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State of West Virginia
Department of Administration
Purchasing Division
2019 Washington Street East
Post Office Box 50130
Charleston, WV 25305-0130

# Request for Quotation

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CHUCK BOWMAN 304-558-2157 ATRICONIO SEE

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ENVIRONMENTAL PROTECTION
DEPARTMENT OF
OFFICE OF AML&R
601 57TH STREET SE
CHARLESTON, WV
25304 304-926-0499

DATE PRINTED TERMS OF SALE SHIP VIA F.O.B. FREIGHT TERMS 03/04/2009 **BID OPENING DATE:** 04/22/2009 BID OPENING TIME 01:30PM CAT. QUANTITY LINE UOP ITEM NUMBER UNIT PRICE AMOUNT 0001 JB⊸ 962-73 1 RECLAMATION: RESTORATION OF LAND & OTHER PROPERTIES THE WEST VIRGINIA PURCHASING DIVISION, FOR THE AGENCY, THE WEST VIRGINIA DEPT. OF ENVIRONMENTAL PROTECTION, IS SOLICITING BIDS FROM QUALIFIED CONTRACTORS FOR A CONTRACT TO PROVIDE ALL LABOR AND MATERIALS FOR THE RECLAMATION OF A 5.5-ACRE ABANDONED MINE PROJECT KNOWN AS THE "ELK CREEK PORTALS" PROJECT, LOCATED NEAR DELBARTON, WV, (MINGO CO.), PER THE ATTACHED SPECIFI-CATIONS, BID REQUIREMENTS, TERMS & CONDITIONS, AND THE ATTACHED BID SCHEDULE. A MANDATORY ON SITE PREBID CONFERENCE SHALL BE HELD ON 03/26/09 a 10:00 AM. FAILURE TO ATTEND THE PREBID CONFERENCE WILL RESULT IN BID DISQUALIFICATION. PREBIDS WILL INVOLVE EXTENSIVE FOOT TRAVEL OVER DIFFICULT TERRAIN AND/OR DURING INCLEMENT WEATHER. DIRECTIONS TO PREBID: THE PROJECT CONSISTS OF TWO SITES LOCATED NEAR DELBARTON, OFF CO. RT. 65, IN MINGO COUNTY. THE ELK CREEK SITE IS LOCATED OFF CO. RT. 65, ALONG CO. RT. 65/3, ON ELK CREEK. THE MILLSTONE BRANCH SITE IS LOCATED OFF CO. RT. 65, ALONG CO. RT. 65/7, ON MILLSTONE BRANCH. PLANS AND SPECIFICATIONS MAY BE OBTAINED FROM WVDEP, OFFICE AML&R, 601 57TH ST., SE, CHARLESTON, WV 25304 SEE REVERSE SIDE FOR TERMS AND CONDITIONS

# GENERAL TERMS & CONDITIONS REQUEST FOR QUOTATION (RFQ) AND REQUEST FOR PROPOSAL (RFP)

- 1. Awards will be made in the best interest of the State of West Virginia.
- 2. The State may accept or reject in part, or in whole, any bid.
- 3. All quotations are governed by the West Virginia Code and the Legislative Rules of the Purchasing Division.
- 4. Prior to any award, the apparent successful vendor must be properly registered with the Purchasing Division and have paid the required \$125 fee.
- 5. All services performed or goods delivered under State Purchase Order/Contracts are to be continued for the term of the Purchase Order/Contracts, contingent upon funds being appropriated by the Legislature or otherwise being made available. In the event funds are not appropriated or otherwise available for these services or goods, this Purchase Order/Contract becomes void and of no effect after June 30.
- 6. Payment may only be made after the delivery and acceptance of goods or services.
- 7. Interest may be paid for late payment in accordance with the West Virginia Code.
- 8. Vendor preference will be granted upon written request in accordance with the West Virginia Code.
- 9. The State of West Virginia is exempt from federal and state taxes and will not pay or reimburse such taxes.
- 10. The Director of Purchasing may cancel any Purchase Order/Contract upon 30 days written notice to the seller.
- **11.** The laws of the State of West Virginia and the *Legislative Rules* of the Purchasing Division shall govern all rights and duties under the Contract, including without limitation the validity of this Purchase Order/Contract.
- 12. Any reference to automatic renewal is hereby deleted. The Contract may be renewed only upon mutual written agreement of the parties.
- 13. BANKRUPTCY: In the event the vendor/contractor files for bankruptcy protection, this Contract may be deemed null and void, and terminated without further order.
- 14. HIPAA BUSINESS ASSOCIATE ADDENDUM: The West Virginia State Government HIPAA Business Associate Addendum (BAA), approved by the Attorney General, and available online at the Purchasing Division's web site (http://www.state.wv.us/admin/purchase/vrc/hipaa.htm) is hereby made part of the agreement. Provided that, the Agency meets the definition of a Cover Entity (45 CFR §160.103) and will be disclosing Protected Health Information (45 CFR §160.103) to the vendor.
- 15. WEST VIRGINIA ALCOHOL & DRUG-FREE WORKPLACE ACT: If this Contract constitutes a public improvement construction contract as set forth in Article 1D, Chapter 21 of the West Virginia Code ("The West Virginia Alcohol and Drug-Free Workplace Act"), then the following language shall hereby become part of this Contract: "The contractor and its subcontractors shall implement and maintain a written drug-free workplace policy in compliance with the West Virginia Alcohol and Drug-Free Workplace Act, as set forth in Article 1D, Chapter 21 of the West Virginia Code. The contractor and its subcontractors shall provide a sworn statement in writing, under the penalties of perjury, that they maintain a valid drug-free work place policy in compliance with the West Virginia and Drug-Free Workplace Act. It is understood and agreed that this Contract shall be cancelled by the awarding authority if the Contractor: 1) Fails to implement its drug-free workplace policy; 2) Fails to provide information regarding implementation of the contractor's drug-free workplace policy at the request of the public authority; or 3) Provides to the public authority false information regarding the contractor's drug-free workplace policy."

#### **INSTRUCTIONS TO BIDDERS**

- 1. Use the quotation forms provided by the Purchasing Division.
- 2. SPECIFICATIONS: Items offered must be in compliance with the specifications. Any deviation from the specifications must be clearly indicated by the bidder. Alternates offered by the bidder as EQUAL to the specifications must be clearly defined. A bidder offering an alternate should attach complete specifications and literature to the bid. The Purchasing Division may waive minor deviations to specifications.
- 3. Complete all sections of the quotation form.
- Unit prices shall prevail in case of discrepancy.
- 5. All quotations are considered F.O.B. destination unless alternate shipping terms are clearly identified in the quotation.
- **6. BID SUBMISSION:** All quotations must be delivered by the bidder to the office listed below prior to the date and time of the bid opening. Failure of the bidder to deliver the quotations on time will result in bid disqualifications: Department of Administration, Purchasing Division, 2019 Washington Street East, P.O. Box 50130, Charleston, WV 25305-0130



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State of West Virginia Department of Administration Purchasing Division 2019 Washington Street East Post Office Box 50130 Charleston, WV 25305-0130

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CHUCK BOWMAN 304-558-2157

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DATE PRINTED TERMS OF SALE SHIP VIA F.O.B. FREIGHT TERMS 03/04/2009 BID OPENING DATE: 04/22/2009 **BID OPENING TIME** <u>01:30PM</u> LINE QUANTITY UOP ITEM NUMBER UNIT PRICE AMOUNT ) MAINTENANCE BOND: A TWO (2) YEAR MAINTENANCE BOND COVERING THE ROOFING SYSTEM WILL BE A REQUIREMENT OF THE SUCCESSFUL VENDOR. REV. 11/00 AML CONTRACTOR INFORMATION FORM OMB #1029-0119 (EXPIRATION DATE: 01/31/2010) IS ATTACHED. YOU MUST COMPLETE THIS ORIGINAL FORM TO OBTAIN AN AVS DATA EVALUATION TO DETERMINE YOUR ELIGIBILITY AS AN AML THIS IS A REQUIREMENT UNDER 30 CFR 874.16. CONTRACTOR. IF THE ORIGINAL OMB #1029-0119 IS NOT ATTACHED TO THE BIDDING DOCUMENTS YOU CAN CONTACT THE AVS OFFICE AT 800-643-9748 OR WWW.AVS.OSMRE.GOV \* CONTRACTORS LICENSE WEST VIRGINIA STATE CODE 21-11-2 REQUIRES THAT ALL PERSONS DESIRING TO PERFORM CONTRACTING WORK IN THIS STATE MUST BE LICENSED. THE WEST VIRGINIA CONTRACTORS LICENSING BOARD IS EMPOWERED TO ISSUE THE CONTRACTORS LICENSE. APPLICATIONS FOR A CONTRACTORS LICENSE MAY BE MADE BY CONTACTING THE WEST VIRGINIA DIVISION OF LABOR. CAPITOL COMPLEX, 1900 KANAWHA BLVD. E, BLDG. 6, RM 749-B, CHARLESTON, WV 25305, PH. 304-558-7890. WEST VIRGINIA STATE CODE 21-11-11 REQUIRES ANY PROSPECTIVE BIDDER TO INCLUDE THE CONTRACTORS LICENSE NUMBER ON THEIR BID. BIDDER TO COMPLETE: SEE REVERSE SIDE FOR TERMS AND CONDITIONS

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

# Request for Quotation

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ADDRESS CORRESPONDENCE TO ATTENUON OF

CHUCK BOWMAN

304-558-2157

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25304 304-926-0499

ADDRESS CHANGES TO BE NOTED ABOVE

DATE PRINTED TERMS OF SALE FREIGHT TERMS SHIP VIA F.O.B. 03/04/2009 BID OPENING DATE: 04/22/2009 <u>BID OPENING TIME</u> <u>01:30PM</u> LINE QUANTITY UOP ITEM NUMBER UNIT PRICE AMOUNT AUTHORIZE THE USE OF FOREIGN STEEL WRITING, PRODUCTS IF: THE COST FOR EACH CONTRACT ITEM USED DOES NOT EXCEED ONE TENTH OF ONE PERCENT (.1%) OF THE TOTAL CONTRACT COST OR TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500.00), WHICHEVER IS GREATER. FOR THE PURPOSES OF THIS SECTION, THE COST IS THE VALUE OF THE STEEL PRODUCT AS DELIMERED TO THE PROJECT OR, THE DIRECTOR OF THE PURCHASING DIVISION В. DETERMINES THAT SPECIFIED STEEL MATERIALS ARE NOT PRODUCED IN THE UNITED STATES IN SUFFICIENT QUANTITY OR OTHERWISE ARE NOT REASONABLY AVAILABLE TO MEET CONTRACT REQUIREMENTS. A CONTRACTOR WHO USES STEEL PRODUCTS IN VIOLATION OF THIS SECTION MAY BE SUBJECT TO CIVIL PENALTIES CODE SECTION 5A-3-56. PURSUANTI TO WI. VA. REV. 10/01/01 EXHIBIT 7 DOMESTIC ALUMINUM, GLASS & STEEL IN PUBLIC WORKS PROJECTS IN ACCORDANCE WITH WEST VIRGINIA CODE 5-19-1 ET., SEQ., EVERY CONTRACT FOR CONSTRUCTION, RECONSTRUCTION, ALTERATION, REPAIR, IMPROVEMENT OR MAINTENANCE OF PUBLIC WORKS, WHERE THE COST IS MORE THAN \$50,000 AND, IN THE CASE OF STEEL ONLY, WHERE THE COST OF STEEL IS MORE THAN \$50,000 OR WHERE MORE THAN 10,000 POUNDS OF STEEL ARE REQUIRED, THE STATE WILL ACCEPT ONLY ALUMINUM GLASS, OR STEEL PRODUCTS PRODUCED IN THE UNITED STATES SEE REVERSE SIDE FOR TERMS AND CONDITIONS SIGNATURE ELEPHONE

FEIN



HIDOR

SIGNATURE

TITLE

RFQ COPY

TYPE NAME/ADDRESS HERE

State of West Virginia
Department of Administration
Purchasing Division
2019 Washington Street East
Post Office Box 50130
Charleston, WV 25305-0130

# Request for Quotation

DEP14574

PAGE

ADDRESS CORRESPONDENCE TO ATTENTION OF

CHUCK BOWMAN 304-558-2157

SHIP TO

ENVIRONMENTAL PROTECTION
DEPARTMENT OF
OFFICE OF AML&R
601 57TH STREET SE
CHARLESTON, WV

25304 304-926-0499

DATE

ADDRESS CHANGES TO BE NOTED ABOVE

DATE PRINTED TERMS OF SALE SHIP VIA F.O.B. FREIGHT TERMS 03/04/2009 BID OPENING DATE: 04/22/2009 TIME BID OPENING 01:30PM LINE QUANTITY ITEM NUMBER UNIT PRICE AMOUNT IN ADDITION, ITEMS OF MACHINERY OR EQUIPMENT PURCHASED FOR USE AT THE SITE OF PUBLIC WORKS SHALL BE MADE OF DOMESTIC ALUMINUM, GLASS OR STEEL, UNLESS THE COST OF THE PRODUCT IS LESS THAN \$50,000 OR LESS THAN 10,000 POUNDS OF STEEL ARE USED IN PUBLIC WORKS PROJECTS. FOREIGN MADE ALUMINUM, GLASS OR STEEL PRODUCTS MAY BE ACCEPTED ONLY IF THE COST OF DOMESTIC PRODUCTS IS FOUND TO BE UNREASIONABLE. SUCH COST IS UNREASONABLE IF IT IS 20% OR MORE HIGHER THAN THE BID PRICE FOR FOREIGN MADE IF THE DOMESTIC ALUMINUM, GLASS OR STEEL PRODUCTS. PRODUCTS TO BE SUPPLIED OR PRODUCED IN A "SUBSTANTIAL LABOR SURPLUS AREA", AS DEFINED BY THE UNITED STATES DEPARTMENT OF LABOR, FOREIGN PRODUCTS MAY BE SUPPLIED ONLY IF DOMESTIC PRODUCTS ARE 30% OR MORE HIGHER IN PRICE THAN THE FOREIGN MADE PRODUCTS. IF, PRIOR TO THE AWARD OF A CONTRACT UNDER THE ABOVE PROVISIONS, THE SPENDING OFFICER OF THE SPENDING UNIT DETERMINES THAT THERE EXISTS A BID FOR LIKE FOREIGN ALUMINUM, GLASS OR STEEL THAT IS REASONABLE AND LOWER THAN THE LOWEST BID FOR DOMESTIC PRODUCTS, THE SPENDING OFFICE MAY REQUEST, IN WRITING, A REEVALUATION AND REDUCTION IN THE LOWEST BID FOR SUCH DOMESTIC PRODUCTS ALL VENDORS MUST INDICATE IN THEIR BID IF THEY ARE SUPPLYING FOREIGN ALUMINUM, GLASS OR STEEL. REV. 3/88 EXHIBIT 9 NOTICE FOR ISSUANCE & ACKNOWLEDGEMENT OF CONSTRUCTION PROJECT ADDENDA. THE ARCHITECT/ENGINEER AND/OR AGENCY SHALL BE REQUIRED

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

TELEPHONE



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RFQ COPY

TYPE NAME/ADDRESS HERE

State of West Virginia
Department of Administration
Purchasing Division
2019 Washington Street East
Post Office Box 50130 Charleston, WV 25305-0130

### **Request for** Quotation

CHUCK BOWMAN 304-558-2157

ADDRESS CHANGES TO BE NOTED ABOVE

**ENVIRONMENTAL PROTECTION** DEPARTMENT OF OFFICE OF AML&R 601 57TH STREET SE CHARLESTON, WV 25304 304-926-0499

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State of West Virginia Department of Administration **Purchasing Division** 2019 Washington Street East Post Office Box 50130 Charleston, WV 25305-0130

### Request for Quotation

CHUCK BOWMAN <u> 304-558-2157</u>

**ENVIRONMENTAL PROTECTION** DEPARTMENT OF OFFICE OF AML&R 601 57TH STREET SE CHARLESTON, WV 25304

304-926-0499 DATE PRINTED TERMS OF SALE SHIP VIA F.O.B. FREIGHT TERMS 03/04/2009 **BID OPENING DATE:** 04/22/2009 BID OPENING TIME 01:30PM LINE QUANTITY UOP ITEM NUMBER UNIT PRICE AMOUNT

ADDENDUM(S) AND HAVE MADE THE NECESSARY REVISIONS TO MY PROPOSAL, PLANS AND/OR SPECIFICATION, ETC. ADDENDUM NO. S: NO. NO. 2 NO. 3 NO. I UNDERSTAND THAT FAILURE TO CONFIRM THE RECEIPT OF THE MAY BE CAUSE FOR REJECTION OF BIDS. ADDENDUM(S) VENDOR MUST CLEARLY UNDERSTAND THAT ANY VERBAL REPRESENTATION MADE OR ASSUMED TO BE MADE DURING ANY ORAL DISCUSSION HELD BETWEEN VENDOR'S REPRESENTATIVES AND ANY STATE PERSONNEL IS NOT BINDING. ONLY THE INFORMATION ISSUED IN WRITING AND ADDED TO THE SPECIFICATIONS BY AN OFFICIAL ADDENDUM IS BINDING. SIGNATURE REV. 11/96 NOTICE

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE TELEPHONE

TITLE

FEIN

ADDRESS CHANGES TO BE NOTED ABOVE



VENDOR

RFQ COPY

TYPE NAME/ADDRESS HERE

State of West Virginia
Department of Administration
Purchasing Division
Quotation 2019 Washington Street East Post Office Box 50130 Charleston, WV 25305-0130

SEGMOMBER . **DEP14574** 

CHUCK BOWMAN 304-558-2157

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**ENVIRONMENTAL PROTECTION** DEPARTMENT OF OFFICE OF AML&R 601 57TH STREET SE CHARLESTON, WV

304-926-0499 25304

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## **Elk Creek Portals**

# RFQ# DEP14574

## **Contractor's Bid Sheet**

•	•	•	
Vendors Name:		-	·

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

ITEM	<u> </u>		T	1
NO.	QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
140.	QUANTITI	DECOMPTION	ONI FINOL	AWOUNT
1.00	1	Mobilization & Traffic Control, per lump sum-Not to exceed 10%		\$
1100		of total bid amount		\$
2.00	1	Construction Survey Control, per lump sum-Not to exceed 5% of		\$
		total bid amount		\$
3.00	1	Quality Control-per lump sum-Not to exceed 3% of total bid		\$
		amount	<del> </del>	\$
4.00	1	Clearing & Grubbing, per lump sum-Not to exceed 10% of total		\$
		bid amount	T T	\$
6.00	5.5	Revegetation-per acre		\$
7.1.1	465	Type 1 Ditch-per linear foot		\$
7.1.2	85	Type 1 Ditch (Grouted)-per linear foot	<u> </u>	\$
7.1.3	20	Wet Seals (Standard and Modified)-per each		\$
7.1.4	1	Modified Wet Seal with Wall-per each		\$
7.1.5	19	Bat Gates-per each		\$
7.1.6	1	Modified Bat Gates-per each		\$
7.1.7	230	24" Diameter HDPE Pipe-per linear foot		\$
7.1.8	13	Rip Rap Apron-per each		\$
7.1.9	6	Temporary Stream Crossing-per each		\$
7.1.10	5	Modified WVDOT Type "G" Inlet-per each		\$
7.1.11	2	Wingwall-per each		\$
7.1.12	100	Soda Ash-per 50 lb bag		\$
8.1.1	1400	Silt Fence-per linear foot		\$
8.1.2	18	Rock Check Dam-per each		\$
8.1.3	5	Drop Inlet Protection-per each		\$
9.00	3500	Unclassified Excavation-per cubic yard		\$
				1
<b>*************************************</b>				
<b>******</b>	<b>************************************</b>	TOTAL	<b>*************************************</b>	\$

OMB #1029-0119 Expiration Date: Ol/31/2010

### AML CONTRACTOR INFORMATION FORM

You must complete this form for your AML contracting officer to request an AML eligibility evaluation from the Office of Surface Mining to determine if you are eligible to receive an AML contract. This eligibility requirement applies to contractors and their sub-contractors and is found under OSM's regulations at 30 CFR 874.16.

Address:		Tax Payer ID No.:							
City:	State:	Zip Code:	Phone:						
Fax No.:	E-mail addres	ss:							
Part B: Legal Structure									
() Corporation () () Other (please specify)		() Partnership	() LLC						
Part C: Certifying and up one of the following opti	odating information in the	ne Applicant/Violate ions for that option,	or System (AVS). Sele and sign below.	ct onl					
I,	, ha	ave the express auth	ority to certify that:						
date. If you selec	he attached Entity OFT a ct this option, you must a low and do not complete	attach an Entity OF	te, complete, and upto I from AVS to this fo	rm.					
the information i must attach an E	mation on the attached E in AVS for my company Intity OFT from AVS to nation. Sign and date bel	must be updated. I this form. Use Part	f you select this option  D to provide missing	n, you					
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at 800-643-9748 or request it from www.avs.osmre.~ov on the Internet.

Part D.

#### Contractor Name:

If the current entity and Entity OFT information for your business is incomplete or incorrect in AVS, or if there is no information in AVS for your business, you must provide all of the following information as it applies to your business affiliations. Please make as many copies of this page as you require.

- Every officer (President, Vice President, Secretary, Treasurer, etc.);
- All Directors;
- All persons performing a function similar to a Director;
- Every person or business that owns 10% or more of the voting stock in your business;
- Every partner, if your business is a partnership;
- Every member and manager, if your business is a limited liability company; and
- Any other person(s) who has the ability to determine the manner in which the AML reclamation project is being conducted.

Name	Position/Title
Address	Telephone #
	% of Ownership Begin Date:
Ending Date:	
Name	Position/Title
Address	Telephone #
	% of Ownership Begin Date:
	Ending Date:
Name	Position/Title
Address	Telephone #
	% of Ownership
Begin Date:	Ending Date:
Name	Position/Title
Address	Telephone #
	% of OwnershipBegin Date:
	Ending Date:

#### PAPERWORK REDUCTION STATEMENT

The Paperwork Reduction Act of 1995 (44 U.S.C. 3501) requires us to inform you that: Federal Agencies may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB contmi number. This information is necessary for all successful bidders prior to the distribution of AML funds, and is required to obtain a benefit.

Public reporting burden for this form is estimated to average 45 minutes per response, including time for reviewing instructions, gathering and maintaining data, and completing and reviewing the form. Direct comments regarding the burden estimate or any other aspect of this form to the Information Collection Clearance Officer, Office of Surface Mining Reclamation and Enforcement, Room 210 S1B, Constitution Ave., NW, Washington, D.C. 20240.

	BID BOND	017
KNOW ALL MEN BY THESE PRESENTS, That	we the understaned.	
of		
of		
with its principal office in the City of	, as Sure	ety, are held and firmly bound unto the State
of West Virginia, as Obligee, in the penal sum of	(\$	) for the payment of which,
well and truly to be made, we jointly and severally bind o	urselves, our heirs, administrators	s, executors, successors and assigns.
The Condition of the above obligation is such th		
Department of Administration a certain bid or proposal, a	ttached hereto and made a part h	nereof, to enter into a contract in writing for
<u> </u>		
NOW THEREFORE,		
(a) If said bid shall be rejected, or         (b) If said bid shall be accepted and the Principhereto and shall furnish any other bonds and insurance reagreement created by the acceptance of said bid, then the force and effect. It is expressly understood and agreed exceed the penal amount of this obligation as herein states.	required by the bid or proposal, at his obligation shall be null and voi that the liability of the Surety for a	nd shall in all other respects perform the did, otherwise this obligation shall remain in full
The Surety, for the value received, hereby stipt way impaired or affected by any extension of the time will waive notice of any such extension.	alates and agrees that the obligati of thin which the Obligee may accep	ons of said Surety and its bond shall be in no ot such bid, and said Surety does hereby
IN WITNESS WHEREOF, Principal and Surety	have hereunto set their hands ar	d seals, and such of them as are corporations
have caused their corporate seals to be affixed hereunto		
day of, 20		
Principal Corporate Seal		(Name of Principal)
	Ву	
	Бу	(Must be President or Vice President)
		(Title)
Surety Corporate Seal		(Name of Surety)
		Attorney-in-Fact

Agency\_\_\_\_\_REQ.P.O#\_\_\_\_

IMPORTANT - Surety executing bonds must be licensed in West Virginia to transact surety insurance. Raised corporate seals must be affixed, a power of attorney must be attached.

## 018

AGENCY\_ RFQ/RFP#\_

### **BID BOND PREPARATION INSTRUCTIONS**

7.63	NULL Charles & comment	Bid Bo	nd RESENTS, That we, the undersigned,
(A)	WV State Agency (Stated on Page 1 "Spanding I Init")	(C) of (E	NESENTS, That we, the undersigned,
	(Stated on Page 1 "Spending Unit")	as Principal, and (F)	of (G) .
	Request for Quotation Number (upper		organized and existing under the laws
(CI)	right comer of page #1)		is principal office in the City of
(C)	Your Company Name		
(D)	City, Location of your Company State, Location of your Company	of West Virginia, as Obligee, in the penal s	held and firmly bound unto The State sum of (K)
(E)	Surety Corporate Name		at of which, well and truly to be made,
(F)		we jointly and severally bind ourselves, ou	
(G)	City, Location of Surety State, Location of Surety	successors and assigns.	r nens, administrators, executors,
(H)	State of Surety Incorporation		ation is such that whereas the Principal
(I)	City of Surety Incorporation	has submitted to the Purchasing Section of	
(J)	Minimum amount of acceptable bid	a certain bid or proposal, attached hereto a	
(K)	bond is 5% of total bid. You may state	contract in writing for	nd made a part nercor to enter me a
	"5% of bid" or a specific amount on	(M)	
	this line in words.	(114)	
71.)	Amount of bond in figures		
(L)	Brief Description of scope of work	NOW THEREFORE.	
(M)	Day of the month	(a) If said bid shall be rejected, o	
(N)	Month	(b) If said bid shall be accepted a	
(O)	Year	contract in accordance with the bid or prop	
(P)	Name of Corporation	any other bonds and insurance required by	
(Q)	Raised Corporate Seal of Principal	other respects perform the agreement creat	
(R) (S)	Signature of President or Vice	this obligation shall be null and void, other	
(3)	President	force and effect. It is expressly understood	
(T)	Title of person signing	Surety for any and all claims hereunder sha	
(U)	Raised Corporate Seal of Surety	amount of this obligation as herein stated	and an mo eventy encoded the pentil
(V)	Corporate Name of Surety		ereby stipulates and agrees that the
(V) (W)	Signature of Attorney in Fact of the	obligations of said Surety and its bond sha	
(**)	Surety	any extension of time within which the Ob	
NOTE:	Dated, Power of Attorney with Raised	Surety does hereby waive notice of any su	
11015.	Surety Seal must accompany this bid		ipal and Surety have hereunto set their
	bond.	hands and seals, and such of them as are c	
		seals to be affixed hereto and these present	
		this (N) day of (O)	
	•	Principal Corporate Seal	(O)
			(Name of Principal)
		(R)	By(S)
		• •	(Must be President or
			Vice President)
			(T)
			Title
		<b>(U)</b>	
		Surety Corporate Seal	(V)
		,	(Name of Surety)
	,		(W)
	•		( VV )

IMPORTANT – Surety executing bonds must be licensed in West Virginia to transact surety insurance. Raised Corporate Seals must be affixed and a Power of Attorney must be attached.

Attorney-in-Fact



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

SIA	IE OF WEST VIRGINIA,	
cou	NTY OF	, TO-WIT:
I, state	e as follows:	, after being first duly sworn, depose and
1.		(Company Name); and,
2.	I do hereby attest that _	(Company Name)
		drug free workplace policy and that such with <b>West Virginia Code</b> §21-1D-5.
The	above statements are swo	rn to under the penalty of perjury.
		(Company Name)
		By:
		Title:
		Date:
Take	en, subscribed and sworn t	o before me this day of
Ву С	Commission expires	
(Sea	al)	
		(Notary Public)

THIS AFFIDAVIT MUST BE SUBMITTED WITH THE BID IN ORDER TO COMPLY WITH WV CODE PROVISIONS. FAILURE TO INCLUDE THE AFFIDAVIT WITH THE BID SHALL RESULT IN DISQUALIFICATION OF THE BID.

RFQ No.	
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# STATE OF WEST VIRGINIA Purchasing Division

William House buy ,	
and the same of the same	020

## **PURCHASING AFFIDAVIT**

#### **VENDOR OWING A DEBT TO THE STATE:**

West Virginia Code §5A-3-10a provides that: 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.

### PUBLIC IMPROVEMENT CONTRACTS & DRUG-FREE WORKPLACE ACT:

If this is a solicitation for a public improvement construction contract, the vendor, by its signature below, affirms that it has a written plan for a drug-free workplace policy in compliance with Article 1D, Chapter 21 of the **West Virginia Code**. The vendor **must** make said affirmation with its bid submission. Further, public improvement construction contract may not be awarded to a vendor who does not have a written plan for a drug-free workplace policy in compliance with Article 1D, Chapter 21 of the **West Virginia Code** and who has not submitted that plan to the appropriate contracting authority in timely fashion. For a vendor who is a subcontractor, compliance with Section 5, Article 1D, Chapter 21 of the **West Virginia Code** may take place before their work on the public improvement is begun.

#### **ANTITRUST:**

In submitting a bid to any agency for the state of West Virginia, the bidder offers and agrees that if the bid is accepted the bidder will convey, sell, assign or transfer to the state of West Virginia all rights, title and interest in and to all causes of action it may now or hereafter acquire under the antitrust laws of the United States and the state of West Virginia for price fixing and/or unreasonable restraints of trade relating to the particular commodities or services purchased or acquired by the state of West Virginia. Such assignment shall be made and become effective at the time the purchasing agency tenders the initial payment to the bidder.

I certify that this bid is made without prior understanding, agreement, or connection with any corporation, firm, limited liability company, partnership or person or entity submitting a bid for the same materials, supplies, equipment or services and is in all respects fair and without collusion or fraud. I further certify that I am authorized to sign the certification on behalf of the bidder or this bid.

### LICENSING:

Vendors must be licensed and in good standing in accordance with any and all state and local laws and requirements by any state or local agency of West Virginia, including, but not limited to, the West Virginia Secretary of State's Office, the West Virginia Tax Department, West Virginia Insurance Commission, or any other state agencies or political subdivision. Furthermore, the vendor must provide all necessary releases to obtain information to enable the Director or spending unit to verify that the vendor is licensed and in good standing with the above entities.

### **CONFIDENTIALITY:**

The vendor agrees that he or she will not disclose to anyone, directly or indirectly, any such personally identifiable information or other confidential information gained from the agency, unless the individual who is the subject of the information consents to the disclosure in writing or the disclosure is made pursuant to the agency's policies, procedures and rules. Vendor further agrees to comply with the Confidentiality Policies and Information Security Accountability Requirements, set forth in http://www.state.wv.us/admin/purchase/privacy/noticeConfidentiality.pdf.

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.

Vendor's Name:		_
Authorized Signature:	Date:	

Purchasing Affidavit (Revised 01/01/09)