

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

# Request for Quotation

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DIVISION OF HIGHWAYS JOBSITE SEE SPECIFICATIONS

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

#### Request for Quotation

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DIVISION OF HIGHWAYS JOBSITE SEE SPECIFICATIONS

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SEE REVERSE SIDE FOR TERMS AND CONDITIONS:

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

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#### **Request for** Quotation

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DIVISION OF HIGHWAYS JOBSITE SEE SPECIFICATIONS

FREIGHT TERMS SHIP VIA F.O.B DATE PRINTED TERMS OF SALE 11/04/2010 01:30PM BID OPENING DATE: 11/23/2010 BID OPENING TIME CAT. UNIT PRICE AMOUNT ITEM NUMBER LINE QUANTITY UOP 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. IN THE EVENT THE VENDOR/CONTRACTOR FILES BANKRUPTCY: FOR BANKRUPTICY PRIOTECTION, THE STATE MAY DEEM THE CONTRACT NULL AND VOID, AND TERMINATE SUCH CONTRACT WITHOUT FURTHER ORDER. REV. 5/2009 NOTICE 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 SEE REVERSE SIDE FOR TERMS AND CONDITIONS TELEPHONE DATE SIGNATURE

TO BEO, INSERT NAME AND ADDRESS IN SPACE ABOVE LABELED 'VENDOR'



TITLE

RFQ COPY

TYPE NAME/ADDRESS HERE

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

# Request for Quotation

RFQ NUMBER 851103008

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HUDGESS COURES FOM DEMOE TO ATTENT	ION OF

ADDRESS CHANGES TO BE NOTED ABOVE

BUYER 33

304-558-2402

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DIVISION OF HIGHWAYS JOBSITE SEE SPECIFICATIONS

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11/04/												
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FEIN

### BOWDEN LIGHTING - US 33 AT CR 33/8 RANDOLPH COUNTY

STATE PROJECT U342-33-18.61 FEDERAL PROJECT STPG-0033(336)D

		UNIT	BID AMOUNT		
ITEM NO.	DESCRIPTION	AUD	NTITY		
TENT NO.		UNIT	TOTAL		
204001-000	MOBILIZATION	LS	1	LS	
636011-001	TRAFFIC CONTROL DEVICE	UNIT	3,750		
636014-001	FLAGGER	HOUR	100		
636025-001	WARNING LIGHTS, TYPE B	DAY	200		
662002-001	GALVANIZED STEEL CONDUIT, 01	LS	1	LS	
662006-001	JUNCTION BOX, TYPE H, 18X18	EACH	4		
662006-001	JUNCTION BOX, TYPE H, 24X24	EACH	2		
662007-001	LUMINAIRE, 250W	EACH	4		
662008-001	CABLE, 01	LS	1	LS	
662010-001	LIGHTING SUPPORT, TYPE 1(40-20	) EACH	4		
662014-001	INCIDENTAL ELECTRICAL WORK	LS	1	LS	
662015-001	ELECTRICAL TEST	LS	1	LS	
	1	TOTAL AMOUNT	OF BID		

THE CONTRACTOR SHALL NOTIFY THE WVDOH DISTRICT 8 TRAFFIC ENGINEER (MR. MARK MORGAN - 304-637-0220) AND WVDOH DISTRICT 8 CONSTRUCTION ENGINEER (MR. KYLE HALL - 304-637-0220) AT LEAST TWO WEEKS PRIOR TO BEGINNING OF WORK.

UPON COMPLETION OF WORK, CONTRACTOR SHALL NOTIFY WVDOH TRAFFIC ENGINEERING DIVISION (MR. CLYDE MYERS - 304-558-9458) FOR FINAL INSPECTION.

ALL NORMAL WVDOH MATERIALS ACCEPTANCE PROCEDURES SHALL APPLY TO THIS CONTRACT. TO BE CONSIDERED FOR AWARD OF THIS CONTRACT, THE CONTRACTOR MUST BE LISTED ON THE WVDOH PREQUALIFIED CONTRACTORS LISTING UNDER CLASSIFICATION "L" (LIGHTING).

### BOWDEN LIGHTING - US 33 AT CR 33/8 RANDOLPH COUNTY

STATE PROJECT U342-33-18.61 FEDERAL PROJECT STPG-0033(336)D

#### GOVERNING SPECIFICATIONS

- A. THE WEST VIRGINIA DEPARTMENT OF TRANSPORTATION, DIVISION OF HIGHWAYS, STANDARD SPECIFICATIONS ROADS AND BRIDGES, ADOPTED 2000, AS AMENDED BY THE WEST VIRGINIA DEPARTMENT OF TRANSPORTATION, DIVISION OF HIGHWAYS, SUPPLEMENTAL SPECIFICATIONS, DATED JANUARY 1, 2009. THE CONTRACT DOCUMENTS AND THE CONTRACT PLANS ARE THE GOVERNING PROVISIONS APPLICABLE TO THIS PROJECT.
- B. NATIONAL ELECTRICAL CODE STANDARDS OF THE NATIONAL BOARD OF FIRE UNDERWRITERS AND ELECTRIC WIRING AND APPARATUS.
- C. ALL APPLICABLE STANDARD DRAWINGS FOR THIS PROJECT ARE INCLUDED IN WEST VIRGINIA DEPARTMENT OF HIGHWAYS STANDARD DETAILS BOOK, VOLUME II, SIGNING, SIGNALS, LIGHTING AND MARKINGS, ISSUE DATE: JANUARY 1, 1994.

#### LIGHTING GENERAL NOTES

- 1. POLE POSITIONS SHOWN ON THE PLANS MAY BE RELOCATED, LATERALLY +/- 5 FEET, BY THE DISTRICT ENGINEER. ANY RELOCATION BEYOND 5 FEET SHALL BE ONLY BY THE AUTHORIZATION OF THE TRAFFIC ENGINEERING DIVISION, CHARLESTON. ALL LIGHTING POLES SHALL HAVE A 40' MOUNTING HEIGHT.
- 2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR SIZING ALL WIRE IN ACCORDANCE WITH THE LOAD REQUIREMENTS. (MINIMUM NO. 8 AWG EXCEPT FOR NO. 10 POLE AND BRACKET CABLES).
- 3. THE LUMINAIRE BALLAST SHALL BE RATED AT 240 VOLTS. THE ELECTRICAL POWER SYSTEM FOR THE SYSTEM SHOWN SHALL BE 120/240 VOLT, 3 WIRE WITH GROUND, SINGLE PHASE 60 HZ.
- 4. LUMINAIRE POLE SUPPORTS SHALL BE TRUSS TYPE UNLESS OTHERWISE DESIGNATED.
- 5. GROUND MOUNTED LUMINAIRE SUPPORT BASES SHALL BE TRANSFORMER TYPE IN ACCORDANCE WITH STANDARD DETAIL TEL-18, UNLESS OTHERWISE NOTED ON PLANS.
- 6. WHERE CONDUITS ARE INSTALLED IN SHOULDERS OR PAVEMENTS, THE AREA DISTURBED SHALL BE REPLACED TO THE ORIGINAL DESIGN CONDITIONS AS REQUIRED IN SECTION 662.6 OF THE SPECIFICATIONS.

L-3

BOWDEN LIGHTING - US 33 AT CR 33/8 RANDOLPH COUNTY

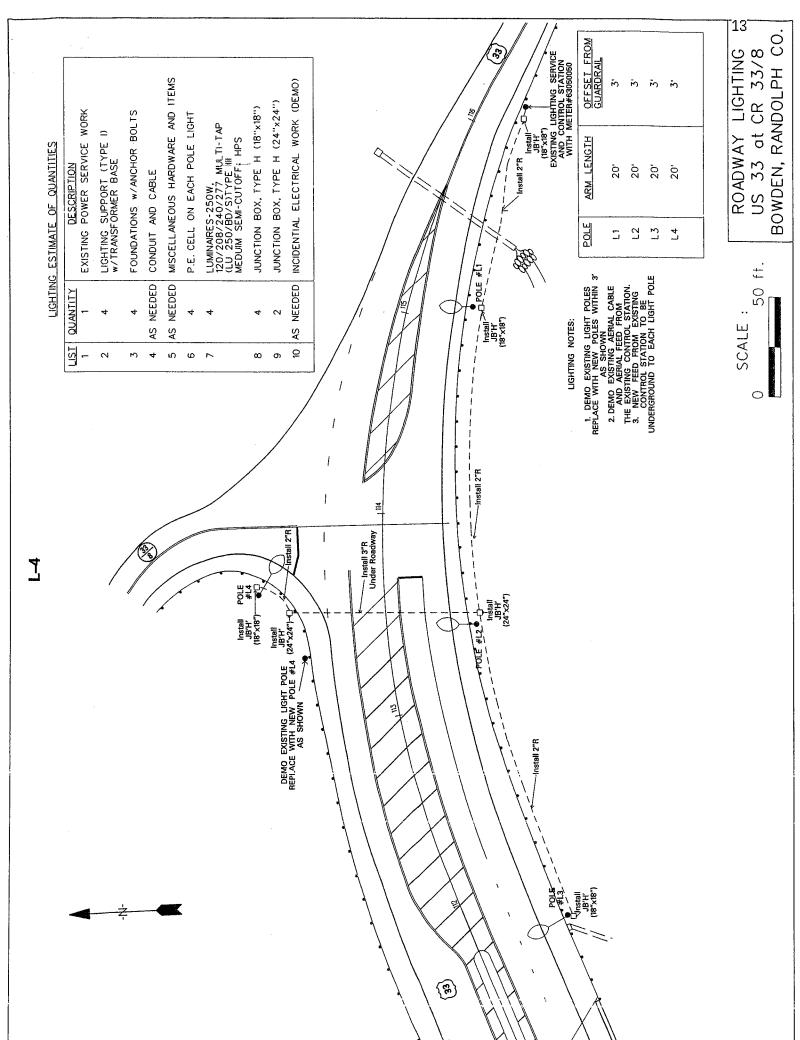
STATE PROJECT U342-33-18.61 FEDERAL PROJECT STPG-0033(336)D

#### LIGHTING GENERAL NOTES

- 8. ANY CONDUIT TO BE PLACED UNDER EXISTING PAVEMENT SHALL BE DONE BY APPROVED JACKING OR DRILLING METHODS. OPEN TRENCH METHOD MAY BE USED ONLY WITH THE SPECIFIC APPROVAL OF THE ENGINEER FOR EACH LOCATION REQUESTED. WHERE BASES ARE SHOWN AS BEING INSTALLED IN EXISTING SIDEWALK AREAS, THE DISTURBED SECTION OF SIDEWALK SHALL BE REPLACED AFTER INSTALLATION OF THE BASE AND CONDUITS. REPLACEMENT OF DISTURBED SIDEWALK SHALL BE INCIDENTAL TO ITEM 662014-001.
- 9. UNDERGROUND CONDUIT PLACEMENT SHALL BE IN ACCORDANCE WITH APPLICABLE CODE REQUIREMENTS. ALL UNDERGROUND GAS LINES, WATER LINES, ETC. IN THE CONSTRUCTION AREA SHALL BE LOCATED AND MARKED BY THE APPROPRIATE UTILITY COMPANIES UPON NOTIFICATION BY THE CONTRACTOR PRIOR TO PLACING ANY CONDUIT.
- 10. THE CONTRACTOR IS RESPONSIBLE FOR COORDINATION WITH THE ALLEGHENY POWER COMPANY FOR CONNECTION/DISCONNECTION OF NEW ELECTRICAL SERVICE.
- 11. COLOR CODING OF ELECTRICAL CONDUCTORS BY USE OF PHASE TAPE OR FIELD PAINT IS NOT ACCEPTABLE ON THIS PROJECT. CONDUCTORS MUST BE MANUFACTURER-COLORED, STRIPED OR RIGID-MARKED AS SPECIFIED.
- 12. THE OVERHEAD LUMINAIRES SHALL BE CLASSIFIED AS MEDIUM/SEMI-CUTOFF, TYPE III (TYPICAL G.E. 1007) EQUIPPED WITH A 250 WATT H.P.S. LAMP.
- 13. THE EXISTING POWER SERVICE IS 240 VOLT, SINGLE PHASE. ALLEGHENY POWER COMPANY IS THE RESPONSIBLE UTILITY COMPANY FOR ANY DISCONNECT/RECONNECT OF THE EXISTING SERVICE.

THE CONTRACTOR WILL BE REQUIRED TO USE THE EXISTING LIGHTING CONTROL CENTER INCLUDING METER NUMBER #63050050.

- 14. EXISTING SIGNS AND DELINEATORS ANY SUCH FACILITIES REMOVED OR DAMAGED BY THE CONTRACTOR SHALL BE REPLACED TO ITS ORIGINAL CONDITION BY THE CONTRACTOR AT HIS EXPENSE AS PART OF ITEM 662014-001.



#### TTCP-1

BOWDEN LIGHTING - US 33 AT CR 33/8
RANDOLPH COUNTY

STATE PROJECT U342-33-18.61 FEDERAL PROJECT STPG-0033(336)D

#### TEMPORARY TRAFFIC CONTROL STRATEGIES

- 1. TEMPORARY TRAFFIC CONTROL SHALL BE IN ACCORDANCE WITH SECTION 636 OF THE WEST VIRGINIA DEPARTMENT OF TRANSPORTATION, DIVISION OF HIGHWAYS, STANDARD SPECIFICATIONS, ROADS AND BRIDGES, ADOPTED 2000, AS AMENDED BY THE WEST VIRGINIA DEPARTMENT OF TRANSPORTATION, DIVISION OF HIGHWAYS, SUPPLEMENTAL SPECIFICATIONS, DATED JANUARY 1, 2009, THE CONTRACT DOCUMENTS AND THE CONTRACT PLANS ARE THE GOVERNING PROVISIONS APPLICABLE TO THIS PROJECT, AND "THE MANUAL ON TEMPORARY TRAFFIC CONTROL FOR STREETS AND HIGHWAYS, 2006 EDITION."; WHICH IS MADE A PART OF THIS CONTRACT AND THE TEMPORARY TRAFFIC CONTROL PLAN FOR INDIVIDUAL SEGMENTS AS DESCRIBED BELOW:
- 2. REFLECTIVE SHEETING ON TEMPORARY TRAFFIC CONTROL DEVICES SHALL BE OF NEW CONDITION AT BEGINNING OF THE PROJECT LIFE. NIGHT VISIBILITY AND LEGIBLITY SHALL BE MAINTAINED.
- 3. FLAGGER
  WHEN WORK IS PERFORMED AT NIGHT WITH A FLAGGER, THE FLAGGER STATIONS
  SHALL BE ADEQUATELY ILLUMINATED. THESE COSTS SHALL BE BID AS ITEM NUMBER
  636014-001.
- 4. ACCESS TO ALL HOUSES AND BUSINESSES SHALL BE MAINTAINED AT ALL TIMES. NO NIGHTTIME WORK SHALL BE PERMITTED FOR THIS PROJECT.

#### SEQUENCE OF CONSTRUCTION

- 1. CONTRACTOR SHALL USE CASES A3, A4, AND/OR A6 ON ALL APPROACHES TO PERFORM ALL ROADWAY LIGHTING CONSTRUCTION OPERATIONS.
- 2.CONTRACTOR SHALL ADD "ROAD WORK  $\frac{1}{2}$  MILE" SIGNS ON ALL APPROACHES.

#### TTCP-2

BOWDEN LIGHTING - US 33 AT CR 33/8 RANDOLPH COUNTY

STATE PROJECT U342-33-18.61 FEDERAL PROJECT STPG-0033(336)D

TEN	MPORARY TRAFFIC CONTROL DEVICE QUANTITY	Y TABLE	100 500 100 100 100 100 100 100 100 100	
DEVICE	DESCRIPTION	VALUES IN UNITS	QUANTITIES	TOTAL UNITS
ж 1	SIGNS ON PORTABLE MOUNTS AND BARRICADES (TOTAL SIGN AREA 16 SQ. FT. OR GREATER)	170	6	1,020
* 2	SIGNS ON PORTABLE MOUNTS AND BARRICADES (TOTAL SIGN AREA LESS THAN 16 SQ. FT.)	80	4	320
ж 3	SIGNS ON PERMANENT POSTS (TOTAL SIGN AREA 16 SQ. FT. OR GREATER)	180	10	1,800
ж 4	SIGNS ON PERMANENT POSTS (TOTAL SIGN AREA LESS THAN 16 SQ. FT.)	90	4	360
* * 5	BARRICADES - TYPE I	35	·	
** 6	BARRICADES - TYPE II	60		
* * 7	BARRICADES - TYPE III	90		
** 8	DRUMS	60		
9	CONES	5	50	250
10	VERTICAL PANELS OR GROUND MOUNTED DELINEATORS	10		
11	BARRIER OR GUARDRAIL MOUNTED DELINEATORS (TO BE BID INCIDENTAL TO THE COST OF THE BARRIER OR GUARDRAIL)	0		
* * 12	TEMPORARY OVERLAYS AND (3 GIVE EM A BRAKE) . TEMPORARY OVERSIZE SIGNS (3 MAX FINES SIGNS)	300		
13	CHANNELIZER CONES	40		
			TOTAL	3,750

<sup>\* -</sup> ORANGE SIGN SHEETING TO BE REFLECTIVE FLOURESCENT ORANGE - TYPE V (ROLL-UP SIGNS) OR TYPE IX OR XI (RIGID SIGNS)

<sup>\* \* -</sup> BARRICADES AND DRUM SHEETING TO BE 6" TYPE III

#### TTCP-3

BOWDEN LIGHTING - US 33 AT CR 33/8 RANDOLPH COUNTY

STATE PROJECT U342-33-18.61 FEDERAL PROJECT STPG-0033(336)D

	TEMPORARY TRAFFIC CONTROL SUMMARY OF QUANTITIES			
ITEM NO.	DESCRIPTION		JANTITY	
M		UNIT	TOTAL	
636002-001	AGGREGATE FOR MAINTAINING TRAFFIC, STONE OR GRAVEL	TON		
	AGGREGATE FOR MAINTAINING TRAFFIC, SLAG	TON	· · · · · · · · · · · · · · · · · · ·	
	BITUMINOUS MATERIAL FOR DUST PALLATIVE	GAL.		
	CALCIUM CHLORIDE FOR DUST PALLATIVE	TON		
	TEMPORARY STRUCTURE FOR MAINTAINING TRAFFIC	LS		
<del></del>	PILOT TRUCK AND DRIVER	DAY		
	ERADICATION OF PAVEMENT MARKING	LF		
636008-001	TEMPORARY PAVEMENT MARKINGS - PAINT 4 IN SOLID LINE	LF		
	TEMPORARY PAVEMENT MARKINGS - TAPE 4 IN SOLID LINE	LF	·	
636010-003	TEMPORARY RAISED PAVEMENT MARKERS, TYPE	EACH		
636011-001	TRAFFIC CONTROL DEVICE	UNIT	3,750	
636012-010	PROJECT TRAFFIC CONTROL DEVICE CLEANING	EACH		
636013-001	INDIVIDUAL TRAFFIC CONTROL DEVICE CLEANING	EACH	<del></del>	
636014-001	FLAGGER	HOUR	100	
636014-002	TRAFFIC DIRECTOR	HOUR		
636015-001	TEMPORARY GUARDRAIL CHANNELIZATION DEVICE	LF		
636017-001		LF		
636017-002	DOH FURNISHED TEMPORARY CONCRETE BARRIER	LF		
636018-001	REMOVE AND RESET TEMPORARY CONCRETE BARRIER	LF		
	REMOVE AND RESET DOH FURNISHED TEMPORARY CONCRETE BARRIER	LF		
636019-001	TEMPORARY GUARDRAIL BARRIER	LF		
636020-001	REMOVE AND RESET TEMPORARY GUARDRAIL BARRIER	LF		
636021-001		DAY		
636022-001	CHANGEABLE MESSAGE SIGN	DAY	· · · · · · · · · · · · · · · · · · ·	
636023-001	TEMPORARY TRAFFIC SIGNAL	LS	· · · · · · · · · · · · · · · · · · ·	
636024-001	TEMPORARY PIPE FOR MAINTAINING TRAFFIC	LF	<del></del>	
636025-001	WARNING LIGHTS, TYPE A	DAY	····	
	WARNING LIGHTS, TYPE B	DAY	200	
636025-001	WARNING LIGHTS, TYPE C	DAY		
636026-001	TEMPORARY LIGHTING	LS	· · · · · · · · · · · · · · · · · · ·	
636028-001	SHADOW VEHICLE	DAY		
		- DAI		



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

STATE OF	
COUNTY OF	, TO-WIT:
I,state as follows:	, after being first duly sworn, depose and
1. I am an employee of	(Company Name)
2. I do hereby attest that _	(Company Name)
maintains a valid writter policy is in compliance w	n drug free workplace policy and that such with <b>West Virginia Code</b> §21-1D-5.
The above statements are swo	orn to under the penalty of perjury.
	(Company Name)
÷	Ву:
	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.

Rev March 2009

RFQ No	•
10 02 110	

### 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 owned 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:	<del> </del>
State of			
County of, to-wit:			
Taken, subscribed, and sworn to before me this	day of	, 20	
My Commission expires	, 20		
AFFIY SEAL HERE	NOTORY PUBLIC		