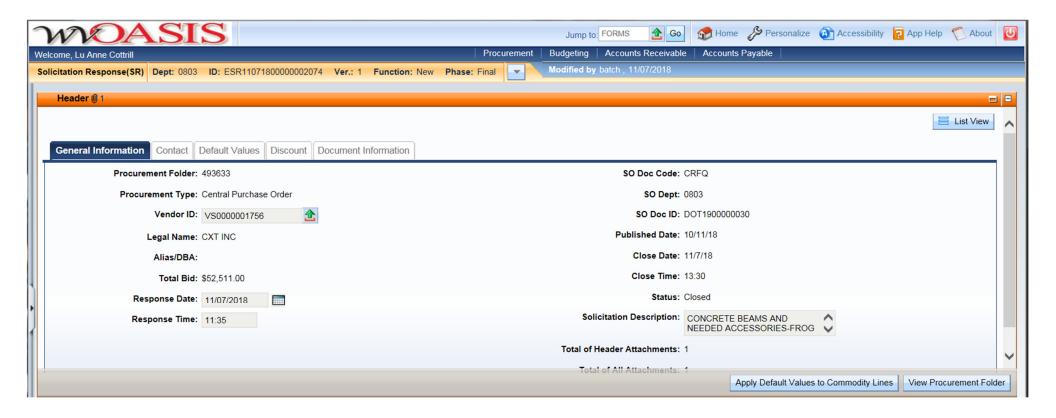


2019 Washington Street, East Charleston, WV 25305 Telephone: 304-558-2306 General Fax: 304-558-6026

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.





# State of West Virginia Solicitation Response

Proc Folder: 493633

Solicitation Description : CONCRETE BEAMS AND NEEDED ACCESSORIES-FROG CREEK BRIDGE

Proc Type: Central Purchase Order

 
 Date issued
 Solicitation Closes
 Solicitation Response
 Version

 2018-11-07 13:30:00
 SR
 0803 ESR1107180000002074
 1

VENDOR

VS0000001756

**CXT INC** 

Solicitation Number: CRFQ 0803 DOT1900000030

**Total Bid:** \$52,511.00 **Response Date:** 2018-11-07 **Response Time:** 11:35:23

**Comments:** 

FOR INFORMATION CONTACT THE BUYER

Crystal Rink (304) 558-2402 crystal.g.rink@wv.gov

Signature on File FEIN # DATE

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

Page: 1 FORM ID: WV-PRC-SR-001

| Line                                   | Comm Ln Desc   | Qty                         | Unit Issue       | Unit Price                                  | Ln Total Or Contract Amount         |
|--|--|-----------------------------|------------------|---|-------------------------------------|
| 1                                      | Internal Beam (17"x 36")   | 166.00000                   | LF               | \$148.000000                                | \$24,568.00                         |
| Comm Code                              | Manufacturer   | Specification               |                  | Model #                                     |                                     |
| 30101717                               |  |                             |                  |   |                                     |
| Extended Des                           | Scription : Interior Beam (17" x 36"                               | ") 40'0" center to ce       | nter of bearin   | gs, 41'-6" Overall                          | Length. Skew 30 degrees left forwar |
| Line                                   | Comm Ln Desc   | Qty                         | Unit Issue       | Unit Price                                  | Ln Total Or Contract Amount         |
| 2                                      | External Beam (17"x36")  | 83.00000                    | LF               | \$155.000000                                | \$12,865.00                         |
| Comm Code                              |  |                             |                  | Madal #                                     |                                     |
|  | Manufacturer   | Specification               |                  | Model #                                     |                                     |
| 30101717 Extended Des                  |  | -                           | enter of beari   |   | Length. Skew 30 degrees left forwa  |
| 30101717<br>Extended Des               | scription: Exterior Beam (17" x 36                                 | 6") 40'0" center to ce      |                  | ngs, 41'-6" Overall                         |                                     |
| 30101717  Extended Des                 | Scription: Exterior Beam (17" x 36                                 | 6") 40'0" center to ce      | Unit Issue       | ngs, 41'-6" Overall                         | Ln Total Or Contract Amount         |
| 30101717<br>Extended Des               | scription: Exterior Beam (17" x 36                                 | 6") 40'0" center to ce      |                  | ngs, 41'-6" Overall                         |                                     |
| 30101717  Extended Des                 | Scription: Exterior Beam (17" x 36                                 | 6") 40'0" center to ce      | Unit Issue       | ngs, 41'-6" Overall                         | Ln Total Or Contract Amount         |
| Extended Des                           | Exterior Beam (17" x 36  Comm Ln Desc  B2 Elastomeric Bearing Pads | Qty<br>24.00000             | Unit Issue       | ngs, 41'-6" Overall  Unit Price \$65.000000 | Ln Total Or Contract Amount         |
| Extended Des                           | Comm Ln Desc B2 Elastomeric Bearing Pads  Manufacturer             | Qty 24.00000  Specification | Unit Issue<br>EA | Unit Price<br>\$65.000000                   | Ln Total Or Contract Amount         |
| Extended Des<br>Line<br>3<br>Comm Code | Comm Ln Desc B2 Elastomeric Bearing Pads  Manufacturer             | Qty 24.00000  Specification | Unit Issue<br>EA | Unit Price<br>\$65.000000                   | Ln Total Or Contract Amount         |

| Comm Code | Manufacturer | Specification | Model # |  |
|-----------|--------------|---------------|---------|--|
| 30101717  |              |               |         |  |

Extended Description: 1" Type 1 Sponge Rubber (for Backwalls) 59 Square Feet

| Line                                   | Comm Ln Desc   | Qty   | Unit Issue       | Unit Price                                   | Ln Total Or Contract Amount            |
|--|--|---|------------------|--|--|
| 5                                      | 2" Type 1 Sponge Rubber  | 22.00000  | SF               | \$5.000000                                   | \$110.00                               |
| Comm Code                              | Manufacturer   | Specification   |                  | Model #                                      |  |
| 30101717                               |  |   |                  |  |  |
| Extended Des                           | Scription: 2" Type 1 Sponge Rubbe  | r (for Bridge Seat  | s) 22 Square     | Feet   |  |
| Line                                   | Comm Ln Desc   | Qty   | Unit Issue       | Unit Price                                   | Ln Total Or Contract Amount            |
| 6                                      | 1" Diameter Post-Tensioning Bar w/<br>Nuts and Bearing Plates  | -   | LF               | \$11.000000                                  | \$957.00                               |
| Comm Code<br>30101717                  | Manufacturer   | Specification   |                  | Model #                                      |  |
| Extended Des                           | scription : 1" Diameter Post-Tension   | iiig bai w/ Nuis a  | ina beating F    | iales as required                            |  |
|  |  |   |                  |  |  |
| Line                                   | Comm Ln Desc   | Qtv   | Unit Issue       | Unit Price                                   | Ln Total Or Contract Amount            |
| Line<br>7                              | Comm Ln Desc  1" Diameter x 2' Long Grade 60 Anchor Rod  | <b>Qty</b> 12.00000   | Unit Issue<br>EA | Unit Price<br>\$5.500000                     | Ln Total Or Contract Amount<br>\$66.00 |
|  | 1" Diameter x 2' Long Grade 60   |   |                  |  |  |
| 7                                      | 1" Diameter x 2' Long Grade 60<br>Anchor Rod   | 12.00000  |                  | \$5.500000                                   |  |
| 7 Comm Code                            | 1" Diameter x 2' Long Grade 60<br>Anchor Rod  Manufacturer   | 12.00000 Specification  | EA               | \$5.500000                                   |  |
| 7 Comm Code 30101717                   | 1" Diameter x 2' Long Grade 60<br>Anchor Rod  Manufacturer   | 12.00000 Specification  | EA               | \$5.500000                                   |  |
| Comm Code 30101717 Extended Des        | 1" Diameter x 2' Long Grade 60 Anchor Rod  Manufacturer  scription : 1" Diameter x 2' Long Gra   | Specification ade 60 Anchor Ro  | EA<br>d          | \$5.500000<br>Model #                        | \$66.00                                |
| Comm Code 30101717 Extended Des Line 8 | 1" Diameter x 2' Long Grade 60 Anchor Rod  Manufacturer  scription : 1" Diameter x 2' Long Grade  Comm Ln Desc                               | Specification  ade 60 Anchor Ro   | EA d             | \$5.500000  Model #                          | \$66.00  Ln Total Or Contract Amount   |
| Comm Code 30101717 Extended Des        | 1" Diameter x 2' Long Grade 60 Anchor Rod  Manufacturer  Scription : 1" Diameter x 2' Long Grade  Comm Ln Desc  TL-2 Guardrail  Manufacturer | Specification  Specification  ade 60 Anchor Ro  Qty 93.00000  Specification | EA d             | \$5.500000  Model #  Unit Price \$130.000000 | \$66.00  Ln Total Or Contract Amount   |



Purchasing Divison 2019 Washington Street East Post Office Box 50130 Charleston, WV 25305-0130 State of West Virginia Request for Quotation 19 — Highways

Proc Folder: 493633

DOC Description: CONCRETE BEAMS AND NEEDED ACCESSORIES-FROG CREEK BRIDGE

Proc Type: Central Purchase Order

| Date Issued | Solicitation Closes    | Solicitati | on No              | Version |
|-------------|------------------------|------------|--------------------|---------|
| 2018-10-11  | 2018-11-07<br>13:30:00 | CRFQ       | 0803 DOT1900000030 | 1       |

**BID RECEIVING LOCATION** 

BID CLERK

DEPARTMENT OF ADMINISTRATION

**PURCHASING DIVISION** 

2019 WASHINGTON ST E

CHARLESTON

WV 25305

US

Vendor Name, Address and Telephone Number:
Carr Concrete, a division of CXT INC.
PO BOX 265 Wavery, WV 26184
304-464-4441

TOTAL: \$ 52,511.00

FOR INFORMATION CONTACT THE BUYER

Crystal Rink (304) 558-2402 crystal.g.rink@wv.gov

Signature X

EERN #

91-1498605

DATE 11-7-18

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

Page: 1

FORM ID: WV-PRC-CRFQ-001

| Contract Administrator and the initial point of contact for matters relating to this Contract.   |
|--|
| James Binegar, Commercial Manager<br>(Name, Title) Binegar, Commercial Manager<br>(Printed Name and Title) Waverly, WV 26184<br>(Address) (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. |
| Company)  (Company)  |
| (Authorized Signature) (Representative Name, Title)  |
| Keith J Koslelac Project Manager   |
| (Printed Name and Title of Authorized Representative)  |
| 11-7-18  |
| (Date)   |
| (304-464-4441) (304-464-4013)  |
| (Phone Number) (Fax Number)  |

#### **Exhibit A Pricing Page**

#### CRFQ DOT1900000030

| Item<br>Number | Unit of Measure | Description  | Unit cost     | Quantity | Total cost  |
|----------------|-----------------|--|---------------|----------|-------------|
| 1              | Linear Feet     | Interior Beam (17"x36") 40'0" center to center of bearings, 41'-6" Overall Length (4 Beams). Skew 30 degrees left forward  | \$148.00      | 166.0    | \$24,568.00 |
| 2              | Linear Feet     | Exterior Beam (17"X36") 40'-0" center to center of bearings, 41'-6" Overall Length (2 Beams), Skew 30 degrees left forward | \$155.00      | 83.0     | \$12,865.00 |
| 3              | Each            | B2 Elastomeric Bearing Pad (1'-3 ½" x 4 ¾" x 1 13/16")   | \$65.00       | 24.0     | \$1,560.00  |
| 4              | Square Feet     | 1" Type 1 Sponge Rubber (For Backwalls)  | \$5.00        | 59.0     | \$295.00    |
| 5              | Square Feet     | 2" Type 1 Sponge Rubber (For Bridge Seats)   | \$5,00        | 22.0     | \$110.00    |
| 6              | Linear Feet     | 1" Diameter Post-Tensioning Bar with Nuts and Bearing Plates as Required   | \$11,00       | 87.0     | \$957.00    |
| 7              | Each            | 1" Diameter x 2' Long Grade 60 Anchor Rod  | \$5,50        | 12.0     | \$66.00     |
| 8              | Linear Feet     | TL-2 Guardrail with Hardware as Required   | \$130,00      | 93.0     | \$12,090.00 |
|                |                 |  | Total Bid Amo | unt      | \$52,511.00 |

#### Specifications and requirements for the above items are detailed on Exhibit B

| Vendor Information                                |
|---|
| Company Name: Carr Concrete, a dision of CXT Inc. |
| Contact Person: James Biregar                     |
| Address: PO BOX 265                               |
| Waverly, WV 20184                                 |
| Phone: 304-464-4441                               |
| Email: ibineaar @ 1 bfoster. com                  |
| Fax: 304-464-4013                                 |

#### ADDITIONAL INFORMATION:

THE WEST VIRGINIA PURCHASING DIVISION IS SOLICITING BIDS ON BEHALF OF WEST VIRGINIA DIVISION OF HIGHWAYS TO ESTABLISH A CONTRACT FOR THE ONE-TIME PURCHASE OF CONCRETE BEAMS AND NEEDED ACCESSORIES FOR THE FROG CREEK BRIDGE PER THE ATTACHED DOCUMENTS.

| INVOICE TO   | VOICETO |   |          |
|--|---------|---|----------|
| DIVISION OF HIGHWAYS<br>DISTRICT ONE HQ<br>1340 SMITH ST |         | STATE OF WEST VIF<br>JOBSITE - SEE SPEC |          |
| CHARLESTON   | WV25301 | No City                                 | WV 99999 |
| us   |         | US                                      |          |

| Line | Comm Ln Desc             | Qty       | Unit Issue | Unit Price | Total Price |
|------|--------------------------|-----------|------------|------------|-------------|
| 1    | Internal Beam (17"x 36") | 166.00000 | LF         | 148,00     | 24 56800    |

| Comm Code | Manufacturer | Specification | Model # |  |
|-----------|--------------|---------------|---------|--|
| 30101717  |              |               |         |  |
|           |              |               |         |  |

#### **Extended Description:**

Interior Beam (17" x 36") 40'0" center to center of bearings, 41'-6" Overall Length. Skew 30 degrees left forward

| HVOICE TO  |         | SHIP TO                                 |          |
|--|---------|---|----------|
| DIVISION OF HIGHWAYS<br>DISTRICT ONE HQ<br>1340 SMITH ST |         | STATE OF WEST VIR<br>JOBSITE - SEE SPEC |          |
| CHARLESTON   | WV25301 | No City                                 | WV 99999 |
| US   |         | US                                      |          |

| Line | Comm Ln Desc            | Qty      | Unit Issue | Unit Price | Total Price |
|------|-------------------------|----------|------------|------------|-------------|
| 2    | External Beam (17"x36") | 83.00000 | LF         | 155,∞      | 12.865.00   |

| Comm Code | Manufacturer | Specification | Model # |  |
|-----------|--------------|---------------|---------|--|
| 30101717  |              |               |         |  |
|           |              |               |         |  |

#### **Extended Description:**

Exterior Beam (17" x 36") 40'0" center to center of bearings, 41'-6" Overall Length. Skew 30 degrees left forward

| INVOICE TO   |         | SHIF TO                                 |          |
|--|---------|---|----------|
| DIVISION OF HIGHWAYS<br>DISTRICT ONE HQ<br>1340 SMITH ST |         | STATE OF WEST VIF<br>JOBSITE - SEE SPEC |          |
| CHARLESTON   | WV25301 | No City                                 | WV 99999 |
| us   |         | US                                      |          |

| B2 Elastomeric Bearing Pads 24.00000 EA      | J C = 10 |
|--|----------|
|  | 1,560.00 |
| Comm Code Manufacturer Specification Model # |          |
| 30101717                                     |          |
| Extended Description :                       |          |

| INVOICE TO   |         | SHIP TO                                 |          |
|--|---------|---|----------|
| DIVISION OF HIGHWAYS<br>DISTRICT ONE HQ<br>1340 SMITH ST |         | STATE OF WEST VIR<br>JOBSITE - SEE SPEC |          |
| CHARLESTON   | WV25301 | No City                                 | WV 99999 |
| US   |         | us                                      |          |

| LINE | Comm Ln Desc            | Qty      | Unit Issue | Unit Price | Total Price |
|------|-------------------------|----------|------------|------------|-------------|
| 4    | 1" Type 1 Sponge Rubber | 59.00000 | SF         | 5.00       | 295.00      |
|      |                         |          |            |            |             |

| Comm Code | Manufacturer | Specification | Model # |  |
|-----------|--------------|---------------|---------|--|
| 30101717  |              |               |         |  |
|           |              |               |         |  |

#### Extended Description:

1" Type 1 Sponge Rubber (for Backwalls) 59 Square Feet

| MVO/DE TO  |         | SHIPTO                                  |          |
|--|---------|---|----------|
| DIVISION OF HIGHWAYS<br>DISTRICT ONE HQ<br>1340 SMITH ST |         | STATE OF WEST VIR<br>JOBSITE - SEE SPEC |          |
| CHARLESTON   | WV25301 | No City                                 | WV 99999 |
| US   |         | US                                      |          |

| Line | Comm Ln Desc            | Qty      | Unit Issue | Unit Price | Total Price |
|------|-------------------------|----------|------------|------------|-------------|
| 5    | 2" Type 1 Sponge Rubber | 22.00000 | SF         | <b>500</b> | 111 00      |

| ition iiiodei# |  |
|----------------|--|
|                |  |
|                |  |
|                |  |

#### Extended Description:

<sup>2&</sup>quot; Type 1 Sponge Rubber (for Bridge Seats) 22 Square Feet

| INVOICE TO   | SHIP TO   |          |
|--|---|----------|
| DIVISION OF HIGHWAYS DISTRICT ONE HQ 1340 SMITH ST | STATE OF WEST VIRGINIA JOBSITE - SEE SPECIFICATIONS | S        |
| CHARLESTON WV25301                                 | No City   | WV 99999 |
| US   | US  |          |

| Line | Comm Ln Desc  | Qty      | Unit Issue | Unit Price | Total Price |
|------|---|----------|------------|------------|-------------|
| 3    | 1" Diameter Post-Tensioning Bar w/<br>Nuts and Bearing Plates | 87.00000 | LF         | 11 00      | 95700       |

| Comm Code | Manufacturer | Specification | Model #  |  |
|-----------|--------------|---------------|----------|--|
| 30101717  |              |               | MODEL IF |  |
| 00.01.71  |              |               |          |  |
|           |              |               |          |  |

#### **Extended Description:**

1" Diameter Post-Tensioning Bar w/ Nuts and Bearing Plates as required

| INVOICE TO   |         | SHIP TO                                 |          |
|--|---------|---|----------|
| DIVISION OF HIGHWAYS<br>DISTRICT ONE HQ<br>1340 SMITH ST |         | STATE OF WEST VIR<br>JOBSITE - SEE SPEC |          |
| CHARLESTON   | WV25301 | No City                                 | WV 99999 |
| US   |         | us                                      |          |

| Line | Comm Ln Desc                                 | Qty      | Unit Issue | Unit Price | Total Price |
|------|--|----------|------------|------------|-------------|
| 7    | 1" Diameter x 2' Long Grade 60<br>Anchor Rod | 12.00000 | EA         | 5 50       | 0.0.00      |

| Model #      | Specification | Manufacturer | Comm Code |
|--------------|---------------|--------------|-----------|
| <br>RIOGEI # |               |              | 30101717  |
|              |               |              | 30101717  |

#### **Extended Description:**

1" Diameter x 2' Long Grade 60 Anchor Rod

| INVOICE TO   |         | SHIPTO                                    |          |
|--|---------|---|----------|
| DIVISION OF HIGHWAYS<br>DISTRICT ONE HQ<br>1340 SMITH ST |         | STATE OF WEST VIRO<br>JOBSITE - SEE SPECI |          |
| CHARLESTON   | WV25301 | No City                                   | WV 99999 |
| US   |         | US  |          |

| Line | Comm Ln Desc   | Qty      | Unit Issue | Unit Price | Total Price |
|------|----------------|----------|------------|------------|-------------|
| 8    | TL-2 Guardrail | 93.00000 | LF         | 12100      | 10 000 10   |
|      |                |          |            | 100.       | 10,070.     |

Comm Code Manufacturer Specification Model # 30101717

**Extended Description:** 

TL-2 Guardrail with Hardware as required

SCHEDULE OF EVENTS

<u>Line</u> 1

Event
QUESTION DEADLINE 10AM EST

Event Date 2018-10-18

### West Virginia Ethics Commission



## **Disclosure of Interested Parties to Contracts**

Pursuant to W. Va. Code § 6D-1-2, a state agency may not enter into a contract, or a series of related contracts, that has/have an actual or estimated value of \$1 million or more until the business entity submits to the contracting state agency a Disclosure of Interested Parties to the applicable contract. In addition, the business entity awarded a contract is obligated to submit a supplemental Disclosure of Interested Parties reflecting any new or differing interested parties to the contract within 30 days following the completion or termination of the applicable contract.

For purposes of complying with these requirements, the following definitions apply:

"Business entity" means any entity recognized by law through which business is conducted, including a sole proprietorship, partnership or corporation, but does not include publicly traded companies listed on a national or international stock exchange.

"Interested party" or "Interested parties" means:

- A business entity performing work or service pursuant to, or in furtherance of, the applicable contract, including specifically sub-contractors;
- (2) the person(s) who have an ownership interest equal to or greater than 25% in the business entity performing work or service pursuant to, or in furtherance of, the applicable contract. (This subdivision does not apply to a publicly traded company); and
- (3) the person or business entity, if any, that served as a compensated broker or intermediary to actively facilitate the applicable contract or negotiated the terms of the applicable contract with the state agency. (This subdivision does not apply to persons or business entities performing legal services related to the negotiation or drafting of the applicable contract.)

"State agency" means a board, commission, office, department or other agency in the executive, judicial or legislative branch of state government, including publicly funded institutions of higher education: Provided, that for purposes of W. Va. Code § 6D-1-2, the West Virginia Investment Management Board shall not be deemed a state agency nor subject to the requirements of that provision.

The contracting business entity must complete this form and submit it to the contracting state agency prior to contract award and to complete another form within 30 days of contract completion or termination.

This form was created by the State of West Virginia Ethics Commission, 210 Brooks Street, Suite 300, Charleston, WV 25301-1804. Telephone: (304)558-0664; fax: (304)558-2169; e-mail: <a href="mailto:ethics@wv.gov">ethics@wv.gov</a>; website: <a href="mailto:www.ethics.wv.gov">www.ethics.wv.gov</a>.

# ADDENDUM ACKNOWLEDGEMENT FORM SOLICITATION NO.: CRFQ DOT1900000030

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 rec  | ceived)   |
| Addendum No. 1 Addendum No. 2 Addendum No. 3 Addendum No. 4 Addendum No. 5  | Addendum No. 6 Addendum No. 7 Addendum No. 8 Addendum No. 9 Addendum No. 10   |
| I further understand that any verbal represed discussion held between Vendor's represent the information issued in writing and added binding. | eipt of addenda may be cause for rejection of this bid. entation made or assumed to be made during any oral ntatives and any state personnel is not binding. Only it to the specifications by an official addendum is |
| Carr Concrete, a  | division of CXTIAC.   |
| Company   |   |
| Ohl res   |   |
| Authorized Signature  |   |
| 11-7-18   |   |
| Date  |   |
|   |   |

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

# West Virginia Ethics Commission Disclosure of Interested Parties to Contracts

(Required by W. Va. Code § 6D-1-2)

| division of extinc. Waverly, WV 26184  |
|--|
| Name of Authorized Agent: Address:   |
| Contract Number: VSØØØØØØ1756 Contract Description:  |
| Governmental agency awarding contract:   |
| ☐ Check here if this is a Supplemental Disclosure  |
| List the Names of Interested Parties to the contract which are known or reasonably anticipated by the contracting business entity for each category below (attach additional pages if necessary):  |
| <ol> <li>Subcontractors or other entities performing work or service under the Contract</li> <li>□ Check here if none, otherwise list entity/individual names below.</li> </ol>  |
| 2. Any person or entity who owns 25% or more of contracting entity (not applicable to publicly traded entities)  ☐ Check here if none, otherwise list entity/individual names below.   |
| <ul> <li>Any person or entity that facilitated, or negotiated the terms of, the applicable contract (excluding legal services related to the negotiation or drafting of the applicable contract)</li> <li>□ Check here if none, otherwise list entity/individual names below.</li> </ul> |
| Signature:   |
|  |
| Notary Verification  |
|  |
| Notary Verification  |
| State of   |

#### STATE OF WEST VIRGINIA **Purchasing Division**

## **PURCHASING AFFIDAVIT**

CONSTRUCTION CONTRACTS: Under W. Va. Code § 5-22-1(i), the contracting public entity shall not award a construction contract to any bidder that is known to be in default on any monetary obligation owed to the state or a political subdivision of the state, including, but not limited to, obligations related to payroll taxes, property taxes, sales and use taxes, fire service fees, or other fines or fees.

ALL CONTRACTS: 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 exceed 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: (1) for construction contracts, the vendor is not in default on any monetary obligation owed to the state or a political subdivision of the state, and (2) for all other contracts, 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: Authorized Signature: State of County of Taken, subscribed, and sworn to before me this -My Commission expires ≡иминининининининининининининин OFFICIAL SEAL
STATE OF WEST VIRGINIA
NOTARY PUBLIC
WINDI KAPRAUN
CARR CONCRETE CORP
P.O. BOX 265
WAYERLY, WY 26184
My Commission Expires February 8, 2020 AFFIX SEA

Purchasing Affidavit (Revised 01/19/2018)