



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
FUELTT12

PAGE
1

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

*709014845 304-636-2600

VENDOR

GUTTMAN OIL COMPANY
 PO BOX 1728
 ELKINS WV 26241

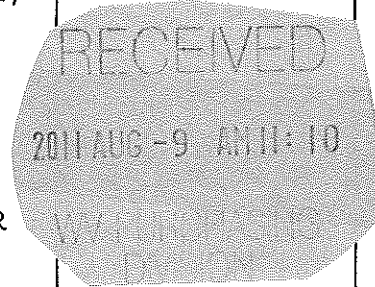
SHIP TO

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

DATE PRINTED 07/14/2011	TERMS OF SALE Net 30	SHIP VIA BEST WAY	F.O.B. DESTINATION	FREIGHT TERMS PREPAID
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BID OPENING DATE: 08/04/2011 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	LS		405-15		
<p>FUEL TRUCK TRANSPORT</p> <p>REQUEST FOR QUOTATION (RFQ) BLANKET OPEN END STATEWIDE CONTRACT</p> <p>THE STATE OF WEST VIRGINIA PURCHASING DIVISION IS SOLICITING BIDS FOR A BLANKET OPEN END STATEWIDE CONTRACT FOR UNLEADED GASOLINE, E-10, UNLEADED DIESEL, WINTERIZED DIESEL, B5 BIODIESEL, WINTERIZED B5 BIODIESEL, AND HEATING FUELS TO ALL WEST VIRGINIA STATE AGENCIES VIA TRANSPORT TRUCK DELIVERY PER THE ATTACHED SPECIFICATIONS.</p> <p>THIS CONTRACT SHALL BE BASED ON REGION AS CONTAINED IN THE ATTACHED SPECIFICATIONS. VENDORS MUST DELIVER TO THE ENTIRE REGION AS LISTED.</p> <p>THE CLOSE OF BUSINESS.</p> <p>ALL TECHNICAL QUESTIONS RECEIVED WILL BE ANSWERED BY FORMAL WRITTEN ADDENDUM TO BE ISSUED BY THE PURCHASING DIVISION AFTER THE DEADLINE FOR QUESTIONS HAS LAPSED.</p> <p>VERBAL COMMUNICATION: ANY VERBAL COMMUNICATION BETWEEN THE VENDOR AND ANY STATE PERSONNEL IS NOT BINDING. ONLY INFORMATION ISSUED IN WRITING AND ADDED TO THE RFP SPECIFICATIONS BY AN OFFICIAL WRITTEN ADDENDUM BY PURCHASING IS BINDING.</p>						



SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Jarvis F. Salcott</i>	TELEPHONE 800-296-5823	DATE 8-8-11
TITLE BRANCH MANAGER	FEIN 25-0956510	ADDRESS CHANGES TO BE NOTED ABOVE

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



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<p>NO CONTACT BETWEEN THE VENDOR AND ANY STATE AGENCY CONCERNING THE BID, EVALUATION, AND AWARD OF THIS CONTRACT IS PERMITTED WITHOUT THE EXPRESS WRITTEN CONSENT OF THE STATE BUYER. VIOLATION MAY RESULT IN REJECTION OF THE BID. THE STATE BUYER NAMED ABOVE IS THE SOLE CONTACT FOR ANY AND ALL INQUIRIES AFTER THIS RFQ HAS BEEN RELEASED.</p> <p>EXHIBIT 10</p> <p>REQUISITION NO.: FUELTT12.....</p> <p>ADDENDUM ACKNOWLEDGEMENT</p> <p>I HEREBY ACKNOWLEDGE RECEIPT OF THE FOLLOWING CHECKED ADDENDUM(S) AND HAVE MADE THE NECESSARY REVISIONS TO MY PROPOSAL, PLANS AND/OR SPECIFICATION, ETC.</p> <p>ADDENDUM NO.'S:</p> <p>✓ NO. 1 <i>D.T.</i>...</p> <p>✓ NO. 2 <i>D.T.</i>...</p> <p>✓ NO. 3 <i>D.T.</i>...</p> <p>NO. 4</p> <p>NO. 5</p> <p>I UNDERSTAND THAT FAILURE TO CONFIRM THE RECEIPT OF THE ADDENDUM(S) MAY BE CAUSE FOR REJECTION OF BIDS.</p> <p>VENDOR MUST CLEARLY UNDERSTAND THAT ANY VERBAL REPRESENTATION MADE OR ASSUMED TO BE MADE DURING ANY ORAL DISCUSSION HELD BETWEEN VENDOR'S REPRESENTATIVES</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Darrack J. Vallett</i>	TELEPHONE 800-296-5823	DATE 8-8-11
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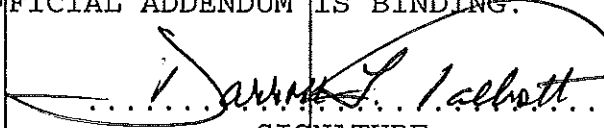
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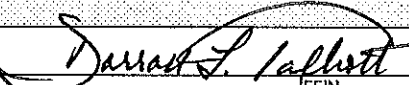
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<p>AND ANY STATE PERSONNEL IS NOT BINDING. ONLY THE INFORMATION ISSUED IN WRITING AND ADDED TO THE SPECIFICATIONS BY AN OFFICIAL ADDENDUM IS BINDING.</p> <p style="text-align: center;">  SIGNATURE GUTTMAN OIL COMPANY COMPANY 8-8-11 DATE </p> <p>NOTE: THIS ADDENDUM ACKNOWLEDGEMENT SHOULD BE SUBMITTED WITH THE BID.</p> <p>REV. 09/21/2009</p> <p>EXHIBIT 3</p> <p>LIFE OF CONTRACT: THIS CONTRACT BECOMES EFFECTIVE ON AWARD AND EXTENDS FOR A PERIOD OF SIX (6) MONTHS OR UNTIL SUCH "REASONABLE TIME" THEREAFTER AS IS NECESSARY TO OBTAIN A NEW CONTRACT OR RENEW THE ORIGINAL CONTRACT. THE "REASONABLE TIME" PERIOD SHALL NOT EXCEED TWELVE (12) MONTHS. DURING THIS "REASONABLE TIME" THE VENDOR MAY TERMINATE THIS CONTRACT FOR ANY REASON UPON GIVING THE DIRECTOR OF PURCHASING 30 DAYS WRITTEN NOTICE.</p> <p>UNLESS SPECIFIC PROVISIONS ARE STIPULATED ELSEWHERE IN THIS CONTRACT DOCUMENT, THE TERMS, CONDITIONS AND PRICING SET HEREIN ARE FIRM FOR THE LIFE OF THE CONTRACT.</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS		
SIGNATURE 	TELEPHONE 800-296-5823	DATE 8-8-11
TITLE BRANCH MANAGER	FEIN 25-0956510	ADDRESS CHANGES TO BE NOTED ABOVE

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LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>RENEWAL: THIS CONTRACT MAY BE RENEWED UPON THE MUTUAL WRITTEN CONSENT OF THE SPENDING UNIT AND VENDOR, SUBMITTED TO THE DIRECTOR OF PURCHASING THIRTY (30) DAYS PRIOR TO THE EXPIRATION DATE. SUCH RENEWAL SHALL BE IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE ORIGINAL CONTRACT AND SHALL BE LIMITED TO TWO (2) SIX MONTH PERIODS.</p> <p>CANCELLATION: THE DIRECTOR OF PURCHASING RESERVES THE RIGHT TO CANCEL THIS CONTRACT IMMEDIATELY UPON WRITTEN NOTICE TO THE VENDOR IF THE COMMODITIES AND/OR SERVICE SUPPLIED ARE OF AN INFERIOR QUALITY OR DO NOT CONFORM TO THE SPECIFICATIONS OF THE BID AND CONTRACT HEREIN.</p> <p>OPEN MARKET CLAUSE: THE DIRECTOR OF PURCHASING MAY AUTHORIZE A SPENDING UNIT TO PURCHASE ON THE OPEN MARKET, WITHOUT THE FILING OF A REQUISITION OR COST ESTIMATE, ITEMS SPECIFIED ON THIS CONTRACT FOR IMMEDIATE DELIVERY IN EMERGENCIES DUE TO UNFORESEEN CAUSES (INCLUDING BUT NOT LIMITED TO DELAYS IN TRANSPORTATION OR AN UNANTICIPATED INCREASE IN THE VOLUME OF WORK.)</p> <p>QUANTITIES: QUANTITIES LISTED IN THE REQUISITION ARE APPROXIMATIONS ONLY, BASED ON ESTIMATES SUPPLIED BY THE STATE SPENDING UNIT. IT IS UNDERSTOOD AND AGREED THAT THE CONTRACT SHALL COVER THE QUANTITIES ACTUALLY ORDERED FOR DELIVERY DURING THE TERM OF THE CONTRACT, WHETHER MORE OR LESS THAN THE QUANTITIES SHOWN.</p> <p>ORDERING PROCEDURE: SPENDING UNIT(S) SHALL ISSUE A WRITTEN STATE CONTRACT ORDER (FORM NUMBER WV-39) TO THE VENDOR FOR COMMODITIES COVERED BY THIS CONTRACT. THE ORIGINAL COPY OF THE WV-39 SHALL BE MAILED TO THE VENDOR AS AUTHORIZATION FOR SHIPMENT, A SECOND COPY</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Derrick L. Salbott</i>	TELEPHONE 800-296-5823	DATE 8-8-11
TITLE BRANCH-MANAGER	FEIN 25-0956510	ADDRESS CHANGES TO BE NOTED ABOVE

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<p>MAILED TO THE PURCHASING DIVISION, AND A THIRD COPY RETAINED BY THE SPENDING UNIT. SEE ADDITIONAL ORDERING INSTRUCTIONS CONTAINED IN SECTION IX OF THE ATTACHED</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 WITHOUT FURTHER ORDER.</p> <p>THE TERMS AND CONDITIONS CONTAINED IN THIS CONTRACT SHALL SUPERSEDE ANY AND ALL SUBSEQUENT TERMS AND CONDITIONS WHICH MAY APPEAR ON ANY ATTACHED PRINTED DOCUMENTS SUCH AS PRICE LISTS, ORDER FORMS, SALES AGREEMENTS OR MAINTENANCE AGREEMENTS, INCLUDING ANY ELECTRONIC MEDIUM SUCH AS CD-ROM.</p> <p>REV. 05/26/2009</p> <p>EXHIBIT 4</p> <p>LOCAL GOVERNMENT BODIES: UNLESS THE VENDOR INDICATES IN THE BID HIS REFUSAL TO EXTEND THE PRICES, TERMS, AND CONDITIONS OF THE BID TO COUNTY, SCHOOL, MUNICIPAL AND OTHER LOCAL GOVERNMENT BODIES, THE BID SHALL EXTEND TO POLITICAL SUBDIVISIONS OF THE STATE OF WEST VIRGINIA. IF THE VENDOR DOES NOT WISH TO EXTEND THE PRICES, TERMS, AND CONDITIONS OF THE BID TO ALL POLITICAL SUBDIVISIONS OF THE STATE, THE VENDOR MUST CLEARLY INDICATE SUCH REFUSAL IN HIS BID. SUCH REFUSAL SHALL NOT PREJUDICE THE AWARD OF THIS CONTRACT IN ANY MANNER.</p> <p>REV. 3/88</p> <p>PURCHASING CARD ACCEPTANCE: THE STATE OF WEST VIRGINIA CURRENTLY UTILIZES A VISA PURCHASING CARD PROGRAM WHICH</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Derrell J. Vallott</i>	TELEPHONE 800-296-5823	DATE 8-8-11
TITLE BRANCH MANAGER	FEIN 25-0956510	ADDRESS CHANGES TO BE NOTED ABOVE

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PAGE
6

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07/14/2011	NET 30 DAYS	BEST WAY	DESTINATION	PREPAID

BID OPENING DATE: 08/04/2011 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>IS ISSUED THROUGH A BANK. THE SUCCESSFUL VENDOR MUST ACCEPT THE STATE OF WEST VIRGINIA VISA PURCHASING CARD FOR PAYMENT OF ALL ORDERS PLACED BY ANY STATE AGENCY AS A CONDITION OF AWARD.</p> <p>NOTICE</p> <p>A SIGNED BID MUST BE SUBMITTED TO:</p> <p>DEPARTMENT OF ADMINISTRATION PURCHASING DIVISION BUILDING 15 2019 WASHINGTON STREET, EAST CHARLESTON, WV 25305-0130</p> <p>THE BID SHOULD CONTAIN THIS INFORMATION ON THE FACE OF THE ENVELOPE OR THE BID MAY NOT BE CONSIDERED:</p> <p>SEALED BID</p> <p>BUYER: KRISTA FERRELL FOR FILE 42</p> <p>RFQ. NO.: FUELTT12</p> <p>BID OPENING DATE: 08/04/2011</p> <p>BID OPENING TIME: 1:30 PM</p> <p>PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY</p>						

SIGNATURE <i>[Signature]</i>			TELEPHONE 800-296-5823	DATE 8-8-11
TITLE BRANCH-MANAGER	FEIN 25-0956510	ADDRESS CHANGES TO BE NOTED ABOVE		

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LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
TO CONTACT YOU REGARDING YOUR BID: (304) 636-8133 ----- CONTACT PERSON (PLEASE PRINT CLEARLY): DARROLL L. TALBOTT -----						
***** THIS IS THE END OF RFQ FUELTT12 ***** TOTAL: _____						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Darroll L. Talbott</i>	TELEPHONE 800-296-5823	DATE 8-8-11
TITLE BRANCH MANAGER	FEIN 25-0956510	ADDRESS CHANGES TO BE NOTED ABOVE

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FUELTT 12 VENDOR QUOTE SHEET

VENDOR: **GUTTMAN OIL COMPANY**

DISTRICT	FUEL TYPE	Six Month's ESTIMATED NEEDS (gals.)	T/T Markup Bid per Gallon	Potential Terminal Locations fuel will be pulled from
ONE	Unleaded Gasoline/E 10	201,000	0.1088	CWV
	No. 2 Diesel	50,000	0.1156	
	No. 2 Diesel w/ Winter add.	170,000	0.1456	
TWO	Unleaded Gasoline/E 10	214,000	0.1359	CWV
	No. 2 Diesel	33,000	0.1446	
	No. 2 Diesel w/ Winter add.	120,000	0.1746	
THREE	Unleaded Gasoline/E 10	166,000	0.1263	MOH
	No. 2 Diesel	63,000	0.1349	
	No. 2 Diesel w/ Winter add.	181,000	0.1649	
FOUR	Unleaded Gasoline/E 10	243,000	0.1447	PPA
	No. 2 Diesel	87,000	0.1554	
	No. 2 Diesel w/ Winter add.	245,000	0.1854	
FIVE	Unleaded Gasoline/E 10	167,000	0.1717	APA
	No. 2 Diesel	55,000	0.1753	
	No. 2 Diesel w/ Winter add.	143,000	0.2053	
	No. 2 Heating**	25,500	0.1753	
SIX	Unleaded Gasoline/E 10	127,000	0.1259	PPA
	No. 2 Diesel	52,000	0.1346	
	No. 2 Diesel w/ Winter add.	110,000	0.1646	
SEVEN	Unleaded Gasoline/E 10	207,000	0.1437	PPA
	No. 2 Diesel	98,000	0.1487	
	No. 2 Diesel w/ Winter add.	184,000	0.1787	
EIGHT	Unleaded Gasoline/E 10	126,000	0.1564	PPA
	No. 2 Diesel	58,000	0.1599	
	No. 2 Diesel w/ Winter add.	170,000	0.1899	
	No. 1 Heating/Kerosene**	12,000	0.1599	
	No. 2 Heating**	440,000	0.1564	
NINE	Unleaded Gasoline/E 10	173,000	0.1218	CWV
	No. 2 Diesel	75,000	0.1305	
	No. 2 Diesel w/ Winter add.	210,000	0.1605	
	No. 2 Heating**	20,000	0.1305	
TEN	Unleaded Gasoline/E 10	214,000	0.1411	CWV
	No. 2 Diesel	68,000	0.1498	
	No. 2 Diesel w/ Winter add.	145,000	0.1798	

** Quantities represent Other Agency Estimated Quantities

Minimum gallonage for T/T delivery: 8500 Gas; 7500 Diesel; 8000 Gas/Diesel

Able to split deliveries between multiple locations? YES NO

Minimum Qty: T/T delivery for 2 locations within 20 mile proximity: same as above Gals.

Fee Amount: T/T delivery for 4 locations within 30 mile proximity (upcharge): \$100.00 per location after 1st delivery.

Emergency Delivery Fee (upcharge): \$500.00

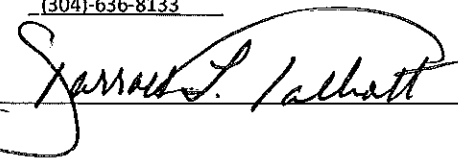
Terminal Abbreviations:

Altoona, PA - APA	Fairfax, VA - FVA
Ashland, KY - AKY	Marietta, OH - MOH
Charleston, WV - CWV	Pittsburgh, PA - PPA
Roanoke, VA - RVA	

Vendor Contact/Coordinator: Darroll L. Talbott, Branch Manager

Telephone Number: (800)-296-5823

Fax Number: (304)-636-8133

Signature/Date: 

FUELTT 12 VENDOR QUOTE SHEET
Biodiesel Blend 5%

VENDOR: GUTTMAN OIL COMPANY				
DISTRICT	FUEL TYPE	Six Month's ESTIMATED NEEDS (gals.)	T/T (Inject.-Blend) Markup Bid per Gallon	(See Terminals Listed Below) Potential Terminal Locations fuel will be pulled from
ONE	No. 2 Biodiesel	1,000	No Bid	
	No. 2 Biodiesel w/ Winter add.	1,000	No Bid	
TWO	No. 2 Biodiesel	1,000	No Bid	
	No. 2 Biodiesel w/ Winter add.	1,000	No Bid	
THREE	B5 Biodiesel	1,000	No Bid	
	B5 Biodiesel w/ Winter add.	1,000	No Bid	
FOUR	B5 Biodiesel	1,000	0.1647	PPA
	B5 Biodiesel w/ Winter add.	1,000	0.2147	
FIVE	B5 Biodiesel	1,000	0.1853	APA
	B5 Biodiesel w/ Winter add.	1,000	0.2353	
SIX	B5 Biodiesel	1,000	0.1459	PPA
	B5 Biodiesel w/ Winter add.	1,000	0.1959	
SEVEN	B5 Biodiesel	1,000	0.1537	PPA
	B5 Biodiesel w/ Winter add.	1,000	0.2037	
EIGHT	B5 Biodiesel	1,000	0.1764	PPA
	B5 Biodiesel w/ Winter add.	1,000	0.2264	
NINE	B5 Biodiesel	1,000	No Bid	
	B5 Biodiesel w/ Winter add.	1,000	No Bid	
TEN	B5 Biodiesel	1,000	No Bid	
	B5 Biodiesel w/ Winter add.	1,000	No Bid	

Minimum gallonage for T/T delivery: 7500 Diesel; 8000 Diesel/ Gas split

Able to deliver gasoline and distillates on the same T/T Load? YES NO

Able to split deliveries (T/T) between multiple locations? YES NO

Minimum Qty: T/T delivery for 2 locations within 20 mile proximity: same as above Gals.

Fee Amount for: T/T delivery for 4 locations within 30 mile proximity (upcharge): \$100.00 per location after 1st delivery.

Emergency Delivery Fee (upcharge): \$500.00

Terminal Abbreviation
 Altoona, PA - APA Pittsburgh, PA - PP
 B5 Biodiesel Products

Vendor Contact/Coordinator: Darroll L. Talbott, Branch Manager e-mail: dtalbott@guttmanoil.com

Telephone Number: (800)-296-5823

Fax Number: (304)-636-8133

Signature/Date: 

VENDOR PREFERENCE CERTIFICATE

Certification and application* is hereby made for Preference in accordance with *West Virginia Code*, §5A-3-37. (Does not apply to construction contracts). *West Virginia Code*, §5A-3-37, provides an opportunity for qualifying vendors to request (at the time of bid) preference for their residency status. Such preference is an evaluation method only and will be applied only to the cost bid in accordance with the *West Virginia Code*. This certificate for application is to be used to request such preference. The Purchasing Division will make the determination of the Resident Vendor Preference, if applicable.

- 1. **Application is made for 2.5% resident vendor preference for the reason checked:**
 Bidder is an individual resident vendor and has resided continuously in West Virginia for four (4) years immediately preceding the date of this certification; or,
 Bidder is a partnership, association or corporation resident vendor and has maintained its headquarters or principal place of business continuously in West Virginia for four (4) years immediately preceding the date of this certification; or 80% of the ownership interest of Bidder is held by another individual, partnership, association or corporation resident vendor who has maintained its headquarters or principal place of business continuously in West Virginia for four (4) years immediately preceding the date of this certification; or,
 Bidder is a nonresident vendor which has an affiliate or subsidiary which employs a minimum of one hundred state residents and which has maintained its headquarters or principal place of business within West Virginia continuously for the four (4) years immediately preceding the date of this certification; or,
- 2. **Application is made for 2.5% resident vendor preference for the reason checked:**
XXXX Bidder is a resident vendor who certifies that, during the life of the contract, on average at least 75% of the employees working on the project being bid are residents of West Virginia who have resided in the state continuously for the two years immediately preceding submission of this bid; or,
- 3. **Application is made for 2.5% resident vendor preference for the reason checked:**
 Bidder is a nonresident vendor employing a minimum of one hundred state residents or is a nonresident vendor with an affiliate or subsidiary which maintains its headquarters or principal place of business within West Virginia employing a minimum of one hundred state residents who certifies that, during the life of the contract, on average at least 75% of the employees or Bidder's affiliate's or subsidiary's employees are residents of West Virginia who have resided in the state continuously for the two years immediately preceding submission of this bid; or,
- 4. **Application is made for 5% resident vendor preference for the reason checked:**
 Bidder meets either the requirement of both subdivisions (1) and (2) or subdivision (1) and (3) as stated above; or,
- 5. **Application is made for 3.5% resident vendor preference who is a veteran for the reason checked:**
 Bidder is an individual resident vendor who is a veteran of the United States armed forces, the reserves or the National Guard and has resided in West Virginia continuously for the four years immediately preceding the date on which the bid is submitted; or,
- 6. **Application is made for 3.5% resident vendor preference who is a veteran for the reason checked:**
 Bidder is a resident vendor who is a veteran of the United States armed forces, the reserves or the National Guard, if, for purposes of producing or distributing the commodities or completing the project which is the subject of the vendor's bid and continuously over the entire term of the project, on average at least seventy-five percent of the vendor's employees are residents of West Virginia who have resided in the state continuously for the two immediately preceding years.

Bidder understands if the Secretary of Revenue determines that a Bidder receiving preference has failed to continue to meet the requirements for such preference, the Secretary may order the Director of Purchasing to: (a) reject the bid; or (b) assess a penalty against such Bidder in an amount not to exceed 5% of the bid amount and that such penalty will be paid to the contracting agency or deducted from any unpaid balance on the contract or purchase order.

By submission of this certificate, Bidder agrees to disclose any reasonably requested information to the Purchasing Division and authorizes the Department of Revenue to disclose to the Director of Purchasing appropriate information verifying that Bidder has paid the required business taxes, provided that such information does not contain the amounts of taxes paid nor any other information deemed by the Tax Commissioner to be confidential.

Under penalty of law for false swearing (*West Virginia Code*, §61-5-3), Bidder hereby certifies that this certificate is true and accurate in all respects; and that if a contract is issued to Bidder and if anything contained within this certificate changes during the term of the contract, Bidder will notify the Purchasing Division in writing immediately.

Bidder: GUTTMAN OIL COMPANY

Signed: *Dennis J. Falsett*

Date: 8-8-11

Title: BRANCH MANAGER

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

FUELTT12

RFQ No. _____

STATE OF WEST VIRGINIA
Purchasing Division

PURCHASING AFFIDAVIT

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

DEFINITIONS:

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

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

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

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

WITNESS THE FOLLOWING SIGNATURE

Vendor's Name: GUTTMAN OIL COMPANY

Authorized Signature: *Darrell G. Veltch* Date: 8-8-11

State of WEST VIRGINIA

County of RANDOLPH, to-wit:

Taken, subscribed, and sworn to before me this 8 day of August, 2011.

My Commission expires Oct 31, 2012.

AFFIX SEAL HERE

NOTARY PUBLIC *Beverly A. Tenney*

