



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:
DNR210019

PAGE:
1

ADDRESS CORRESPONDENCE TO ATTENTION OF:
**FRANK WHITTAKER
 304-558-2316**

VENDOR

RFQ COPY
 TYPE NAME/ADDRESS HERE

SHIP TO

DIVISION OF NATURAL RESOURCES
 CHIEF LOGAN STATE PARK
 ATTN: PARK SUPERINTENDENT

LOGAN, WV
 25601
 304-792-7125

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
08/12/2009				

BID OPENING DATE: **09/08/2009** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	LS		805-57		
<p>EXERCISE EQUIPMENT</p> <p>THE WEST VIRGINIA PURCHASING DIVISION, FOR THE AGENCY, THE WEST VIRGINIA DIVISION OF NATURAL RESOURCES, IS SOLICITING BIDS FROM RESPONSIBLE VENDORS TO PROVIDE EXERCISE EQUIPMENT, INCLUDING DELIVERY AND INSTALLATION IN ACCORDANCE WITH THE MANUFACTURERS RECOMMENDATIONS, PER THE ATTACHED SPECIFICATIONS.</p> <p>ALL TECHNICAL QUESTIONS MUST BE SUBMITTED IN WRITING TO FRANK WHITTAKER IN THE PURCHASING DIVISION VIA EMAIL AT FRANK.M.WHITTAKER@WV.GOV OR VIA FAX AT 304-558-4115. DEADLINE FOR TECHNICAL QUESTIONS IS 08/24/09 AT 3:00 P ALL TECHNICAL QUESTIONS WILL BE ADDRESSED BY ADDENDUM AFTER THE DEADLINE.</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 style="text-align: center;">NOTICE</p> <p>A SIGNED BID MUST BE SUBMITTED TO:</p> <p style="text-align: center;">DEPARTMENT OF ADMINISTRATION PURCHASING DIVISION BUILDING 15 2019 WASHINGTON STREET, EAST CHARLESTON, WV 25305-0130</p>						

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. 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.
4. 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



State of West Virginia
 Department of Administration
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DIVISION OF NATURAL RESOURCES
 CHIEF LOGAN STATE PARK
 ATTN: PARK SUPERINTENDENT

LOGAN, WV
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DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
08/12/2009				

BID OPENING DATE: 09/08/2009 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>THE BID SHOULD CONTAIN THIS INFORMATION ON THE FACE OF THE ENVELOPE OR THE BID MAY NOT BE CONSIDERED:</p> <p>SEALED BID</p> <p>BUYER: 44</p> <p>RFQ. NO.: DNR210019</p> <p>BID OPENING DATE: 09/08/09</p> <p>BID OPENING TIME: 1:30 PM</p> <p>PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID:</p> <p>-----</p> <p>CONTACT PERSON (PLEASE PRINT CLEARLY):</p> <p>-----</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
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DNR210019
CHIEF LOGAN RECREATION CENTER
FITNESS EQUIPMENT

The West Virginia Division of Natural Resources is requesting bids for fitness equipment which includes circuit training equipment, weight training equipment and cardio equipment for the Chief Logan Recreation Center. All items must be F.O.B. Destination: freight or delivery charges must be included in the price of goods. Delivery and installation must be made within thirty (30) days of purchase order award. The award may be split if it is in the best interest of the West Virginia Division of Natural Resources.

The equipment to be purchased is as follows:

CIRCUIT TRAINING EQUIPMENT AND WEIGHT TRAINING EQUIPMENT

CIRCUIT TRAINING EQUIPMENT:

Leg press
Leg extension
Seated leg curl
Inner thigh
Out thigh
Chest press
Shoulder press
Pectoral fly
Lat pulldown
Seated row
Biceps curl
Triceps extension
Low back extension.
Abdominal
Rotary torso

WEIGHT TRAINING EQUIPMENT:

Cable crossover
Max Rack or equal
Dip unit
Adjustable benches
Rubber coated hex dumbbells 5 lbs. -50 lbs. (5 lb. increments)
Dumbbell rack
Rubber coated olympic plates – 45 lb.
Rubber coated olympic plates – 35 lb.

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CHIEF LOGAN RECREATION CENTER
FITNESS EQUIPMENT

Rubber coated olympic plates – 25 lb.
Rubber coated olympic plates – 10 lb.
Rubber coated olympic plates – 5 lb.
Rubber coated olympic plates – 2.5
Rubber coated fixed curl bar 20 lbs. - 60 lbs. (10 lb. increments)
Rubber coated fixed straight bar 20 lbs. - 60lbs. (10 lb. increments)
Fixed bar rack: rack must accommodate five curl bars on one side; and five straight bars on the other side.

GENERAL SPECIFICATIONS FOR CIRCUIT TRAINING EQUIPMENT AND WEIGHT TRAINING EQUIPMENT:

All units must include: step by step instructions and adjustment guides provided in chart form for each model; easy to follow user instructions; anatomical photos for muscle reference plus height adjustments on selected models; and photos showing starting and ending exercise positions which are printed on non-fade washable material and can be framed to eliminate tampering.

All units must have: durable structured reinforced abs cap-custom fit top frame; and completely enclosing pulleys and connecting hardware to weight stack enclosure for easy removal for serviceability.

CABLES: must have military spec lubricated minimum $\frac{3}{8}$ in. cable coated to a minimum $\frac{1}{4}$ in. with a 4,200 lb. breaking strength; swaged ball fitting and $\frac{3}{8}$ in. threaded bolt tension-adjustment design (must be tested at 500 lbs. for 5 million cycles); and cables routed inside of frame in as many areas as possible to prevent user contact.

FRAME STRUCTURE: must be a minimum of 4 in. x 2.78 in. and 3.43 in. x 2.25 in. oval shaped tube and precision laser-cut steel mounting plates and struts throughout for proper structural reinforcement.

SELECTOR SHAFT ASSEMBLY: must have a cold rolled solid minimum of 1 in. diameter selector shaft; be chrome-plated for durability and appearance; and machined to bullit tap to insure proper weight stack entry.

CUSTOM DESIGNED MACHINE CAP PLATES: must have fitted thermo plastic bushings to insure low friction movement over guide rods and receptacle integrated into cap plate to provide selection pin storage.

PULLEYS: must have a minimum of 6 in. to 4½ in. fiberglass reinforced pulley wheels with deep grooved channel to provide secure cable seating and optimum bearing

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CHIEF LOGAN RECREATION CENTER
FITNESS EQUIPMENT

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rotation; sealed lifetime ball bearings insure smooth; and quiet pulley operation. pulleys must be positional inside steel housings to eliminate contact with users

PAINT: must be electrostatically applied powder coat finish to enhance the appearance and provide greater durability.

UPHOLSTRY: must be superior grade boltaflex or equal and uniroyal naugahyde or equal; fabric must be stitched over 1 ½ in. high density emr and hr foam with ¾ in. cdx plywood; and selected pads must be structured with heavy-duty abs mold.

WEIGHT STACKS: easily accessible from seated position: choice of 10 lb. to 15 lb. increment machined weight plates. 1 in. thick with fitted nylon bushings to assure smooth travel to guide rods and proper spacing around weight stack enclosure.

SELECTOR PINS: each unit must have a magnetic selector pin to ensure positive locking to plates and is secured to the weight stack with a thick plastic-coated cable.

SEAT PAD ADJUSTMENT: must have gas-assist spring cylinder for fast and smooth adjustment change; adjustment must be eg-ergonomically located with a spring-loaded retention knob and handle must be color coded for ease of locating. Adjustments must be numbered for fast and accurate adjustments.

STABILITY: must have custom molded rubber foot pads to insure stability

HANDGRIPS: must be constructed of thermo rubber compound to provide durability and comfort.

WARRANTY: must have a lifetime warranty on frame, weight plates and guide rods; a five (5) year warranty on-pulley wheels, bushings and sealed rotary bearings; a one (1) year warranty on cables; a ninety (90) day warranty on labels, pads, and grips; and a one (1) year warranty on labor from date of acceptance. However, if manufacturer warranty period is longer that the required minimum warranties as stated above, those warranties must apply.

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CHIEF LOGAN RECREATION CENTER
FITNESS EQUIPMENT

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CARDIO EQUIPMENT

COMMERCIAL TREADMILL

GENERAL SPECIFICATIONS FOR COMMERCIAL TREADMILL:

MOTOR: must have a minimum 5.0 hp ac Cambridge motor or equal with an integrated drive system.

DECK: must have a minimum 1 in. commercial grade low maintenance pre-waxed phenolic/must be reversible.

FRAME: must have an extra heavy gauge steel welded frame.

CUSHIONING: must have eight (8) variable-durometer elastomer cushions

BELT & BELT ARMS: must have a minimum 63 in. length x 22 in. width running belt to fit a large range of users from walkers to runners; and running belt must feature cool weave belts to release heat in heavy use environment to keep from getting warm.

SPEED: must be a minimum .5 mph to a maximum of 12 mph in .1 increments.

ELEVATION: must be a minimum of 0% to a maximum of 15%.

ROLLERS: must be a minimum of 3.0 in. crowned with large od bearings.

CONSOLE FEEDBACKS: must include elevation, speed, distance time, heart rate, calories, pace average, pace, average speed, and percent heart rate.

CONSOLE PROGRAMS: must include manual, sprint 8 or equal, muscle toner, sk, fat burner, pacer, heart rate weight loss, heart rate cardio, heart rate endurance, heart rate interval, with five (5) custom courses in console heart rate; an entertainment plug-in option; and option to install medical handrails.

MAX USER WEIGHT: must accommodate a maximum of 400 lbs.

WARRANTY: must have a lifetime warranty on frame; a five (5) year warranty on motor, electronics, and parts; and a two (2) year warranty on labor from date of acceptance. however, if manufacturer warranty period is longer that the required minimum warranties as stated above, those warranties must apply.

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CHIEF LOGAN RECREATION CENTER
FITNESS EQUIPMENT

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COMMERCIAL ELLIPTICAL TRAINER

GENERAL SPECIFICATIONS FOR COMMERCIAL ELLOPTICAL TRAINER:

FRAME: must have an extra heavy gauge steel welded frame.

POWER: must be self generating.

STRIDE LENGTH: must be a minimum of 18 3/8 in.

DRIVE TRAIN: must have a quiet glide super silent poly v-belt.

RESISTANCE SYSTEM: must have a Cambridge motor works generation or equal.

PROGRAMS LEVELS: must include a minimum of twenty (20).

HEART RATE: must include contact and telemeter.

FEATURES: must include an entertainment plug-in.

MAX USER WEIGHT: must accommodate a maximum of 400 lbs.

PROGRAMS: must include manual, interval, fat burn, sprint 8, heart rate cardio, heart rate weight loss, heart rate interval, heart rate hill; and five (5) custom programs.

CONSOLE: must include integrated reading rack.

CONSOLE FEEDBACK: must include speed, distance, calories, strides per minute, level, watts, time, metabolic rate, heart rate, percent heart rate, target heart rate and profile display.

WARRANTY: must have a lifetime warranty on frame; a five (5) year warranty on generator systems, electronic and parts; and a two (2) year warranty on labor from date of acceptance. however, if manufacturer warranty period is longer that the required minimum warranties as stated above, those warranties must apply.

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 Chief Logan Recreation Center
 FITNESS EQUIPMENT LIST

Please complete the below information concerning the brand(s) of equipment being bid in relation to this project. If bidding in or equal inch brands, please attach manufacturer's literature documenting that it meets the mandatory requirements stated in the specifications. Vendors should note the areas of the provided manufacturer's literature that adheres to the mandatory requirements outlined in the Request For Quotation.

Item No.	Equipment	Manufacturer	Model
1	Leg Press		
2	Leg Extension		
3	Seated Leg Curl		
4	Inner Thigh		
5	Out Thigh		
6	Chest Press		
7	Shoulder Press		
8	Pectoral Fly		
9	Lat Pulldown		
10	Seated Row		
11	Biceps Curl		
12	Triceps Extension		
13	Low Back Extension		
14	Abdominal		

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 Chief Logan Recreation Center
 FITNESS EQUIPMENT LIST

Item No.	Equipment	Manufacturer	Model
15	Rotary Torso		
16	Cable Crossover		
17	Max Rack or equal		
18	Dip Unit		
19	Adjustable Benches		
20	Rubber Coated Hex Dumbbells 5 lbs. - 50lbs. (5 lb. Increments)		
21	Dumbbell Rack		
22	Rubber Coated Olympic Plates – 45 lb.		
23	Rubber Coated Olympic Plates – 35 lb.		
24	Rubber Coated Olympic Plates – 25 lb.		
25	Rubber Coated Olympic Plates – 10 lb.		
26	Rubber Coated Olympic Plates – 5 lb.		
27	Rubber Coated Olympic Plates – 2.5 lb.		
28	Rubber Coated Fixed Curl Bar 20 lbs. - 60 lbs. (10 lb. Increments)		
29	Rubber Coated Fixed Straight Bar 20 lbs. - 60 lbs. (10 lb. Increments)		
30	Fixed Bar Rack		
31	Commercial Treadmill		

WVDNR210019
Chief Logan Recreation Center
FITNESS EQUIPMENT LIST

Item No.	Equipment	Manufacturer	Model
32	Commercial Elliptical Trainer		

Chief Logan Recreation Center
FITNESS EQUIPMENT PRICING SHEET

Item No.	Quantity	Description	Unit Price	Amount
1	1	Leg Press		
2	1	Leg Extension		
3	1	Seated Leg Curl		
4	1	Inner Thigh		
5	1	Out Thigh		
6	1	Chest Press		
7	1	Shoulder Press		
8	1	Pectoral Fly		
9	1	Lateral Pulldown		
10	1	Seated Row		
11	1	Biceps Curl		
12	1	Triceps Extension		
13	1	Low Back Extension		
14	1	Abdominal		
15	1	Rotary Torso		
16	1	Cable Crossover		
17	1	Max Rack		
18	1	Dip Unit		

Chief Logan Recreation Center
FITNESS EQUIPMENT PRICING SHEET

Item No.	Quantity	Description	Unit Price	Amount
19	3	Adjustable Benches		
20	10	Rubber Coated Hex Dumbbells 5 lb.s - 50 lbs. (5 lb. increments)		
21	1	Dumbbell Rack		
22	6	Rubber Coated Olympic Plates – 45 lb.		
23	2	Rubber Coated Olympic Plates – 35 lb.		
24	2	Rubber Coated Olympic Plates – 25 lb.		
25	4	Rubber Coated Olympic Plates – 10 lb.		
26	2	Rubber Coated Olympic Plates – 5 lb.		
27	2	Rubber Coated Olympic Plates – 2.5 lb.		
28	5	Rubber Coated Fixed Curl Bar 20 lbs. - 60 lbs. (10 lb. Increments)		
29	5	Rubber Coated Fixed Straight Bar 20 lbs. - 60 lbs. (10 lb. Increments)		
30	1	Fixed Bar Rack		
31	4	Commercial Treadmill		
32	3	Commercial Elliptical Trainer		
TOTALS:				

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) indicated above, which you are entitled to receive.

STATE OF WEST VIRGINIA
Purchasing Division

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: _____