



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
 031.20084

PAGE
 1

ADDRESS CORRESPONDENCE TO ATTENTION OF
 PAUL REYNOLDS
 304-558-0468

RFQ COPY
 TYPE NAME/ADDRESS HERE

VENDOR

*Babcock Fence Co
 1261 Laurel Ridge Rd
 Lowell, OH 45744*

SHIP TO

DIVISION OF HIGHWAYS
 JOBSITE
 SEE SPECIFICATIONS

| DATE PRINTED | TERMS OF SALE | SHIP VIA | F.O.B. | FREIGHT TERMS |
|------------------------------|----------------|---------------------------|--------|------------------------|
| 08/11/2011 | <i>30 days</i> | | | <i>FOB Parkersburg</i> |
| BID OPENING DATE: 09/21/2011 | | BID OPENING TIME: 01:30PM | | |

| LINE | QUANTITY | UOP | CAT. NO. | ITEM NUMBER | UNIT PRICE | AMOUNT |
|---|----------|-----|----------|-------------|--------------------|--------------------|
| 0001 | | LS | | 330-13 | <i>\$43,500.00</i> | <i>\$43,500.00</i> |
| <p>FENCING, CHAIN LINK</p> <p>REQUEST FOR QUOTATION</p> <p>THE WEST VIRGINIA STATE PURCHASING DIVISION FOR THE AGENCY, THE WEST VIRGINIA DIVISION OF HIGHWAYS IS SOLICITING BIDS FOR A CONTRACT TO PROVIDE APPROXIMATELY 3400' LF OF CHAINLINK FENCE, POSTS, GATES, 3-WIRE BARBED WIRE AND ALL PERTENINT MATERIALS PER THE ATTACHED SPECIFICATIONS.</p> <p>TECHNICAL QUESTIONS CONCERNING THIS SOLICITATION WILL BE RECEIVED THROUGH THE CLOSE OF THE MANDATORY PRE-BID MEETING. TECHNICAL QUESTIONS MUST BE SUBMITTED IN WRITING TO PAUL REYNOLDS WEST VIRGINIA STATE PURCHASING DIVISION. VENDORS MAY SUBMIT QUESTIONS PRIOR TO THE MANDATORY PRE-BID VIA MAIL AT THE ADDRESS LISTED IN THE BODY OF THIS RFQ, VIA FAX AT 304-558-4115, OR VIA EMAIL AT PAUL.REYNOLDS@WV.GOV. WRITTEN QUESTIONS WILL ALSO BE ACCEPTED DURING THE MANDATORY PRE-BID. DEADLINE FOR ALL TECHNICAL QUESTIONS IS THE CLOSE OF THE PRE-BID MEETING. NO ADDITIONAL QUESTIONS WILL BE ACCEPTED AFTER TEH PRE-BID MEETING. ANY TECHNICAL QUESTIONS RECEIVED WILL BE ANSWERED BY FORMAL ADDENDUM TO BE ISSUED BY THE PURCHASING DIVISION AFTER THE MANDATORY PRE-BID MEETING. FOR YOUR CONVENIENCE A WORD DOCUMENT HAS BEEN ATTACHED FOR SUBMITTING TECHNICAL QUESTIONS.</p> | | | | | | |



| | | | |
|---|-------------------------------|-----------------------------------|--|
| SEE REVERSE SIDE FOR TERMS AND CONDITIONS | | | |
| SIGNATURE <i>[Signature]</i> | TELEPHONE <i>740 896 2211</i> | DATE <i>9/16/2011</i> | |
| TITLE <i>owner</i> | FEIN <i>31-1246960</i> | ADDRESS CHANGES TO BE NOTED ABOVE | |

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



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ADDRESS CORRESPONDENCE TO ATTENTION OF
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VENDOR

Babcock Fence Co.
1261 Laurel Ridge Rd
Lowell, OH 45744

SHIP TO

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 JOBSITE
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| DATE PRINTED | TERMS OF SALE | SHIP VIA | F.O.B. | FREIGHT TERMS |
|--------------|----------------|----------|--------|---------------|
| 08/11/2011 | <i>30 days</i> | | | |

BID OPENING DATE: 09/21/2011 BID OPENING TIME 01:30PM

| LINE | QUANTITY | UOP | CAT. NO. | ITEM NUMBER | UNIT PRICE | AMOUNT |
|------|----------|-----|----------|---|------------|--------|
| | | | | CAPITOL COMPLEX, BUILDING 3, ROOM 319, CHARLESTON, WV 25305. TELEPHONE: (304) 558-7890. WEST VIRGINIA STATE CODE 21-11-11 REQUIRES ANY PROSPECTIVE BIDDER TO INCLUDE THE CONTRACTORS LICENSE NUMBER ON THEIR BID. BIDDER TO COMPLETE: <i>Babcock Fence Co.</i> CONTRACTORS NAME CONTRACTORS LICENSE NO. - <i>WV031115</i> THE SUCCESSFUL BIDDER WILL REQUIRED TO FURNISH A COPY OF THEIR CONTRACTORS LICENSE PRIOR TO ISSUANCE OF A PURCHASE ORDER/CONTRACT. NOTICE A SIGNED BID MUST BE SUBMITTED TO: DEPARTMENT OF ADMINISTRATION PURCHASING DIVISION BUILDING 15 2019 WASHINGTON STREET, EAST CHARLESTON, WV 25305-0130 THE BID SHOULD CONTAIN THIS INFORMATION ON THE FACE OF THE ENVELOPE OR THE BID MAY NOT BE CONSIDERED: SEALED BID BUYER: PAUL REYNOLDS FILE 33 | | |

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE: *[Signature]* TELEPHONE: *740 896 2211* DATE: *9/16/2011*

TITLE: *Owner* FEIN: *31-1246960* ADDRESS CHANGES TO BE NOTED ABOVE

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ADDRESS CORRESPONDENCE TO ATTENTION OF:
 PAUL REYNOLDS
 804-558-0468

VENDOR

RFQ COPY
 TYPE NAME/ADDRESS HERE

Babcock Fence Co

SHIP TO

DIVISION OF HIGHWAYS
 JOBSITE
 SEE SPECIFICATIONS

| DATE PRINTED | TERMS OF SALE | SHIP VIA | F.O.B. | FREIGHT TERMS |
|--------------|---------------|----------|--------|---------------|
| 08/11/2011 | | | | |

BID OPENING DATE: 09/21/2011 BID OPENING TIME 01:30PM

| LINE | QUANTITY | UOP | CAT NO | ITEM NUMBER | UNIT PRICE | AMOUNT |
|---|----------|-----|--------|-------------|------------|--------|
| | | | | 03120084 | | |
| | | | | 09/21/11 | | |
| | | | | 01:30 | | |
| PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID: <i>740 896 2277</i> | | | | | | |
| CONTACT PERSON (PLEASE PRINT CLEARLY): <i>Mike Babcock</i> | | | | | | |
| EXHIBIT 10 REQUISITION NO.: <i>03120084</i> | | | | | | |
| 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 <input checked="" type="checkbox"/> <i>MSB</i> NO. 2 <input checked="" type="checkbox"/> <i>MSB</i> NO. 3 NO. 4 | | | | | | |

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE *[Signature]* TELEPHONE *740 896 2211* DATE *9/16/2011*
 TITLE *owner* FEIN *31-1246960* ADDRESS CHANGES TO BE NOTED ABOVE

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ADDRESS CORRESPONDENCE TO ATTENTION OF
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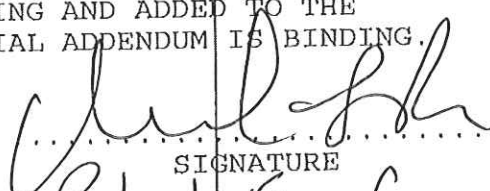
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Babcock Fence Co.

DIVISION OF HIGHWAYS
 JOBSITE
 SEE SPECIFICATIONS

| DATE PRINTED | TERMS OF SALE | SHIP VIA | F.O.B. | FREIGHT TERMS |
|--------------|---------------|----------|--------|---------------|
| 08/11/2011 | | | | |

BID OPENING DATE: 09/21/2011 BID OPENING TIME 01:30PM

| LINE | QUANTITY | UOP | CAT. NO. | ITEM NUMBER | UNIT PRICE | AMOUNT |
|---|----------|-----|----------|-------------|------------|--------|
| NO. 5 | | | | | | |
| <p>I UNDERSTAND THAT FAILURE TO CONFIRM THE RECEIPT OF THE ADDENDUM(S) MAY BE CAUSE FOR REJECTION OF BIDS.</p> <p>VENDOR MUST CLEARLY UNDERSTAND THAT ANY VERBAL REPRESENTATION MADE OR ASSUMED TO BE MADE DURING ANY ORAL DISCUSSION HELD BETWEEN VENDOR'S REPRESENTATIVES AND ANY STATE PERSONNEL IS NOT BINDING. ONLY THE INFORMATION ISSUED IN WRITING AND ADDED TO THE SPECIFICATIONS BY AN OFFICIAL ADDENDUM IS BINDING.</p> <p style="text-align: center;">  SIGNATURE <i>Babcock Fence Co.</i> COMPANY 9/16/2011 DATE </p> <p>NOTE: THIS ADDENDUM ACKNOWLEDGEMENT SHOULD BE SUBMITTED WITH THE BID.</p> <p>REV. 09/21/2009</p> | | | | | | |

| | | | |
|---|---------------------|-----------------------------------|--|
| SEE REVERSE SIDE FOR TERMS AND CONDITIONS | | | |
| SIGNATURE <i>Paul Reynolds</i> | TELEPHONE 708962211 | DATE 9/16/2011 | |
| TITLE <i>owner</i> | FEIN 31-246960 | ADDRESS CHANGES TO BE NOTED ABOVE | |

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| ADDRESS CORRESPONDENCE TO ATTENTION OF |
|--|
| PAUL REYNOLDS 304-558-0468 |

RFQ COPY
 TYPE NAME/ADDRESS HERE

VENDOR

Babcock Fence Co

SHIP TO

DIVISION OF HIGHWAYS
 JOBSITE
 SEE SPECIFICATIONS

| DATE PRINTED | TERMS OF SALE | SHIP VIA | F.O.B. | FREIGHT TERMS |
|--------------|---------------|----------|--------|---------------|
| 08/11/2011 | | | | |

BID OPENING DATE: 09/21/2011 BID OPENING TIME 01:30PM

| LINE | QUANTITY | UOP | CAT. NO. | ITEM NUMBER | UNIT PRICE | AMOUNT |
|--|----------|-----|----------|-------------|------------|--------------------|
| ***** THIS IS THE END OF RFQ 03120084 ***** TOTAL: | | | | | | <u>\$43,500.00</u> |

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

| | | |
|--------------------------------|------------------------|-----------------------------------|
| SIGNATURE <i>Paul Reynolds</i> | TELEPHONE 740 896 2211 | DATE 9/16/2011 |
| TITLE <i>owner</i> | FEIN 31-1246968 | ADDRESS CHANGES TO BE NOTED ABOVE |

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

Cost Sheet

| Item Number | Quantity/Location | Description* | Unit Price | Amount |
|-------------|---------------------------|---|--|--|
| 1 | 3,400 1,600 | L.F, 6' Chainlink Fence with 3-Wire Barbed Wire, Posts, Gates and All Pertinent Material, Labor and Equipment | \$43,600.⁰⁰ \$43,600. ⁰⁰ | \$43,600.⁰⁰ \$43,600. ⁰⁰ |



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| ADDRESS CORRESPONDENCE TO ATTENTION OF: |
| PAUL REYNOLDS |
| 804-558-0468 |

RFQ COPY

TYPE NAME/ADDRESS HERE

VENDOR

*Babcock Fence Co.
 1261 Laurel Ridge Rd
 Lowell, OH 45744*

SHIP TO

DIVISION OF HIGHWAYS
 JOBSITE
 SEE SPECIFICATIONS

| | | | | |
|--------------|---------------|----------|--------|---------------|
| DATE PRINTED | TERMS OF SALE | SHIP VIA | F.O.B. | FREIGHT TERMS |
| 08/25/2011 | | | | |

BID OPENING DATE: 09/21/2011 BID OPENING TIME 01:30PM

| LINE | QUANTITY | UOP | CAT. NO. | ITEM NUMBER | UNIT PRICE | AMOUNT |
|------|----------|-----|----------|--|------------|-------------------------|
| | | | | ADDENDUM NO. 1 | | |
| | | | | CHANGES TO THE SPECIFICATIONS PER THE ATTACHED. | | |
| | | | | NO OTHER CHANGES. | | |
| 0001 | | LS | | 330-13 | | \$43,500. ⁰⁰ |
| | | | | FENCING, CHAIN LINK | | |
| | | | | ***** THIS IS THE END OF RFQ 03120084 ***** TOTAL: | | \$43,500. ⁰⁰ |

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

| | | |
|--------------------------------|------------------------|-----------------------------------|
| SIGNATURE <i>Paul Reynolds</i> | TELEPHONE 740 896 2211 | DATE 9/16/2011 |
| TITLE <i>owner</i> | FEIN 31-1246960 | ADDRESS CHANGES TO BE NOTED ABOVE |

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|---|
| ADDRESS CORRESPONDENCE TO ATTENTION OF: |
| PAUL REYNOLDS 304-558-0468 |

VENDOR

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*Babcock Fence Co.
 1261 Laurel Ridge Rd
 Lowell, OH 45744*

SHIP TO

DIVISION OF HIGHWAYS
 JOBSITE
 SEE SPECIFICATIONS

| | | | | |
|------------------------------|---------------|--------------------------|--------|-----------------|
| DATE PRINTED | TERMS OF SALE | SHIP VIA | F.O.B. | FREIGHT TERMS |
| 09/13/2011 | 30 DAYS | | | FOB Parkersburg |
| BID OPENING DATE: 09/21/2011 | | BID OPENING TIME 01:30PM | | |

| LINE | QUANTITY | UOP | CAT. NO. | ITEM NUMBER | UNIT PRICE | AMOUNT |
|--|----------|-----|----------|-------------|------------|-------------------------|
| 0001 | | LS | | 330-13 | | \$43,500. ⁰⁰ |
| ADDENDUM NO. 2 CHANGES TO THE SPECIFICATIONS AND ADDENDUM NO. 1 ADD: 2.1.17 TO THE SPECIFICATIONS BID OPENING DATE REMAINS 09/21/11 @ 1:30 P.M. NO OTHER CHANGES | | | | | | |
| FENCING, CHAIN LINK | | | | | | |
| ***** THIS IS THE END OF RFQ 03120084 ***** TOTAL: | | | | | | \$43,500. ⁰⁰ |

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

| | | |
|------------------------------|------------------------|-----------------------------------|
| SIGNATURE <i>[Signature]</i> | TELEPHONE 740 896 2211 | DATE 9/16/2011 |
| TITLE Owner | FEIN 31-1246960 | ADDRESS CHANGES TO BE NOTED ABOVE |

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

Agency _____
REQ.P.O# RFQ03120084

BID BOND

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, Michael S. Babcock dba Babcock Fence Company of Lowell, Ohio, as Principal, and Western Surety Company of Chicago, Illinois, a corporation organized and existing under the laws of the State of South Dakota with its principal office in the City of Chicago, as Surety, are held and firmly bound unto the State of West Virginia, as Obligee, in the penal sum of 5% of bid amount (~~\$% of bid amount~~) 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 Dept of Highways Wood County
627 Lubeck Ave., Parkersburg, 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 Obligee 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 21st day of September, 2011.

Principal Corporate Seal



Babcock Fence Company

(Name of Principal)

By [Signature]

(Must be President or Vice President)

Owner

(Title)

Western Surety Company

(Name of Surety)

[Signature]
Tanya E. Tull 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.

Western Surety Company

POWER OF ATTORNEY - CERTIFIED COPY

Bond No. 71165224

Know All Men By These Presents, that WESTERN SURETY COMPANY, a corporation duly organized and existing under the laws of the State of South Dakota, and having its principal office in Sioux Falls, South Dakota (the "Company"), does by these presents make, constitute and appoint TONYA E TULLIUS

its true and lawful attorney(s)-in-fact, with full power and authority hereby conferred, to execute, acknowledge and deliver for and on its behalf as Surety, bonds for:

Principal: Michael S. Babcock dba Babcock Fence Company

Obligee: State of West Virginia

Amount: \$500,000.00

and to bind the Company thereby as fully and to the same extent as if such bonds were signed by the Senior Vice President, sealed with the corporate seal of the Company and duly attested by its Secretary, hereby ratifying and confirming all that the said attorney(s)-in-fact may do within the above stated limitations. Said appointment is made under and by authority of the following bylaw of Western Surety Company which remains in full force and effect.

"Section 7. All bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, any Assistant Secretary, Treasurer, or any Vice President or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys in Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile."

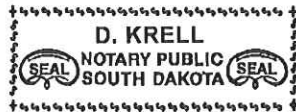
All authority hereby conferred shall expire and terminate, without notice, unless used before midnight of December 21, 2011, but until such time shall be irrevocable and in full force and effect.

In Witness Whereof, Western Surety Company has caused these presents to be signed by its Senior Vice President, Paul T. Bruflat, and its corporate seal to be affixed this 21st day of September, 2011.



WESTERN SURETY COMPANY
Paul T. Bruflat
Paul T. Bruflat, Senior Vice President

On this 21st day of September, in the year 2011, before me, a notary public, personally appeared Paul T. Bruflat, who being to me duly sworn, acknowledged that he signed the above Power of Attorney as the aforesaid officer of WESTERN SURETY COMPANY and acknowledged said instrument to be the voluntary act and deed of said corporation.



D. Krell
Notary Public - South Dakota

My Commission Expires November 30, 2012

I the undersigned officer of Western Surety Company, a stock corporation of the State of South Dakota, do hereby certify that the attached Power of Attorney is in full force and effect and is irrevocable, and furthermore, that Section 7 of the bylaws of the Company as set forth in the Power of Attorney is now in force.

In testimony whereof, I have hereunto set my hand and seal of Western Surety Company this 21st day of September, 2011.

WESTERN SURETY COMPANY
Paul T. Bruflat
Paul T. Bruflat, Senior Vice President

ACKNOWLEDGMENT OF SURETY
(Attorney-in-Fact)

STATE OF Ohio
COUNTY OF Washington

} ss

Bond No. 71165224

On this 21st day of September, 2011, before me, a notary public in and for said County, personally appeared TONYA E TULLIUS to me personally known and being by me duly sworn, did say, that he is the Attorney-in-Fact of WESTERN SURETY COMPANY, a corporation of Sioux Falls, South Dakota, created, organized and existing under and by virtue of the laws of the State of South Dakota, that the said instrument was executed on behalf of the said corporation by authority of its Board of Directors and that the said TONYA E TULLIUS acknowledges said instrument to be the free act and deed of said corporation and that he has authority to sign said instrument without affixing the corporate seal of said corporation.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal at Marietta, Ohio, the day and year last above written.

My commission expires November 13, 2012

Angela Worstell
Notary Public



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

STATE OF Ohio

COUNTY OF Washington, TO-WIT:

I, Michael S. Babcock, after being first duly sworn, depose and state as follows:

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

2. I do hereby attest that Babcock Fence 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.

Babcock Fence Co
(Company Name)

By: [Signature]

Title: owner

Date: 9/16/2011

Taken, subscribed and sworn to before me this 16th day of September.

By Commission expires November 13, 2012

(Seal)

[Signature]
(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.

RFQ No. 03/20084

STATE OF WEST VIRGINIA
Purchasing Division

PURCHASING AFFIDAVIT

West Virginia Code §5A-3-10a states: No contract or renewal of any contract may be awarded by the state or any of its political subdivisions to any vendor or prospective vendor when the vendor or prospective vendor or a related party to the vendor or prospective vendor is a debtor and the debt owned is an amount greater than one thousand dollars in the aggregate

DEFINITIONS:

"Debt" means any assessment, premium, penalty, fine, tax or other amount of money owed to the state or any of its political subdivisions because of a judgment, fine, permit violation, license assessment, defaulted workers' compensation premium, penalty or other assessment presently delinquent or due and required to be paid to the state or any of its political subdivisions, including any interest or additional penalties accrued thereon.

"Debtor" means any individual, corporation, partnership, association, Limited Liability Company or any other form or business association owing a debt to the state or any of its political subdivisions. "Political subdivision" means any county commission; municipality; county board of education; any instrumentality established by a county or municipality; any separate corporation or instrumentality established by one or more counties or municipalities, as permitted by law; or any public body charged by law with the performance of a government function or whose jurisdiction is coextensive with one or more counties or municipalities. "Related party" means a party, whether an individual, corporation, partnership, association, limited liability company or any other form or business association or other entity whatsoever, related to any vendor by blood, marriage, ownership or contract through which the party has a relationship of ownership or other interest with the vendor so that the party will actually or by effect receive or control a portion of the benefit, profit or other consideration from performance of a vendor contract with the party receiving an amount that meets or exceeds five percent of the total contract amount.

EXCEPTION: The prohibition of this section does not apply where a vendor has contested any tax administered pursuant to chapter eleven of this code, workers' compensation premium, permit fee or environmental fee or assessment and the matter has not become final or where the vendor has entered into a payment plan or agreement and the vendor is not in default of any of the provisions of such plan or agreement.

Under penalty of law for false swearing (West Virginia Code §61-5-3), it is hereby certified that the vendor affirms and acknowledges the information in this affidavit and is in compliance with the requirements as stated.

WITNESS THE FOLLOWING SIGNATURE

Vendor's Name: Babcock Fence Company

Authorized Signature: [Signature] Date: 9/16/2011

State of Ohio

County of Washington, to-wit:

Taken, subscribed, and sworn to before me this 16th day of September 20 11

My Commission expires November 13, 20 12

AFFIX SEAL HERE

NOTARY PUBLIC Angela Woodruff