



Expression of Interest
West Virginia – Army National Guard
Camp Dawson FMS #4 Fire Suppression System Design
Kingwood, WV
CEOI 0603 ADJ1900000008
August 27, 2018



RECEIVED

2018 AUG 28 AM 10: 39

WV PURCHASING
DIVISION

Department of Administration
Purchasing Division
2019 Washington Street East
Charleston, WV 25305-0130

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The Miller Engineering Difference



We are very pleased to submit our response for the WV Army National Guard FMS #4 Fire Suppression System Design Project in Camp Dawson, Kingwood, WV. Miller Engineering has performed many specialty fire suppression system designs over the years, often as part of a larger project such as a building renovation or new construction. These specialty facilities include garages, highly toxic and flammable industrial facilities, and hospitals.

We're not your typical MEP firm; we ensure our designs meet very specific, time-tested criteria, including but not limited to being constructible, operable and maintainable. We want to set up our clients to be self-sufficient, but we work to be available every step of the way.

Our hands-on staff takes great pride in their construction and operations backgrounds, which help us visualize the project as it would be built instead of just lines on paper. We don't sit clients down and lecture to them about what they're going to get; we listen to them so we can strive to deliver exactly what they want and need. It costs too much time and money (for both our clients and us) to not deliver exceptional service every single time, and we work tirelessly to keep projects on time and on budget. We're proud to say that our change order percentage over the last 8 years is less than 0.1%, and that's not just a statistic; it's a proclamation of our commitment and determination to make sure things are done right the first time, every time.

Miller Engineering has completed several successful projects for the State of West Virginia in the previous two years. We recently closed out an HVAC renovation project at Building 22 for GSD and are soon to be entering the construction phase of an addition to Cacapon Lodge for DNR. We have experience with the requirements and processes of state procurement, and can deliver a successful project from design through close-out and warranty. I would like to personally thank you for affording Miller Engineering the opportunity to propose on the WV Army National Guard FMS #4 Fire Suppression System Design Project.

Best regards,

A handwritten signature in blue ink, appearing to read "Craig Miller". The signature is stylized and fluid.

Craig Miller
President/Owner
Miller Engineering, Inc.



TAB 1 –FIRM QUALIFICATIONS



Miller Engineering, Inc. Firm Profile

Our engineered solutions involve a detailed assessment process: investigation, observation, communication with stakeholders, system analysis, building modeling and engagement from our entire team. We approach each and every project with this process and the guiding principle that buildings are designed to be livable and function in their intended purpose.

Over the past 13 years Miller Engineering, Inc. (MEI) has engineered solutions for over \$20.1M in mechanical system upgrades, repairs and renovations for projects of all scopes and sizes, with clients ranging from private owners to local and state governments.

*With a strict attention to detail and commitment to delivering a job done well and done right the first time, every time, **MEI has accumulated a change order percentage of less than 0.1% over the past 8 years.***

Our team has unique skill-sets regarding engineered renovation solutions. Each member of the team has hands-on mechanical system experience including installation, construction, design and maintenance.

*Miller Engineering takes pride in being **different by design** and that difference shines through in all phases of our work and continued relationships with our clients.*

Additional Benefits

- Experienced and Licensed Professional Engineers
- Quality, Value-Engineered Project Delivery
- Qualified Construction Representative on Staff
- LEED-AP Certified
- Below Industry Change Order Status
- Building Information Modeling
- Interactive Solutions Provider
- Emergency Facility Response

Engineering Design and Consultation

- Mechanical
- Electrical
- Plumbing
- HVAC Design
- Renovation
- New Construction

Aquatic Facility Design

Public Pools & Areas
ADA Compliance
Indoor & Outdoor (air flow)
Chlorination/Filtration

Construction Administration

Maintenance/Facility Improvement Plans
Contract Administration
Code Observation

Communication System

Intercomm & Public Address
Voice/Data/CATV
Urgent Response

Energy

Power Supply (main & backup)
Green & Renewable Consulting
Systems Utilization & Upgrades
Sustainable Solutions

Facility Utilization

Systems Assessment & Solutions
Adaptive Re-use
Planning/Life-Cycle Control
Engineered Replacement

Life Safety Inspection/Design

Fire Protection & Alarm Systems
Access Control
Fire & Electrical Investigation

Industry Experience

Education
Local & State Government
Commercial Development
Healthcare
Public Pools (indoor & outdoor)
Department of Parks & Recreation



B. Craig Miller, PE

Craig founded Miller Engineering in 2003, and serves as President and Principal Engineer. He has more than 20 years experience in design, specification, operations and project management. During his employment with WVU, Craig was directly involved with approximately \$130 million in new capital construction. His experience with a wide range of projects including HVAC, electrical, plumbing, infrastructure upgrades, building automation, energy efficiency and maintenance/renovation, among others, allows him to serve in multiple capacities within a given project. Craig will serve as the main

communication interface between the Owner, the design team, contractors and end users.

Project Role: Relationship Manager – Primary Point of Contact

- *Engineer in Responsible Charge*
- *Design and Project Management of Mechanical, Electrical, Plumbing Projects*
- *Concept and Construction Design*
- *Business Operations and Financial Management Oversight*
- *Quality Assurance and Control*

Professional Project Highlights

- Bobtown Elementary HVAC
- WVU Life Sciences Building and Student Recreation Center – Owner’s Engineer
- Hawks Nest/Twin Falls HVAC
- Mapletown High School HVAC Replacement Phase I & II
- Advanced Surgical Hospital
- WV State Building 25 HVAC Piping Replacement
- WV State Building 36 HVAC Upgrades
- Cheat Lake Elementary & Middle School Renovations

Professional History

2003- Present	Miller Engineering, Inc.	President, Relationship Manager
2002-2003	Casto Technical Services	Existing Building Services Staff Engineer
2001-2002	Uniontown Hospital	Supervisor of Engineering
1995-2001	West Virginia University	Staff Engineer
1990-1995	BOPARC	Caretaker – Krepps Park
1983-1988	University of Charleston	Electrician/HVAC Mechanic

Education

1995	West Virginia University	BS- Mechanical Engineering
1988	University of Charleston	BA- Mass Communications

Licenses and Certifications

- Professional Engineer (West Virginia, Pennsylvania, Maryland, and Ohio)
- Licensed Master Plumber
- LEED-AP Certified



Travis Taylor, PE

Experience in project management facilitates Travis's ability to create and design constructible projects. Prior to joining the Miller Engineering team he was directly responsible for managing \$10 million in electrical construction budgets. His experiences encompass both new construction and renovation. Travis maintains professional competencies by attending seminars and continuing education classes. As lead engineer he provides HVAC, mechanical, plumbing and electrical design solutions and services for our clients. In addition, he is part of our team's complete assessment process in both planning and MEP design through construction administration.

Project Role: Lead MEP Engineer

- *Design of Mechanical, Electrical, and Plumbing Systems*
- *Building Information Modeling - Revit*
- *Constructible Materials Evaluation*
- *Site Evaluation and Mechanical System Review*
- *Submittal and RFP Review*
- *RFI Coordination, Review, and Response*
- *Construction Observation*

Professional Project Highlights

- Suncrest Middle Gym HVAC
- MTEC Welding Shop
- North Elementary Gym HVAC
- WV State Building 36 HVAC Upgrades
- WV State Building 25 HVAC Piping Replacement
- Bobtown Elementary School HVAC Upgrades
- Holly River State Park Primary Electric Service Replacements Phase I & II
- Pipestem Lodge McKeever Lodge HVAC Piping Replacement

Professional History

2011-Present	Miller Engineering, Inc.	Staff Engineer
2006-2011	Tri-County Electric, Co.	Project Manager
2006-2006	Schlumberger	Field Engineer Trainee - MWD

Education

2006 West Virginia University, BS – Mechanical Engineering

Licenses and Certifications

- Professional Engineer - State of West Virginia
- OSHA 10-hour Course: Construction Safety & Health

Staff – Qualifications and Experience



Jack Jamison

Jack brings 15 years as an electrical/building inspector and over 25 years of experience in the commercial electrical construction industry. His knowledge and experience are valuable resources to Miller’s complete assessment process.

Project Role: Master Code Official

- *Facility Review, Code Research, Field Observations, Issue Resolutions, and Project Evaluation*

Professional History

2010- Present	Miller Engineering, Inc.	Code and Construction Specialist
1999-2010	Megco Inspections	Chief Inspector
1972-1998	Jamison Electrical Construction	Master Electrician

Education

1971 Fairmont State College, BS-Engineering Technology-Electronics

Licenses and Certifications

- Master Code Professional, IAEI Master Electrical Inspector, Class C Electrical Inspector – WV, PA, MD, & OH
- ICC Commercial Building, Building Plans, Commercial Plumbing, Residential Energy, and Accessibility Inspector/Examiner
- WV Master Electricians License
- NCPCCI-2B, 2C, 4B, 4C: Electrical & Mechanical General/Plan Review
- OSHA 30 Hour Course: General Industry
- NFPA Code Making Panel 14 – NEC 2014 Edition



Robert Angus

20 Years of maintenance, operations, and construction management precede Rob's engagement with Miller Engineering. Professional expertise of construction project management was gained as an owner of his own contracting company specializing in residential and commercial construction, electrical, plumbing, and HVAC projects. Rob's hands-on approach, common sense and valuable work history knowledge enables him to interface with construction personnel seamlessly alongside engineers and architects. He is adept at preventing and handling issues. Rob is involved at the estimation phase

to allow for continuity within the project's design and construction.

Project Role: Construction Representative

- Construction Project Representation and Management
- Construction Administration
- Project Cost Estimation
- Submittal Review
- RFI, RFPCO Review and Response

Professional Project Highlights

- MTEC Welding Shop
- Cheat Lake Elementary HVAC Upgrade
- Suncrest Middle School Gym HVAC Upgrade
- North Elementary School Boiler/AC
- Mapletown Jr./Sr. High School HVAC/Boiler Upgrade
- 3RD Party Construction Observation – Canaan Valley Resort
- Hawks Nest/Twin Falls HVAC
- WVU Research Building Office Renovation

Professional History

2009- Present	Miller Engineering, Inc.	Project Construction Representative
2000-2009	Angus Contracting, LLC	Owner/Operator
1991-2000	BOPARC	Director of Maintenance

Education

2000	Monongalia County Technical Education Center	Heating, Cooling, and Refrigeration Certification
1996	West Virginia University	Recreation and Parks Administration

Licenses and Certifications

- Licensed West Virginia General Contractor
- Licensed West Virginia HVAC Contractor
- Certified HVAC Mechanical Contractor
- Licensed West Virginia Journeyman Electrician
- Licensed West Virginia Master Plumber
- OSHA 10-Hour Construction Safety & Health



Joseph Machnik

Joe has experience with AutoCAD, MEP and Revit MEP. He provides design modeling, drafting and supervised design services and construction support for Miller Engineering.

Project Role: MEP Designer

- *Revit/CADD Coordination of New Construction and Renovation Designs*
- *Building Information Modeling*

Professional Project Highlights

- **Bobtown Elementary HVAC**
- **WV State Building 25 HVAC Piping Replacement**
- **Suncrest Middle Gym HVAC**
- **North Elementary Gym HVAC**
- **WV State Building 36 HVAC Upgrades**
- **Westwood Middle Cooling Tower**
- **Pipestem Lodge HVAC Piping Replacement**

Professional History

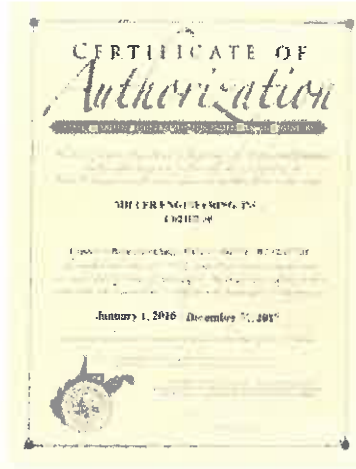
2010 – Present Miller Engineering, Inc. MEP Designer

Education

2008 Penn State -- Fayette, AS - Building Engineering Systems Technology: *Building Environmental Systems Technology*

2007 Penn State -- Fayette, AS - Building Engineering Systems Technology: *Architectural Engineering Technology*

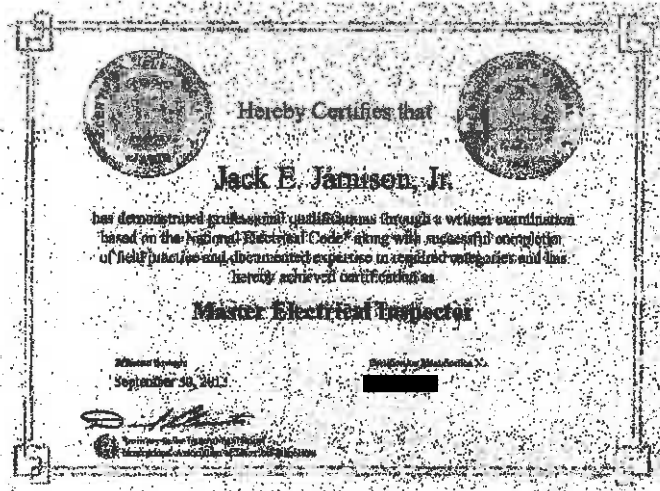
Miller Engineering Licenses and Certifications



This is to certify that the above named PROFESSIONAL ENGINEER has met the requirements of the law in this State and is qualified to practice engineering in the State of West Virginia.



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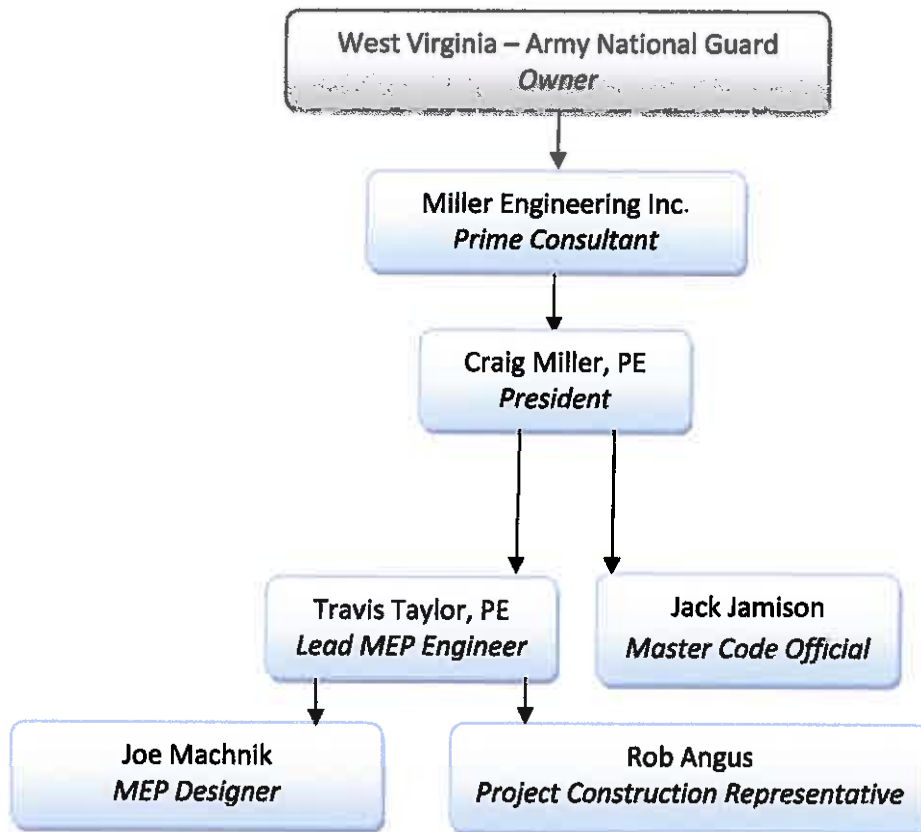




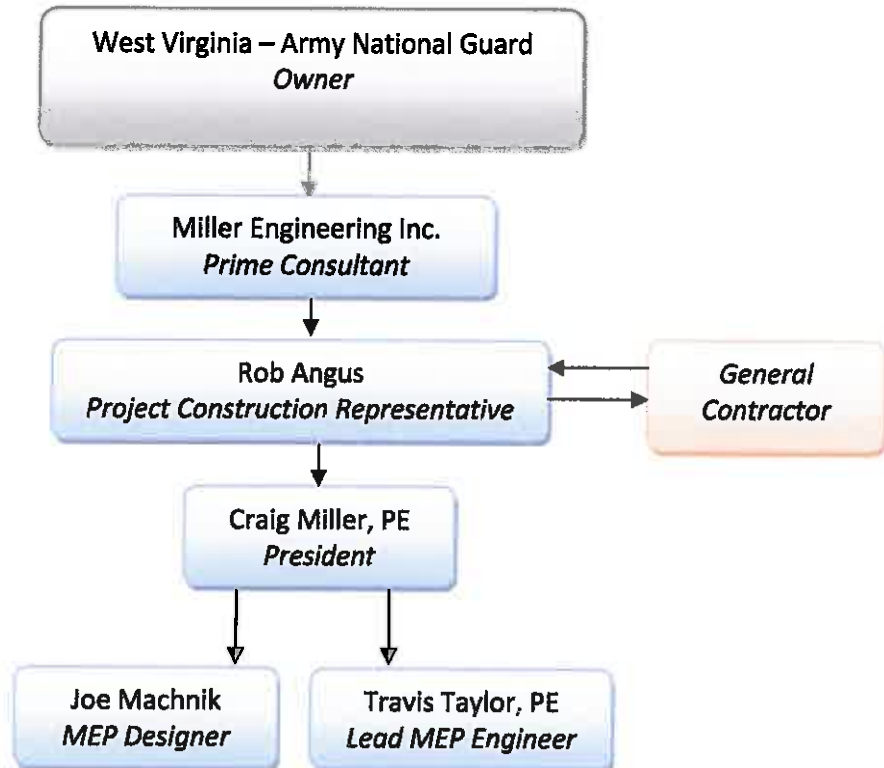
TAB 2 – PROJECT ORGANIZATION



Organization Chart – Design



Organization Chart – Construction



Staff – Proposed Staffing Plan

Team Leader/ Primary Point of Contact

Craig Miller, PE

Engineer in Responsible Charge

Craig Miller, PE

Electrical Code Specialist

Jack Jamison

Lead MEP Engineer

Travis Taylor, PE

Project Construction Representative

Robert Angus

**Lead Designer/BIM Specialist/
BIM Coordinator**

Joseph Machnik

**See Tab 2 for Staffing Resumes*

What our satisfied customers have to say...

“Hard working, do-whatever-it-takes, diligent team that provides excellent customer service is what you can expect from Miller Engineering.”

--Chris Halterman

“As a design/build team, working with Miller Engineering, our project involving a private surgical hospital together was a success – completed ahead of schedule and on budget. Miller worked with us throughout the project to consult, engineer and inspect the mechanical systems. Craig Miller, PE and his staff are working with us again, and are very important members of our design/build team. I highly recommend their services.

--Richard J. Briggs

Brad Leslie, PE
*Assistant Chief
 WV Division of Natural
 Resources
 State Parks Section
 324 4th Avenue
 South Charleston, WV 25303
 (304) 558-2764 ext. 51823
Bradley.S.Leslie@wv.gov*

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*Extension Agent - Kanawha
 County
 West Virginia University
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 Suite 101
 Charleston, WV 25304
 304.720.9573
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 185 Providence Lane
 Petersburg, WV 26847
 (304) 257-1414
jcarter@potomacvalleytransit.org*

Bob Ashcraft
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 Coordinator
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 533 East Brockway Street
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rbashcraft@access.k12.wv.us*

Mike Trantham
*Program Administrator Senior
 WVU Environmental Health &
 Safety
 P.O. Box 6551
 975 Rawley Avenue
 Morgantown, WV 26506
 (304) 293-5785
Mike.Trantham@mail.wvu.edu*

Richard J. Briggs
*Vice President
 Lutz Briggs Schultz & Associates
 Inc.
 239 Country Club Drive
 Ellwood City, PA 16117-5007
 (724) 758-5455
lbsa@zoominternet.net*

From Jonathan Miller, Mechanical Project Manager, Nitro Mechanical:

“Miller Engineering is not your average engineering company; they work with the owner AND the contractor to solve all issues that arise throughout the project to make the process as fluid as possible.

Descriptions of Past Projects Completed – Adaptive Renovation

MedExpress National Headquarters

Services Provided:

- Mechanical
- Electrical
- Plumbing
- Fire Protection/Alarms

Estimated Budget: \$12M

Facility Area: 31,000 ft²

Owner: MedExpress, Inc.



A full mechanical, electrical and plumbing upgrade was necessary for this former grocery store in order to meet the needs and demands of the client's use. A full computational model of the building and the new floor plan revealed that use of rooftop units of varying configurations would effectively condition the facility. Variable air volume (VAV) and constant volume systems were utilized to accomplish this goal. In addition, a dedicated air system was required for the critical corporate data center which would also accommodate both the current system load and anticipated growth of the owner. Halon systems, extensive fire and alarm systems, were installed to bring the facility to safety and state regulation codes. The critical corporate data center also required the design of a full standby power system with generator, uninterruptible power supply and transient voltage surge suppression. All project goals were met and the project was a success.

Descriptions of Past Projects Completed – Renovation

WVU Chestnut Ridge Research Building

Morgantown, WV

Services Provided:

- MEP Engineering
- Fire Protection/ Fire Alarm
- Telephone/Data

Construction Budget: \$610K

Facility Area: 5,700 ft²

Owner: West Virginia University



The retrofit of approximately 5700 ft² of previous storage space into usable office/conference space was successfully achieved. The Owner wanted a finished look using exposed overhead mechanical systems, so the MEP systems had to be aesthetically and architecturally appropriate while working around existing building systems, such as existing roof drain leaders, within the space. The existing systems were successfully reused as much as possible to help control project costs. A full restroom and kitchen area was developed to meet the needs of the occupants, while extensive detailing of system components and aggressive Construction Administration resulted in a highly successful project. This project resulted in MEI doing adaptive re-use to two more floors in the building

Descriptions of Past Projects Completed – New Construction

Preston County 911 Center

Services Provided:

- Mechanical
- Electrical
- Plumbing
- Fire Protection
- Fire Alarm

Estimated Budget: \$2M

Facility Area: 7,000 ft²

Owner: Preston County



The 7,000 ft² facility incorporates many features to increase the facility's reliability and functionality as a county-wide emergency operations center, in addition to being a 911-service call center. The HVAC system serving the 911 center and its supporting data center are redundant and incorporate a "shelter in place" function to seal them from outside air should the need arise. The training facility is equipped with HVAC systems and power/data cabling to permit it to function as an emergency operations center. The facility has a dual fuel emergency generator which serves the 911 center and the training room/operations center. The building water, electric and tel/data/cable utilities each required special attention and coordination with the service providers.

Project Contact:
Duane Hamilton
Preston OES
Phone: (304) 329-1855

Descriptions of Past Projects Completed – Fire Suppression

FMW Composites Building

Services Provided:

- Electrical
- Plumbing
- HVAC
- Fire Protection
- Fire Alarm

Estimated Budget: \$3.8M

Facility Area: 15,000 ft²

Owner: FMW Composite Systems



The facility's production process utilizes explosive hydrogen and propane requiring electrical, HVAC and plumbing systems to be explosion-proof. The project required extensive review of air movement (supply, exhaust, room-to room) within and outside the facility. The processes also use chemicals which can emit vaporous hydrochloric acid, requiring emergency ventilation systems. An extensive code review process was performed as well as design of a foam-based fire suppression system. Process gasses flow from exterior bulk storage to the process equipment through a piping network. Significant complexity was added as the roof structure could not support any HVAC equipment and location, footprint and services were already established during building of the shell.

Project Contact:
Richard Colebank, PE
Alpha Associates
Phone: (304) 296-8216

Descriptions of Past Projects Completed – Renovation

Clear Mountain Bank - Reedsville

Services Provided:

- Mechanical
- Electrical
- Plumbing
- Fire Alarm

Estimated Budget: N/A

Facility Area: 2,700 ft²

Owner: Clear Mountain Bank



Work included demolition of the main level of the existing building and reconstruction on the existing basement walls. Project consisted of traditional air handlers located in the basement, all new lighting including decorative tension-suspended fixtures and exterior pole lights, and integration of bank security and operational systems. Goals included re-use of the existing utility services and construction efforts kept the existing safe deposit vault intact and operational.

Project Contact:

Cindy Tehrani, Assistant Vice President

Clear Mountain Bank

(304) 379-2265

Descriptions of Past Projects Completed – New Construction

Advanced Surgical Rehabilitation Hospital

Services Provided:

- Mechanical
- Electrical
- Plumbing
- Nurse Call
- Fire Protection/Alarm

Estimated Budget: \$17M
Facility Area: 67,000 ft²
Owner: AOR Group



Interactive collaboration with the physician owners and contractor was the guiding principle behind the success of this project. Each and every system within the hospital was designed for and met precise health care compliance standards. Specifications for ventilation, electric, plumbing, HVAC and medical gas safety were all applied to the constructible design. Quality assurance and design aspects were satisfied by many intensive site visits as well as consistent communication with the contractor. Real time answers and coordination enabled the client to meet a fast-paced construction deadline which if missed would have had severe government regulatory repercussions and detrimental business outcomes.

Project Contact:
Rick Briggs
Lutz Myers & Associates, Inc.
(724) 758-5455

Budget and Timeline History

Project Name	Project Type	Budget	Cost	Notes
Bluestone State Park	Pool Replacement	\$1,000,000	\$935,600	On budget
West Virginia State	HVAC Piping Renovation	\$650,000	\$533,400	On budget
Canaan Valley Resort	Emergency Electrical Repairs	\$225,000	\$129,829	On budget
Holly Grove Manor	Renovation	\$885,000	N/A	On hold
Mapletown Jr/Sr High School	HVAC Renovation	\$1,050,000	\$1,105,900	5.19% over budget
Pipestem – McKeever Lodge	HVAC Piping Replacement	\$1,600,000	\$1,776,000	10.43% over budget
Tygart Lake State Park	Beach and Bathhouse	\$750,000	\$695,000	On budget



= Delivered on budget/on time

Budget and Timeline History

Project Name	Project Type	Contract Length	Contract Delivery	Notes
Blackwater Falls State Park	Boiler Replacement	120 days	180 days*	*Extended 60 days due to equipment delivery issues
Bluestone State Park	Pool Replacement	180 days	180 days	Delivered on time
Canaan Valley Resort	Construction Administration	3.5 years	3.5 years	Long-term project with varying facets – no direct schedule
Twin Falls/Hawks Nest Lodge	HVAC Renovation	90 days	90 days*	*Expedited delivery
Mapletown Jr/Sr High School	Boiler/ HVAC Renovation	180 days	180 days	Delivered on time
Pipestem – McKeever Lodge	HVAC Piping Replacement	365 days	365 days	Delivered on time
Tygart Lake State Park	Beach and Bathhouse	270 days	270 days	Delivered on time



TAB 4 – PROJECT FORMS





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

State of West Virginia
 Centralized Expression of Interest
 02 - Architect/Engr

Proc Folder: 482308

Doc Description: FMS#4 Fire Suppression System Design Camp Dawson

Proc Type: Central Purchase Order

Date Issued	Solicitation Closes	Solicitation No	Version
2018-08-09	2018-08-30 13:30:00	CEOI 0603 ADJ1900000008	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:

FOR INFORMATION CONTACT THE BUYER

Stephanie L Gale
 (304) 558-8801
 stephanie.l.gale@wv.gov

Signature X  FEIN #

86-1081386

DATE August 27, 2018

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

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.



(Name, Title)

(Printed Name and Title)

240 Scott Ave, Suite 1, Morgantown, WV 26508

(Address)

304-291-2234

(Phone Number) / (Fax Number)

cmiller@millereng.net

(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.

Miller Engineering, Inc.

(Company)



(Authorized Signature) (Representative Name, Title)

Craig Miller, Owner

(Printed Name and Title of Authorized Representative)

August 27, 2018

(Date)

304-291-2234

(Phone Number) (Fax Number)

ADDENDUM ACKNOWLEDGEMENT FORM
SOLICITATION NO.: CEOI ADJ1900000008

Instructions: Please acknowledge receipt of all addenda issued with this solicitation by completing this addendum acknowledgment form. Check the box next to each addendum received and sign below. Failure to acknowledge addenda may result in bid disqualification.

Acknowledgment: I hereby acknowledge receipt of the following addenda and have made the necessary revisions to my proposal, plans and/or specification, etc.

Addendum Numbers Received:

(Check the box next to each addendum received)

- | | | |
|---|--|------|
| <input type="checkbox"/> Addendum No. 1 | <input type="checkbox"/> Addendum No. 6 | None |
| <input type="checkbox"/> Addendum No. 2 | <input type="checkbox"/> Addendum No. 7 | |
| <input type="checkbox"/> Addendum No. 3 | <input type="checkbox"/> Addendum No. 8 | |
| <input type="checkbox"/> Addendum No. 4 | <input type="checkbox"/> Addendum No. 9 | |
| <input type="checkbox"/> Addendum No. 5 | <input type="checkbox"/> Addendum No. 10 | |
| | | |

I understand that failure to confirm the receipt of addenda may be cause for rejection of this bid. I further 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.

Miller Engineering, Inc.

Company

Authorized Signature

August 27, 2018

Date

NOTE: This addendum acknowledgement should be submitted with the bid to expedite document processing.

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: Miller Engineering, Inc.

Authorized Signature: [Signature] Date: August 27, 2018

State of West Virginia

County of Taylor, to-wit:

Taken, subscribed, and sworn to before me this 27 day of August, 2018

My Commission expires March 1st, 2021.

AFFIX SEAL HERE

NOTARY PUBLIC [Signature]

Purchasing Affidavit (Revised 07/01/2012)

