

OCT. 8. 2010 4:30PM

WV DIV OF PURCH

# Request for Quotation



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

RFQ NUMBER: RMA11007

NO. 0161

P. 1/3  
1

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

NOB  
NOB  
NOB

\*709033301 301-662-1600  
LONG FENCE COMPANY INC  
2520 URBANA PIKE  
IJAMSVILLE MD 21754

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O

WV STATE RAIL AUTHORITY  
(DBA) SOUTH BRANCH VALLEY  
RAILROAD  
120 WATER PLANT DRIVE  
MOOREFIELD, WV  
26836 304-538-2305

DATE PRINTED	TERMS OF SALE	SHIP VIA	POB	FREIGHT TERMS		
10/08/2010						
BID OPENING DATE: 10/08/2010			BID OPENING TIME: 01:30PM			
LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	EA		988-15		
<p>***** ADDENDUM NO. 1 *****</p> <p>THIS ADDENDUM IS ISSUED TO EXTEND THE BID OPENING DATE AND TIME, PROVIDE THE ATTACHED MANDATORY PRE-BID SIGN IN SHEET, AND TECHNICAL QUESTIONS &amp; ANSWERS.</p> <p>THE BID OPENING DATE AND TIME ARE CHANGED TO: 10/27/10 AT 1:30 PM</p> <p>***** END ADDENDUM NO. 1 *****</p> <p>REPLACEMENT OF FENCE &amp; CLEANING OF A DRAINAGE DITCH</p>						
***** THIS IS THE END OF RFQ RMA11007 ***** TOTAL:						

RECEIVED

2010 OCT 20 P 12:24

PURCHASING DIVISION  
STATE OF WV

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE *Clint...*

TELEPHONE 301-428-9040

DATE 10/14/10

TITLE Commercial Sales Manager

FEIN 53-0257174

ADDRESS CHANGES TO BE NOTED ABOVE



**West Virginia Department of Transportation  
State Rail Authority**

Joe Manchin III  
Governor

120 Water Plant Drive, Moorefield West Virginia, 26836  
304-538-2305 TDD 800-742-6991 Fax 304-538-7474  
E-mail: Cindy.K.Butler@wv.gov

To : All Attendees of the September 21, 2010 Prebid Meeting for the replacement of approximately 4,400 feet of fence and the cleaning of a drainage ditch.

From: Lucinda Butler, Director

Date: September 27, 2010

RE: Addendum #1 to RFQ #RMA11007 – Replacement of Fence on WVCR

Any items not specifically addressed in this addendum remain the same as stated in the original RFQ and any preceding addendum.

1. Completion Date: The completion date has been extended to March 31, 2011.
2. Materials clarification: All posts will be wood
3. Wooden posts: Posts can be backfilled with dirt and are to be Black Locust Wood or equivalent.
4. Location of the stays: The RFQ lists that the spacing specification for 4 strand barbed wire with two stays is 30 feet. Therefore the stays will be 10 feet from each post.
5. Brush Clearing: The brush needs to be cleared where the fence will be located to the track.
6. How is brush to be cleared – Brush hog or dozer: The brush is to be cleared including the roots the contractor will need to use a dozer or equivalent machinery to get required results.
7. Ditching: The ditching is only to be done on railroad property.
8. Access to adjoining property: It is the contractor's responsibility to obtain permission from the adjoining landowner for access to his property. Property owner is Walter Schmidlen.
9. Gates: Contractor is to install and reuse existing gates.

### Pre-Bid Conference **SIGN IN SHEET**

[Please Print]

Request for Proposal No.: RMA 11007 - Schmitten Date: 9/21/10  
Fence

<u>Firm &amp; Representative Name</u>	<u>Mailing Address</u>	<u>Telephone &amp; FAX Numbers</u>
1. <u>Smith Backhoe + Dozer</u> <u>Neil Smith</u>	<u>7 11th Street</u> <u>Elkins WV 26241</u>	C: <u>304 642-5718</u> T: <u>304 636-3320</u> F: <u>304 636-3314</u>
2. <u>Pearl Gate Construction</u> <u>Clay Brown</u>	<u>7 Anchors Way</u> <u>Winfield, WV 25213</u>	T: <u>304-539-8999</u> F: <u>304-755-4885</u>
3. <u>Nationwide Fence Co.</u> <u>Mike Trammell</u>	<u>58361 Gratiot Ave</u> <u>Chesterfield, MI</u>	T: <u>586-749-6900</u> <u>Ext 930</u> F: <u>586-749-6909</u>
4. <u>Nationwide Fence Co.</u> <u>Ron Maxey</u>	<u>58361 Gratiot Ave</u> <u>Chesterfield MI</u>	T: <u>586-749-6900</u> F: <u>586-749-6909</u>
5. <u>ORANGE CONST. CORP.</u> <u>DAVE WARE</u>	<u>170 OLD CHEAT RD.</u> <u>MORGANTOWN, WV 26508</u>	T: <u>(304) 291-6765</u> F: <u>(304) 291-6975</u>
6. <u>Triple H Const</u>	<u>PO Box 176</u> <u>Beverly WV 26253</u>	<u>304 636 1194</u> F: <u>636 3680</u>
7. <u>Long Fence</u> <u>Tim Mollineaux</u> <u>Chris Jenkins</u>	<u>2520 Urbana Pike</u> <u>Farmville, MD</u> <u>21754</u>	T: <u>301-428-9040</u> F: <u>301-874-2564</u>
8. _____	_____	T: _____ F: _____
9. _____	_____	T: _____ F: _____
10. _____	_____	T: _____ F: _____

Please print or write legibly. The fax number is essential to contact the attendees in a timely manner.



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1

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

RFQ COPY  
 TYPE NAME/ADDRESS HERE

VENDOR

SHIP TO

WV STATE RAIL AUTHORITY  
 (DBA) SOUTH BRANCH VALLEY  
 RAILROAD  
 120 WATER PLANT DRIVE  
 MOOREFIELD, WV  
 26836 304-538-2305

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
09/01/2010				

BID OPENING DATE: 10/13/2010 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	EA		988-15		
<p>REPLACEMENT OF FENCE &amp; CLEANING OF A DRAINAGE DITCH</p> <p>ON PAGE 13</p> <p>THE WEST VIRGINIA PURCHASING DIVISION. FOR THE AGENCY, THE WEST VIRGINIA STATE RAIL AUTHORITY, IS SOLICITING BIDS FOR THE REPLACEMENT OF APPROXIMATELY 4,400 FEET OF FENCE AND AND THE CLEANING OF APPROXIMATELY 2,500 FEET OF DITCH PER THE ATTACHED SPECIFICATIONS.</p> <p>MANDATORY PRE-BID</p> <p>A MANDATORY PRE-BID WILL BE HELD ON 09/21/2010 AT 10:00 AM AT THE ELKINS DEPOT IN ELKINS WV. 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.</p> <p>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 PRE-BID. 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 SHEET. THE PURCHASING DIVISION AND THE STATE AGENCY WILL NOT ASSUME ANY RESPONSIBILITY FOR A BIDDER-S FAILURE TO COMPLETE THE PRE-BID ATTENDANCE SHEET. IN ADDITION, WE REQUEST THAT ALL POTENTIAL BIDDERS INCLUDE THEIR E-MAIL ADDRESS AND FAX NUMBER.</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
<i>Clint Pugh</i>	301-428-9040	10/13/10
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE
Commercial Sales Mgr.	530257174	

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



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<p>ALL POTENTIAL BIDDERS ARE REQUESTED TO ARRIVE PRIOR TO THE STARTING TIME FOR THE PRE-BID. BIDDERS WHO ARRIVE OF THE PRE-BID WILL NOT BE PERMITTED TO SIGN THE LATE, BUT PRIOR TO THE DISMISSAL OF THE TECHNICAL PORTION OF THE PRE-BID WILL BE PERMITTED TO SIGN IN. BIDDERS WHO ARRIVE AFTER CONCLUSION OF THE TECHNICAL PORTION OF THE PRE-BID, BUT DURING ANY SUBSEQUENT PART ATTENDANCE SHEET.</p> <p>ALL TECHNICAL QUESTIONS MUST BE SUBMITTED IN WRITING TO FRANK WHITTAKER IN THE PURCHASING DIVIAION VIA EMAIL AT FRANK.M.WHITTAKER@WV.GOV OR VIA FAX AT 304-558-4115 DEADLINE FOR TECHNICAL QUESTIONS IS 09/24/2010 AT 4:00 PM. ALL TECHNICAL QUESTIONS WILL BE ADDRESSED BY ADDENDUM AFTER THE DEADLINE.</p> <p>EXHIBIT 5</p> <p>WEST VIRGINIA CODE 21-1D-5 PROVIDES THAT: ANY SOLICITATION FOR A PUBLIC IMPROVEMENT CONSTRUCTION CONTRACT REQUIRES EACH VENDOR THAT SUBMITS A BID FOR THE WORK TO SUBMIT AT THE SAME TIME AN AFFIDAVIT OF COMPLIANCE WITH THE BID. THE ENCLOSED DRUG-FREE WORKPLACE AFFIDAVIT MUST BE SIGNED AND SUBMITTED WITH THE BID AS EVIDENCE OF THE VENDOR'S COMPLIANCE WITH THE PROVISIONS OF ARTICLE 1D, CHAPTER 21 OF THE WEST VIRGINIA CODE. FAILURE TO SUBMIT THE SIGNED DRUG-FREE WORKPLACE AFFIDAVIT WITH THE BID SHALL RESULT IN DISQUALIFICATION OF SUCH BID.</p> <p>NOTICE TO PROCEED: THIS CONTRACT IS TO BE COMPLETED BY DECEMBER 31, 2010 UNLESS OTHERWISE SPECIFIED, THE FULLY EXECUTED PURCHASE ORDER WILL BE CONSIDERED NOTICE TO PROCEED.</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Clint Penz</i>	TELEPHONE 301-428-9040	DATE 10/13/10
TITLE Commercial Sales Mgr.	FEIN 530257174	ADDRESS CHANGES TO BE NOTED ABOVE

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<p><b>CANCELLATION:</b> THE DIRECTOR OF PURCHASING RESERVES THE RIGHT TO CANCEL THIS CONTRACT IMMEDIATELY UPON WRITTEN NOTICE TO THE VENDOR IF THE MATERIALS OR WORKMANSHIP SUPPLIED ARE OF AN INFERIOR QUALITY OR DO NOT CONFORM WITH THE SPECIFICATIONS OF THE BID AND CONTRACT HERE IN.</p> <p><b>WAGE RATES:</b> THE CONTRACTOR OR SUBCONTRACTOR SHALL PAY THE HIGHER OF THE U.S. DEPARTMENT OF LABOR MINIMUM WAGE RATES AS ESTABLISHED FOR RANDOLPH COUNTY, PURSUANT TO WEST VIRGINIA CODE 21-5A, ET, SEQ. (PREVAILING WAGE RATES APPLY TO THIS PROJECT)</p> <p><b>ARBITRATION:</b> ANY REFERENCES MADE TO ARBITRATION OR INTEREST FOR PAYMENTS DUE (EXCEPT FOR ANY INTEREST REQUIRED BY STATE LAW) CONTAINED IN THIS CONTRACT OR IN ANY AMERICAN INSTITUTE OF ARCHITECTS DOCUMENTS PERTAINING TO THIS CONTRACT ARE HEREBY DELETED.</p> <p><b>WORKERS' COMPENSATION:</b> VENDOR IS REQUIRED TO PROVIDE A CERTIFICATE FROM WORKERS' COMPENSATION IF SUCCESSFUL.</p> <p><b>ALL OF THE ITEMS CHECKED BELOW WILL BE A REQUIREMENT OF THIS CONTRACT:</b></p> <p><input checked="" type="checkbox"/> <b>INSURANCE:</b> SUCCESSFUL VENDOR SHALL FURNISH PROOF OF COMMERCIAL GENERAL LIABILITY INSURANCE PRIOR TO ISSUANCE OF CONTRACT. UNLESS OTHERWISE SPECIFIED IN THE BID DOCUMENTS, THE MINIMUM AMOUNT OF INSURANCE COVERAGE REQUIRED IS \$250,000.</p> <p><input type="checkbox"/> <b>BUILDERS RISK INSURANCE:</b> SUCCESSFUL VENDOR SHALL FURNISH PROOF OF BUILDERS RISK - ALL RISK INSURANCE IN AN AMOUNT EQUAL TO 100% OF THE AMOUNT OF THE CONTRACT.</p> <p><input checked="" type="checkbox"/> <b>BONDS:</b> FIVE PERCENT (5%) OF THE TOTAL AMOUNT OF</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE *Clintford J.* TELEPHONE **301-428-9040** DATE **10/13/10**

TITLE *Commercial Sales Manager* FEIN **530257174** ADDRESS CHANGES TO BE NOTED ABOVE

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**26836**                      **304-538-2305**

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BID OPENING DATE: **10/13/2010**                      BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>THE BID PAYABLE TO THE STATE OF WEST VIRGINIA, SHALL BE SUBMITTED WITH EACH BID AS A BID BOND. THE SUCCESSFUL BIDDER SHALL ALSO FURNISH A PERFORMANCE BOND AND LABOR/MATERIAL BOND FOR 100% OF THE AMOUNT OF THE CONTRACT. BONDS MAY BE PROVIDED IN THE FORM OF A CERTIFIED CHECK, IRREVOCABLE LETTER OF CREDIT, OR BOND FURNISHED BY A SOLVENT SURETY COMPANY AUTHORIZED TO DO BUSINESS IN THE STATE OF WEST VIRGINIA. A LETTER OF CREDIT SUBMITTED IN LIEU OF A BOND WILL ONLY BE ALLOWED FOR PROJECTS UNDER \$100,000. PERSONAL OR BUSINESS CHECKS ARE NOT ACCEPCTABLE IN LIEU OF THE 5% BID BOND, PERFORMANCE BOND, OR LABOR AND MATERIAL BOND.</p> <p>( ) MAINTENANCE BOND: A TWO (2) YEAR MAINTENANCE BOND COVERING THE ROOFING SYSTEM WILL BE A REQUIREMENT OF THE SUCCESSFUL VENDOR.</p> <p>REV. 11/00</p> <p>EXHIBIT 7</p> <p>DOMESTIC ALUMINUM, GLASS &amp; STEEL IN PUBLIC WORKS PROJECTS</p> <p>IN ACCORDANCE WITH WEST VIRGINIA CODE 5-19-1 ET., SEQ., EVERY CONTRACT FOR CONSTRUCTION, RECONSTRUCTION, ALTERATION, REPAIR, IMPROVEMENT OR MAINTENANCE OF PUBLIC WORKS, WHERE THE COST IS MORE THAN \$50,000 AND, IN THE CASE OF STEEL ONLY, WHERE THE COST OF STEEL IS MORE THAN \$50,000 OR WHERE MORE THAN 10,000 POUNDS OF STEEL ARE REQUIRED, THE STATE WILL ACCEPT ONLY ALUMINUM GLASS, OR STEEL PRODUCTS PRODUCED IN THE UNITED STATES. IN ADDITION, ITEMS OF MACHINERY OR EQUIPMENT PURCHASED FOR USE AT THE SITE OF PUBLIC WORKS SHALL BE MADE OF DOMESTIC ALUMINUM, GLASS OR STEEL, UNLESS THE COST OF</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE *Clayton J. G...*                      TELEPHONE **301-428-9090**                      DATE **10/13/10**

TITLE **Commercial Sales Mgr**                      FEIN **530257174**                      ADDRESS CHANGES TO BE NOTED ABOVE

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LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>THE PRODUCT IS LESS THAN \$50,000 OR LESS THAN 10,000 POUNDS OF STEEL ARE USED IN PUBLIC WORKS PROJECTS.</p> <p>FOREIGN MADE ALUMINUM, GLASS OR STEEL PRODUCTS MAY BE ACCEPTED ONLY IF THE COST OF DOMESTIC PRODUCTS IS FOUND TO BE UNREASONABLE. SUCH COST IS UNREASONABLE IF IT IS 20% OR MORE HIGHER THAN THE BID PRICE FOR FOREIGN MADE PRODUCTS. IF THE DOMESTIC ALUMINUM, GLASS OR STEEL PRODUCTS TO BE SUPPLIED OR PRODUCED IN A "SUBSTANTIAL LABOR SURPLUS AREA", AS DEFINED BY THE UNITED STATES DEPARTMENT OF LABOR, FOREIGN PRODUCTS MAY BE SUPPLIED ONLY IF DOMESTIC PRODUCTS ARE 30% OR MORE HIGHER IN PRICE THAN THE FOREIGN MADE PRODUCTS.</p> <p>IF, PRIOR TO THE AWARD OF A CONTRACT UNDER THE ABOVE PROVISIONS, THE SPENDING OFFICER OF THE SPENDING UNIT DETERMINES THAT THERE EXISTS A BID FOR LIKE FOREIGN ALUMINUM, GLASS OR STEEL THAT IS REASONABLE AND LOWER THAN THE LOWEST BID DOMESTIC PRODUCTS, THE SPENDING OFFICE MAY REQUEST, IN WRITING, A REEVALUATION AND REDUCTION IN THE LOWEST BID FOR SUCH DOMESTIC PRODUCTS. ALL VENDORS MUST INDICATE IN THEIR BID IF THEY ARE SUPPLYING FOREIGN ALUMINUM, GLASS OR STEEL.</p> <p>REV. 3/88</p> <p>EXHIBIT 9</p> <p>NOTICE FOR ISSUANCE &amp; ACKNOWLEDGEMENT OF CONSTRUCTION PROJECT ADDENDA</p> <p>THE ARCHITECT/ENGINEER AND/OR AGENCY SHALL BE REQUIRED TO ABIDE BY THE FOLLOWING SCHEDULE IN ISSUING CONSTRUCTION PROJECT ADDENDA FOR STATE AGENCIES:</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Clayton J. H.</i>	TELEPHONE <b>301-428-9040</b>	DATE <b>10/13/10</b>
TITLE <i>Commercial Sales Mgr.</i>	FEIN <b>530257174</b>	ADDRESS CHANGES TO BE NOTED ABOVE

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				<p>(1) THE ARCHITECT/ENGINEER SHALL PREPARE THE ADDENDUM AND A LIST OF ALL PARTIES THAT HAVE PROCURED DRAWINGS AND SPECIFICATIONS FOR THE PROJECT. THE ADDENDUM AND LIST SHALL BE FORWARDED TO THE BUYER IN THE STATE PURCHASING DIVISION. THE ARCHITECT/ENGINEER SHALL ALSO SEND A COPY OF THE ADDENDUM TO THE STATE AGENCY FOR WHICH THE CONTRACT IS ISSUED.</p> <p>(2) THE BUYER SHALL SEND THE ADDENDUM TO ALL INTERESTED PARTIES AND, IF NECESSARY, EXTEND THE BID OPENING DATE. ANY ADDENDUM SHOULD BE RECEIVED BY THE BUYER WITHIN FOURTEEN (14) DAYS PRIOR TO THE BID OPENING DATE.</p> <p>(3) ALL ADDENDA SHOULD BE FORMALLY ACKNOWLEDGED BY ALL BIDDERS AND SUBMITTED TO THE STATE PURCHASING DIVISION. THE SAME RULES AND REGULATIONS THAT APPLY TO THE ORIGINAL BIDDING DOCUMENT SHALL ALSO APPLY TO AN ADDENDUM DOCUMENT. THE ONLY EXCEPTION MAY BE FOR AN ADDENDUM THAT IS ISSUED FOR THE SOLE PURPOSE OF CHANGING A BID OPENING TIME AND/OR DATE.</p> <p>REV. 11/96</p> <p>EXHIBIT 10</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 NOS.:</p>		

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SIGNATURE	TELEPHONE	DATE
<i>Christopher J. [Signature]</i>	301-428-9040	10/13/10

TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE
Commercial Sales Mgr	530257174	

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NO. 1	.....	.....	✓	.....		
NO. 2	.....	.....	.....	.....		
NO. 3	.....	.....	.....	.....		
NO. 4	.....	.....	.....	.....		
NO. 5	.....	.....	.....	.....		
<p>I UNDERSTAND THAT FAILURE TO CONFIRM THE RECEIPT OF THE ADDENDUM(S) MAY BE CAUSE FOR REJECTION OF THE 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> <p>..... <i>Clayton J. Long</i> ..... SIGNATURE</p> <p>..... <i>Long Fence</i> ..... COMPANY</p> <p>..... <i>10/13/10</i> ..... DATE</p> <p>REV. 11/96</p> <p>CONTRACTORS LICENSE</p> <p>WEST VIRGINIA STATE CODE 21-11-2 REQUIRES THAT ALL PERSONS DESIRING TO PERFORM CONTRACTING WORK IN THIS STATE MUST BE LICENSED. THE WEST VIRGINIA CONTRACTORS LICENSING BOARD IS EMPOWERED TO ISSUE THE CONTRACTORS</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE *Clayton J. Long*                      TELEPHONE **301-428-9040**                      DATE **10/13/10**

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VENDOR

RFQ COPY  
 TYPE NAME/ADDRESS HERE

SHIP TO

WV STATE RAIL AUTHORITY  
 (DBA) SOUTH BRANCH VALLEY  
 RAILROAD  
 120 WATER PLANT DRIVE  
 MOOREFIELD, WV  
 26836 304-538-2305

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B	FREIGHT TERMS
09/01/2010				

BID OPENING DATE: **10/13/2010** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>LICENSE. APPLICATIONS FOR A CONTRACTORS LICENSE MAY BE MADE BY CONTACTING THE WEST VIRGINIA DIVISION OF LABOR CAPITOL COMPLEX, BUILDING 3, ROOM 319, CHARLESTON, WV 25305. TELEPHONE: (304) 558-7890.</p> <p>WEST VIRGINIA STATE CODE 21-11-11 REQUIRES ANY PROSPECTIVE BIDDER TO INCLUDE THE CONTRACTORS LICENSE NUMBER ON THEIR BID.</p> <p>BIDDER TO COMPLETE:</p> <p>CONTRACTORS NAME: ..... <i>Long Fence</i> .....</p> <p>CONTRACTORS LICENSE NO.: <i>WV013002</i> .....</p> <p>THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FURNISH A COPY OF THEIR CONTRACTORS LICENSE PRIOR TO ISSUANCE OF A PURCHASE ORDER/CONTRACT</p> <p style="text-align: center;">APPLICABLE LAW</p> <p>THE WEST VIRGINIA STATE CODE, PURCHASING DIVISION RULES AND REGULATIONS, AND THE INFORMATION PROVIDED IN THE "REQUEST FOR QUOTATION" ISSUED BY THE PURCHASING DIVISION IS THE SOLE AUTHORITY GOVERNING THIS PROCUREMENT.</p> <p>ANY INFORMATION PROVIDED IN SPECIFICATION MANUALS, OR ANY OTHER SOURCE, VERBAL OR WRITTEN, WHICH CONTRADICTS OR ALTERS THE INFORMATION PROVIDED FROM THE SOURCES AS DESCRIBED IN THE ABOVE PARAGRAPH IS VOID AND OF NO EFFECT.</p> <p>BANKRUPTCY: IN THE EVENT THE VENDOR/CONTRACTOR FILES FOR BANKRUPTCY PROTECTION, THE STATE MAY DEEM THE CONTRACT NULL AND VOID, AND TERMINATE SUCH CONTRACT</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Clint...</i>	TELEPHONE <i>304-428-9040</i>	DATE <i>10/13/10</i>
TITLE <i>Commercial Sales Mgr</i>	FEIN <i>530257174</i>	ADDRESS CHANGES TO BE NOTED ABOVE

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



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

# Request for Quotation

RFQ NUMBER
RMA11007

PAGE
9

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

VENDOR

RFQ COPY  
 TYPE NAME/ADDRESS HERE

SHIP TO

WV STATE RAIL AUTHORITY  
 (DBA) SOUTH BRANCH VALLEY  
 RAILROAD  
 120 WATER PLANT DRIVE  
 MOOREFIELD, WV  
 26836 304-538-2305

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
09/01/2010				

BID OPENING DATE: **10/13/2010** BID OPENING TIME: **01:30PM**

LINE	QUANTITY	UOP	CAT NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>WITHOUT FURTHER ORDER.</p> <p>REV. 5/2009</p> <p style="text-align: center;">NOTICE</p> <p>A SIGNED BID MUST BE SUBMITTED TO:</p> <p style="padding-left: 40px;">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: 44</p> <p>REQ. NO.: RMA11007</p> <p>BID OPENING DATE: 10/13/2010</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:</p> <p style="text-align: center;">----- 301-874-2564 -----</p> <p>PLEASE PRINT OR TYPE NAME OF PERSON TO CONTACT CONCERNING THIS QUOTE:</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS			
SIGNATURE <i>Clayton J...</i>	TELEPHONE 301-428-9040	DATE 10/13/10	
TITLE Commercial Sales Mgr.	FEIN 530257174	ADDRESS CHANGES TO BE NOTED ABOVE	

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

## REQUEST FOR QUOTE

The West Virginia Purchasing Division, for the West Virginia State Rail Authority (SRA), is soliciting bids for the replacement of approximately 4,400 feet of fence and the cleaning of a drainage ditch.

### DESCRIPTION OF WORK

The section of railroad right of way is located west of Elkins, West Virginia. The railroad right of way passes through the Schmidlen farm. The existing fence line is filled with brush and in some areas small to moderate sized trees. As required by the original deed the owner of the railroad is responsible for fencing the property between the right of way and the landowner. The railroad is also responsible for drainage.

### CONDUCT OF WORK

Contractor shall remove all brush and trees necessary for the replacement of the existing fence. Disposal of material is at the discretion of the contractor. Material may not be disposed of on an adjacent landowner without permission of the landowner. Obtaining permission to dispose of material on adjacent landowners is solely the responsibility of the contractor. All material must be completely removed from the railroad property.

The contractor shall dispose of the original fencing at its sole discretion. No fencing material is to be left on railroad property.

If the contractor wants to work from or haul materials to the site using the railroad, they must obtain permission from the Durbin & Greenbrier Valley Railroad. Contractor shall adhere to all rules, regulations and laws applicable to Track Worker safety. Additionally the contractor shall adhere to the Durbin and Greenbrier Valley Railroad (DGVR) Book of Rules. Any employee of the contractor that will be on the track must attend a ½ day class on track safety and track access. The DGVR contact person to obtain permission for track access, if needed, is Mark Smith, 304-642-3050.

### FENCE

The fence will contain four strands of barbed wire. Fencing should be installed and spaced according to the manufacturer's instructions.(see attached drawing)

Use spacing specifications for 4 strand barbed wire with two stays..

New fence is to be installed in the same location as the old fence that is being removed.

Site will be left free of all unused materials, trash, and debris at completion of project.

The fence must attach to and be compatible with the existing gates.

### DITCHING

Approximately 2,500 feet of ditch is situated along the railroad right of way. Contractor will clean the ditch, remove all trees, brush and other materials in order to insure adequate flow away from the farmer's field.

All material must be removed from the railroad right of way.

### MATERIAL

See attached diagram for description and sizes of materials. 4 strand barbed wire will be the diagram used.

Barbed wire - 15 ½ gauge high-tension  
Line - Wood  
Corners or Gate - Steel  
Stays - Wire

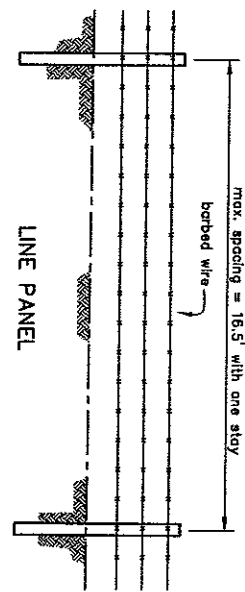
### COMPLETION DATE

The completion date for this project is December 31, 2010. The cost to the SBVR for the administration of the contract as well as train delays that will be incurred after that date make it necessary for the agency to assess liquidated damages against the contractor for each calendar day any work remains uncompleted after that date. The charge will be \$500.00 per day.

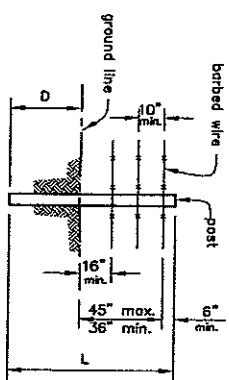
### BID REQUIREMENTS

Interested bidders must attend a mandatory prebid meeting to be held on September 21, 2010 at 10:00 am at the Elkins Depot in Elkins, WV. This meeting will include an inspection trip to the view the existing fence. Questions prior to the prebid inspection must be submitted in writing and will be addressed at the meeting. Please e-mail any questions to Frank Whittaker at [Frank.m.whittaker@wv.gov](mailto:Frank.m.whittaker@wv.gov). ALL questions prior to the prebid inspection and all questions after the prebid inspection are to go to Frank Whittaker at the Purchasing Division. Other than questions addressed the day of the prebid meeting, contractors are not to contact the State Rail Authority directly.

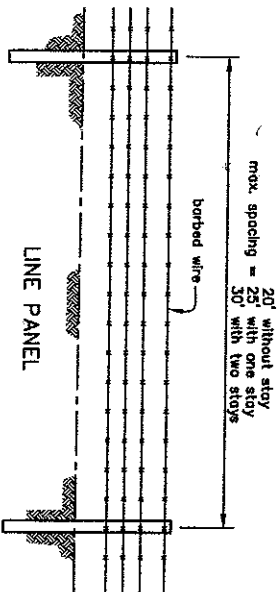
Bid must be one lump sum including all associated costs for the project. The project will be awarded to the lowest qualified bidder.



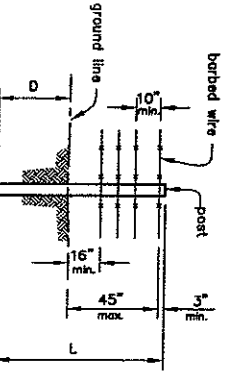
3 STRAND BARBED WIRE



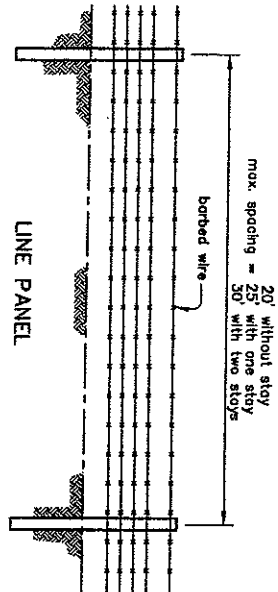
BARBED WIRE DETAIL



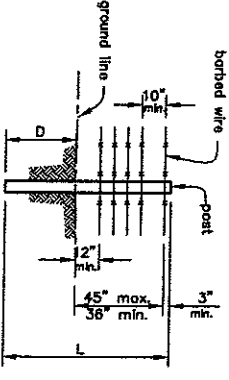
4 STRAND BARBED WIRE



BARBED WIRE DETAIL



5 STRAND BARBED WIRE



BARBED WIRE DETAIL

BARBED WIRE  
12 1/2 gauge conventional or  
15 1/2 gauge high-tension

2 twisted strands with 14 gauge or heavier two-point bobs on approx. 3 inch centers.  
Class 1 (min. or equiv.) zinc-coating as per ASTM A-121.

LINE  
Plastic: L = 6 ft. min.  
D = 24 in. min.  
Dia. = 3-3/8 in. min.

Wood: L = 6 ft. min.  
D = 24 in. min.  
Dia. = 3 in. min.

CORNER OR GATE  
Wood: L = 7 ft. min.  
D = 3 ft. min.  
Dia. = 5 in. min.

Fiberglass: L = 6 ft. min.  
D = 24 in. min.  
Dia. = 1-1/4 in. min.

Steel: L = 5-1/2 ft. min.  
D = 18 in. min.  
Standard "T" or "U", > 1.25 lbs/ft of length

Steel: L = 7 ft. min. (set in conc.)  
D = 3 ft. min., O.D.  
Dia. = Round 2-3/8 in. x 2-1/2 x 1/4 (in.)  
Angle Iron 2-1/2 x 2-1/2 x 1/4 (in.)

STAYS  
Wood: 1-1/2 in. dia. min. of durable wood  
Fiberglass: Any manufactured for this purpose  
Wire: 9 1/2 gauge, zinc coated, (wisted, manufactured for this purpose)

SPECIES for all wood: \_\_\_\_\_  
SPECIAL INSTRUCTIONS

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

This drawing requires supporting technical documentation prior to use and must be adapted to the specific site.

Drawing not to scale.

<p><b>NRCS</b> Natural Resources Conservation Service United States Department of Agriculture</p>	<p><b>BARBED WIRE FENCE</b></p>		<p>Date _____</p>
	<p>Drawn <u>redrawn</u></p> <p>Checked _____</p> <p>Approved _____</p> <p>Title _____</p>	<p>7/85</p>	

Line Item	Description	Unit Cost	Unit of Measure	Quantity	Extended Cost
	<b>Fence (includes removing brush)</b>				
1	Replace fence with new barbed wire fence	\$ 7. <sup>99</sup>	per foot	4,400	\$ 35,156. <sup>00</sup>
	<b>Ditching</b>				
2	Ditch for proper drainage	\$ 4. <sup>84</sup>	per foot	2,500	\$ 12,100
		\$			\$
			TOTAL BID		\$ 47,256. <sup>00</sup>

## Notes:

- 1) The above quantities are the agency's best estimate for the amount of work to be completed. Any variation in the actual quantities will be determined based on the unit price shown above for the given work.
- 2) Vendors should complete this form in its entirety in lieu of submitting other quote forms. Submitted form should be provided in a legible form. (Typewritten form preferred.)
- 3) Vendors must submit unit prices for all items. Failure to provide unit prices will result in the disqualification of the vendor's bid.



**BID BOND**

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, Long Fence Company, Inc  
of Ijamsville, MD, as Principal, and Federal Insurance Company  
of Warren, NJ, a corporation organized and existing under the laws of the State of  
IN with its principal office in the City of Warren, NJ, as Surety, are held and firmly bound unto the State  
of West Virginia, as Oblige, in the penal sum of Five Percent of Amount Bid (\$ 5%) for the payment of which,  
well and truly to be made, we jointly and severally bind ourselves, our heirs, administrators, executors, successors and assigns.

The Condition of the above obligation is such that whereas the Principal has submitted to the Purchasing Section of the  
Department of Administration a certain bid or proposal, attached hereto and made a part hereof, to enter into a contract in writing for  
WV State Railway South Branch Valley-Elkins, Bid No. RMA11007, Elkins, WV

NOW THEREFORE,

- (a) If said bid shall be rejected, or
- (b) If said bid shall be accepted and the Principal shall enter into a contract in accordance with the bid or proposal attached  
hereto and shall furnish any other bonds and insurance required by the bid or proposal, and shall in all other respects perform the  
agreement created by the acceptance of said bid, then this obligation shall be null and void, otherwise this obligation shall remain in full  
force and effect. It is expressly understood and agreed that the liability of the Surety for any and all claims hereunder shall, in no event,  
exceed the penal amount of this obligation as herein stated.

The Surety, for the value received, hereby stipulates and agrees that the obligations of said Surety and its bond shall be in no  
way impaired or affected by any extension of the time within which the Oblige may accept such bid, and said Surety does hereby  
waive notice of any such extension.

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 presents to be signed by their proper officers, this  
13th day of October, 2010.

Principal Corporate Seal

Long Fence Company, Inc  
(Name of Principal)  
By [Signature]  
(Must be President or  
Vice President)  
VICE PRESIDENT  
(Title)

Surety Corporate Seal

Federal Insurance Company  
(Name of Surety)  
By: [Signature]  
Jeri L. Russell Attorney-in-Fact

**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.**

**ACKNOWLEDGEMENTS**

**Acknowledgement by Principal if Individual or Partnership**

- 1. STATE OF \_\_\_\_\_
- 2. County of \_\_\_\_\_ to-wit:
- 3. I, \_\_\_\_\_, a Notary Public in and for the
- 4. county and state aforesaid, do hereby certify that \_\_\_\_\_ whose name is signed to the foregoing writing, has this day acknowledged the same before me in my said county.
- 5. Given under my hand this \_\_\_\_\_ day of \_\_\_\_\_.
- 6. Notary Seal
- 7. \_\_\_\_\_ (Notary Public)
- 8. My commission expires on the \_\_\_\_\_ day of \_\_\_\_\_.

**Acknowledgement by Principal if Corporation**

- 9. STATE OF MARYLAND
- 10. County of MONTGOMERY to-wit:
- 11. I, CHERYL L. MORRIS, a Notary Public in and for the
- 12. county and state aforesaid, do hereby certify that LAWRENCE J. RITTER
- 13. who as, VICE PRESIDENT signed the foregoing writing for
- 14. LONG FENCE COMPANY, INC. a corporation, has this day, in my said county, before me, acknowledged the said writing to be the act and deed of the said corporation.
- 15. Given under my hand this 13th day of OCTOBER 2010.
- 16. Notary Seal
- 17. Cheryl L. Morris (Notary Public)
- 18. My commission expires on the 11th day of May 2014.

**Acknowledgement by Surety**

- 19. STATE OF Maryland
- 20. County of Anne Arundel to-wit:
- 21. I, Brenda Patterson, a Notary Public in and for the
- 22. county and state aforesaid, do hereby certify that Jeri L. Russell
- 23. who as, Attorney-in-Fact signed the foregoing writing for
- 24. Federal Insurance Company a corporation, has this day, in my said county, before me, acknowledged the said writing to be the act and deed of the said corporation.
- 25. Given under my hand this 13th day of October, 2010.
- 26. Notary Seal
- 27. Brenda Patterson (Notary Public)
- 28. My commission expires on the 13th day of January, 2013.

**Sufficiency in Form and Manner Of Execution Approved**

**Attorney General**

This \_\_\_\_\_ day of \_\_\_\_\_

By \_\_\_\_\_ (Assistant Attorney General)



**Chubb  
Surety**

**POWER  
OF  
ATTORNEY**

**Federal Insurance Company  
Vigilant Insurance Company  
Pacific Indemnity Company**

**Attn: Surety Department  
15 Mountain View Road  
Warren, NJ 07059**

Know All by These Presents, That **FEDERAL INSURANCE COMPANY**, an Indiana corporation, **VIGILANT INSURANCE COMPANY**, a New York corporation, and **PACIFIC INDEMNITY COMPANY**, a Wisconsin corporation, do each hereby constitute and appoint

**Jeri L. Russell**

as their true and lawful Attorney- in- Fact to execute under such designation in their names and to affix their corporate seals to and deliver for and on their behalf as surety thereon or otherwise, the following Surety Bond:

Surety Bond Number :Bid Bond  
Obligee :State of West Virginia

And the execution of such bond or obligation by such Attorney- in- Fact in the Company's name and on its behalf as surety thereon or otherwise, under its corporate seal, in pursuance of the authority hereby conferred shall, upon delivery thereof, be valid and binding upon the Company.

In Witness Whereof, said **FEDERAL INSURANCE COMPANY**, **VIGILANT INSURANCE COMPANY**, and **PACIFIC INDEMNITY COMPANY** have each executed and attested these presents and affixed their corporate seals on this 20<sup>th</sup> day of November, 2008.

*Kenneth C. Wendel*

Kenneth C. Wendel, Assistant Secretary

*R. Ciullo*

Richard A. Ciullo, Vice President

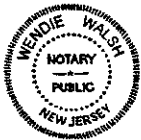
STATE OF NEW JERSEY

ss.

County of Somerset

On this 20<sup>th</sup> day of November, 2008, before me, a Notary Public of New Jersey, personally came Kenneth C. Wendel, to me known to be Assistant Secretary of **FEDERAL INSURANCE COMPANY**, **VIGILANT INSURANCE COMPANY**, and **PACIFIC INDEMNITY COMPANY**, the companies which executed the foregoing Power of Attorney, and the said Kenneth C. Wendel, being by me duly sworn, did depose and say that he is Assistant Secretary of **FEDERAL INSURANCE COMPANY**, **VIGILANT INSURANCE COMPANY**, and **PACIFIC INDEMNITY COMPANY** and knows the corporate seals thereof, that the seals affixed to the foregoing Power of Attorney are such corporate seals and were thereto affixed by authority of the By- Laws of said Companies; and that he signed said Power of Attorney as Assistant Secretary of said Companies by like authority; and that he is acquainted with Richard A. Ciullo, and knows him to be Vice President of said Companies; and that the signature of Richard A. Ciullo, subscribed to said Power of Attorney is in the genuine handwriting of Richard A. Ciullo, and was thereto subscribed by authority of said By- Laws and in deponent's presence.

Notarial  
Seal



**WENDIE WALSH**  
Notary Public, State of New Jersey  
No. 0054504  
Commission Expires April 18, 2013

*Wendie Walsh*

Notary

Public

**CERTIFICATION**

Extract from the By- Laws of **FEDERAL INSURANCE COMPANY**, **VIGILANT INSURANCE COMPANY**, and **PACIFIC INDEMNITY COMPANY**:

"All powers of attorney for and on behalf of the Company may and shall be executed in the name and on behalf of the Company, either by the Chairman or the President or a Vice President or an Assistant Vice President, jointly with the Secretary or an Assistant Secretary, under their respective designations. The signature of such officers may be engraved, printed or lithographed. The signature of each of the following officers: Chairman, President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary and the seal of the Company may be affixed by facsimile to any power of attorney or to any certificate relating thereto appointing Assistant Secretaries or Attorneys- in- Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such power of attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached."

I, Kenneth C. Wendel, Assistant Secretary of **FEDERAL INSURANCE COMPANY**, **VIGILANT INSURANCE COMPANY**, and **PACIFIC INDEMNITY COMPANY** (the "Companies") do hereby certify that

- (i) the foregoing extract of the By- Laws of the Companies is true and correct,
- (ii) the Companies are duly licensed and authorized to transact surety business in all 50 of the United States of America and the District of Columbia and are authorized by the U.S. Treasury Department; further, Federal and Vigilant are licensed in Puerto Rico and the U.S. Virgin Islands, and Federal is licensed in American Samoa, Guam, and each of the Provinces of Canada except Prince Edward Island; and
- (iii) the foregoing Power of Attorney is true, correct and in full force and effect.

Given under my hand and seals of said Companies at Warren, NJ this 13th day of October, 2010



*Kenneth C. Wendel*

Kenneth C. Wendel, Assistant Secretary

IN THE EVENT YOU WISH TO NOTIFY US OF A CLAIM, VERIFY THE AUTHENTICITY OF THIS BOND OR NOTIFY US OF ANY OTHER MATTER, PLEASE CONTACT US AT ADDRESS LISTED ABOVE, OR BY Telephone (908) 903- 3493 Fax (908) 903- 3656 e-mail: surety@chubb.com



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

STATE OF MARYLAND

COUNTY OF FREDERICK, TO-WIT:

I, LAWRENCE J. RITTER, after being first duly sworn, depose and state as follows:

1. I am an employee of Long Fence; and,  
(Company Name)

2. I do hereby attest that Long Fence  
(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.

Long Fence  
(Company Name)

By: [Signature]

Title: Vice President

Date: 10/14/10

Taken, subscribed and sworn to before me this 14<sup>th</sup> day of October 2010

By Commission expires May 11, 2014

(Seal)

Cheryl L. Morris  
(Notary Public)

**THIS AFFIDAVIT MUST BE SUBMITTED WITH THE BID IN ORDER TO COMPLY WITH WV CODE PROVISIONS. FAILURE TO INCLUDE THE AFFIDAVIT WITH THE BID SHALL RESULT IN DISQUALIFICATION OF THE BID.**

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.

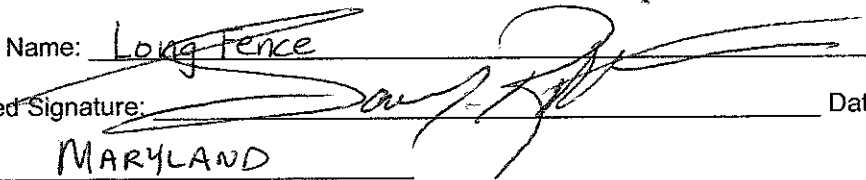
"Debtor" means any individual, corporation, partnership, association, limited liability company or any other form or business association owing a debt to the state or any of its political subdivisions. "Political subdivision" means any county commission; municipality; county board of education; any instrumentality 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: Long Fence

Authorized Signature:  Date: 10/14/10

State of MARYLAND

County of MONTGOMERY, to-wit:

Taken, subscribed, and sworn to before me this 14<sup>th</sup> day of OCTOBER, 2010.

My Commission expires MAY 11, 2014.

**AFFIX SEAL HERE**

**NOTARY PUBLIC** 