



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

Request for Quotation

RFQ NUMBER:
COR61456

PAGE:
1

ADDRESS CORRESPONDENCE TO ATTENTION OF:
BUYER 32
304-558-2544

VENDOR

RFQ COPY
TYPE NAME/ADDRESS HERE

SHIP TO

DIVISION OF CORRECTIONS
 VARIOUS LOCALES AS INDICATED
 BY ORDER

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
05/10/2010				

BID OPENING DATE: 05/19/2010 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	LS		984-36-99-002		
SHIRT/UNIFORMS RANK INSIGNIA						
OPEN END CONTRACT						
TO PROVIDE SHORT SLEEVE POLO SHIRTS AND CORRECTIONAL OFFICERS' UNIFORMS RANK INSIGNIA FOR THE WEST VIRGINIA DIVISION OF CORRECTIONS PER THE ATTACHED SPECIFICATION						
THE DIVISION OF CORRECTIONS PATCH IS REQUIRED TO BE EMBROIDERED ON LEFT CHEST OF ALL THE UNIFORMS, AND RANK INSIGNIA SEWN ON BOTH SIDES OF THE COLLAR.						
THE SUCCESSFUL BIDDER MUST DELIVER WITHIN 20 DAYS AFTER RECEIPT OF CONTRACT RELEASE ORDER.						
THE MODEL/BRAND/SPECIFICATIONS NAMED HEREIN ESTABLISH THE ACCEPTABLE LEVEL OF QUALITY ONLY AND ARE NOT INTENDED TO REFLECT A PREFERENCE OR FAVOR ANY PARTICULAR BRAND OR VENDOR. VENDORS WHO ARE BIDDING ALTERNATES SHOULD SO STATE AND INCLUDE PERTINENT LITERATURE AND SPECIFICATIONS. FAILURE TO PROVIDE INFORMATION FOR ANY ALTERNATES MAY BE GROUNDS FOR REJECTION OF THE BID. THE STATE RESERVES THE RIGHT TO WAIVE MINOR IRREGULARITIES IN BIDS OR SPECIFICATIONS IN ACCORDANCE WITH SECTION 148-1-4(F) OF THE WEST VIRGINIA LEGISLATIVE RULES AND REGULATIONS.						
PURCHASING CARD ACCEPTANCE: THE STATE OF WEST VIRGINIA						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE

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

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. Prior to any award, the apparent successful vendor must be properly registered with the Purchasing Division and have paid the required \$125 fee.
 4. 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.
 5. Payment may only be made after the delivery and acceptance of goods or services.
 6. Interest may be paid for late payment in accordance with the *West Virginia Code*.
 7. Vendor preference will be granted upon written request in accordance with the *West Virginia Code*.
 8. The State of West Virginia is exempt from federal and state taxes and will not pay or reimburse such taxes.
 9. The Director of Purchasing may cancel any Purchase Order/Contract upon 30 days written notice to the seller.
 10. The laws of the State of West Virginia and the *Legislative Rules* of the Purchasing Division shall govern the purchasing process.
 11. Any reference to automatic renewal is hereby deleted. The Contract may be renewed only upon mutual written agreement of the parties.
 12. **BANKRUPTCY:** In the event the vendor/contractor files for bankruptcy protection, the State may deem this contract null and void, and terminate such contract without further order.
 13. **HIPAA BUSINESS ASSOCIATE ADDENDUM:** The West Virginia State Government HIPAA Business Associate Addendum (BAA), approved by the Attorney General, is available online at www.state.wv.us/admin/purchase/vrc/hipaa.htm and 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.
 14. **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>.
 15. **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, and the West Virginia Insurance Commission. 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.
 16. **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 material, 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.

INSTRUCTIONS TO BIDDERS

1. Use the quotation forms provided by the Purchasing Division. Complete all sections of the quotation form.
2. 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. Unit prices shall prevail in case of discrepancy. All quotations are considered F.O.B. destination unless alternate shipping terms are clearly identified in the quotation.
4. 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
5. Communication during the solicitation, bid, evaluation or award periods, except through the Purchasing Division, is strictly prohibited (W.Va. C.S.R. §148-1-6.6).



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VENDOR ROOM

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SHIP TO

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LINE	QUANTITY	UOP	CAT NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>CURRENTLY UTILIZES A VISA PURCHASING CARD PROGRAM WHICH IS ISSUED THROUGH A BANK. THE SUCCESSFUL VENDOR MUST ACCEPT THE STATE OF WEST VIRGINIA VISA PURCHASING CARD FOR PAYMENT OF ALL ORDERS PLACED BY ANY STATE AGENCY AS A CONDITION OF AWARD.</p> <p>EXHIBIT 3</p> <p>LIFE OF CONTRACT: THIS CONTRACT BECOMES EFFECTIVE ON AND EXTENDS FOR A PERIOD OF ONE (1) YEAR OR UNTIL SUCH "REASONABLE TIME" THEREAFTER AS IS NECESSARY TO OBTAIN A NEW CONTRACT OR RENEW THE ORIGINAL CONTRACT. THE "REASONABLE TIME" PERIOD SHALL NOT EXCEED TWELVE (12) MONTHS. DURING THIS "REASONABLE TIME" THE VENDOR MAY TERMINATE THIS CONTRACT FOR ANY REASON UPON GIVING THE DIRECTOR OF PURCHASING 30 DAYS WRITTEN NOTICE.</p> <p>UNLESS SPECIFIC PROVISIONS ARE STIPULATED ELSEWHERE IN THIS CONTRACT DOCUMENT, THE TERMS, CONDITIONS AND PRICING SET HEREIN ARE FIRM FOR THE LIFE OF THE CONTRACT.</p> <p>RENEWAL: THIS CONTRACT MAY BE RENEWED UPON THE MUTUAL WRITTEN CONSENT OF THE SPENDING UNIT AND VENDOR, SUBMITTED TO THE DIRECTOR OF PURCHASING THIRTY (30) DAYS PRIOR TO THE EXPIRATION DATE. SUCH RENEWAL SHALL BE IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE ORIGINAL CONTRACT AND SHALL BE LIMITED TO TWO (2) ONE (1) YEAR PERIODS.</p> <p>CANCELLATION: THE DIRECTOR OF PURCHASING RESERVES THE RIGHT TO CANCEL THIS CONTRACT IMMEDIATELY UPON WRITTEN NOTICE TO THE VENDOR IF THE COMMODITIES AND/OR SERVICE</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

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<p>SUPPLIED ARE OF AN INFERIOR QUALITY OR DO NOT CONFORM TO THE SPECIFICATIONS OF THE BID AND CONTRACT HEREIN.</p> <p>OPEN MARKET CLAUSE: THE DIRECTOR OF PURCHASING MAY AUTHORIZE A SPENDING UNIT TO PURCHASE ON THE OPEN MARKET, WITHOUT THE FILING OF A REQUISITION OR COST ESTIMATE, ITEMS SPECIFIED ON THIS CONTRACT FOR IMMEDIATE DELIVERY IN EMERGENCIES DUE TO UNFORESEEN CAUSES (INCLUDING BUT NOT LIMITED TO DELAYS IN TRANSPORTATION OR AN UNANTICIPATED INCREASE IN THE VOLUME OF WORK.)</p> <p>QUANTITIES: QUANTITIES LISTED IN THE REQUISITION ARE APPROXIMATIONS ONLY, BASED ON ESTIMATES SUPPLIED BY THE STATE SPENDING UNIT. IT IS UNDERSTOOD AND AGREED THAT THE CONTRACT SHALL COVER THE QUANTITIES ACTUALLY ORDERED FOR DELIVERY DURING THE TERM OF THE CONTRACT, WHETHER MORE OR LESS THAN THE QUANTITIES SHOWN.</p> <p>ORDERING PROCEDURE: SPENDING UNIT(S) SHALL ISSUE A WRITTEN STATE CONTRACT ORDER (FORM NUMBER WV-39) TO THE VENDOR FOR COMMODITIES COVERED BY THIS CONTRACT. THE ORIGINAL COPY OF THE WV-39 SHALL BE MAILED TO THE VENDOR AS AUTHORIZATION FOR SHIPMENT, A SECOND COPY MAILED TO THE PURCHASING DIVISION, AND A THIRD COPY RETAINED BY THE SPENDING UNIT.</p> <p>BANKRUPTCY: IN THE EVENT THE VENDOR/CONTRACTOR FILES FOR BANKRUPTCY PROTECTION, THE STATE MAY DEEM THE CONTRACT NULL AND VOID, AND TERMINATE SUCH CONTRACT WITHOUT FURTHER ORDER.</p> <p>THE TERMS AND CONDITIONS CONTAINED IN THIS CONTRACT SHALL SUPERSEDE ANY AND ALL SUBSEQUENT TERMS AND CONDITIONS WHICH MAY APPEAR ON ANY ATTACHED PRINTED DOCUMENTS SUCH AS PRICE LISTS, ORDER FORMS, SALES</p>						

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				AGREEMENTS OR MAINTENANCE AGREEMENTS, INCLUDING ANY ELECTRONIC MEDIUM SUCH AS CD-ROM. REV. 05/26/2009 EXHIBIT 10 REQUISITION NO.: ADDENDUM ACKNOWLEDGEMENT I HEREBY ACKNOWLEDGE RECEIPT OF THE FOLLOWING CHECKED ADDENDUM(S) AND HAVE MADE THE NECESSARY REVISIONS TO MY PROPOSAL, PLANS AND/OR SPECIFICATION, ETC. ADDENDUM NO.'S: NO. 1 NO. 2 NO. 3 NO. 4 NO. 5 I UNDERSTAND THAT FAILURE TO CONFIRM THE RECEIPT OF THE ADDENDUM(S) MAY BE CAUSE FOR REJECTION OF BIDS. 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		

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SPECIFICATIONS BY AN OFFICIAL ADDENDUM IS BINDING. SIGNATURE COMPANY DATE						
NOTE: THIS ADDENDUM ACKNOWLEDGEMENT SHOULD BE SUBMITTED WITH THE BID. REV. 09/21/2009 NOTICE A SIGNED BID MUST BE SUBMITTED TO: DEPARTMENT OF ADMINISTRATION PURCHASING DIVISION BUILDING 15 2019 WASHINGTON STREET, EAST CHARLESTON, WV 25305-0130						
THE BID SHOULD CONTAIN THIS INFORMATION ON THE FACE OF THE ENVELOPE OR THE BID MAY NOT BE CONSIDERED: SEALED BID						

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LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
BUYER: ----- RFQ. NO.: ----- BID OPENING DATE: ----- BID OPENING TIME: ----- PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID: ----- CONTACT PERSON (PLEASE PRINT CLEARLY): ----- ***** THIS IS THE END OF RFQ COR61456 ***** TOTAL: _____						

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PERFECTION UNIFORMS SPECIFICATIONS

Pride Through Performance™

Performance Synthetic **EclipseSeries™** Class B Basic Short Sleeve Shirt – Style 2120, or equal

FABRIC

Style: Perfection EclipseSeries™ Performance Synthetic Pique from Contempra Mills

Colors: Dark Navy (DN), Black (BK), Blue (BL), Red (RD), Silver Tan (ST), White (WH)

Fiber Content: 100% T359 Performance Polyester

Body Knit: Pique

Welt/Collar Knit: Rib Knit with raised parallel corded rib trim design.

Shall weigh no less than: 8 Oz/square yard

Finish: Permanent hydrophilic/wickable finish with antimicrobial treatment for continuous odor control for the lifetime of this garment, by inhibiting the growth of bacteria, mold and mildew that cause stains and odors.

DESIGN

Shall feature the Perfection EGC System™ Design for enhanced comfort and mobility & to accommodate body armor. Short sleeve shirt style with full fashioned knit collar and 3-button placket front. 1-piece sleeve design and EGC side gussets for enhanced fit, comfort, and mobility. Collar and sleeve bands dyed to match the shirt fabric.

COLLAR

The shirt shall feature a 3" full fashioned rib knit collar with a parallel corded rib trim design for enhanced collar smoothness, to match the sleeve detail. The neck seam shall be covered with matching fabric.

FRONT

There shall be a 1 1/4" wide placket that measures 6 1/2" long. The left placket shall be backed with matching self fabric. The right placket shall be made of a double layer of self fabric. The placket shall be box stitched at the lower end and close with 3 matching melamine buttons. There is a 1/2" wide microphone loop at the bottom of the placket.

SLEEVES

The sleeve setting seam is finished with double needle topstitching for enhanced performance. The sleeves have a 1" band finish with a parallel corded rib trim design, to match the collar detail. A size Large finishes 9 3/4" long from the shoulder seam. Must have pencil pocket on the left sleeve 3 3/4" below sleeve setting seam, stitched in the center to accommodate two pencils.

SIDE GUSSETS

Perfection EGC System™ incorporates side gussets for enhanced fit, comfort and mobility. The gusset is a 1-piece self fabric piece that extends from the sleeve opening to the shirt hem. The graduated gusset measures 4" at each end and widens in the armhole area. The EGC Gusset seams are finished with double needle topstitching for enhanced performance.

BACK

The back of the shirt has a 3 1/2" deep circular facing.

BUTTONS

To be a 20-ligne melamine button to match the fabric color.

PERFECTION UNIFORMS SPECIFICATIONS

Pride Through Performance™

Performance Synthetic **EclipseSeries™** Class B Basic Short Sleeve Shirt – Style 2120

STITCHING

The entire shirt is to be stitched with 100% polyester core/100% polyester wrap thread. All visible stitching must be 10-12 stitches per inch. Sleeve setting and gusset setting shall be done with an over edge and safety stitch and finished with double-needle topstitching.

SHIRT LABELING

The shirt shall be labeled Perfection EclipseSeries™, with the following information: style number, size, fiber content, care instructions, RN number and country of origin

SIZES

The required sizes shall be from small to 6x.
Unisex shirts are available in alpha sizes.

COLORS

2120BK Black
2120BL Light Blue
2120DN Dark Navy
2120RD Red
2120ST Silver Tan
2120WH White

SAMPLE REQUIREMENT

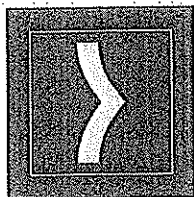
Samples are required in all colors to be shipped to the following address:
WV Division of Corrections
1409 Greenbrier Street
Charleston, WV 25311
Attn: Bryan Arthur

WEAR TEST

The WV Division of Corrections reserves the right to wear test any and all samples received to determine compliance to the specifications listed above. The Division of Corrections is not responsible for any damages to the samples as a result of the wear test

The West Virginia Division of Corrections is in need of Rank Insignia for its Correctional Officer Uniforms. We have identified Galls Inc. products or equal as the one that could meet our needs.

		Meets Spec	
		<u>Yes</u>	<u>No</u>
1 Private Rank, 1 x 1 inch size		_____	_____
Fabric Color #102 Navy			
Stitch Border Color #25 Dark Navy			
Rank Color #18 E Grey Thread			
2 Corporal Rank, 1 X 1 inch size		_____	_____
Fabric Color #102 Navy			
Stitch Border Color #25 Dark Navy			
Rank Color #18 E Grey Thread			
3 Sergeant Rank, 1 x 1 inch size		_____	_____
Fabric Color #102 Navy			
Stitch Border Color #25 Dark Navy			
Rank Color #18 E Grey Thread			
4 Lieutenant Rank, 1 x 1 inch size		_____	_____
Fabric Color #102 Navy			
Stitch Border Color #25 Dark Navy			
Rank Color #5363 Gold Thread			
5 Captain Rank, 1 x 1 inch size		_____	_____
Fabric Color #102 Navy			
Stitch Border Color #25 Dark Navy			
Rank Color #5363 Gold Thread			
6 Major Rank, 1 x 1 inch size		_____	_____
Fabric Color #102 Navy			
Stitch Border Color #25 Dark Navy			
Rank Color #5363 Gold Thread			



Size: 1x1

Colors: May Vary. See Company Thread & Fabric Chart For Actual Colors.
Design May be Slightly Modified From Original Art For Enhancement Or Quality Purposes.

Thread (th) / Ink (in):

#18 E Grayth



Fabric Color:
#102 Navy

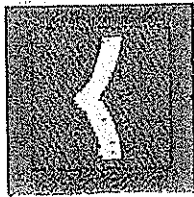


Stitch Border Color:
#25 Navy(th)



ML-dawit

Size: 1x1



Colors May Vary. See Company Thread & Fabric Chart For Actual Colors.
Design May be Slightly Modified From Original Art For Enhancement Or Quality Purposes.

Thread (th)/ Ink (in):

#5363 Gold(th)

Fabric Color:
#102 Navy

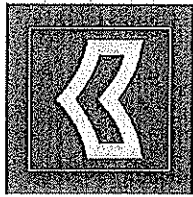


Stitch Border Color:
#25 Navy(th)



ML-dawit

Size: 1x1



Colors May Vary. See Company Thread & Fabric Chart For Actual Colors.
Design May be Slightly Modified From Original Art For Enhancement Or Quality Purposes.

Thread (th) / Ink (in):

#18 E Grey(th)



Fabric Color:

#102 Navy



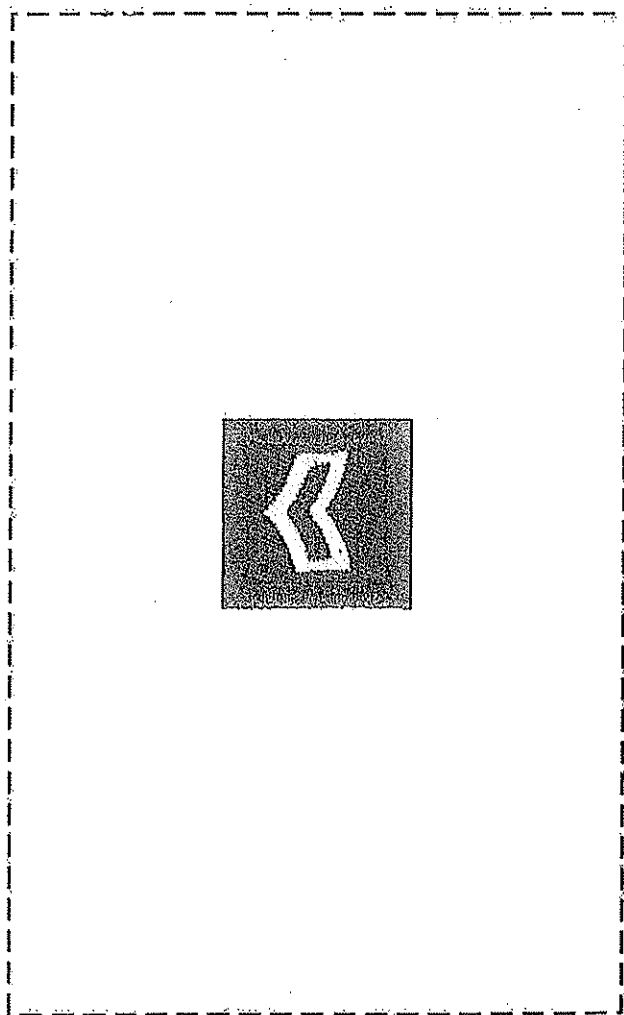
Stitch Border Color:

#25 Navy(th)



ML-dawit

Size: 1X1



Colors May Vary, See Company Thread & Fabric Chart For Actual Colors.
 Design May be Slightly Modified From Original Art For Enhancement Or Quality Purposes.

Thread (th) / Ink (in):



#5368 Gold(th)

Fabric Color:
#102 Navy

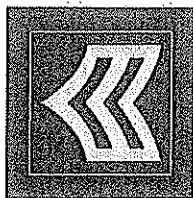


Stitch Border Color:
#25 Navy(th)



ML-dawit

Size: 1x1



Colors May Vary; See Company Thread & Fabric Chart For Actual Colors.
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Thread (th)/Ink (in):



#18 E Grey(th)

Fabric Color:

#102 Navy



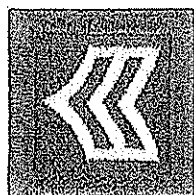
Stitch Border Color:

#25 Navy(th)



ML-dawit

Size: 1x1



Colors May Vary. See Company Thread & Fabric Chart For Actual Colors.
Design May be Slightly Modified From Original Art For Enhancement Or Quality Purposes.

Thread (th) / Ink (in):

#5363 Gold(th)

Fabric Color:

#102 Navy



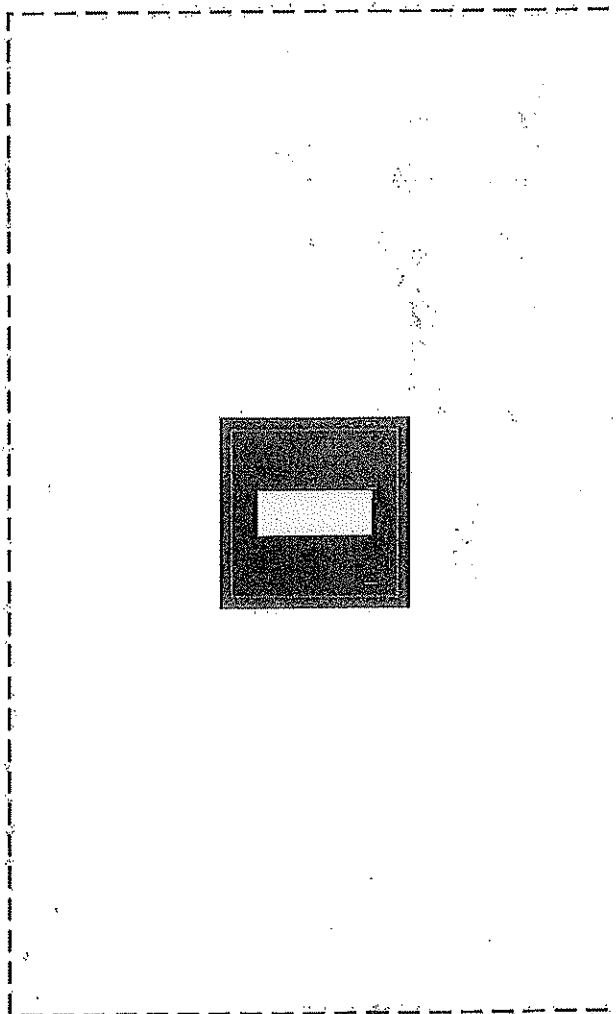
Stitch Border Color:

#25 Navy(th)



ML-dawit

Size: 1x1



Colors May Vary, See Company Thread & Fabric Chart For Actual Colors.
Design May be Slightly Modified From Original/Art For Enhancement Or Quality Purposes.

Thread (th) / Ink (in):



#5363 Gold(th)

Fabric Color:

#102 Navy



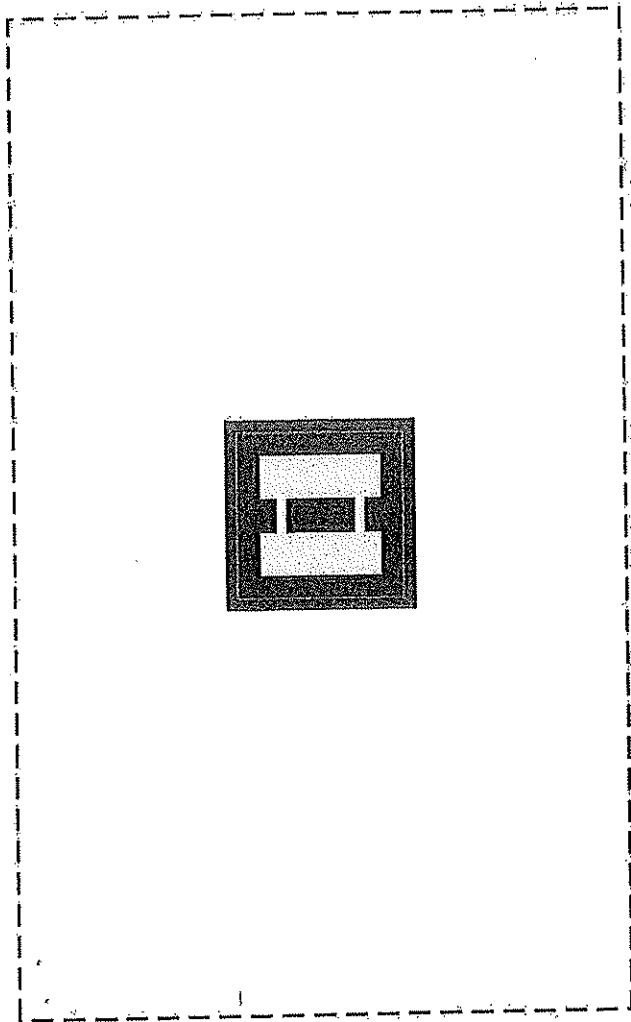
Stitch Border Color:

#25 Dk Navy(th)



ML-dawit

Size: 1x1



Colors May Vary. See Company Thread & Fabric Chart For Actual Colors.
Design May be Slightly Modified From Original Art For Enhancement Or Quality Purposes.

Thread (th) / Ink (in):



#5363 Gold(th)

Fabric Color:
#102 Navy

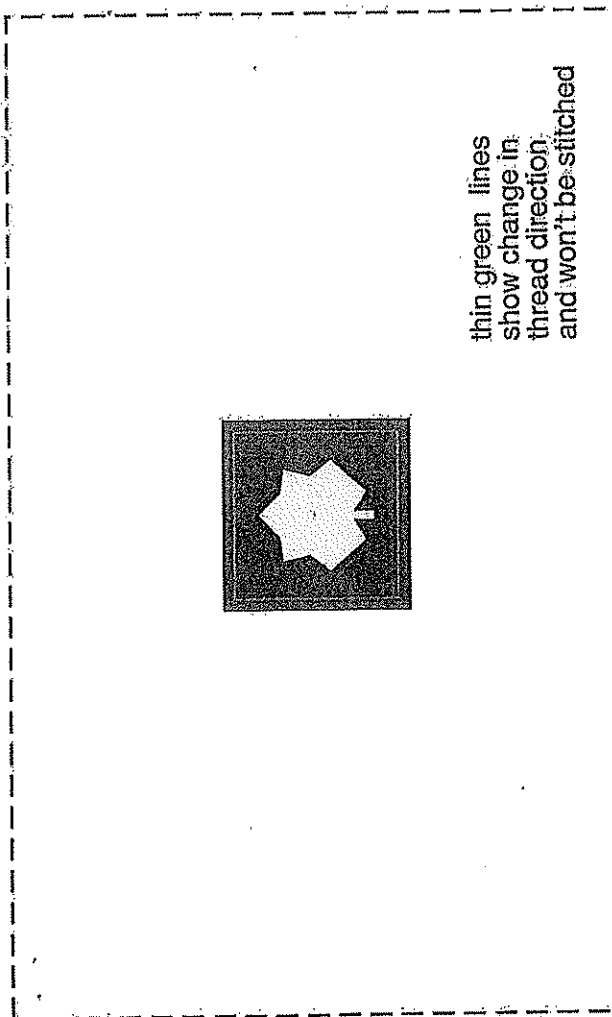


Stitch Border Color:
#25 Dk Navy(th)



ML-dawit

Size: 1x1



Colors May Vary, See Company Thread & Fabric Chart For Actual Colors.
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Thread (th) / Ink (in):

#5363 Gold(th)

Fabric Color:
#102 Navy



Stitch Border Color:
#25 Dk Navy(th)



ML-dawit



Cor61456 Bid Schedule					
SIZES	CO NUMBER	RANK	ESTIMATED QUANTITY**	UNIT PRICE	AMOUNT
SM - 2X	CO1	Private	577		
3X -4X	CO1	Private	346		
5X - 6X	CO1	Private	111		
SM - 2X	CO2	Corporal	658		
3X -4X	CO2	Corporal	152		
5X - 6X	CO2	Corporal	237		
SM - 2X	CO3	Sergeant	42		
3X -4X	CO3	Sergeant	45		
5X - 6X	CO3	Sergeant	108		
SM - 2X	CO4	Lieutenant	113		
3X -4X	CO4	Lieutenant	54		
5X - 6X	CO4	Lieutenant	68		
SM - 2X	CO5	Captain	87		
3X -4X	CO5	Captain	56		
5X - 6X	CO5	Captain	58		
SM - 2X	CO6	Major	59		
3X -4X	CO6	Major	36		
5X - 6X	CO6	Major	30		
SM - 2X		Warden	80		
3X -4X		Warden	51		
5X - 6X		Warden	32		
TOTAL BID PRICE			3000	\$	\$
			Estimated Qty	Unit Price	Amount
Insignia			500		
*See the color shirts requested in the specs .					
** Estimated quantities shown are only for planning purposes					
** The Division of Corrections can order more or less for any given size or color					

RFQ No. _____

STATE OF WEST VIRGINIA
Purchasing Division

PURCHASING AFFIDAVIT

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

DEFINITIONS:

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

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

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

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

WITNESS THE FOLLOWING SIGNATURE

Vendor's Name: _____

Authorized Signature: _____ Date: _____

State of _____

County of _____, to-wit:

Taken, subscribed, and sworn to before me this ____ day of _____, 20__.

My Commission expires _____, 20__.

AFFIX SEAL HERE

NOTARY PUBLIC _____

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 Resident Vendor Preference, if applicable.

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

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

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

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

Bidder: _____ Signed: _____

Date: _____ Title: _____

**Check any combination of preference consideration(s) in either "A" or "B", or both "A" and "B" which you are entitled to receive. You may request up to the maximum of 5% preference for both "A" and "B".*