



West Virginia Purchasing Division

2019 Washington Street, East
Charleston, WV 25305
Telephone: 304-558-2306
General Fax: 304-558-6026
Bid Fax: 304-558-3970

The following documentation is an electronically-submitted vendor response to an advertised solicitation from the *West Virginia Purchasing Bulletin* within the Vendor Self-Service portal at ***wvOASIS.gov***. As part of the State of West Virginia's procurement process, and to maintain the transparency of the bid-opening process, this documentation submitted online is publicly posted by the West Virginia Purchasing Division at ***WVPurchasing.gov*** with any other vendor responses to this solicitation submitted to the Purchasing Division in hard copy format.

Header @ 1

List View

General Information | [Contact](#) | [Default Values](#) | [Discount](#) | [Document Information](#)

Procurement Folder: 257618

SO Doc Code: CRFQ

Procurement Type: Central Master Agreement

SO Dept: 0313

Vendor ID: 000000210228

SO Doc ID: DEP1700000016

Legal Name: LAMBERT EXCAVATION INC

Published Date: 2/23/17

Alias/DBA:

Close Date: 3/22/17

Total Bid: \$546,500.00

Close Time: 13:30

Response Date: 03/22/2017

Status: Closed

Response Time: 9:31

Solicitation Description: OSR Snow Removal Open End

Total of Header Attachments: 1

Total of All Attachments: 1



Purchasing Division
 2019 Washington Street East
 Post Office Box 50130
 Charleston, WV 25305-0130

State of West Virginia
 Solicitation Response

Proc Folder : 257618
 Solicitation Description : OSR Snow Removal Open End
 Proc Type : Central Master Agreement

Date issued	Solicitation Closes	Solicitation Response	Version
	2017-03-22 13:30:00	SR 0313 ESR03221700000004540	1

VENDOR
000000210228 LAMBERT EXCAVATION INC

Solicitation Number: CRFQ 0313 DEP1700000016

Total Bid : \$546,500.00 Response Date: 2017-03-22 Response Time: 09:31:56

Comments:

FOR INFORMATION CONTACT THE BUYER
 Brittany E Ingraham
 (304) 558-2157
 brittany.e.ingraham@wv.gov

Signature on File	FEIN #	DATE
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All offers subject to all terms and conditions contained in this solicitation

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Ln Total Or Contract Amount
1	SNOW REMOVAL-TRUCKS	2000.00000	HOUR	\$175.000000	\$350,000.00

Comm Code	Manufacturer	Specification	Model #
72102903			

Extended Description : SNOW REMOVAL- TRUCKS with minimum 8 foot snow blade (Personnel included)

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Ln Total Or Contract Amount
2	APPLICATION OF LIMESTONE CHIPS WITH SPREADER	30.00000	EA	\$50.000000	\$1,500.00

Comm Code	Manufacturer	Specification	Model #
72102903			

Extended Description : APPLICATION OF LIMESTONE CHIPS WITH SPREADER.
2 to 2.25 tons over a 500 Linear Feet of road length.

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Ln Total Or Contract Amount
3	MOBILIZATION/DEMOBILIZATION BULLDOZER	50.00000	HOUR	\$150.000000	\$7,500.00

Comm Code	Manufacturer	Specification	Model #
72102903			

Extended Description : MOBILIZATION/DEMOBILIZATION BULLDOZER (Personnel included)

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Ln Total Or Contract Amount
4	SNOW REMOVAL BULLDOZER Crawler Dozer	1000.00000	HOUR	\$180.000000	\$180,000.00

Comm Code	Manufacturer	Specification	Model #
72102903			

Extended Description : SNOW REMOVAL BULLDOZER Crawler Dozer-Caterpillar D6H or Equal with 165 minimum flywheel horsepower, equipped with a straight or angle-type dozer blade. (Personnel Included)

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Ln Total Or Contract Amount
5	WINTER STORAGE FEE FOR BULLDOZER	5.00000	MO	\$1,500.000000	\$7,500.00

Comm Code	Manufacturer	Specification	Model #
72102903			

Extended Description : WINTER STORAGE FEE FOR BULLDOZER (stored on site)



Purchasing Division
 2019 Washington Street East
 Post Office Box 50130
 Charleston, WV 25305-0130

State of West Virginia
 Request for Quotation
 34 - Service - Prof

Proc Folder: 257618

Doc Description: OSR Snow Removal Open End

Proc Type: Central Master Agreement

Date Issued	Solicitation Closes	Solicitation No	Version
2017-02-23	2017-03-22 13:30:00	CRFQ 0313 DEP1700000016	1

BID RECEIVING LOCATION

BID CLERK
 DEPARTMENT OF ADMINISTRATION
 PURCHASING DIVISION
 2019 WASHINGTON ST E
 CHARLESTON WV 25305
 US

VENDOR

Vendor Name, Address and Telephone Number:

Lambert Excavation, Inc
P.O. Box 86
Bowden, WV 26254
304-636-0211

FOR INFORMATION CONTACT THE BUYER

Brittany E Ingraham
 (304) 558-2157
 brittany.e.ingraham@wv.gov

Signature X

Joseph Lambert

FEIN # 55-0768851

DATE 03/22/17

All offers subject to all terms and conditions contained in this solicitation

ADDITIONAL INFORMATION:

Request for Quotation

The West Virginia Purchasing Division is soliciting bids on behalf of the WV Department of Environmental Protection, Office of Special Reclamation, to establish an open-end contract for snow removal services and application of limestone chips, if necessary, in order to provide access to treatment sites for WVDEP staff and Contractors, per the bid requirements, specifications, terms, and conditions attached to this solicitation.

The area of work shall include various sites located in Grant, Tucker and Mineral Counties in West Virginia.

INVOICE TO		SHIP TO	
ENVIRONMENTAL PROTECTION OFFICE OF SPECIAL RECLAMATION 47 SCHOOL ST, STE 301		STATE OF WEST VIRGINIA VARIOUS LOCATIONS AS INDICATED BY ORDER	
PHILIPPI	WV26416	No City	WV 99999
US		US	

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
1	SNOW REMOVAL-TRUCKS	2000.00000	HOUR	175.00	350000.00

Comm Code	Manufacturer	Specification	Model #
72102903			

Extended Description :

SNOW REMOVAL- TRUCKS with minimum 8 foot snow blade (Personnel included)

INVOICE TO		SHIP TO	
ENVIRONMENTAL PROTECTION OFFICE OF SPECIAL RECLAMATION 47 SCHOOL ST, STE 301		STATE OF WEST VIRGINIA VARIOUS LOCATIONS AS INDICATED BY ORDER	
PHILIPPI	WV26416	No City	WV 99999
US		US	

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
2	APPLICATION OF LIMESTONE CHIPS WITH SPREADER	30.00000	EA	50.00	1500.00

Comm Code	Manufacturer	Specification	Model #
72102903			

Extended Description :

APPLICATION OF LIMESTONE CHIPS WITH SPREADER.
2 to 2.25 tons over a 500 Linear Feet of road length.

INVOICE TO		SHIP TO	
ENVIRONMENTAL PROTECTION OFFICE OF SPECIAL RECLAMATION 47 SCHOOL ST, STE 301 PHILIPPI WV26416 US		STATE OF WEST VIRGINIA VARIOUS LOCATIONS AS INDICATED BY ORDER No City WV 99999 US	

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
3	MOBILIZATION/DEMOLIZATION BULLDOZER	50.00000	HOUR	150.00	7500.00

Comm Code	Manufacturer	Specification	Model #
72102903			

Extended Description :
MOBILIZATION/DEMOLIZATION BULLDOZER (Personnel included)

INVOICE TO		SHIP TO	
ENVIRONMENTAL PROTECTION OFFICE OF SPECIAL RECLAMATION 47 SCHOOL ST, STE 301 PHILIPPI WV26416 US		STATE OF WEST VIRGINIA VARIOUS LOCATIONS AS INDICATED BY ORDER No City WV 99999 US	

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
4	SNOW REMOVAL BULLDOZER Crawler Dozer	1000.00000	HOUR	180.00	180000.00

Comm Code	Manufacturer	Specification	Model #
72102903			

Extended Description :
SNOW REMOVAL BULLDOZER Crawler Dozer-Caterpillar D6H or Equal with 165 minimum flywheel horsepower, equipped with a straight or angle-type dozer blade. (Personnel Included)

INVOICE TO		SHIP TO	
ENVIRONMENTAL PROTECTION OFFICE OF SPECIAL RECLAMATION 47 SCHOOL ST, STE 301 PHILIPPI WV26416 US		STATE OF WEST VIRGINIA VARIOUS LOCATIONS AS INDICATED BY ORDER No City WV 99999 US	

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
5	WINTER STORAGE FEE FOR BULLDOZER	5.00000	MO	1500.00	7500.00

546500.00

**Snow Removal for Grant, Tucker and Mineral Counties
Bid Sheet**

The DEP reserves the right to request additional information and supporting documentation regarding unit prices when the unit price appears to be unreasonable.

COMM LINE	ESTIMATED QTY*	UNIT	DESCRIPTION	UNIT PRICE	AMOUNT
1	2000	HOUR	SNOW REMOVAL - TRUCKS with minimum 8 foot snow blade (Personnel included)	175.00	350000.00
2	30	EACH	APPLICATION OF LIMESTONE CHIPS WITH SPREADER. ~2 to 2.25 tons over a 500 lf of road length.	50.00	1500.00
3	50	HOUR	MOBILIZATION/DEMobilIZATION BULLDOZER (Personnel included)	150.00	7500.00
4	1000	HOUR	SNOW REMOVAL BULLDOZER Crawler Dozer-Caterpillar D6H or Equal with 165 minimum flywheel horsepower, equipped with a straight or angle-type dozer blade. (Personnel Included)	180.00	180000.00
5	5	MONTHS	WINTER STORAGE FEE FOR BULLDOZER (stored on site)	1500.00	7500.00
				TOTAL	546500.00

*Quantities listed on the bid schedule are for bid evaluation purposes only and are not a guarantee of quantities to be ordered over the life of the contract. Actual quantities may be more or less than those stated on this schedule. Note: Modification of this pricing page will result in vendor disqualification.

DESIGNATED CONTACT: Vendor appoints the individual identified in this Section as the Contract Administrator and the initial point of contact for matters relating to this Contract.

Joseph Lambert President
(Name, Title)

Joseph Lambert President
(Printed Name and Title)

P.O. Box 86 Bowden WV 26254
(Address)

304-636-0211
(Phone Number) / (Fax Number)

joesportsmen@yahoo
(email address).

CERTIFICATION AND SIGNATURE: By signing below, or submitting documentation through wvOASIS, I certify that I have reviewed this Solicitation in its entirety; that I understand the requirements, terms and conditions, and other information contained herein; that this bid, offer or proposal constitutes an offer to the State that cannot be unilaterally withdrawn; that the product or service proposed meets the mandatory requirements contained in the Solicitation for that product or service, unless otherwise stated herein; that the Vendor accepts the terms and conditions contained in the Solicitation, unless otherwise stated herein; that I am submitting this bid, offer or proposal for review and consideration; that I am authorized by the vendor to execute and submit this bid, offer, or proposal, or any documents related thereto on vendor's behalf; that I am authorized to bind the vendor in a contractual relationship; and that to the best of my knowledge, the vendor has properly registered with any State agency that may require registration.

Lambert Excavation Inc
(Company)

Joseph Lambert President
(Authorized Signature) (Representative Name, Title)

Joseph Lambert President
(Printed Name and Title of Authorized Representative)

3-22-17
(Date)

304-636-0211
(Phone Number) (Fax Number)

10. VENDOR DEFAULT:

- a. The following shall be considered a vendor default under this Contract.
 - i. Failure to perform Contract Services in accordance with the requirements contained herein.
 - ii. Failure to comply with other specifications and requirements contained herein.
 - iii. Failure to comply with any laws, rules, and ordinances applicable to the Contract Services provided under this Contract.
 - iv. Failure to remedy deficient performance upon request.
- b. The following remedies shall be available to Agency upon default.
 - i. Immediate cancellation of the Contract.
 - ii. Immediate cancellation of one or more release orders issued under this Contract.
 - iii. Any other remedies available in law or equity.

11. MISCELLANEOUS:

- a. **Contract Manager:** During its performance of this Contract, Vendor must designate and maintain a primary contract manager responsible for overseeing Vendor's responsibilities under this Contract. The Contract manager must be available during normal business hours to address any customer service or other issues related to this Contract. Vendor should list its Contract manager and his or her contact information below.

Contract Manager: Joseph Lambert
Telephone Number: 304 636-0211
Fax Number: 304-636-0211
Email Address: joesportsmen@yahoo

WV-10
Approved / Revised
12/16/15

State of West Virginia VENDOR PREFERENCE CERTIFICATE

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

- 1. **Application is made for 2.5% 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;
 Bidder is a resident vendor partnership, association, or corporation with at least eighty percent of ownership interest of bidder held by another entity that meets the applicable four year residency requirement; **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% vendor preference for the reason checked:**
Bidder is a resident vendor who certifies that, during the life of the contract, on average at least 75% of the employees working on the project being bid are residents of West Virginia who have resided in the state continuously for the two years immediately preceding submission of this bid; **or,**

- 3. **Application is made for 2.5% vendor preference for the reason checked:**
Bidder is a nonresident vendor that employs a minimum of one hundred state residents, or a nonresident vendor which has an affiliate or subsidiary which maintains its headquarters or principal place of business within West Virginia and employs a minimum of one hundred state residents, and for purposes of producing or distributing the commodities or completing the project which is the subject of the bidder's bid and continuously over the entire term of the project, on average at least seventy-five percent of the bidder's employees or the bidder's affiliate's or subsidiary's employees are residents of West Virginia who have resided in the state continuously for the two immediately preceding years and the vendor's bid; **or,**

- 4. **Application is made for 5% 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% 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% 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.

- 7. **Application is made for preference as a non-resident small, women- and minority-owned business, in accordance with *West Virginia Code* §5A-3-59 and *West Virginia Code of State Rules*.**
Bidder has been or expects to be approved prior to contract award by the Purchasing Division as a certified small, women- and minority-owned business.

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) rescind the contract or purchase order; 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.

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: Lambert Excavation Inc Signed: Joseph Lambert
Date: 3-22-17 Title: President

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

CONTRACTOR LICENSE

Authorized by the
West Virginia Contractor Licensing Board

Number: WV030398

Classification:

- ELECTRICAL
- GENERAL BUILDING
- GENERAL ENGINEERING
- PLUMBING
- EXCAVATION

LAMBERT EXCAVATION INC
DBA LAMBERT EXCAVATION INC
PO BOX 86
BOWDEN, WV 26254

Date Issued

Expiration Date

JANUARY 25, 2017

JANUARY 25, 2018

Joseph Lambert
Authorized Company Signature

Gene Traynor
Chair, West Virginia Contractor
Licensing Board

This license, or a copy thereof, must be posted in a conspicuous place at every construction site where work is being performed. This license number must appear in all advertisements, on all bid submissions and on all fully executed and binding contracts. This license cannot be assigned or transferred by licensee. Issued under provisions of West Virginia Code, Chapter 21, Article 11.

WEST VIRGINIA
CONTRACTOR
LICENSING
BOARD



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

06/16/2016

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER LaMora Insurance Agency Inc P O Box 1938 Elkins WV 26241		CONTACT NAME: PHONE (A/C, No, Ext): E-MAIL ADDRESS: FAX (A/C, No):	
INSURED Joseph Lambert DBA: Lambert Excavation Inc. P O Box 86 Bowden WV 26254		INSURER(S) AFFORDING COVERAGE INSURER A: Nationwide Mutual Insurance Company NAIC # 23787 INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:	

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:		ACP GLO 573617840	06/20/2016	06/20/2017	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS		ACP BA 5736178405	06/20/2016	06/20/2017	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$ <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS-MADE		ACP CAF 5736178405	06/20/2016	06/20/2017	EACH OCCURRENCE \$ AGGREGATE \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N N/A				PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER**CANCELLATION**

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Ray LaMora

WV Department of Environmental Protection
 47 School Street, Suite 301
 Philippi WV 26416

STATE OF WEST VIRGINIA
Purchasing Division

PURCHASING AFFIDAVIT

MANDATE: Under W. Va. Code §5A-3-10a, 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: (1) the debt owed is an amount greater than one thousand dollars in the aggregate; or (2) the debtor is in employer default.

EXCEPTION: The prohibition listed above does not apply where a vendor has contested any tax administered pursuant to chapter eleven of the W. Va. 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.

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.

"Employer default" means having an outstanding balance or liability to the old fund or to the uninsured employers' fund or being in policy default, as defined in W. Va. Code § 23-2c-2, failure to maintain mandatory workers' compensation coverage, or failure to fully meet its obligations as a workers' compensation self-insured employer. An employer is not in employer default if it has entered into a repayment agreement with the Insurance Commissioner and remains in compliance with the obligations under the repayment agreement.

"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.

AFFIRMATION: By signing this form, the vendor's authorized signer affirms and acknowledges under penalty of law for false swearing (W. Va. Code §61-5-3) that neither vendor nor any related party owe a debt as defined above and that neither vendor nor any related party are in employer default as defined above, unless the debt or employer default is permitted under the exception above.

WITNESS THE FOLLOWING SIGNATURE:

Vendor's Name: Lambert Excavation, LLC
Authorized Signature: Joseph Lambert Date: 3-22-17

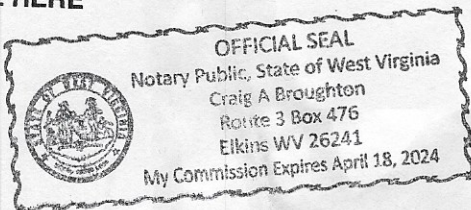
State of WEST VIRGINIA

County of RANDOLPH, to-wit:

Taken, subscribed, and sworn to before me this 22nd day of MARCH, 2017.

My Commission expires APRIL 18TH, 2024.

AFFIX SEAL HERE



NOTARY PUBLIC Craig A. Broughton
Purchasing Affidavit (Revised 08/01/2015)