



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
6612C004

PAGE
1

ADDRESS CORRESPONDENCE TO ATTENTION OF:
BUYER 33
304-558-2402

RFQ COPY  
 TYPE NAME/ADDRESS HERE

VENDOR

SHIP TO

DIVISION OF HIGHWAYS  
 VARIOUS LOCALES AS INDICATED  
 BY ORDER

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
07/29/2011				

BID OPENING DATE: 08/24/2011 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
0001		JB		810-85		
HERBICIDE SPRAY WITH OPERATOR						
OPEN END CONTRACT						
<p>THE WEST VIRGINIA STATE PURCHASING DIVISION FOR THE AGENCY, THE WEST VIRGINIA DIVISION OF HIGHWAYS IS SOLICITING BIDS FOR AN OPEN END CONTRACT TO PROVIDE ALL LABOR, EQUIPMENT, SERVICES, ARTICLES NECESSARY TO DELIVER HERBICIDE APPLICATION IN THE FORM OF QUADRAIL SPRAYING, BRUSH-SPRAYING AND WILDFLOWER PLOT SPRAYING TO THE WV DIVISION OF HIGHWAYS FOR ALL TEN DISTRICTS.</p> <p>TECHNICAL QUESTIONS CONCERNING THIS SOLICITATION WILL BE RECEIVED THROUGH THE CLOSE OF THE MANDATORY PRE-BID MEETING. TECHNICAL QUESTIONS MUST BE SUBMITTED IN WRITING TO PAUL REYNOLDS, WEST VIRGINIA STATE PURCHASING DIVISION. VENDORS MAY SUBMIT QUESTIONS PRIOR TO THE MANDATORY PRE-BID VIA MAIL AT THE ADDRESS LISTED IN THE BODY OF THIS RFQ, VIA FAX AT 304-558-4115 OR VIA EMAIL TO PAUL.REYNOLDS@WV.GOV. WRITTEN QUESTIONS WILL BE ACCEPTED DURING THE MANDATORY PRE-BID MEETING. DEADLINE FOR ALL TECHNICAL QUESTIONS IS THE CLOSE OF THE PREBID MEETING. NO ADDITIONAL QUESTIONS WILL BE ACCEPTED AFTER THE PRE-BID MEETING. ANY TECHNICAL QUESTIONS RECEIVED WILL BE ANSWERED BY FORMAL ADDENDUM TO BE ISSUED BY THE PURCHASING DIVISION AFTER THE MANDATORY PRE-BID MEETING. FOR YOUR CONVENIENCE A WORD DOCUMENT HAS BEEN ATTACHED FOR SUBMITTING TECHNICAL QUESTIONS.</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

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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](http://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.

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### 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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BID OPENING DATE: 08/24/2011 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
MANDATORY PRE-BID						
<p>A MANDATORY PRE-BID WILL BE HELD ON 08/10/11 @10:30 A.M. 2019 WASHINGTON ST. EAST, CHARLESTON, WV. ALL INTERESTED PARTIES ARE REQUIRED TO ATTEND THIS MEETING. FAILURE TO ATTEND THE MANDATORY PRE-BID SHALL RESULT IN DISQUALIFICATION OF THE BID. NO ONE PERSON MAY REPRESENT MORE THAN ONE BIDDER.</p> <p>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 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 BIDDERS 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>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

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EXHIBIT 1						
LIFE OF CONTRACT: THIS CONTRACT BECOMES EFFECTIVE UPON AWARD AND EXTENDS FOR A PERIOD OF ONE (1) YEAR OR UNTIL SUCH "REASONABLE TIME" THEREAFTER AS IS NECESSARY TO OBTAIN A NEW CONTRACT OR RENEW THE ORIGINAL CONTRACT. THE "REASONABLE TIME" PERIOD SHALL NOT EXCEED TWELVE (12) MONTHS. DURING THIS "REASONABLE TIME" THE VENDOR MAY TERMINATE THIS CONTRACT FOR ANY REASON UPON GIVING THE DIRECTOR OF PURCHASING 30 DAYS WRITTEN NOTICE.						
UNLESS SPECIFIC PROVISIONS ARE STIPULATED ELSEWHERE IN THIS CONTRACT DOCUMENT BY THE STATE OF WEST VIRGINIA, ITS AGENCIES, OR POLITICAL SUBDIVISIONS, THE TERMS, CONDITIONS AND PRICING SET FORTH HEREIN ARE FIRM FOR THE LIFE OF THE CONTRACT.						
RENEWAL: THIS CONTRACT MAY BE RENEWED UPON THE MUTUAL WRITTEN CONSENT OF THE SPENDING UNIT AND VENDOR, SUBMITTED TO THE DIRECTOR OF PURCHASING THIRTY (30) DAYS PRIOR TO THE EXPIRATION DATE. SUCH RENEWAL SHALL BE IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE ORIGINAL CONTRACT AND SHALL BE LIMITED TO TWO (2) SUCCESSIVE ONE (1) YEAR PERIODS.						
CANCELLATION: THE DIRECTOR OF PURCHASING RESERVES THE RIGHT TO CANCEL THIS CONTRACT IMMEDIATELY UPON WRITTEN NOTICE TO THE VENDOR IF THE COMMODITIES AND/OR SERVICES SUPPLIED ARE OF AN INFERIOR QUALITY OR DO NOT CONFORM WITH THE SPECIFICATIONS OF THE BID AND CONTRACT HEREIN.						
OPEN MARKET CLAUSE: THE DIRECTOR OF PURCHASING MAY AUTHORIZE A SPENDING UNIT TO PURCHASE ON THE OPEN MARKET, WITHOUT THE FILING OF A REQUISITION OR COST ESTIMATE, ITEMS SPECIFIED ON THIS CONTRACT FOR						

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WHEN RESPONDING TO REQ. INSERT NAME AND ADDRESS IN SPACE ABOVE I AM THE VENDOR



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<p>IMMEDIATE DELIVERY IN EMERGENCIES DUE TO UNFORESEEN CAUSES (INCLUDING BUT NOT LIMITED TO DELAYS IN TRANSPORTATION OR AN UNANTICIPATED INCREASE IN THE VOLUME OF WORK).</p> <p>INSURANCE: SUCCESSFUL VENDOR SHALL FURNISH PROOF OF COVERAGE OF COMMERCIAL GENERAL LIABILITY INSURANCE PRIOR TO ISSUANCE OF THE CONTRACT. UNLESS OTHERWISE SPECIFIED IN THE BID DOCUMENTS, THE MINIMUM AMOUNT OF INSURANCE COVERAGE REQUIRED IS \$250,000.</p> <p>WORKER'S COMPENSATION: VENDOR IS REQUIRED TO PROVIDE A CERTIFICATE FROM WORKER'S COMPENSATION IF SUCCESSFUL.</p> <p>BANKRUPTCY: IN THE EVENT THE VENDOR/CONTRACTOR FILES FOR BANKRUPTCY PROTECTION, THIS CONTRACT IS AUTOMATICALLY NULL AND VOID, AND IS TERMINATED WITHOUT FURTHER ORDER.</p> <p>REV. 9/98</p> <p>EXHIBIT 4</p> <p>LOCAL GOVERNMENT BODIES: UNLESS THE VENDOR INDICATES IN THE BID HIS REFUSAL TO EXTEND THE PRICES, TERMS, AND CONDITIONS OF THE BID TO COUNTY, SCHOOL, MUNICIPAL AND OTHER LOCAL GOVERNMENT BODIES, THE BID SHALL EXTEND TO POLITICAL SUBDIVISIONS OF THE STATE OF WEST VIRGINIA. IF THE VENDOR DOES NOT WISH TO EXTEND THE PRICES, TERMS, AND CONDITIONS OF THE BID TO ALL POLITICAL SUBDIVISIONS OF THE STATE, THE VENDOR MUST CLEARLY INDICATE SUCH REFUSAL IN HIS BID. SUCH REFUSAL SHALL NOT PREJUDICE THE AWARD OF THIS CONTRACT IN ANY PURCHASING CARD ACCEPTANCE: THE STATE OF WEST VIRGINIA CURRENTLY UTILIZES A VISA PURCHASING CARD PROGRAM WHICH IS ISSUED THROUGH A BANK. THE SUCCESSFUL VENDOR</p>						

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804-558-2402

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<p>MUST ACCEPT THE STATE OF WEST VIRGINIA VISA PURCHASING CARD FOR PAYMENT OF ALL ORDERS PLACED BY ANY STATE AGENCY AS A CONDITION OF AWARD.</p> <p 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> <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: PAUL REYNOLDS FILE 33</p> <p>RFQ. NO.: 6612C004</p> <p>BID OPENING DATE: 08/24/2011</p> <p>BID OPENING TIME: 01:30 P.M.</p> <p>PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID:</p> <p style="text-align: center;">-----</p>						

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LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
CONTACT PERSON (PLEASE PRINT CLEARLY):						
-----						
***** THIS IS THE END OF RFQ 6612C004 ***** TOTAL: _____						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

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## 1. SPECIFICATIONS

The following sections of the West Virginia Department of Transportation, Division of Highways Standard Specification Roads and Bridges, adopted 2010, as modified by the January 1, 2011 Supplemental Specifications shall apply to the administration of this Contract: 101, 102.4, 102.5, 105.1, 105.3, 105.4, 105.10, 105.11, 105.12, 105.13, 106.3, 106.4, 106.5, 106.6, 106.7, 106.9, 107.1, 107.2, 107.3, 107.14, 107.19, 107.20, 108.8, 109.1, 109.2, and 109.20.

The terms "Contractor" and "Vendor" used in the above specifications or this contract are interchangeable. Contractor shall mean Vendor and Vendor shall mean Contractor.

West Virginia Department of Transportation, Division of Highways Standard Specifications Roads and Bridges, adopted 2010 and the January 1, 2011 Supplemental Specifications may be obtained from:

West Virginia Division of Highways  
 Contract Administration  
 Building 5, Room 722  
 1900 Kanawha Boulevard, East  
 Charleston, West Virginia 25305  
 Phone: 304-558-2885

<http://www.transportation.wv.gov/highways/contractadmin/specifications/2010StandSpec/Pages/default.aspx>

## 2. SCOPE OF WORK

To provide all labor, equipment, services, articles and incidentals necessary for Herbicide Spray System with Operator, to provide herbicide application in the form of guardrail spraying, brush-spraying and wildflower plot spraying for all ten (10) Districts throughout the State of West Virginia.

## 3. BIDDING INSTRUCTIONS

Vendors may quote on any or all of the items listed on Bid Schedule, Section 20.

Unit price per acreage sprayed utilizing the spray boom truck or the articulated spray boom truck using herbicide material supplied by the Division of Highways shall be quoted on items one (1) through three (3) on the Bid Schedule.

Unit price per acreage sprayed utilizing a handheld or backpack style sprayer, or similar sprayer, provided by the vendor, using herbicide material supplied by the Division of Highways shall be quoted on item four (4) on the Bid Schedule.

Unit price per acreage sprayed utilizing the spray boom truck or the articulated spray boom truck using herbicide material supplied by the vendor shall be quoted on items five (5) through eight (8) on the Bid Schedule. Herbicide material furnished under this contract, items five (5) through eight (8) on the Bid Schedule, shall conform to the physical and chemical properties set out in the EPA Registration of the product.

Vendors may quote Product Name requested or provide an "or equal" product for items five (5) through



eight (8) on the Bid Schedule. The vendor shall list the trade name and EPA Registration Number for items five (5) through eight (8) on the Bid Schedule. Failure to list this information will result in the disqualification of the vendor's bid on that product.

Equivalency, chemical name, equal or equivalent shall mean equal to and not necessarily identical. At the time of bid, if the vendor is bidding an "or equal" product, the vendor shall provide the label from the product to eliminate any confusion in determining equivalency to Product Name requested. Additional pertinent product specifications and technical information should be submitted with the bid and may also be used to determine equivalency.

Prior to award of low bid, the Division of Highways may require samples of equivalent herbicide for evaluation to determine equivalency. The Division of Highways reserves the right to reject any product it deems to pose a potential environmental or safety related problem. The final determination of equivalency will be made by the Division of Highways.

Upon notification of award, the successful vendor shall furnish the Division of Highways, Maintenance Division Director two product labels for each product awarded of items five (5) through eight (8). The labels shall provide pertinent information regarding product storage and handling. Product storage and handling information and product label shall also be provided with each shipment.

Chemical containers must arrive on the job site with their seals unbroken.

The vendor is responsible for making arrangements to obtain a clean water source outside of the Division of Highways' right-of-way for mixing with herbicides. Delivery or storage of the vendor's equipment or chemical at the Division of Highways is prohibited.

#### 4. EQUIPMENT REQUIREMENTS

1. Equipment shall be a spray boom truck to be used on a majority of the spraying (see item A below), while an articulated spray boom truck will be used for treating wider right-of-ways mainly in conjunction with median and brush control operations (see item B below). Two trucks must be available at any time upon the request by the Division of Highways during the pendency of this contract.

##### A. Spray Boom Truck

The Spray Unit must be a minimum 800 gallon unit and must be equipped with the following: 1) a sprayer control system capable of automatically maintaining application rate; 2) a vehicle speed sensor which is either connected to the vehicle speedometer or a radar type sensor; 3) minimum of eight (8) separate boom widths; 4) two (2) different application ratios; and 5) a manual setting for spot spraying.

The herbicide application unit is to be equipped with an eight (8) boom nutating spray head, using all brass or stainless steel nozzles capable of delivering a no-streak pattern of two feet (2') to thirty-two feet (32') in width. All booms shall operate independently or simultaneously to apply the necessary spray widths as needed. The application system shall have oscillating motion on booms one (1) through four (4); these nozzles must be electrically driven by a 12-volt system. The unit shall provide a uniform spray pattern while providing spray drift control.

The above equipment shall be mounted on a suitable flat-bed type truck. The operator/driver shall possess herbicide applicators certification meeting the requirements of the State of West Virginia. Refer to Section 6.

B. Articulated Spray Boom Truck

The Spray Unit must be a minimum 800 gallon unit and must be equipped with the following: 1) a sprayer control system capable of automatically maintaining application rate; 2) a vehicle speed sensor which is either connected to the vehicle speedometer or a radar type sensor; 3) having the capability of spraying a minimum of ten (10) separate boom widths; 4) two (2) different application ratios; and 5) a manual setting for spot spraying.

The herbicide application unit is to be equipped with nine (9) boom nutating multiple spray head systems, using all brass or stainless steel nozzles capable of delivering a no-streak pattern up to a minimum of fifty feet (50') in width. All booms shall operate independently or simultaneously to apply the necessary spray widths as needed. The application system shall have oscillating motion on booms one (1) through four (4); these nozzles must be electrically driven by a 12-volt system. The unit shall provide a uniform spray pattern while providing spray drift control.

The articulated spray boom shall be mounted in the centerline of the truck. The boom shall be capable of rotating 90 degrees to the left and right of the centerline of the truck and have a minimum vertical arc of 80 degrees. The boom shall be a minimum of 18 feet (18') when fully extended and shall be equipped with a Norstar spray head application system or equal. If an or equal spray head system is proposed, specifications for that system shall accompany the bid for Division of Highways evaluating equivalency purposes.

All controls for the movement of the boom and spray heads shall be controlled by a joy stick or switches from within the cab of the truck.

The above equipment shall be mounted on a suitable flat-bed type truck. The operator/driver shall possess herbicide applicators certification meeting the requirements of the State of West Virginia. Refer to Section 6..

2. A handheld or backpack style sprayer or similar shall be used when control path spraying of Wild Flower Plots is needed.
3. The vendor shall provide two-way communications between the spray unit and Division of Highways inspector monitoring the work, in order to optimize project quality.

The successful vendor(s) shall be responsible for all fuel, repair, maintenance and insurance for the equipment and operator.

The successful vendor(s) shall comply with all laws, rules and regulations of the State of West Virginia.

## 5. CONTRACT AWARD

Qualified vendors who submit a valid low bid will be awarded a contract for the District(s) for which their bid is low, provided that the vendor has listed the product trade name and EPA Registration Number for items five (5) through eight (8) on the Bid Schedule, as indicated in Section 3. Failure to list this information will result in the disqualification of the vendor's bid on that product.

The award for each item will be based on the bid price per unit of measure as requested on the Bid Schedule. Vendors are cautioned that the quantities on the Bid Schedule are estimates only.

The State of West Virginia reserves the right to make multiple awards on this contract when it is in the best interest of the State.

## 6. ACCEPTANCE PLAN

Within thirty (30) days from the date of award, the successful vendor(s) must assemble all proposed equipment and personnel to demonstrate to the satisfaction of the Division of Highways District Maintenance Engineers or their designee, that the equipment and personnel meet the requirements of this contract. This demonstration is to take place at a time and date mutually agreed upon by the Division of Highways District Maintenance Engineer or their designee and the vendor. See Division of Highways District locations and Maintenance Engineers' contact information, Section 19.

The Division of Highways reserves the right to terminate immediately the usage of any herbicide spray system and/or personnel which does not perform to reasonable production standards. These reasonable production standards will be based on historical performance data under similar circumstances as determined by the Division of Highways.

At a mandatory pre-bid conference, vendors must show evidence of employment of qualified and experienced operator/certified herbicide applicators meeting the requirements of the State of West Virginia to be eligible to bid on items contained in this RFQ.

## 7. MOBILIZATION

Mobilization will be incurred for equipment by the Division of Highways to the initial job site from the vendor's base station. The vendor's base station shall be construed to be his permanent established headquarters or in the case of moving from one Division of Highway's job site to the next, the present location or whichever will cost less.

In-state delivery route mileage will be calculated by the Division of Highways from the vendor's base station to the Division of Highways' job site by utilizing the Division of Highways Straight Line Diagrams. These Diagrams for WV Primary Routes and WV Secondary Routes are available in each Division of Highways District office and the Division of Highways Central Office. The Division of Highways will determine the route to be taken due to bridge and/or road restrictions.

Out-of-state delivery route mileage will be calculated by the Division of Highways utilizing "Mapquest" or a similar source for routing from the vendor's base station to the WV State line at which time, the Straight Line Diagrams will be sourced to the Division of Highways job site.

Mobilization is only paid one-way per mile.

8. **TRAFFIC CONTROL**

Traffic control will be provided by the Division of Highways with the exception of the work vehicles provided by the vendor. Reference can be made to Traffic Control Case A8 which applies to two lane/two-way traffic roads as well as one lane/two-way traffic roads and Traffic Control Case A15 which applies to two-way/two lane traffic roads (expressways). See Appendix A.

All work vehicles provided by the vendor shall be equipped with two flags, one rotating high-intensity amber light and a "Slow Moving" triangle mounted on the rear of the vehicle.

9. **PERFORMANCE CLAUSE**

In areas where the expected results were not attained, the Division of Highways may require the vendor re-apply to the area. There may be a number of reasons that the herbicide may not eliminate the target vegetation, some of which may or may not be the vendor's fault; however, the Division of Highways will not pay labor, equipment or material expense for herbicide re-applied.

If threatening weather is forecast on scheduled application days, it will be the vendor's decision whether or not to apply herbicides on that day. The Division of Highways recommends that no spraying be performed, but will not make the final decision, on any given-day, when threatening weather is forecast. If the vendor makes the decision to spray and rain does develop that renders the spraying ineffective, the Division of Highways will not pay labor, equipment or material expense for herbicide re-applied.

10. **BID QUANTITIES**

Vendors are cautioned that the quantities listed on the Bid Schedule are estimates only. Actual requests will be placed to the awarded vendor from the Division of Highways by an Agency Release at the time of need.

11. **DELIVERY**

The successful vendor shall be prepared to mobilize and begin work within thirty (30) days after receipt of an Agency Release from the Division of Highways; however, the Division of Highways shall have the option of accepting an alternative delivery schedule provided by the awarded vendor which shall be established at the time of the Agency Release.

If delivery has not been received at the Division of Highways within thirty (30) days after receipt of an Agency Release from the Division of Highways and an alternative delivery schedule has not been established for this delivery, the Division of Highways reserves the right to cancel the Agency Release and proceed to obtain the service from the next low bid vendor.

**12. BASIS OF PAYMENT**

The vendor shall invoice the Division of Highways for acres sprayed and/or mobilization charges on a bi-monthly basis. Mobilization miles and acres sprayed must be verified on a daily basis by an authorized representative of the Division of Highways. The vendor must provide a daily receipt ticket, easily identified as such by a reference ticket number, date of service and the acreage sprayed. The date and ticket number must be referenced on the invoice in order for proper payment to be made.

**13. VENDOR'S INVOICES**

Vendor's invoices must be submitted in original and four copies and contain the following:

- a. Division of Highways Agency Release Number and Contract Number.
- b. Total acres sprayed and/or mobilization charges on a bi-monthly basis. Mobilization miles and acres sprayed must be verified on a daily basis by an authorized representative of the Division of Highways.
- c. Unit price with the total cost of each type of item provided.
- d. A daily receipt ticket, easily identified as such by a reference ticket, date of service and the acreage sprayed. The date and ticket number must be referenced on the invoice in order for proper payment to be made.

Note: Under no circumstance will the Division of Highways accept, or pay for, quantities of material in excess of the quantity stated on the Agency Release.

**14. WAGE RATES**

The Contractor or Subcontractor shall pay the higher of the U.S. Department of Labor minimum wage rates or the West Virginia Department of Labor minimum wage rates as established for applicable counties, pursuant to West Virginia Code §21-5A, ET SEQ.

**15. WORKER'S COMPENSATION**

Successful vendor(s) is required to provide a certificate from Worker's Compensation.

**16. INSURANCE**

The successful vendor(s) shall furnish proof of commercial General Liability insurance prior to issuance of a contract with the minimum required amount of coverage to be \$250,000.00.

**NOTE:** Vendor should submit a current Certificate of Liability Insurance and a WV Worker's Compensation Certificate with Bid.

17. **PURCHASING CARD ACCEPTANCE**

The State of West Virginia currently utilizes a VISA Purchasing Card Program which is issued through a bank. The successful vendor(s) must accept the State of West Virginia VISA Purchasing Card for payment of all orders placed by the Division of Highways as a condition of award.

18. **MANDATORY PRE-BID** . SEE PAGE 2

19. **DISTRICT LOCATIONS AND DISTRICT MAINTENANCE ENGINEERS**

District 1            Raymond J. Scites  
Charleston WV      304-558-3002

District 2            Ed Armbruster  
Huntington WV      304-528-5630

District 3            Dave Brabham  
Parkersburg WV     304-420-4648

District 4            Jeff Pifer  
Clarksburg WV      304-842-1558

District 5            Barry Knotts  
Burlington WV      304-289-2208

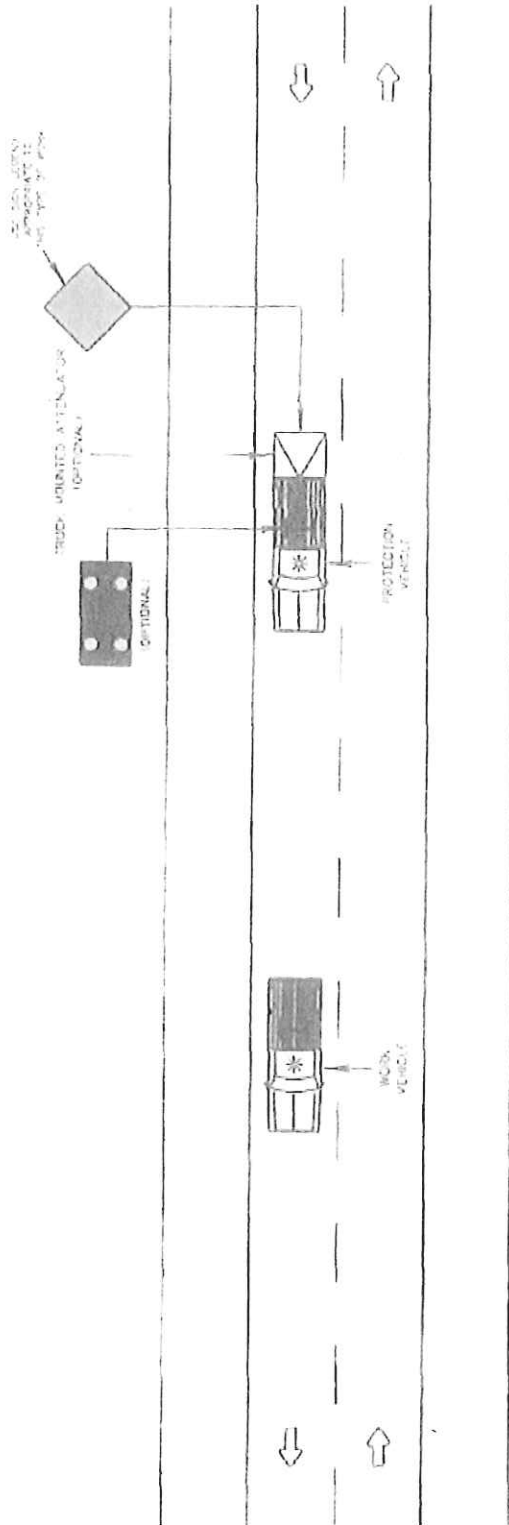
District 6            Lloyd Adams  
Moundsville WV    304-843-4017

District 7            Ron Smith  
Weston WV           304-269-8940

District 8            Shelton Barger  
Elkins WV            304-637-0220

District 9            Nathan Thomas  
Lewisburg WV       304-647-7839

District 10           Alan Reed  
Princeton WV        304-487-5231



**SYMBOLS**

- ↑ SIGN ON PORTABLE OR PERMANENT SUPPORT
- ⚡ FLASHING VEHICLE LIGHT

**TYPICAL APPLICATIONS**

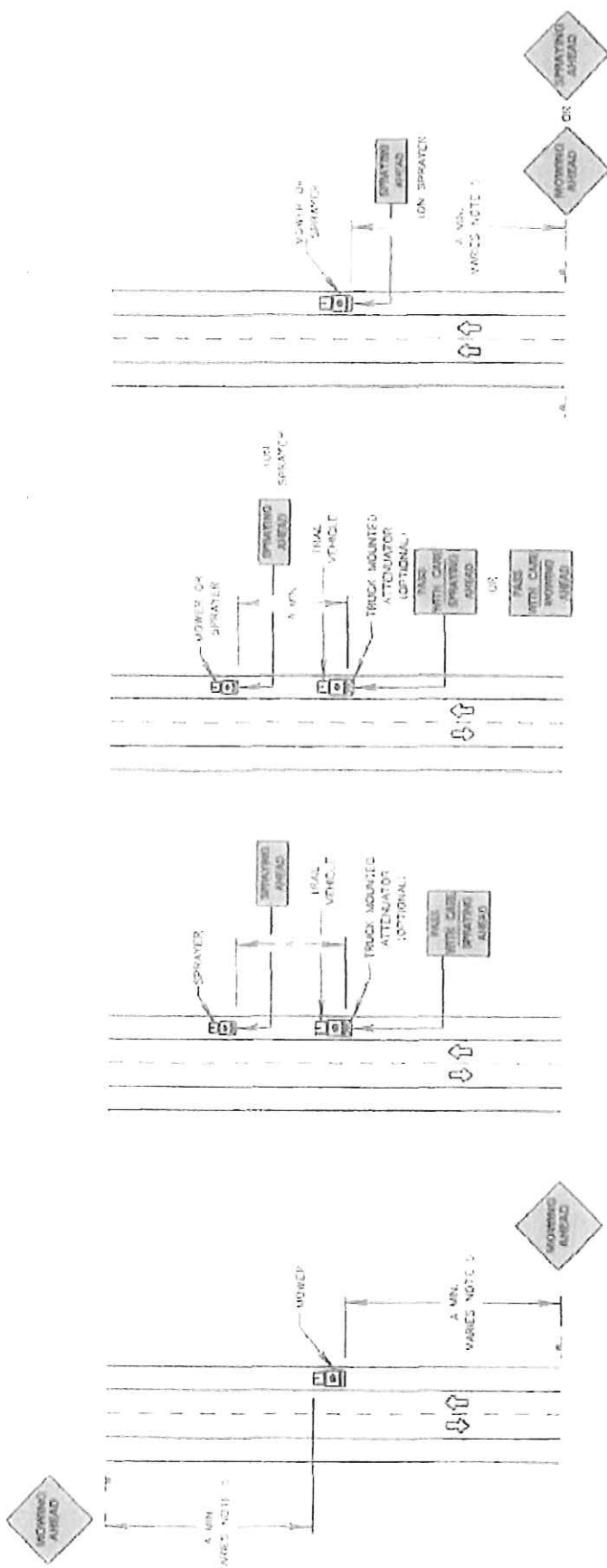
DEBRIS REMOVAL

**GENERAL NOTES**

1. VEHICLE-MOUNTED SIGNS SHALL BE MOUNTED IN A MANNER SUCH THAT THEY ARE NOT OBSCURED BY EQUIPMENT OR SUPPLEMENTAL SIGNS. SIGNS SHALL BE COVERED OR TURNED FROM VIEW WHEN WORK IS NOT IN PROGRESS.
2. PROTECTION AND WORK VEHICLES SHALL STOP AT HIGH INTENSITY FLASHING, FLASHING, SQUEALING, OR STROBE LIGHTS.
3. WHEN PRACTICAL AND WHEN ALLOWED, THE WORK AND PROTECTION VEHICLES SHOULD FOLLOW EACH OTHER, CALLY TO ALLOW TRAFFIC TO PASS IF THIS CANNOT BE DONE FREQUENTLY AS AN ALTERNATIVE, A DO NOT PASS SIGN MAY BE PLACED ON THE REAR OF THE VEHICLE BLOCKING THE LANE.
4. WHENEVER ADEQUATE STOPPING SIGN DISTANCE EXISTS TO THE REAR, THE PROTECTION VEHICLE SHOULD MAINTAIN THE MINIMUM DISTANCE TO PROTECT THE WORK VEHICLE AND PROTECT AT THE SAME SPEED. THE PROTECTION VEHICLE SHOULD SLOW DOWN IN ADVANCE OF WORK OR HORIZONTAL CURVES WHICH RESTRICT SIGN DISTANCE.
5. THE USE OF TRUCK MOUNTED ATTENUATORS MOUNTED TO THE REAR OF PROTECTION VEHICLES SHOULD BE CONSIDERED.
6. THE DISTANCE BETWEEN THE WORK AND PROTECTION VEHICLES MAY VARY ACCORDING TO TERRAIN AND OTHER FACTORS.
7. ADDITIONAL PROTECTION VEHICLES TO WARN AND REDUCE THE SPEED OF ONCOMING OR CROSSING TRAFFIC MAY BE USED. LAW ENFORCEMENT VEHICLES MAY BE USED FOR THIS PURPOSE.
8. A 3" X 6" ARROW PANEL (USED IN CASE A) SHALL BE USED IN THE CAUTION MODE.

**CASE A8**

TRUCKWAY TOW-LANE TRAFFIC OPERATION ON HIGHWAY



1. MOWING - NO ENCROACHMENT ON TRAVEL LINES TWO LANE TWO WAY OPERATION

2. MOWING - NO ENCROACHMENT ON TRAVEL LINES TWO LANE TWO WAY OPERATION

3. MOWING - NO ENCROACHMENT ON TRAVEL LINES TWO LANE TWO WAY OPERATION

4. MOWING - NO ENCROACHMENT ON TRAVEL LINES TWO LANE TWO WAY OPERATION

GENERAL NOTES

- ALL WORK VEHICLES WILL BE EQUIPPED WITH ONE ROTATING HIGH INTENSITY MIRROR LIGHT AND THE BLUO MOVING TRIANGLE MOUNTED ON THE REAR OF THE VEHICLE THIS APPLIES TO ALL CASES DURING ANY TIME OPERATIONS
- WHERE THE SHOULDER AREA TO BE MOWED OR SPRINTED PERMITS, 48" X 48" WARNING SIGNS SHOULD BE USED IN LIEU OF 36" X 36" SIGNS. IF OTHER SIGNS SHALL BE 24" X 30"
- WHERE PRACTICAL AND WHEN NEEDED, THE WORK AND PROTECTION VEHICLES SHOULD FULLY OVERLAP TO ALLOW TRAFFIC TO PASS. IF THIS CANNOT BE DONE PROBABLY, A DO NOT PASS SIGN MAY BE PLACED ON THE TRAIL VEHICLE INSTEAD OF PASS WITH CARE. THE TRAIL VEHICLE WILL NORMALLY MAINTAIN VISUAL CONTACT WITH THE WORK VEHICLE APPROXIMATELY 500 FEET LIGHT ON CURVES. IN WHICH CASE THE TRAIL VEHICLE WILL STOP BACK FURTHER AS THAT APPROACHING TRAFFIC WILL SEE THAT THE LANE IS BLOCKED
- ON LOW TRAFFIC VOLUME ROADS WITH LOWER OPERATING SPEEDS, THE SUPERVISOR MAY USE DETAIL A ABOVE AT HIS DISCRETION. EVEN THOUGH THERE ARE SOME TRAVEL LANE ENCROACHMENTS
- MINIMUM DISTANCE TO BE MOWED OR SPRINTED WITHIN THE SIGNS SHALL BE WHICH EVER IS LESSER: DAYS MOWING, 3 MILES ON 2 LANE, OR 2 MILES ON 4 LANE LINES
- FOR MEDIAN DIVIDED HIGHWAYS, THE SHOULDER SIGNS SHALL BE PLACED ON BOTH THE RIGHT AND LEFT SIDE OF ROADWAY EVEN THOUGH THE MOWER OR SPRINTER MAY ONLY BE ON ONE SIDE

SUGGESTED ADVANCE WARNING SIGN SPACING

ROAD TYPE	DISTANCE BETWEEN SIGNS (IN FT)		
	A	B	C
URBAN LOW SPEED*	100	100	150
URBAN HIGH SPEED**	350	350	350
RURAL	500	500	500
EXPRESSWAY/FREEWAY	1,000	1,000	2,040

\*SPEED CATEGORY TO BE DETERMINED BY WY DOT

CASE A15

TWO-WAY TWO-LANE TRAIL & MOWING OPERATION ONLY

TRUCK MOUNTED ATTENUATOR VEHICLE EQUIPPED WITH HIGH INTENSITY MIRROR LIGHTS OR CONSPICUOUS MOWING OPERATION OR TRUCK MOUNTED ATTENUATOR

TYPICAL APPLICATION

MOWING OPERATION  
SPRINTING OPERATION



20. Bid Schedule -- Herbicide Spray Systems w/Operators  
 District 1 - Boone County, Clay County, Kanawha  
 County, Mason County and Putnam County

6612C004

Vendor Name:

Item	Item Description	EPA Reg #	Unit of Measure	Estimated Quantity	Unit Price	Extended Cost
1	Guardrail Spray Area - between 25 and 50 gallons of solution, per acre, sprayed or applied. Material supplied by the Division of Highways.	X	ACRE	300		
2	Median Spray Area - between 25 and 50 gallons of solution, per acre, sprayed or applied. Material supplied by the Division of Highways.	X	ACRE	550		
3	Brush Control Spray Area - between 25 and 50 gallons of solution, per acre, sprayed or applied. Material supplied by the Division of Highways.	X	ACRE	1650		
4	Wild Flower Plots - handheld or backpack style sprayer or similar sprayer provided by the vendor, to spray or apply when control path spraying is needed. Material supplied by the Division of Highways.	X	ACRE	330		
5	Bareground-Guardrail, Beams, Etc. Area - between 25 and 50 gallons of solution, per acre, sprayed or applied, from the edge of the pavement, to two feet (2') behind the guardrail. Material to be supplied by vendor. Swath Range 3' to 50'. a. 5 pounds Krovar or equal _____ 5 pounds Diuron or equal _____ 3 ounces Oust or equal _____ 2 quarts Round-up or equal _____ 1 pint Surfactant or equal _____ b. 3 ounces Oust or equal _____ 2 quarts Round-up or equal _____ 6 pounds Diuron _____ 1 pint Surfactant or equal _____	EPA Reg #	ACRE	300		
6	Brush - between 25 and 50 gallons of solution, per acre, sprayed or applied. Material to be supplied by vendor. Swath range 4' to 50'. a. Early Season 1 quart Tordon K or equal _____ 2 quarts Garlon 3A or equal _____ 1 pint Surfactant or equal _____ b. Late Season (July) 2 gallons Krenite or equal _____ 1 quart Surfactant or equal _____ 4 ounces Arsenal or equal _____ c. Late Season (September) 1 quart Garlon or equal _____ 1.5 ounces Escort or equal _____ 1 quart Surfactant or equal _____	EPA Reg #	ACRE	1650		

(District 1 - CONTINUED)

20. Bid Schedule -- Herbicide Spray Systems w/Operators  
 District 1 - Boone County, Clay County, Kanawha  
 County, Mason County and Putnam County

6612C004

Vendor Name:

Item	Item Description	EPA Reg #	Unit of Measure	Estimated Quantity	Unit Price	Extended Cost
7	Escape Ramps and Storage Lots - between 25 and 50 gallons of solution, per acre, sprayed or applied. Material to be supplied by vendor. a. 6 pounds Diuron or equal _____ 3 ounces Oust or equal _____ 2 quarts Round-up or equal _____ 1 quart Surfactant or equal _____		ACRE	17		
		EPA Reg #				
8	Wild Flower Plots - between 25 and 50 gallons of solution, per acre, sprayed or applied. Material to be supplied by vendor. Swath range 4' to 150'. a. 2 quarts Round-Up or equal _____ 1 pint 2,4D or equal _____ 1 quart Surfactant or equal _____		ACRE	33		
		EPA Reg #				
9	Mobilization Cost		MILE	X		X
	Location of Base Station: _____	X				

20. Bid Schedule -- Herbicide Spray Systems w/Operators  
 District 2 - Cabell County, Lincoln County, Logan  
 County, Mingo County and Wayne County

6612C004

Vendor Name:

Item	Item Description	EPA Reg #	Unit of Measure	Estimated Quantity	Unit Price	Extended Cost
1	Guardrail Spray Area - between 25 and 50 gallons of solution, per acre, sprayed or applied. Material supplied by the Division of Highways.		ACRE	300		
2	Median Spray Area - between 25 and 50 gallons of solution, per acre, sprayed or applied. Material supplied by the Division of Highways.		ACRE	10		
3	Brush Control Spray Area - between 25 and 50 gallons of solution, per acre, sprayed or applied. Material supplied by the Division of Highways.		ACRE	125		
4	Wild Flower Plots - handheld or backpack style sprayer or similar sprayer provided by the vendor, to spray or apply when control path spraying is needed. Material supplied by the Division of Highways.		ACRE	5		
5	Bareground-Guardrail, Beams, Etc. Area - between 25 and 50 gallons of solution, per acre, sprayed or applied, from the edge of the pavement, to two feet (2') behind the guardrail. Material to be supplied by vendor. Swath Range 3' to 50'.		ACRE	0		
	a. 5 pounds Krovar or equal _____					
	5 pounds Diuron or equal _____					
	3 ounces Oust or equal _____					
	2 quarts Round-up or equal _____					
	1 pint Surfactant or equal _____					
	b. 3 ounces Oust or equal _____					
	2 quarts Round-up or equal _____					
	6 pounds Diuron _____					
	1 pint Surfactant or equal _____					
6	Brush - between 25 and 50 gallons of solution, per acre, sprayed or applied. Material to be supplied by vendor. Swath range 4' to 50'.		ACRE	300		
	a. Early Season					
	1 quart Tordon K or equal _____					
	2 quarts Garlon 3A or equal _____					
	1 pint Surfactant or equal _____					
	b. Late Season (July)					
	2 gallons Krenite or equal _____					
	1 quart Surfactant or equal _____					
	4 ounces Arsenal or equal _____					
	c. Late Season (September)					
1 quart Garlon or equal _____						
1.5 ounces Escort or equal _____						
1 quart Surfactant or equal _____						

(District 2 - CONTINUED)

20. Bid Schedule -- Herbicide Spray Systems w/Operators  
 District 2 - Cabell County, Lincoln County, Logan  
 County, Mingo County and Wayne County

6612C004

Vendor Name:

Item	Item Description	EPA Reg #	Unit of Measure	Estimated Quantity	Unit Price	Extended Cost
7	Escape Ramps and Storage Lots - between 25 and 50 gallons of solution, per acre, sprayed or applied. Material to be supplied by vendor. a. 6 pounds Diuron or equal _____ 3 ounces Oust or equal _____ 2 quarts Round-up or equal _____ 1 quart Surfactant or equal _____	EPA Reg #	ACRE	0		
8	Wild Flower Plots - between 25 and 50 gallons of solution, per acre, sprayed or applied. Material to be supplied by vendor. Swath range 4' to 150'. a. 2 quarts Round-Up or equal _____ 1 pint 2,4D or equal _____ 1 quart Surfactant or equal _____	EPA Reg #	ACRE	5		
9	Mobilization Cost	X	MILE	X		X
	Location of Base Station: _____					

6612C004

**Bid Schedule -- Herbicide Spray Systems w/Operators  
District 3 - Calhoun County, Jackson County, Pleasants County,  
Ritchie County, Roane County, Wirt County and Wood County**

Vendor Name:

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Item	Item Description	EPA Reg #	Unit of Measure	Estimated Quantity	Unit Price	Extended Cost
1	Guardrail Spray Area - between 25 and 50 gallons of solution, per acre, sprayed or applied. Material supplied by the Division of Highways.	X	ACRE	445		
2	Median Spray Area - between 25 and 50 gallons of solution, per acre, sprayed or applied. Material supplied by the Division of Highways.	X	ACRE	10		
3	Brush Control Spray Area - between 25 and 50 gallons of solution, per acre, sprayed or applied. Material supplied by the Division of Highways.	X	ACRE	730		
4	Wild Flower Plots - handheld or backpack style sprayer or similar sprayer provided by the vendor, to spray or apply when control path spraying is needed. Material supplied by the Division of Highways.	X	ACRE	0		
5	Bareground-Guardrail, Beams, Etc. Area - between 25 and 50 gallons of solution, per acre, sprayed or applied, from the edge of the pavement, to two feet (2') behind the guardrail. Material to be supplied by vendor. Swath Range 3' to 50'. a. 5 pounds Krovar or equal _____ 5 pounds Diuron or equal _____ 3 ounces Oust or equal _____ 2 quarts Round-up or equal _____ 1 pint Surfactant or equal _____ b. 3 ounces Oust or equal _____ 2 quarts Round-up or equal _____ 6 pounds Diuron _____ 1 pint Surfactant or equal _____		ACRE	445		
6	Brush - between 25 and 50 gallons of solution, per acre, sprayed or applied. Material to be supplied by vendor. Swath range 4' to 50'. a. Early Season 1 quart Tordon K or equal _____ 2 quarts Garlon 3A or equal _____ 1 pint Surfactant or equal _____ b. Late Season (July) 2 gallons Krenite or equal _____ 1 quart Surfactant or equal _____ 4 ounces Arsenal or equal _____ c. Late Season (September) 1 quart Garlon or equal _____ 1.5 ounces Escort or equal _____ 1 quart Surfactant or equal _____		ACRE	220		

(District 3 - CONTINUED)

20. Bid Schedule -- Herbicide Spray Systems w/Operators 6612C004

District 3 - Calhoun County, Jackson County, Pleasants County, Ritchie County, Roane County, Wirt County and Wood County

Vendor Name:

Item	Item Description	EPA Reg #	Unit of Measure	Estimated Quantity	Unit Price	Extended Cost
7	Escape Ramps and Storage Lots - between 25 and 50 gallons of solution, per acre, sprayed or applied. Material to be supplied by vendor. a. 6 pounds Diuron or equal _____ 3 ounces Oust or equal _____ 2 quarts Round-up or equal _____ 1 quart Surfactant or equal _____		ACRE	0		
8	Wild Flower Plots - between 25 and 50 gallons of solution, per acre, sprayed or applied. Material to be supplied by vendor. Swath range 4' to 150'. a. 2 quarts Round-Up or equal _____ 1 pint 2,4D or equal _____ 1 quart Surfactant or equal _____		ACRE	0		
9	Mobilization Cost	<b>X</b>	MILE	X		X
	Location of Base Station: _____					

6612C004

**20. Bid Schedule -- Herbicide Spray Systems w/Operators  
District 4 - Doddridge County, Harrison County, Marion County  
Monongalia County, Preston County and Taylor County**

Vendor Name:

Item	Item Description	X	Unit of Measure	Estimated Quantity	Unit Price	Extended Cost
1	Guardrail Spray Area - between 25 and 50 gallons of solution, per acre, sprayed or applied. Material supplied by the Division of Highways.	X	ACRE	1025		
2	Median Spray Area - between 25 and 50 gallons of solution, per acre, sprayed or applied. Material supplied by the Division of Highways.	X	ACRE	200		
3	Brush Control Spray Area - between 25 and 50 gallons of solution, per acre, sprayed or applied. Material supplied by the Division of Highways.	X	ACRE	900		
4	Wild Flower Plots - handheld or backpack style sprayer or similar sprayer provided by the vendor, to spray or apply when control path spraying is needed. Material supplied by the Division of Highways.	X	ACRE	50		
	Bareground-Guardrail, Beams, Etc. Area - between 25 and 50 gallons of solution, per acre, sprayed or applied, from the edge of the pavement, to two feet (2') behind the guardrail. Material to be supplied by vendor. Swath Range 3' to 50'.					
	a. 5 pounds Krovar or equal _____ 5 pounds Diuron or equal _____ 3 ounces Oust or equal _____ 2 quarts Round-up or equal _____ 1 pint Surfactant or equal _____		ACRE	900		
	b. 3 ounces Oust or equal _____ 2 quarts Round-up or equal _____ 6 pounds Diuron _____ 1 pint Surfactant or equal _____		ACRE	125		
	Brush - between 25 and 50 gallons of solution, per acre, sprayed or applied. Material to be supplied by vendor. Swath range 4' to 50'.					
	a. Early Season 1 quart Tordon K or equal _____ 2 quarts Garlon 3A or equal _____ 1 pint Surfactant or equal _____		ACRE	100		
	b. Late Season (July) 2 gallons Krenite or equal _____ 1 quart Surfactant or equal _____ 4 ounces Arsenal or equal _____		ACRE	400		
	c. Late Season (September) 1 quart Garlon or equal _____ 1.5 ounces Escort or equal _____ 1 quart Surfactant or equal _____		ACRE	400		

(District 4 - CONTINUED)

20. Bid Schedule -- Herbicide Spray Systems w/Operators  
 District 4 - Doddridge County, Harrison County, Marion County  
 Monongalia County, Preston County and Taylor County

6612C004

Vendor Name:

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Item	Item Description	EPA Reg #	Unit of Measure	Estimated Quantity	Unit Price	Extended Cost
7	Escape Ramps and Storage Lots - between 25 and 50 gallons of solution, per acre, sprayed or applied. Material to be supplied by vendor. a. 6 pounds Diuron or equal _____ 3 ounces Oust or equal _____ 2 quarts Round-up or equal _____ 1 quart Surfactant or equal _____	EPA Reg #	ACRE	10		
8	Wild Flower Plots - between 25 and 50 gallons of solution, per acre, sprayed or applied. Material to be supplied by vendor. Swath range 4' to 150'. a. 2 quarts Round-Up or equal _____ 1 pint 2,4D or equal _____ 1 quart Surfactant or equal _____	EPA Reg #	ACRE	30		
9	Mobilization Cost	X	MILE	X		X
	Location of Base Station: _____					



20. Bid Schedule -- Herbicide Spray Systems w/Operators  
 District 5 - Berkeley County, Grant County, Hampshire County,  
 Hardy County, Jefferson County, Mineral County and Morgan County

6612C004

Vendor Name:

Item	Item Description	EPA Reg #	Unit of Measure	Estimated Quantity	Unit Price	Extended Cost
1	Guardrail Spray Area - between 25 and 50 gallons of solution, per acre, sprayed or applied. Material supplied by the Division of Highways.		ACRE	125		
2	Median Spray Area - between 25 and 50 gallons of solution, per acre, sprayed or applied. Material supplied by the Division of Highways.		ACRE	30		
3	Brush Control Spray Area - between 25 and 50 gallons of solution, per acre, sprayed or applied. Material supplied by the Division of Highways.		ACRE	60		
4	Wild Flower Plots - handheld or backpack style sprayer or similar sprayer provided by the vendor, to spray or apply when control path spraying is needed. Material supplied by the Division of Highways.		ACRE	5		
5	Bareground-Guardrail, Beams, Etc. Area - between 25 and 50 gallons of solution, per acre, sprayed or applied, from the edge of the pavement, to two feet (2') behind the guardrail. Material to be supplied by vendor. Swath Range 3' to 50'.		ACRE	170		
	a. 5 pounds Krovar or equal _____					
	5 pounds Diuron or equal _____					
	3 ounces Oust or equal _____					
	2 quarts Round-up or equal _____					
	1 pint Surfactant or equal _____					
	b. 3 ounces Oust or equal _____					
	2 quarts Round-up or equal _____					
	6 pounds Diuron _____					
	1 pint Surfactant or equal _____					
6	Brush - between 25 and 50 gallons of solution, per acre, sprayed or applied. Material to be supplied by vendor. Swath range 4' to 50'.		ACRE	20		
	a. Early Season					
	1 quart Tordon K or equal _____					
	2 quarts Garlon 3A or equal _____					
	1 pint Surfactant or equal _____					
	b. Late Season (July)					
	2 gallons Krenite or equal _____					
	1 quart Surfactant or equal _____					
	4 ounces Arsenal or equal _____					
	c. Late Season (September)					
1 quart Garlon or equal _____						
1.5 ounces Escort or equal _____						
1 quart Surfactant or equal _____						

(District 5 - CONTINUED)

20. Bid Schedule -- Herbicide Spray Systems w/Operators 6612C004

District 5 - Berkeley County, Grant County, Hampshire County,

Hardy County, Jefferson County, Mineral County and Morgan County

Vendor Name:

Item	Item Description	EPA Reg #	Unit of Measure	Estimated Quantity	Unit Price	Extended Cost
7	Escape Ramps and Storage Lots - between 25 and 50 gallons of solution, per acre, sprayed or applied. Material to be supplied by vendor. a. 6 pounds Diuron or equal _____ 3 ounces Oust or equal _____ 2 quarts Round-up or equal _____ 1 quart Surfactant or equal _____	EPA Reg #	ACRE	10		
8	Wild Flower Plots - between 25 and 50 gallons of solution, per acre, sprayed or applied. Material to be supplied by vendor. Swath range 4' to 150'. a. 2 quarts Round-Up or equal _____ 1 pint 2,4D or equal _____ 1 quart Surfactant or equal _____	EPA Reg #	ACRE	10		
9	Mobilization Cost	<b>X</b>	MILE	X		X
	Location of Base Station: _____					

20. Bid Schedule -- Herbicide Spray Systems w/Operators  
 District 6 - Brooke County, Hancock County, Marshall County,  
 Ohio County, Tyler County and Wetzel County

6612C004

Vendor Name:

Item	Item Description		Unit of Measure	Estimated Quantity	Unit Price	Extended Cost
1	Guardrail Spray Area - between 25 and 50 gallons of solution, per acre, sprayed or applied. Material supplied by the Division of Highways.	X	ACRE	460		
2	Median Spray Area - between 25 and 50 gallons of solution, per acre, sprayed or applied. Material supplied by the Division of Highways.	X	ACRE	600		
3	Brush Control Spray Area - between 25 and 50 gallons of solution, per acre, sprayed or applied. Material supplied by the Division of Highways.	X	ACRE	2740		
4	Wild Flower Plots - handheld or backpack style sprayer or similar sprayer provided by the vendor, to spray or apply when control path spraying is needed. Material supplied by the Division of Highways.	X	ACRE	100		
5	Bareground-Guardrail, Beams, Etc. Area - between 25 and 50 gallons of solution, per acre, sprayed or applied, from the edge of the pavement, to two feet (2') behind the guardrail. Material to be supplied by vendor. Swath Range 3' to 50'. a. 5 pounds Krovar or equal _____ 5 pounds Diuron or equal _____ 3 ounces Oust or equal _____ 2 quarts Round-up or equal _____ 1 pint Surfactant or equal _____ b. 3 ounces Oust or equal _____ 2 quarts Round-up or equal _____ 6 pounds Diuron _____ 1 pint Surfactant or equal _____		ACRE	460		
6	Brush - between 25 and 50 gallons of solution, per acre, sprayed or applied. Material to be supplied by vendor. Swath range 4' to 50'. a. Early Season 1 quart Tordon K or equal _____ 2 quarts Garlon 3A or equal _____ 1 pint Surfactant or equal _____ b. Late Season (July) 2 gallons Krenite or equal _____ 1 quart Surfactant or equal _____ 4 ounces Arsenal or equal _____ c. Late Season (September) 1 quart Garlon or equal _____ 1.5 ounces Escort or equal _____ 1 quart Surfactant or equal _____		ACRE	2740		

(District 6 - CONTINUED)

20. Bid Schedule -- Herbicide Spray Systems w/Operators  
 District 6 - Brooke County, Hancock County, Marshall County,  
 Ohio County, Tyler County and Wetzel County

6612C004

Vendor Name:

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Item	Item Description	EPA Reg #	Unit of Measure	Estimated Quantity	Unit Price	Extended Cost
7	Escape Ramps and Storage Lots - between 25 and 50 gallons of solution, per acre, sprayed or applied. Material to be supplied by vendor. a. 6 pounds Diuron or equal _____ 3 ounces Oust or equal _____ 2 quarts Round-up or equal _____ 1 quart Surfactant or equal _____	EPA Reg #	ACRE	100		
8	Wild Flower Plots - between 25 and 50 gallons of solution, per acre, sprayed or applied. Material to be supplied by vendor. Swath range 4' to 150'. a. 2 quarts Round-Up or equal _____ 1 pint 2,4D or equal _____ 1 quart Surfactant or equal _____	EPA Reg #	ACRE	0		
9	Mobilization Cost		MILE	X		X
	Location of Base Station: _____	X				

20. Bid Schedule -- Herbicide Spray Systems w/Operators  
 District 7 - Barbour County, Braxton County, Gilmer County,  
 Lewis County, Upshur County and Webster County

6612C004

Vendor Name:

Item	Item Description	X	Unit of Measure	Estimated Quantity	Unit Price	Extended Cost			
							Unit Price	Extended Cost	
1	Guardrail Spray Area - between 25 and 50 gallons of solution, per acre, sprayed or applied. Material supplied by the Division of Highways.	X	ACRE	200					
2	Median Spray Area - between 25 and 50 gallons of solution, per acre, sprayed or applied. Material supplied by the Division of Highways.	X	ACRE	60					
3	Brush Control Spray Area - between 25 and 50 gallons of solution, per acre, sprayed or applied. Material supplied by the Division of Highways.	X	ACRE	200					
4	Wild Flower Plots - handheld or backpack style sprayer or similar sprayer provided by the vendor, to spray or apply when control path spraying is needed. Material supplied by the Division of Highways.	X	ACRE	0					
5	Bareground-Guardrail, Beams, Etc. Area - between 25 and 50 gallons of solution, per acre, sprayed or applied, from the edge of the pavement, to two feet (2') behind the guardrail. Material to be supplied by vendor. Swath Range 3' to 50'. a. 5 pounds Krovar or equal _____ 5 pounds Diuron or equal _____ 3 ounces Oust or equal _____ 2 quarts Round-up or equal _____ 1 pint Surfactant or equal _____ b. 3 ounces Oust or equal _____ 2 quarts Round-up or equal _____ 6 pounds Diuron _____ 1 pint Surfactant or equal _____								
6	Brush - between 25 and 50 gallons of solution, per acre, sprayed or applied. Material to be supplied by vendor. Swath range 4' to 50'. a. Early Season 1 quart Tordon K or equal _____ 2 quarts Garlon 3A or equal _____ 1 pint Surfactant or equal _____ b. Late Season (July) 2 gallons Krenite or equal _____ 1 quart Surfactant or equal _____ 4 ounces Arsenal or equal _____ c. Late Season (September) 1 quart Garlon or equal _____ 1.5 ounces Escort or equal _____ 1 quart Surfactant or equal _____								

(District 7 - CONTINUED)

20. Bid Schedule -- Herbicide Spray Systems w/Operators  
 District 7 - Barbour County, Braxton County, Gilmer County,  
 Lewis County, Upshur County and Webster County

6612C004

Vendor Name:

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Item	Item Description	EPA Reg #	Unit of Measure	Estimated Quantity	Unit Price	Extended Cost
7	Escape Ramps and Storage Lots - between 25 and 50 gallons of solution, per acre, sprayed or applied. Material to be supplied by vendor. a. 6 pounds Diuron or equal _____ 3 ounces Oust or equal _____ 2 quarts Round-up or equal _____ 1 quart Surfactant or equal _____	EPA Reg #	ACRE	0		
8	Wild Flower Plots - between 25 and 50 gallons of solution, per acre, sprayed or applied. Material to be supplied by vendor. Swath range 4' to 150'. a. 2 quarts Round-Up or equal _____ 1 pint 2,4D or equal _____ 1 quart Surfactant or equal _____	EPA Reg #	ACRE	0		
9	Mobilization Cost	<b>X</b>	MILE	X		X
	Location of Base Station: _____					

20. Bid Schedule -- Herbicide Spray Systems w/Operators  
 District 8 - Pendleton County, Pocahontas County,  
 Randolph County and Tucker County

6612C004

Vendor Name:

Item	Item Description		Unit of Measure	Estimated Quantity	Unit Price	Extended Cost
1	Guardrail Spray Area - between 25 and 50 gallons of solution, per acre, sprayed or applied. Material supplied by the Division of Highways.	X	ACRE	150		
2	Median Spray Area - between 25 and 50 gallons of solution, per acre, sprayed or applied. Material supplied by the Division of Highways.	X	ACRE	0		
3	Brush Control Spray Area - between 25 and 50 gallons of solution, per acre, sprayed or applied. Material supplied by the Division of Highways.	X	ACRE	260		
4	Wild Flower Plots - handheld or backpack style sprayer or similar sprayer provided by the vendor, to spray or apply when control path spraying is needed. Material supplied by the Division of Highways.	X	ACRE	0		
5	Bareground-Guardrail, Beams, Etc. Area - between 25 and 50 gallons of solution, per acre, sprayed or applied, from the edge of the pavement, to two feet (2') behind the guardrail. Material to be supplied by vendor. Swath Range 3' to 50'. a. 5 pounds Krovar or equal _____ 5 pounds Diuron or equal _____ 3 ounces Oust or equal _____ 2 quarts Round-up or equal _____ 1 pint Surfactant or equal _____ b. 3 ounces Oust or equal _____ 2 quarts Round-up or equal _____ 6 pounds Diuron _____ 1 pint Surfactant or equal _____		ACRE	0		
6	Brush - between 25 and 50 gallons of solution, per acre, sprayed or applied. Material to be supplied by vendor. Swath range 4' to 50'. a. Early Season 1 quart Tordon K or equal _____ 2 quarts Garlon 3A or equal _____ 1 pint Surfactant or equal _____ b. Late Season (July) 2 gallons Krenite or equal _____ 1 quart Surfactant or equal _____ 4 ounces Arsenal or equal _____ c. Late Season (September) 1 quarts Garlon or equal _____ 1.5 ounces Escort or equal _____ 1 quart Surfactant or equal _____		ACRE	0		
			ACRE	100		
			ACRE	160		

(District 8 - CONTINUED)

20. Bid Schedule -- Herbicide Spray Systems w/Operators  
 District 8 - Pendleton County, Pocahontas County,  
 Randolph County and Tucker County

6612C004

Vendor Name:

Item	Item Description	EPA Reg #	Unit of Measure	Estimated Quantity	Unit Price	Extended Cost
7	Escape Ramps and Storage Lots - between 25 and 50 gallons of solution, per acre, sprayed or applied. Material to be supplied by vendor. a. 6 pounds Diuron or equal _____ 3 ounces Oust or equal _____ 2 quarts Round-up or equal _____ 1 quart Surfactant or equal _____	EPA Reg #	ACRE	0		
8	Wild Flower Plots - between 25 and 50 gallons of solution, per acre, sprayed or applied. Material to be supplied by vendor. Swath range 4' to 150'. a. 2 quarts Round-Up or equal _____ 1 pint 2,4D or equal _____ 1 quart Surfactant or equal _____	EPA Reg #	ACRE	0		
9	Mobilization Cost		MILE	X		X
	Location of Base Station: _____					

**X**



6612C004

**20. Bid Schedule -- Herbicide Spray Systems w/Operators  
District 9 - Fayette County, Greenbrier County, Monroe County  
Nicholas County and Summers County**

Vendor Name:

Item	Item Description		Unit of Measure	Estimated Quantity	Unit Price	Extended Cost
1	Guardrail Spray Area - between 25 and 50 gallons of solution, per acre, sprayed or applied. Material supplied by the Division of Highways.	<b>X</b>	ACRE	350		
2	Median Spray Area - between 25 and 50 gallons of solution, per acre, sprayed or applied. Material supplied by the Division of Highways.	<b>X</b>	ACRE	50		
3	Brush Control Spray Area - between 25 and 50 gallons of solution, per acre, sprayed or applied. Material supplied by the Division of Highways.	<b>X</b>	ACRE	500		
4	Wild Flower Plots - handheld or backpack style sprayer or similar sprayer provided by the vendor, to spray or apply when control path spraying is needed. Material supplied by the Division of Highways.	<b>X</b>	ACRE	50		
5	Bareground-Guardrail, Beams, Etc. Area - between 25 and 50 gallons of solution, per acre, sprayed or applied, from the edge of the pavement, to two feet (2') behind the guardrail. Material to be supplied by vendor. Swath Range 3' to 50'. a. 5 pounds Krovar or equal _____ 5 pounds Diuron or equal _____ 3 ounces Oust or equal _____ 2 quarts Round-up or equal _____ 1 pint Surfactant or equal _____ b. 3 ounces Oust or equal _____ 2 quarts Round-up or equal _____ 6 pounds Diuron _____ 1 pint Surfactant or equal _____		ACRE	350		
6	Brush - between 25 and 50 gallons of solution, per acre, sprayed or applied. Material to be supplied by vendor. Swath range 4' to 50'. a. Early Season 1 quart Tordon K or equal _____ 2 quarts Garlon 3A or equal _____ 1 pint Surfactant or equal _____ b. Late Season (July) 2 gallons Krenite or equal _____ 1 quart Surfactant or equal _____ 4 ounces Arsenal or equal _____ c. Late Season (September) 1 quart Garlon or equal _____ 1.5 ounces Escort or equal _____ 1 quart Surfactant or equal _____		ACRE	250		

(District 9 - CONTINUED)

20. Bid Schedule -- Herbicide Spray Systems w/Operators  
 District 9 - Fayette County, Greenbrier County, Monroe County  
 Nicholas County and Summers County

6612C004

Vendor Name:

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Item	Item Description	EPA Reg #	Unit of Measure	Estimated Quantity	Unit Price	Extended Cost
7	Escape Ramps and Storage Lots - between 25 and 50 gallons of solution, per acre, sprayed or applied. Material to be supplied by vendor. a. 6 pounds Diuron or equal _____ 3 ounces Oust or equal _____ 2 quarts Round-up or equal _____ 1 quart Surfactant or equal _____	EPA Reg #	ACRE	50		
8	Wild Flower Plots - between 25 and 50 gallons of solution, per acre, sprayed or applied. Material to be supplied by vendor. Swath range 4' to 150'. a. 2 quarts Round-Up or equal _____ 1 pint 2,4D or equal _____ 1 quart Surfactant or equal _____	EPA Reg #	ACRE	50		
9	Mobilization Cost	X	MILE	X		X
	Location of Base Station: _____					

20. Bid Schedule -- Herbicide Spray Systems w/Operators  
 District 10 - McDowell County, Mercer County,  
 Raleigh County and Wyoming County

6612C004

Vendor Name:

Item	Item Description		Unit of Measure	Estimated Quantity	Unit Price	Extended Cost
1	Guardrail Spray Area - between 25 and 50 gallons of solution, per acre, sprayed or applied. Material supplied by the Division of Highways.	X	ACRE	500		
2	Median Spray Area - between 25 and 50 gallons of solution, per acre, sprayed or applied. Material supplied by the Division of Highways.	X	ACRE	200		
3	Brush Control Spray Area - between 25 and 50 gallons of solution, per acre, sprayed or applied. Material supplied by the Division of Highways.	X	ACRE	1000		
4	Wild Flower Plots - handheld or backpack style sprayer or similar sprayer provided by the vendor, to spray or apply when control path spraying is needed. Material supplied by the Division of Highways.	X	ACRE	50		
5	Bareground-Guardrail, Beams, Etc. Area - between 25 and 50 gallons of solution, per acre, sprayed or applied, from the edge of the pavement, to two feet (2') behind the guardrail. Material to be supplied by vendor. Swath Range 3' to 50'. a. 5 pounds Krovar or equal _____ 5 pounds Diuron or equal _____ 3 ounces Oust or equal _____ 2 quarts Round-up or equal _____ 1 pint Surfactant or equal _____ b. 3 ounces Oust or equal _____ 2 quarts Round-up or equal _____ 6 pounds Diuron _____ 1 pint Surfactant or equal _____		ACRE	500		
6	Brush - between 25 and 50 gallons of solution, per acre, sprayed or applied. Material to be supplied by vendor. Swath range 4' to 50'. a. Early Season 1 quart Tordon K or equal _____ 2 quarts Garlon 3A or equal _____ 1 pint Surfactant or equal _____ b. Late Season (July) 2 gallons Krenite or equal _____ 1 quart Surfactant or equal _____ 4 ounces Arsenal or equal _____ c. Late Season (September) 1 quart Garlon or equal _____ 1.5 ounces Escort or equal _____ 1 quart Surfactant or equal _____		ACRE	1000		

(District 10 - CONTINUED)

20. Bid Schedule -- Herbicide Spray Systems w/Operators  
 District 10 - McDowell County, Mercer County,  
 Raleigh County and Wyoming County

6612C004

Vendor Name:

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Item	Item Description	EPA Reg #	Unit of Measure	Estimated Quantity	Unit Price	Extended Cost
7	Escape Ramps and Storage Lots - between 25 and 50 gallons of solution, per acre, sprayed or applied. Material to be supplied by vendor. a. 6 pounds Diuron or equal _____ 3 ounces Oust or equal _____ 2 quarts Round-up or equal _____ 1 quart Surfactant or equal _____		ACRE	10		
8	Wild Flower Plots - between 25 and 50 gallons of solution, per acre, sprayed or applied. Material to be supplied by vendor. Swath range 4' to 150'. a. 2 quarts Round-Up or equal _____ 1 pint 2,4D or equal _____ 1 quart Surfactant or equal _____		ACRE	50		
9	Mobilization Cost	<b>X</b>	MILE	X		X
	Location of Base Station: _____					

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.

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 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: \_\_\_\_\_

State of \_\_\_\_\_

County of \_\_\_\_\_, to-wit:

Taken, subscribed, and sworn to before me this \_\_\_\_ day of December, 20\_\_.

My Commission expires \_\_\_\_\_, 20\_\_.

AFFIX SEAL HERE

NOTARY PUBLIC \_\_\_\_\_