 shall be disregarded.
- 10. The attached Form of Proposal shall be used for bidding.
- 11. The Time of Completion shall be changed to 150 days.
- 12. Bidders should indicate receipt of this addendum in the space provided on the Request for Quotation.

Issued by Chapman Technical Group

200 Sixth Avenue St. Albore, IW 25177 364,727,5501

> Suchtanner, Will Worthsburg, WV

www.cheqhtoctrous

Canaan Valley Resort State Park Golf Course Drainage Repairs

FORM OF PROPOSAL-1

Name of Bidder	Triple H. Construction Co. Howard Harper Owner
Address of Bidder:	PO Box 176 Podson Run Road Beverly W 76253
Phone Number of Bidder	304-636-1194
WV Contractors License No.	WV m949

We, the undersigned, having examined the site and being familiar with the local conditions affecting the cost of the work and also being familiar with the general conditions to bidders, drawings, and specifications, hereby proposes to furnish all materials, equipment, and labor to complete all work in a workmanilke manner, as described in the Bidding documents.

Base Bid

The Base Bid shall consist of the repairs of existing fairway drainage trenches as detailed by the contract documents. Base bid shell also include the 500 square-foot allowance for miscellaneous repair work.

Base Bid: Lump sum for all labor, materials, and equipment as stipulated in the Bidding Documents, written in numbers.

Base Bid: Lump sum for all labor, materials, and equipment as stipulated in the Bidding Documents, written in words. \$ 500,000.00

Live Hundred Thousand

Canazu Valley Resort State Park Golf Course Drainage Repairs

DIVISION OF NATURAL RESOURCES

FORM OF PROPOSAL-2

Additive Alternates

The following Additive Alternate Bid Items are not to be included in the Base Bid. If the Additive Alternate is selected by the Owner, the work described in the Additive Alternate shall be added to the Contract and the amount indicated for the Additive Alternate shall be added to the Base Bid. The cost for each alternate is the net addition to the Base Bid to add the alternate to the Work. No other adjustments shall be made to the Base Bid or Contract amount.

No.	Description	Amount in Words	Amount in Figures
1	Trench repair and sod in	Three Hundred Infly four One Hundred South Like	#354,166.00

No Description Amount in Words Amount in Figu	
Amount in Figure	1
IV. Description	res
2 Trench repair and sod in rough areas as indicated thousand three Akindhed 333,333 on the drawings. Therefore Physics of the Akindhed 333,333	00

The contract award shall be based on the lowest base bid or the lowest combination of the base bid and alternate bid items, as selected by the Owner. The alternate bid items will be selected in the order indicated in the Form of Proposal.

The bidder understands that to the extent allowed by the West Virginia Code, the Owner reserves the right to waive any informality or irregularity in any Bid, or Bids, and to reject any or all Bids in whole or in part; to reject a bid not accompanied by the required bid security or by other data required by the Bidding Documents; to reject any condition of the bid by the Biddier that is in any way inconsistent with the requirements, terms and conditions of the Bidding Documents; or to reject a bid that is in any way incomplete or irregular.

Unit Prices

If the actual quantities of work vary more than ten (10%) from those indicated on the Orawings, the Contractor shall either provide a credit to the Owner for quantities less than those indicated, or shall be paid additional costs in accordance with the Unit Prices indicated below. Unit Prices indicated shall include all Contractor costs, including overhead and profit.

Unit	Cost in figures	Cent in words
4" Trench Repair	[#] 55	Interfere
6° Trench Repair	\$ 55	Fifty five
8° Trench Repair	\$ 60	Sixty
12" Trench Repair	\$ 60	Sixty
•		ď

Canaan Valley Resort State Park Golf Course Drainage Repairs

DIVISION OF NATURAL RESOURCES

FORM OF PROPOSAL-3

The Bidder, if successful and awarded the contract, agrees that all work is to be completed within 150 consecutive calendar days following receipt of the Owner's written Notice to Proceed. For each calendar day of delay in achieving completion, the Contractor shall be liable for, and shall pay the Owner liquidated damages in the amount of \$250 per day.

Any work performed or any materials contracted for prior to the receipt of the Owner's written Notice to Proceed, shall be at the Eidder's risk.

PROGRESS PAYMENTS. The CONTRACTOR will make current estimates in writing once each month on AIA Forms 6702 and 6702 on or before the date set by the OWNER at the time of starting the WORK. The progress payments shall be a true estimate of the materials complete in place and the amount of WORK performed in accordance with the CONTRACT during the preceding month and the value thereof figured at the CONTRACT unit prices or based on the approved schedule of value. Should there be any doubt of the OWNER as to the integrity of any part of the COMPLETED work, the estimates for that portion will not be allowed modified by the CONTRACTOR accordingly. CONTRACTOR shall submit evidence to document the extent of progress payments as required by the OWNER.

Progress payments will not be made when the total value of the WORK done since the last estimate amounts to less than Five Hundred Dollars (\$500.00). From the total of the amounts ascertained as payable, an amount equivalent to and in accordance with Article 9 of A201-2007 Supplementary Conditions of the State of West Virginia will be deducted and retained by the OWNER until completion of the entire CONTRACT in an acceptable manner. The balance, less all previous payments, will be certified for payment by the OWNER.

When the WORK under contract has been completed and its acceptance is recommended by the OWNER, the retainage shall be released and paid to the CONTRACTOR.

Canaan Valley Resort State Park Golf Course Drainage Repairs

DIVISION OF NATURAL RESOURCES

FORM OF PROPOSAL-4

ADDENDUM ACKNOWLEDGEMENT

i hereby acknowledge receipt of the following checked addendum and have made the necessary revisions to my bid or proposal.

Addendum No.	Date 3/14/2011
an ann an ann an an an an an an an an an	
i understand that failu bid or proposal.	re to confirm the receipt of the Addendum is cause for rejection of n
Respectfully submitted	:
Date:	March 23, 2011
WV Vendor Registration Number:	W 000949
By: (signature in ink)	Howard Huspa
Title:	Ouner
Firm Name:	Triple H. Construction Co.
Firm Address:	POBOX 176 DODSON Run Rol
	Barbolis 100/ 2/0253

Canaan Valley Resort State Park Golf Course Drainage Repairs Requisition DNRB11117 Pre-Bid Meeting Questions and Answers

1. What do we do with the gravel from the trenches?

Answer: Oravel can be stockpiled near the golf course maintenance complex as directed by the Owner. The soil mix stockpile can also be located there, as well as the construction staging area.

2. Does all of the work have to be done on plywood?

Answer: If the Contractor can demonstrate that work can be done without damage to the golf course, all work does not necessarily have to be done on plywood. The Contractor, however, will be responsible for repairing any damage to the golf course caused by his construction activities. The Contractor should bid the project as specified.

3. Once the soil mix stockpile is gone, does the stockpile area need to be seeded?

Answer: No.

4. If golfers cause damage to trenches repaired by the Contractor, will the Contractor be responsible for repairing the damage?

Answer: Yes.

5. Is the Contractor responsible for watering the sod?

Answer: Yes. On days that the Contractor is prohibited from doing construction work, he will be allowed access to the course for watering. Water will be furnished by the Owner but the Contractor may want to furnish his own fittings for connecting to the irrigation system.

6. Were the trenches originally "trenched" or "excavated"?

Answer: They were originally "trenched".

7. Will the Contractor be allowed to work night shifts?

Answer: Yes.

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CED BOND

				s the undersioned.	Howard H	Harper d/b/a Triple H Constr	sualty Co
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REPORTANT—Streety executing bonds stust be licensed in West Virginia to transact surety insurance. Relead corporate seeks must be affixed, a power of attorney reust be attached.



POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That ERIE INSURANCE PROPERTY & CASUALTY COMPANY, a corporation of the Commonwealth of Pennsylvania, having its principal office in the City of Erie, Pennsylvania, does hereby make, constitute and appoint John F. Kearns, Senior Vice President; Marc Cipriani, Vice President; Edward A. Mazzeo; Katherine D. Pawlak; and Darlene Musica, its true and lawful Attorney(s)in-Fact, in their separate capacity if more than one is named above, to make, execute, seal and deliver for and on its behalf as surety, any and all bonds which are or may be allowed, required or permitted by law, statute, rule regulation, contract or otherwise, provided, however, that the penal sum of any one such instrument executed hereunder shall not exceed FIVE MILLION DOLLARS (\$5,000,000) and that the execution of such instrument shall be binding upon ERIE INSURANCE PROPERTY & CASUALTY COMPANY.

This Power of Attorney is signed and sealed by facsimiles under and by the authority of the following Resolution adopted by the Board of Directors of ERIE INSURANCE PROPERTY & CASUALTY COMPANY at a meeting duly called and held on the 18th day of September, 2008, and said resolution has not been amended or repealed:

RESOLVED, that the signature of Terrence W. Cavanaugh, as President and Chief Executive Officer of the Company, and the Seal of the Company may be affixed by the following facsimiles on any Limited Power of Attorney for the execution of bonds, undertakings, recognizances, contracts and other writings in the nature thereof, and the signature of James J. Tanous, as Secretary of the Company, the Seal of the Company, the signature of Sheila M. Hirsch, as Notary Public, and her Notarial Seal, may also be affixed by the following facsimiles to any certificate or acknowledgment of any such Limited Power of Attorney, and only under such circumstances shall said facsimiles be valid and binding on the Company.

IN WITNESS WHEREOF, ERIE INSURANCE PROPERTY & CASUALTY COMPANY has caused these presents to be signed by its President and Chief Executive Officer, and its corporate seal to be hereto affixed this 18th day of September, 2008.



President and Chief Executive Officer

STATE OF PENNSYLVANIA COUNTY OF ERIE

On this 18th day of September, 2008, before me personally came Terrence W. Cavanaugh, President and Chief Executive Officer, to me known, who being by me duly sworn, did depose and say: that he is President and Chief Executive Officer of ERIE INSURANCE PROPERTY & CASUALTY COMPANY, the corporation described in and which executed the above instrument; that he knows the Seal of said corporation; that the Seal affixed to the said instrument is such corporate Seal; that it was so affixed by order of the Board of Directors of said corporation and that he signed his name thereto by like order.



Notary Public

CERTIFICATE

I, James J. Tanous, Secretary of ERIE INSURANCE PROPERTY & CASUALTY COMPANY, do hereby certify that the original POWER OF ATTORNEY, of which the foregoing is a full, true and correct copy and is in full force and effect.

In witness whereof, I have hereunto subscribed my name and affixed the corporate Seal of the Company by facsimiles pursuant to the action of day of March 2011 the Board of Directors of the Company, this 23rd

SF61 9/08

	Agency12 REQ.P.O#
BID BO	DND
KNOW ALL MEN BY THESE PRESENTS, That we, the unde	ersigned,
,,	
of,, a corp	
with its principal office in the City of	
of West Virginia, as Obligee, in the penal sum of	
well and truly to be made, we jointly and severally bind ourselves, our	
The Condition of the above obligation is such that whereas th	e Principal has submitted to the Purchasing Section of the
Department of Administration a certain bid or proposal, attached hereto	o and made a part hereof, to enter into a contract in writing for
NOW THEREFORE,	
(a) If said bid shall be rejected, or (b) If said bid shall be accepted and the Principal shall enter hereto and shall furnish any other bonds and insurance required by the agreement created by the acceptance of said bid, then this obligation is force and effect. It is expressly understood and agreed that the liability exceed the penal amount of this obligation as herein stated.	shall be null and void, otherwise this obligation shall remain in full
The Surety, for the value received, hereby stipulates and agre way impaired or affected by any extension of the time within which the waive notice of any such extension.	ees that the obligations of said Surety and its bond shall be in no Obligee may accept such bid, and said Surety does hereby
IN WITNESS WHEREOF, Principal and Surety have hereunto	set their hands and seals, and such of them as are corporations
have caused their corporate seals to be affixed hereunto and these pre	·
day of, 20	μ. τ.
Principal Corporate Seal	
	(Name of Principal)
	Ву
	(Must be President or Vice President)
	(Title)
Surety Corporate Seal	(Name of Surety)
	Attorney in Fact

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IMPORTANT – Surety executing bonds must be licensed in West Virginia to transact surety insurance. Raised corporate seals must be affixed, a power of attorney must be attached.

AGENCY_

ř					RFQ/RFP# (B)
(A)	WV State Agency (Stated on Page 1 "Spending Unit")	(C)	L MEN BY TH of	(D)	ΓS, That we, the undersigned, , (E) (G)
	Request for Quotation Number (upper				
	right corner of page #1)	(H)	, a corpor	ation organized	l and existing under the laws
(C)	Your Company Name				al office in the City of
(D)	City, Location of your Company	(J)	, as Surety	y, are held and	firmly bound unto The State
(E)	State, Location of your Company	of West Virginia, as (Obligee, in the p	penal sum of _	(K)
(F)	Surety Corporate Name	(\$(L)) for the p	ayment of whi	ch, well and truly to be made
(G)	City, Location of Surety			es, our heirs, a	dministrators, executors,
(H)	State, Location of Surety	successors and assign			
(I)	State of Surety Incorporation				uch that whereas the Principa
(J)	City of Surety Incorporation				artment of Administration
(K)	Minimum amount of acceptable bid			reto and made	a part hereof to enter into a
	bond is 5% of total bid. You may state	contract in writing for			
	"5% of bid" or a specific amount on		(M)	
	this line in words.				
(L)	Amount of bond in figures				
(M)	Brief Description of scope of work	NOW THER		_	
(N)	Day of the month		id shall be rejec		
(O)	Month				rincipal shall enter into a
(P)	Year				ched hereto and shall furnish
(Q)	Name of Corporation				or proposal, and shall in all
(R)	Raised Corporate Seal of Principal				acceptance of said bid then
(S)	Signature of President or Vice President				obligation shall remain in fu
(T)					eed that the liability of the
(T)	Title of person signing Raised Corporate Seal of Surety	amount of this obligat			event, exceed the penal
(U)	Corporate Name of Surety				ulates and agrees that the
(V) (W)	Signature of Attorney in Fact of the				mates and agrees that the by way impaired or affected by
(**)	Surety				y accept such bid: and said
NOTE:	Dated, Power of Attorney with Raised	Surety does hereby w			
NOID.	Surety Seal must accompany this bid				Surety have hereunto set their
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					Vice President)
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		Surety Corporate Seal			(V)
					(Name of Surety)
					(W)
					Attorney-in-Fact

IMPORTANT – Surety executing bonds must be licensed in West Virginia to transact surety insurance. Raised Corporate Seals must be affixed and a Power of Attorney must be attached.



State of West Virginia DRUG FREE WORKPLACE CONFORMANCE AFFIDAVIT West Virginia Code §21-1D-5

STATE OF West Virginia
country of Randolph, to-wit:
I, <u>Howard Harper</u> , after being first duly sworn, depose and state as follows:
1. I am an employee of Triple H. Construction C; and, (Company Name)
2. I do hereby attest that Triple H. Construction Co. (Company Name)
maintains a valid written drug free workplace policy and that such policy is in compliance with West Virginia Code §21-1D-5.
The above statements are sworn to under the penalty of perjury. <u>Jupy J Company Name</u> (Company Name)
By: Howard Harpe
Title: Own
Date: 3/23/11
Taken, subscribed and sworn to before me this <u>and</u> ay of <u>March</u> 2011
By Commission expires May 13, 2012
Efficial Seal Notary Public, State of West Virginia Brenda L. Davis 1655 Limestone Run Road Weston, WV 26452 My Commission Expires May 13, 2012 Notary Public (Notary Public)
THIS AFFIDAVIT MUST BE SUBMITTED WITH THE BID IN ORDER TO

AFFIDAVIT WITH THE BID SHALL RESULT IN DISQUALIFICATION OF

THE BID.

Rev March 2009

RFQ No. DNR 11117

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 exceed 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: Triple H. Construction Co.
Authorized Signature: <u>Moward Hurpu</u> Date: <u>3/23/11</u>
State of West Virginia
County of Randulph, to-wit:
Taken, subscribed, and sworn to before me this 3 day of
My Commission expires <u>Muy 13, 2012</u> , 20
APTIX SEAL HERE DIFFICIAL SOIL NOTARY PUBLIC BUILDING A NOTARY PUBLIC BUILDING BUI
Notary Public, State of West Virginia Brenda L. Davis 1655 Limestone Run Road
Weston, W 28452 My Commission Fynigs May 13, 2012