



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

RMA10015

PAGE

1

ADDRESS CORRESPONDENCE TO ATTENTION OF

KRISTA FERRELL
304-558-2596

RFQ COPY

TYPE NAME/ADDRESS HERE

DIVISION OF HIGHWAYS
JOBSITE
SEE SPECIFICATIONS

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
01/28/2010				

BID OPENING DATE:

03/10/2010

BID OPENING TIME

01:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	LB		570-65		
REPAIR OF RAILROAD BRIDGES ON THE SBVR AND WVCR						
REQUEST FOR QUOTATION (RFQ)						
THE WEST VIRGINIA DIVISION OF PURCHASING FOR THE AGENCY, THE WEST VIRGINIA RAIL AUTHORITY, IS SOLICITING BIDS TO PROVIDE THE AGENCY WITH ALL LABOR AND MATERIAL TO REPLACE 7 BRIDGES ON THE SOUTH BRANCH AND CENTRAL RAILROADS PER THE ATTACHED SPECIFICATIONS AND DRAWINGS.						
TWO MANDATORY PRE-BID MEETINGS WILL BE HELD, ONE FOR EACH RAILROAD LOCATION. SOUTH BRANCH VALLEY RAILROAD WILL BE HELD ON FEBRUARY 24, 2010 AT 10:00 AM AT THE SVBR OFFICE IN MOOREFIELD, WV. WV CENTRAL RAILROAD WILL BE HELD ON FEBRUARY 25, 2010 AT 10:00 AM AT THE ELKINS DEPOT IN ELKINS, WV. ALL INTERESTED PARTIES ARE REQUIRED TO ATTEND BOTH OF THESE MEETINGS AND SIGN IN AT EACH MEETING. FAILURE TO ATTEND BOTH MANDATORY PRE-BID SHALL RESULT IN DISQUALIFICATION OF THE BID. NO ONE PERSON MAY REPRESENT MORE THAN ONE BIDDER.						
AN ATTENDANCE SHEET WILL BE MADE AVAILABLE FOR ALL POTENTIAL BIDDERS TO COMPLETE. THIS WILL SERVE AS THE OFFICIAL DOCUMENT VERIFYING ATTENDANCE AT THE MANDATORY PRE-BID. FAILURE TO PROVIDE YOUR COMPANY AND REPRESENTATIVE NAME ON THE ATTENDANCE SHEET WILL RESULT IN DISQUALIFICATION OF THE BID. THE STATE WILL NOT						

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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<p>ACCEPT ANY OTHER DOCUMENTATION TO VERIFY ATTENDANCE. THE BIDDER IS RESPONSIBLE FOR ENSURING THEY HAVE COMPLETED THE INFORMATION REQUIRED ON THE ATTENDANCE SHEET. THE PURCHASING DIVISION AND THE STATE AGENCY WILL NOT ASSUME ANY RESPONSIBILITY FOR A BIDDER-S FAILURE TO COMPLETE THE PRE-BID ATTENDANCE SHEET. IN ADDITION, WE REQUEST THAT ALL POTENTIAL BIDDERS INCLUDE THEIR E-MAIL ADDRESS AND FAX NUMBER.</p> <p>ALL POTENTIAL BIDDERS ARE REQUESTED TO ARRIVE PRIOR TO THE STARTING TIME FOR THE PRE-BID. BIDDERS WHO ARRIVE LATE, BUT PRIOR TO THE DISMISSAL OF THE TECHNICAL PORTION OF THE PRE-BID WILL BE PERMITTED TO SIGN IN. BIDDERS WHO ARRIVE AFTER CONCLUSION OF THE TECHNICAL PORTION OF THE PRE-BID, BUT DURING ANY SUBSEQUENT PART OF THE PRE-BID WILL NOT BE PERMITTED TO SIGN THE ATTENDANCE SHEET.</p> <p>ADDITIONAL PRE-BID MEETING INFORMATION IS CONTAINED IN THE ATTACHED SPECIFICATIONS FOR THIS PROJECT.</p> <p>TECHNICAL QUESTIONS CONCERNING THIS SOLICITATION MUST BE SUBMITTED IN WRITING TO FRANK WHITTAKER IN THE WEST VIRGINIA STATE PURCHASING DIVISION VIA MAIL AT THE ADDRESS SHOWN IN THE BODY OF THIS RFQ, VIA FAX AT 304-558-4115, OR VIA EMAIL AT FRANK.W.WHITTAKER@WV.GOV. DEADLINE FOR ALL TECHNICAL QUESTIONS IS 03/01/2010 AT THE CLOSE OF BUSINESS. ALL TECHNICAL QUESTIONS RECEIVED, IF ANY, WILL BE ANSWERED BY ADDENDUM AFTER THE DEADLINE HAS LAPSED.</p> <p>QUESTIONS CONCERNING THE ACTUAL PROCESS BY WHICH A VENDOR MAY SUBMIT A BID TO THE STATE OF WEST VIRGINIA ARE NOT CONSIDERED TO BE TECHNICAL QUESTIONS AND MAY BE SUBMITTED AT ANY TIME PRIOR TO THE BID OPENING AND IN ANY FORMAT.</p>						
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<p>EXHIBIT 5</p> <p>WEST VIRGINIA CODE 21-1D-5 PROVIDES THAT: ANY SOLICITATION FOR A PUBLIC IMPROVEMENT CONSTRUCTION CONTRACT REQUIRES EACH VENDOR THAT SUBMITS A BID FOR THE WORK T SUBMIT AT THE SAME TIME AN AFFIDAVIT OF COMPLIANCE WITH THE BID. THE ENCLOSED DRUG-FREE WORKPLACE AFFIDAVIT MUST BE SIGNED AND SUBMITTED WITH THE BID AS EVIDENCE OF THE VENDOR'S COMPLIANCE WITH THE PROVISIONS OF ARTICLE 1D, CHAPTER 21 OF THE WEST VIRGINIA CODE. FAILURE TO SUBMIT THE SIGNED DRUG-FREE WORKPLACE AFFIDAVIT WIT THE BID SHALL RESULT IN DISQUALIFICATION OF SUCH BID.</p> <p>NOTICE TO PROCEED: THIS CONTRACT IS TO BE PERFORMED ON OR BY 06/18/2010.</p> <p>CANCELLATION: THE DIRECTOR OF PURCHASING RESERVES THE RIGHT TO CANCEL THIS CONTRACT IMMEDIATELY UPON WRITTEN NOTICE TO THE VENDOR IF THE MATERIALS OR WORKMANSHIP SUPPLIED ARE OF AN INFERIOR QUALITY OR DO NOT CONFORM WITH THE SPECIFICATIONS OF THE BID AND CONTRACT HERE IN.</p> <p>WAGE RATES: THE CONTRACTOR OR SUBCONTRACTOR SHALL PAY THE HIGHER OF THE U.S. DEPARTMENT OF LABOR MINIMUM WAGE RATES AS ESTABLISHED FOR THE COUNTY PURSUANT TO WEST VIRGINIA CODE 21-5A, ET, SEQ. (PREVAILING WAGE RATES APPLY TO THIS PROJECT)</p> <p>ARBITRATION: ANY REFERENCES MADE TO ARBITRATION OR INTEREST FOR PAYMENTS DUE (EXCEPT FOR ANY INTEREST REQUIRED BY STATE LAW) CONTAINED IN THIS CONTRACT OR IN ANY AMERICAN INSTITUTE OF ARCHITECTS DOCUMENTS PERTAINING TO THIS CONTRACT ARE HEREBY DELETED.</p>						

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WORKERS' COMPENSATION: VENDOR IS REQUIRED TO PROVIDE A CERTIFICATE FROM WORKERS' COMPENSATION IF SUCCESSFUL.						
ALL OF THE ITEMS CHECKED BELOW WILL BE A REQUIREMENT OF THIS CONTRACT:						
(XX) INSURANCE: SUCCESSFUL VENDOR SHALL FURNISH PROOF OF COMMERCIAL GENERAL LIABILITY INSURANCE PRIOR TO ISSUANCE OF CONTRACT. UNLESS OTHERWISE SPECIFIED IN THE BID DOCUMENTS, THE MINIMUM AMOUNT OF INSURANCE COVERAGE REQUIRED IS \$250,000.						
() BUILDERS RISK INSURANCE: SUCCESSFUL VENDOR SHALL FURNISH PROOF OF BUILDERS RISK - ALL RISK INSURANCE IN AN AMOUNT EQUAL TO 100% OF THE AMOUNT OF THE CONTRACT.						
(XX) BONDS: FIVE PERCENT (5%) OF THE TOTAL AMOUNT OF THE BID PAYABLE TO THE STATE OF WEST VIRGINIA, SHALL BE SUBMITTED WITH EACH BID AS A BID BOND. THE SUCCESSFUL BIDDER SHALL ALSO FURNISH A PERFORMANCE BOND AND LABOR/MATERIAL BOND FOR 100% OF THE AMOUNT OF THE CONTRACT. BONDS MAY BE PROVIDED IN THE FORM OF A CERTIFIED CHECK, IRREVOCABLE LETTER OF CREDIT, OR BOND FURNISHED BY A SOLVENT SURETY COMPANY AUTHORIZED TO DO BUSINESS IN THE STATE OF WEST VIRGINIA. A LETTER OF CREDIT SUBMITTED IN LIEU OF A BOND WILL ONLY BE ALLOWED FOR PROJECTS UNDER \$100,000. PERSONAL OR BUSINESS CHECKS ARE NOT ACCEPCTABLE IN LIEU OF THE 5% BID BOND, PERFORMANCE BOND, OR LABOR AND MATERIAL BOND.						
() MAINTENANCE BOND: A TWO (2) YEAR MAINTENANCE BOND COVERING THE ROOFING SYSTEM WILL BE A REQUIREMENT OF THE SUCCESSFUL VENDOR.						
REV. 11/00						
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<p>EXHIBIT 7</p> <p>DOMESTIC ALUMINUM, GLASS & STEEL IN PUBLIC WORKS PROJECTS</p> <p>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. 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.</p> <p>FOREIGN MADE ALUMINUM, GLASS OR STEEL PRODUCTS MAY BE ACCEPTED ONLY IF THE COST OF DOMESTIC PRODUCTS IS FOUND TO BE UNREASONABLE. SUCH COST IS UNREASONABLE IF IT IS 20% OR MORE HIGHER THAN THE BID PRICE FOR FOREIGN MADE PRODUCTS. IF THE DOMESTIC ALUMINUM, GLASS OR STEEL 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.</p> <p>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</p> <p>SEE REVERSE SIDE FOR TERMS AND CONDITIONS</p>						

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<p>THAN THE LOWEST BID 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.</p> <p>REV. 3/88</p> <p>EXHIBIT 9</p> <p>NOTICE FOR ISSUANCE & ACKNOWLEDGEMENT OF CONSTRUCTION PROJECT ADDENDA</p> <p>THE ARCHITECT/ENGINEER AND/OR AGENCY SHALL BE REQUIRED TO ABIDE BY THE FOLLOWING SCHEDULE IN ISSUING CONSTRUCTION PROJECT ADDENDA FOR STATE AGENCIES:</p> <p>(1) THE ARCHITECT/ENGINEER SHALL PREPARE THE ADDENDUM AND A LIST OF ALL PARTIES THAT HAVE PROCURED DRAWINGS AND SPECIFICATIONS FOR THE PROJECT. THE ADDENDUM AND LIST SHALL BE FORWARDED TO THE BUYER IN THE STATE PURCHASING DIVISION. THE ARCHITECT/ENGINEER SHALL ALSO SEND A COPY OF THE ADDENDUM TO THE STATE AGENCY FOR WHICH THE CONTRACT IS ISSUED.</p> <p>(2) THE BUYER SHALL SEND THE ADDENDUM TO ALL INTERESTED PARTIES AND, IF NECESSARY, EXTEND THE BID OPENING DATE. ANY ADDENDUM SHOULD BE RECEIVED BY THE BUYER WITHIN FOURTEEN (14) DAYS PRIOR TO THE BID OPENING DATE.</p> <p>(3) ALL ADDENDA SHOULD BE FORMALLY ACKNOWLEDGED BY ALL BIDDERS AND SUBMITTED TO THE STATE PURCHASING DIVISION. THE SAME RULES AND REGULATIONS THAT APPLY TO THE ORIGINAL BIDDING DOCUMENT</p>						
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SHALL ALSO APPLY TO AN ADDENDUM DOCUMENT. THE ONLY EXCEPTION MAY BE FOR AN ADDENDUM THAT IS ISSUED FOR THE SOLE PURPOSE OF CHANGING A BID OPENING TIME AND/OR DATE.						
REV. 11/96						
EXHIBIT 10						
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 NOS. :						
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 THE 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						
REV. 11/96						
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, BUILDING 3, ROOM 319, CHARLESTON, WV 25305. TELEPHONE: (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:						
CONTRACTORS NAME:						
CONTRACTORS LICENSE NO.:						
THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FURNISH A COPY OF THEIR CONTRACTORS LICENSE PRIOR TO ISSUANCE OF A PURCHASE ORDER/CONTRACT						

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APPLICABLE LAW						
THE WEST VIRGINIA STATE CODE, PURCHASING DIVISION RULES AND REGULATIONS, AND THE INFORMATION PROVIDED IN THE "REQUEST FOR QUOTATION" ISSUED BY THE PURCHASING DIVISION IS THE SOLE AUTHORITY GOVERNING THIS PROCUREMENT.						
ANY INFORMATION PROVIDED IN SPECIFICATION MANUALS, OR ANY OTHER SOURCE, VERBAL OR WRITTEN, WHICH CONTRADICTS OR ALTERS THE INFORMATION PROVIDED FROM THE SOURCES AS DESCRIBED IN THE ABOVE PARAGRAPH IS VOID AND OF NO EFFECT.						
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.						
REV. 5/2009						
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:						

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SEALED BID						
BUYER: FRANK WHITTAKER-FILE 44						
REQ. NO.: RMA10015						
BID OPENING DATE: 03/10/2010						
BID OPENING TIME: 1:30 PM						
PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID:						

PLEASE PRINT OR TYPE NAME OF PERSON TO CONTACT CONCERNING THIS QUOTE:						

***** THIS IS THE END OF RFQ RMA10015 ***** TOTAL:						

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'

REQUEST FOR QUOTE

The West Virginia Purchasing Division, for the West Virginia State Rail Authority (SRA), is soliciting bids for the repair of railroad bridges on the South Branch Valley Railroad (SBVR) and West Virginia Central Railroad (WVCR).

SOUTH BRANCH VALLEY RAILROAD - (7 BRIDGES)

BRIDGE 4.2

SBVR 4.2 consists of a three span structure that crosses over Green Spring Run in Hampshire County, WV. The spans total approximately 35' - 1" in length. The structure is an open deck timber trestle that consists of timber stringers supported on timber bents and piling. The stringers are grouped in two chords of four in Spans 1 and 3, and two chords of three in Span 2, bolted together, and located below each rail. The backwalls are composed of timber.

Description of work for Bridge 4.2

- Contractor is to correct poor vertical and horizontal alignment at north approach. On the east rail, raise the ballast to remove the gap between the bottom of the rail and the rail support plate at the north approach. On the west rail, raise the ballast to remove the gap between the bottom of the rail and the rail support plate at the north approach. Add ballast and reset ties in the approach, and shim the stringers at the north abutment.

BRIDGE 8.9

SBVR 8.9 crosses over a stream/farm road in Hampshire County, WV. It is a five span bridge that measures approximately 60'-0" in total length. The structure is an open deck timber trestle that consists of timber stringers supported on timber bents and piling. The stringers are grouped in two chords of three or four, bolted together, and located below each rail. The backwalls are composed of timber.

Description of work for Bridge 8.9

Install deck anchors on all spans.

Span 1:

- Replace the north backwall and add ballast.
- Replace and extend the northwest ballast wall and add ballast.
- Replace the shim over the bent cap at Bent 0.

Span 3:

- Replace stringer 8 in span 3
- Replace shims under south end of stringers over Bent 3A.
- Install ½" shims under all stringers over Bent 3B.
- Add shims to Posts 1 and 4 on Bent 3A.
- Firmly attach Post 4 Bent 3B to the cap.

BRIDGE 9.7

SBVR 9.7 has 58 spans and crosses over the South Branch of the Potomac River in Hampshire County, WV. The spans are approximately 1211'-6" in total length and are arranged as follows:

Span 1 and Spans 36-40 are composed of steel girders supported on steel bents and piling. There is single wide flange steel girder located below each rail. The steel members are unpainted weathering steel.

Spans 2-35 and Spans 41-46 are composed of timber trestles consisting of timber stringers supported on timber bents and piling. The timber stringers are grouped in two chords of three or four, bolted together, and located below each rail.

Spans 47 and 48 are composed of steel rolled stringers supported on steel bents. There are three stringers located below each rail. The stringers are painted while the bents are unpainted weathering steel.

Spans 49-58 are composed of steel rolled stringers supported on cut stone masonry piers or timber post bents with concrete foundations. There are three wide flange, steel stringers below each rail. The stringers have been painted.

The entire bridge has an open deck.

Description of work for Bridge 9.7

Remove logs and debris against the piers in the main channel.

Span 15:

- Repair Pile 6 on Bent 15.

Span 23:

- Repair Pile 1 in Bent 23
- Repair Pile 3 in Bent 23

Span 27:

- Repair Piles 3 and 6
- Replace cap on Bent 27

Span 36:

- Replace all 29 ties – 8" x 8" x 10' at current spacing
- Replace timber outer guard rail

Span 37:

- Replace all 29 ties - 8" x 8" x 10' at current spacing
- Replace timber outer guard rail

Span 38:

- Replace all 29 ties - 8" x 8" x 10' at current spacing
- Replace timber outer guard rail

Span 41:

- Add shims to all Stringers at Bent 40

Span 50:

- Replace all 33 ties - 8" x 8" x 10' at current spacing
- Replace timber outer guard rail

Span 52:

- Replace all 33 ties - 8" x 8" x 10' at current spacing
- Replace timber outer guard rail

Span 56:

- Replace all 33 ties - 8" x 8" x 10' at current spacing
- Replace timber outer guard rail

Span 57:

- Replace all 33 ties - 8" x 8" x 10' at current spacing
- Replace timber outer guard rail

Span 58:

- Replace all 33 ties - 8" x 8" x 10' at current spacing
- Replace timber outer guard rail

BRIDGE 10.3

SBVR 10.3 is a seven span structure crossing over a farm road in Hampshire County, WV. The spans are approximately 75'-9" in total length. The structure is an open deck timber trestle that consists of timber stringers supported on timber bents. Some of the bents have concrete foundations. The stringers are grouped in two chords of three, four or five, bolted together and located below each rail. The backwalls are composed of timber.

Description of work for Bridge 10.3

Span 1:

- Replace Post 4 on Bent 1

Span 4:

- Replace Stringer 2
- Replace Stringer 4

Span 7:

- Replace Stringer 6
- Reset cap and shim Stringers 1-3 over Bent 7
- Replace south backwall with two 8"x 16"x 22', one 8"x 16"x 16' and one 8"x 8"x 14' timbers

BRIDGE 17.1

SBVR 17.1 is a 19 span structure that crosses over Mill Creek in Hardy County, WV. The total length of the bridge is approximately 230'-9". The structure is an open deck timber trestle consisting of timber stringers supported on timber bents with mud sills or concrete foundations. The stringers are grouped in two chords of three or four, bolted together, and located below each rail. The stringers are a composite type timber. The backwalls and wingwalls are composed of timber.

Description of work for Bridge 17.1

- Remove heavy debris that has accumulated on Bents 7 – 16

Span 1:

- Replace 1" shim under Stringer 1 in Bent 1
- Replace shim on Block 1 in Bent 1

Span 4:

- Replace Blocks 1, 2, 3, and 4 in Bent 4

Span 8:

- Install 1/2" x 12" x 3' shim under Stringers 1, 2 and 3 in Bent 8

Span 16:

- Tighten loose bolt connections in splice at bottom of Post 5 in Bent 16

BRIDGE 32.8

SBVR 32.8 is a six span structure over McNeil Run in Hardy County, WV. The bridge is approximately 76'-0" in total length. It is an open deck timber trestle that consists of timber stringers supported on timber bents and piling. The stringers are a gluelam type of timber beam. The stringers are grouped in two chords of three, bolted together and located below each rail. The backwalls are timber.

Description of work for Bridge 32.8

Span 3:

- Replace north sash bracing on Bent 3

Span 6:

- Cut in new block at top of Pile 2 in Bent 6
- Replace Pile 3 shim in Bent 6
- Replace 3 Blocks under Bent 6 sill
- Replace south timber backwall. (3) 8"x 16"x 20', (1) 8"x 16"x 12' timbers
- Add ballast to south approach

BRIDGE 42.4

SBVR 42.4 is a four span structure that crosses over a drain (lily pond) in Hardy County, WV. The bridge is approximately 45'-9" in total length. It is an open deck timber trestle consisting of timber stringers supported on timber piling. The stringers are grouped in two chords of three or four, bolted together, and located below each rail. The backwalls and wingwalls are composed of timber.

Description of work for Bridge 42.4

Span 1:

- Replace Stringer 3
- Replace Stringer 5 over Bent 1
- Replace Stringer 7

Spans 3 & 4:

- Replace Stringer 1 over Bent 3 & Bent 4
- Replace the severely rotted bottom timbers of south abutment
- Replace the severely rotted south wingwalls

WEST VIRGINIA CENTRAL RAILROAD - (3 BRIDGES)

BRIDGE 25.6

WVCR 25.6 is a five span structure that crosses the Tygart Valley River in Randolph County, WV. The structure is approximately 300'-0" in total length. The superstructure consists of two simply supported built-up riveted steel deck girders supported on cut stone masonry piers and abutments. The girders are located below each rail and have riveted steel cross frame diaphragms and top and bottom flange lateral bracing. The bridge has an open deck.

Description of work for Bridge 25.6

Span 1:

- Reset the NW Girder 2 corner bearing shim which is displaced

Span 5:

- Add 3 cubic yards of ballast at end of Span 5

BRIDGE 28.8

WVCR 28.8 is a four span structure that crosses over the Tygart Valley River and Barron Avenue in Randolph County, WV. The bridge measures approximately 221'-0" in total length. The substructure consists of two built-up riveted steel deck girders supported on concrete piers and abutments. The girders are located below each rail and have riveted steel cross frame diaphragms. The bridge has an open deck with a grated walkway with a handrail consisting of wood posts and metal pipe railing. All substructure components are constructed of concrete.

Description of work for Bridge 28.8

Span 2:

- Clean and paint the top lateral bracing gusset plates on Span 2

Span 3:

- Reattach the two cross frame brace members at the NW end of Span 3 with three high strength bolts each

Span 4:

- Replace two missing anchor bolts at SE corner of Span 4, reset bearing plate shim

BRIDGE 43.2

WVCR 43.2 crosses over Lower Pond Lick in Randolph County, WV. The bridge has a single span approximately 18'-0" in total length. The bridge consists of three steel deck stringers per rail (total of six) supported on concrete wall type abutments with concrete wingwalls. The stringers are rolled steel beams with welded steel diaphragms at both abutments and at midspan. Steel bearing shims are located under the beams which sit on rail grillage type bearings. The bridge has an open deck.

Description of work for Bridge 43.2

- Provide a 17" x 17" x 7/8" shim under the Stringer 3 bearing at the north end.
- Remove the debris accumulation in the stream under the bridge

CONDUCT OF WORK

Bridge Tie Installation on Bridge 9.7: On steel spans, every third tie will be anchored to the top of the girder flanges with new, galvanized $\frac{3}{4}$ " hook bolts, nuts and washers. On timber spans, every third tie will be fastened to each stringer chord with a $\frac{3}{4}$ " x 12" washer head drive spike. No more than 8 to 10 ties may be removed at one time due to the CWR. New ties will be shifted as needed to eliminate bunching that has occurred with the existing ties.

Timber Outer Guard Rail: The outer guard rails shall be placed with the inside edge 48 $\frac{1}{2}$ " from the centerline of the track. The timber shall be anchored to each tie with $\frac{3}{4}$ " x 10" washer head drive spikes. The $\frac{3}{4}$ " holes for the drive spikes shall be drilled through the guard rails only and the holes placed in alternate patterns over each tie, three inches (3") inside the edge of the timber. See attached drawing. At the ends of each span, the outer guard rail shall end on the last tie of the span to allow structure expansion and shall not be connected to the backwall or approach tie. Guard rails shall be notched in the field as necessary to clear heads of the hook bolts.

Inner Guard Rail: The inner guard rail shall be reused. It will be spiked to each tie with two spikes per rail, without plates, and will be fully bolted.

Running Rails: Existing ties plates will be re-used with new $\frac{1}{4}$ " thick solid neoprene (no fabric) tie pads between the tie plates and bridge ties. Rails will be spiked to 56 $\frac{1}{2}$ " gage with new, 6" cut spikes. They will be spiked to proper alinement without any irregularities in curved or tangent portions. Contractor will be responsible to adjust rail as necessary to eliminate stress that develops as a result of the tie replacement. Spiking pattern will be six spikes per plate. Rails will be box anchored to all ties that are fastened to Bridge 9.7. The existing anchors may be reinstalled.

The contractor shall comply with all safety rules and regulations as required by the Federal Railroad Administration, SBVR, WVCB and other parties as applicable.

The SBVR normally operates freight trains Monday through Friday. These trains will be rescheduled during this project to provide the contractor with an eight-hour window during daylight hours without traffic. Freight trains do not normally operate on the weekends. The SBVR reserves the right to run at any time should an emergency situation develop. An excursion train operated by an outside party begins its season in May. It typically operates on Saturdays and holidays. The contractor must have the track available for safe operation of a train at the end of each day. The SBVR and contractor must coordinate all work to safely continue freight operation. An SBVR employee will obtain the necessary work authorities and provide radio communications with the SBVR office for the contractor when working on the SBVR bridges.

The WVCB freight trains normally run from MP 0 to 29. During late winter and spring, freight trains typically operate five days a week. Excursion trains run weekends thru Memorial Day, and

Thursday, Friday, Saturday and Sunday during June. Additional excursions may be scheduled during weekdays or weekends on an as needed basis. Contractor and operator will coordinate schedules so the track can be made safe for train traffic. Contractor will need to coordinate work with the Durbin & Greenbrier Valley Railroad, the operator of the WVCR. Contact for track access is Mark Smith, 304-642-3050 or wvctrack@yahoo.com.

All contract employees that will be working on the WVCR will have to participate in an on-track safety class prior to beginning work on this railroad. The contractor will also be responsible to have a radio programmed with the Durbin & Greenbrier Valley Railroad's frequency. Each work group must have a radio for communication. The radio must be a minimum of 40 watts. The contractor can get a radio from Hammicks Radios, 304-636-6210 and have it programmed with the same frequency as the DGVR. Each work crew must be equipped with a radio stationed to road channel 160.455. Cell service is limited so a radio is required for all crews.

All work for both railroads is subject to inspection by the SRA, SBVR and WVCR.

There will be a mandatory pre-construction meeting held with the successful contractor prior to the start of work. This meeting will be with SRA, SBVR, WVCR employees and the project manager for the projects. This meeting will assure that everyone understands the entire scope of work as outlined in the awarded purchase order. Also, it will be mandatory that a weekly status report be submitted to the SRA. This report will be signed by the contractor and railroad representative and will list the work completed for the week. A final inspection of all completed work will be conducted by the contractor, the SRA, SBVR and WVCR to assure all work is completed as stated in the specifications. Final payment will be withheld until this inspection is complete.

Contractor will use Heavy & Highway Construction Rates as established for the counties where the work will take place. These rates are pursuant to WV Code § 21-5A, et. Seq. and are available at www.wvsos.com/adlaw/wagerates. Contractor will be responsible for submitting certified payrolls to the SRA.

Contractor will be responsible for clean-up of the work site. All debris and refuse will be removed from the WVCR and SBVR properties and disposed of properly.

The completion date for this project is June 18, 2010. The cost to the SBVR for the administration of the contract as well as train delays that will be incurred after that date make it necessary for the agency to assess liquidated damages against the contractor for each calendar day any work remains uncompleted after that date. The cost will be \$500.00 per day.

MATERIALS

The contractor will provide all materials for this bridge work.

All materials shall be in accordance with American Railway Engineering and Maintenance Association (AREMA) guidelines.

Bridge Ties will be new (223) 8" x 8" x 10'-0 Dense Structural 65 Southern Yellow Pine, creosote pressure-treated to 10# or refusal.

Timber outer guard rails shall be 4" x 8" Southern Yellow Pine creosote pressure-treated to 12# retention or refusal.

The contractor will prepare the dapping plans for ties installed on the steel spans of Bridge 9.7. These ties will be dapped to at least 1/2" and no more than 1/2" wider than flange width. Timber outer guard rails will be sized to fit all the various spans of each bridge.

Bridge Timber will be Dense Structural 65 Southern Yellow Pine. Treatment of bridge timbers shall be 8-pound retention 60% Creosote -40/% coal tar preservative applied in accordance with AREMA specifications. A preservative/sealant will be applied to the cut ends of timber pieces.

Treated tie plugs, bolts, anchors and new cut track spikes (5/8" x 6") must conform to AREMA specifications.

Ballast shall be crushed stone or slag and shall conform to the current AREMA "Specifications of Prepared Stone, Slag, and Gravel Ballast". Size of ballast shall be AREMA #3 as indicated below:

Size of Opening	Percent Passing by Weight
2 1/2"	100
2"	90 – 100
1 1/2"	35 – 70
1"	0 – 15
1/2"	0

On the WVCR the nearest quarry is JF Allen 304-636-6095. This quarry is located on the mainline track. On the SBVR the quarries are Ennstone, Inc. 540-373-5839, Fairfax Materials, 888-324-7001 and Allegheny Aggregates, 301-478-2400.

BIDDING REQUIREMENTS

Interested bidders must attend a mandatory prebid meeting on both railroads. The prebid for the SBVR bridges will be February 24, 2010 at 10:00 am at the SBVR office in Moorefield. The prebid meeting for the WVCR bridges will be February 25, 2010 at 10:00 am at the Elkins Depot in Elkins, WV. These meetings include an inspection trip to the bridges. Bidders must provide their own hy-rail equipment or make arrangements with other potential vendors to ride with them if they are interested in seeing the bridges. Questions prior to the prebid inspection must be submitted in writing and will be addressed at the meeting. Please email any questions to Frank Whittaker at Frank.m.whittaker@wv.gov. ALL questions prior to the prebid inspection and all questions after the prebid inspection are to go to Frank Whittaker at the Purchasing Division. Other than questions addressed the days of the prebid meetings, contractors are not to contact the State Rail Authority directly.

The contractor must have previous experience with timber and steel railroad bridge repair and gabion wall installation. The SRA retains the right to require references of past experience prior to award.

Bids should be submitted as lumps sum amounts separated by railroad. The low bid will be determined by the total of both projects. Bids are to include all costs associated with the projects.

SBVR Lump Sum for all Bridges \$ _____

WVCR Lump Sum for all Bridges \$ _____

Total for Project \$ _____

Agency _____
 REQ.P.O# _____

BID BOND

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, _____
 of _____, _____, as Principal, and _____
 of _____, _____, a corporation organized and existing under the laws of the State of _____
 with its principal office in the City of _____, as Surety, 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 ourselves, our heirs, administrators, executors, successors and assigns.

The Condition of the above obligation is such that whereas the Principal has submitted to the Purchasing Section of the
 Department of Administration a certain bid or proposal, attached hereto and made a part hereof, to enter into a contract in writing for

NOW THEREFORE,

(a) If said bid shall be rejected, or
 (b) If said bid shall be accepted and the Principal shall enter into a contract in accordance with the bid or proposal attached
 hereto and shall furnish any other bonds and insurance required by the bid or proposal, and shall in all other respects perform the
 agreement created by the acceptance of said bid, then this obligation shall be null and void, otherwise this obligation shall remain in full
 force and effect. It is expressly understood and agreed that the liability of the Surety for any and all claims hereunder shall, in no event,
 exceed the penal amount of this obligation as herein stated.

The Surety, for the value received, hereby stipulates and agrees that the obligations of said Surety and its bond shall be in no
 way impaired or affected by any extension of the time within which the Obligee may accept such bid, and said Surety does hereby
 waive notice of any such extension.

IN WITNESS WHEREOF, Principal and Surety have hereunto set their hands and seals, and such of them as are corporations
 have caused their corporate seals to be affixed hereunto and these presents to be signed by their proper officers, this
 _____ day of _____, 20____.

Principal Corporate Seal

 (Name of Principal)

By _____
 (Must be President or
 Vice President)

 (Title)

Surety Corporate Seal

 (Name of Surety)

 Attorney-in-Fact

**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.**

BID BOND PREPARATION INSTRUCTIONS

 AGENCY _____ (A)
 RFQ/RFP# _____ (B)
Bid Bond

- (A) WV State Agency
(Stated on Page 1 "Spending Unit")
Request for Quotation Number (upper
right corner of page #1)
- (C) Your Company Name
- (D) City, Location of your Company
- (E) State, Location of your Company
- (F) Surety Corporate Name
- (G) City, Location of Surety
- (H) State, Location of Surety
- (I) State of Surety Incorporation
- (J) City of Surety Incorporation
- (K) Minimum amount of acceptable bid
bond is 5% of total bid. You may state
"5% of bid" or a specific amount on
this line in words.
- (L) Amount of bond in figures
- (M) Brief Description of scope of work
- (N) Day of the month
- (O) Month
- (P) Year
- (Q) Name of Corporation
- (R) Raised Corporate Seal of Principal
- (S) Signature of President or Vice
President
- (T) Title of person signing
- (U) Raised Corporate Seal of Surety
- (V) Corporate Name of Surety
- (W) Signature of Attorney in Fact of the
Surety

NOTE: Dated, Power of Attorney with Raised
Surety Seal must accompany this bid
bond.

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned,
_____(C)_____ of _____(D)_____, _____(E)_____,
as Principal, and _____(F)_____ of _____(G)_____,
_____(H)_____, a corporation organized and existing under the laws
of the State of _____(I)_____ with its principal office in the City of
_____(J)_____, as Surety, are held and firmly bound unto The State
of West Virginia, as Oblige, in the penal sum of _____(K)_____
(\$ _____(L)_____) for the payment of which, well and truly to be made,
we jointly and severally bind ourselves, our heirs, administrators, executors,
successors and assigns.

The Condition of the above obligation is such that whereas the Principal
has submitted to the Purchasing Section of the Department of Administration
a certain bid or proposal, attached hereto and made a part hereof to enter into a
contract in writing for _____(M)_____

NOW THEREFORE.

(a) If said bid shall be rejected, or
(b) If said bid shall be accepted and the Principal shall enter into a
contract in accordance with the bid or proposal attached hereto and shall furnish
any other bonds and insurance required by the bid or proposal, and shall in all
other respects perform the agreement created by the acceptance of said bid then
this obligation shall be null and void, otherwise this obligation shall remain in full
force and effect. It is expressly understood and agreed that the liability of the
Surety for any and all claims hereunder shall, in no event, exceed the penal
amount of this obligation as herein stated

The Surety for value received, hereby stipulates and agrees that the
obligations of said Surety and its bond shall be in no way impaired or affected by
any extension of time within which the Oblige may accept such bid: and said
Surety does hereby waive notice of any such extension.

IN WITNESS WHEREOF, Principal and Surety have hereunto set their
hands and seals, and such of them as are corporations have caused their corporate
seals to be affixed hereto and these presents to be signed by their proper officers,
this _____(N)_____ day of _____(O)_____, 20 _____(P)_____.

Principal Corporate Seal

(R)

(U)

Surety Corporate Seal

(Q)

(Name of Principal)

By _____(S)_____

(Must be President or
Vice President)

(T)

Title

(V)

(Name of Surety)

(W)

Attorney-in-Fact

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.



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

STATE OF _____

COUNTY OF _____, TO-WIT:

I, _____, after being first duly sworn, depose and state as follows:

1. I am an employee of _____; and,
 (Company Name)
2. I do hereby attest that _____
 (Company Name)

maintains a valid written drug free workplace policy and that such policy is in compliance with **West Virginia Code §21-1D-5**.

The above statements are sworn to under the penalty of perjury.

 (Company Name)

By: _____

Title: _____

Date: _____

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

By Commission expires _____

(Seal)

 (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. _____

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 exceeds 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 _____