



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
 GSD126456

PAGE
 1

ADDRESS CORRESPONDENCE TO ATTENTION OF:
 KRISTA FERRELL
 304-558-2596

RFQ COPY

TYPE NAME/ADDRESS HERE

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DEPARTMENT OF ADMINISTRATION
 GENERAL SERVICES DIVISION
 BUILDING SIX
 1900 KANAWHA BOULEVARD, EAST
 CHARLESTON, WV
 25305 304-558-2317

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
03/29/2012				

BID OPENING DATE: 04/17/2012 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	LS		540-81		
<p>VARIOUS COMMODITIES FOR RENOVATIONS TO BLDG. 6</p> <p>REQUEST FOR QUOTATION (RFQ)</p> <p>THE WEST VIRGINIA STATE PURCHASING DIVISION FOR THE AGENCY, THE WEST VIRGINIA DIVISION OF GENERAL SERVICES, IS SOLICITING BIDS TO PROVIDE THE AGENCY WITH VARIOUS INTERIOR BUILDING CONSTRUCTION COMMODITIES PER THE ATTACHED SPECIFICATIONS. NO INSTALLATION IS REQUIRED.</p> <p>TECHNICAL QUESTIONS CONCERNING THIS SOLICITATION MUST BE SUBMITTED IN WRITING TO KRISTA FERRELL IN THE WEST VIRGINIA STATE PURCHASING DIVISION VIA FAX AT 304-558-4115 OR VIA EMAIL AT KRISTA.S.FERRELL@WV.GOV.</p> <p>DEADLINE FOR TECHNICAL QUESTIONS IS 04/09/2012 AT THE CLOSE OF BUSINESS.</p> <p>ANY TECHNICAL QUESTIONS RECEIVED WILL BE ANSWERED BY FORMAL WRITTEN ADDENDUM TO BE ISSUED BY THE PURCHASING DIVISION AFTER THE DEADLINE HAS LAPSED.</p> <p>VERBAL COMMUNICATION: ANY VERBAL COMMUNICATION BETWEEN THE VENDOR AND ANY STATE PERSONNEL IS NOT BINDING, ONLY INFORMATION ISSUED IN WRITING AND ADDED TO THE RFQ BY FORMAL WRITTEN ADDENDUM IS BINDING.</p> <p>NO CONTACT BETWEEN THE VENDOR AND THE AGENCY IS PERMITTED WITHOUT THE EXPRESS WRITTEN CONSENT OF THE</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE

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

GENERAL TERMS & CONDITIONS
REQUEST FOR QUOTATION (RFQ) AND REQUEST FOR PROPOSAL (RFP)

1. Awards will be made in the best interest of the State of West Virginia.
 2. The State may accept or reject in part, or in whole, any bid.
 3. 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.html 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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 Department of Administration
 Purchasing Division
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VENDOR

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 GENERAL SERVICES DIVISION
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<p>STATE BUYER. VIOLATION MAY RESULT IN REJECTION OF THE BID. THE STATE BUYER LISTED ABOVE IS THE SOLE CONTACT FOR ANY AND ALL INQUIRIES AFTER THIS RFQ HAS BEEN RELEASED.</p> <p>EXHIBIT 10</p> <p>REQUISITION NO.:</p> <p>ADDENDUM ACKNOWLEDGEMENT</p> <p>I HEREBY ACKNOWLEDGE RECEIPT OF THE FOLLOWING CHECKED ADDENDUM(S) AND HAVE MADE THE NECESSARY REVISIONS TO MY PROPOSAL, PLANS AND/OR SPECIFICATION, ETC.</p> <p>ADDENDUM NO.'S:</p> <p>NO. 1</p> <p>NO. 2</p> <p>NO. 3</p> <p>NO. 4</p> <p>NO. 5</p> <p>I UNDERSTAND THAT FAILURE TO CONFIRM THE RECEIPT OF THE ADDENDUM(S) MAY BE CAUSE FOR REJECTION OF BIDS.</p> <p>VENDOR MUST CLEARLY UNDERSTAND THAT ANY VERBAL REPRESENTATION MADE OR ASSUMED TO BE MADE DURING ANY ORAL DISCUSSION HELD BETWEEN VENDOR'S REPRESENTATIVES AND ANY STATE PERSONNEL IS NOT BINDING. ONLY THE INFORMATION ISSUED IN WRITING AND ADDED TO THE SPECIFICATIONS BY AN OFFICIAL ADDENDUM IS BINDING.</p>						

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LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
..... SIGNATURE COMPANY DATE						
NOTE: THIS ADDENDUM ACKNOWLEDGEMENT SHOULD BE SUBMITTED WITH THE BID. REV. 09/21/2009 BANKRUPTCY: IN THE EVENT THE VENDOR/CONTRACTOR FILES FOR BANKRUPTCY PROTECTION, THE STATE MAY DEEM THE CONTRACT NULL AND VOID, AND TERMINATE SUCH CONTRACT WITHOUT FURTHER ORDER. ANY INDIVIDUAL SIGNING THIS BID IS CERTIFYING THAT: (1) HE OR SHE IS AUTHORIZED BY THE BIDDER TO EXECUTE THE BID OR ANY DOCUMENTS RELATED THERETO ON BEHALF OF THE BIDDER, (2) THAT HE OR SHE IS AUTHORIZED TO BIND THE BIDDER IN A CONTRACTUAL RELATIONSHIP, AND (3) THAT THE BIDDER HAS PROPERLY REGISTERED WITH ANY STATE AGENCIES THAT MAY REQUIRE REGISTRATION. NOTICE A SIGNED BID MUST BE SUBMITTED TO: DEPARTMENT OF ADMINISTRATION PURCHASING DIVISION						

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LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
				BUILDING 15 2019 WASHINGTON STREET, EAST CHARLESTON, WV 25305-0130		
<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: KRISTA FERRELL-FILE 21</p> <p>RFQ. NO.: GSD126456</p> <p>BID OPENING DATE: 04/17/2012</p> <p>BID OPENING TIME: 1:30 PM</p> <p>PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID:</p> <p>-----</p> <p>CONTACT PERSON (PLEASE PRINT CLEARLY):</p> <p>-----</p>						

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REQUEST FOR QUOTATIONS #GSD126456
PURCHASE OF BUILDING RENOVATION COMMODITIES FOR BLDG#6, 8th
FLOOR RENOVATION PROJECT

Location: West Virginia Department of Administration
General Services Division
1900 Kanawha Boulevard East
Building One, Room MB60
Charleston, West Virginia 25305

For: State of West Virginia
General Services Division
1900 Kanawha Boulevard, East
Building One, Room MB60
Charleston, West Virginia 25305

All inquiries for specification clarification shall be addressed to:
Krista Ferrell, Buyer Supervisor
Purchasing Division
P.O. Box 50130
Charleston, West Virginia 25305-0130
Fax: (304) 558-4115
krista.s.ferrell@wv.gov

The Acquisition and Contract Administration Section of the Purchasing Division "State" for the West Virginia General Services Division, the "Agency" is soliciting quotations for the purchase of various interior building construction commodities which will be utilized by the Agency in self-performed renovations of the 8th Floor of Building Six on the State Capitol Complex.

Successful bidder will be given fourteen (14) calendar days from the issuance of the Purchase Order to provide and deliver ALL commodities listed on the attached Bid Form. Bidders must include in their bid all costs for freight and delivery, including any additional costs they might incur to insure that ALL commodities are delivered within this timeframe.

All commodities must be delivered undamaged. Upon inspection by the Agency, should any items found to have any flaws or damage, the Successful Bidder shall be responsible for picking up and replacing these items at no additional cost.

Items #13 - #16 and #18 are listed by specific manufacture and item number. These should be considered to be followed by the words "or equal." However, the Agency has an existing stock of these specific items, and cannot accept substitutes that do not EXACTLY match what is listed. Bidders are welcome to propose substitutes by

providing documentation that demonstrates that the proposed substitute item EXACTLY matches the specified item in composition, color, texture, size, locking or connecting mechanism (ie, the ceiling tile grid components), and fire-rating. Bidders should indicate that they are bidding a substitute item by placing a "Y" or "N" in the appropriate column on the Bid Form, with a "Y" indicating that they are bidding a product other than that the manufacturer and item number listed, and with an "N" indicating that they are bidding the exact manufacturer and item number listed.

See Attachment B for technical specifications of the five items which require exact matching.

The list provided is intended to be the full scope of the project. In the event additional quantities are needed, the additional quantities will be added at the unit price established in the contract. This includes single units. Any additional quantities will be added by fully executed change order.

General Conditions

- A. Vendor must provide any manufacturer's warranty, including documentation for said warranty, for any product provided for by this contract.
- B. Freight will be FOB-Destination; all charges for delivery of commodities must be incorporated into the bid. All deliveries must be coordinated with Agency. The Successful bidder must provide a minimum of 4-hour notice to the Agency prior to delivery. Within two (2) business days of the award of the Contract, Successful Bidder must contact Agency Representative to propose delivery schedule. **All commodities shall be delivered to the loading dock on the East side of Building Seven (in the corner of Piedmont Road and California Avenue).** The Agency strongly prefers that deliveries be made in whole, by commodity, with a minimum number of overall delivery trips (eg, all drywall at once, all doors at once, etc.) Successful Bidder must provide for any equipment required to unload all commodities onto the loading dock (eg, fork truck, etc).
- C. Successful Bidder must provide legible delivery tickets and insure that they are signed by an Agency Representative at the time of delivery. A list of eligible Agency Representatives, including contact information, will be provided to the Successful Bidder by the Agency.
- D. Award will be made to the lowest **Total Bid**. The Agency intends to award ONE contract for ALL commodities listed.

Documents:

This Request for Quotations also incorporates the attached documents:

1. The WV Purchasing Division "Request for Quotation" and "General Terms and Conditions".

2. GSD126456 Attachment A: Bid Form
3. GSD126456 Attachment B: Technical Specifications

Invoices

Invoices shall be submitted to the Agency for payment (in arrears) and must include the following information:

1. Copies of all delivery tickets signed and dated by the Agency Representative (prior to their submittal with invoices for payment).
2. FEIN number, complete address of vendor, Agency release order number, and master contract number.

Successful Bidder should minimize the number of invoices generated as a result of this contract, consolidating as many commodities as possible on each invoice. The Agency strongly prefers one (1) single invoice for all commodities listed on the Bid Form.

Invoices shall be mailed to the following address:

Department of Administration
General Services Division
State Capitol Complex
Building 1, Room MB-68
1900 Kanawha Blvd. E.
Charleston, West Virginia 25305

Should the Vendor be requested by the Agency or volunteer to submit invoices electronically, invoices must meet the digital requirements of the WV State Auditor's Office.

Line #	Item Description	Quantity	UOP	Unit Price	Total for Line Item
1)	2" x 4" x 10' 20 gauge Metal Stud Track	100	ea	\$	\$
2)	2" x 4" x 12' 20 gauge Metal Wall Studs	280	ea	\$	\$
3)	2" x 4" x 10' 20 gauge Metal Wall Studs	280	ea	\$	\$
4)	10' Metal Corner Bead	280	ea	\$	\$
5)	10' Plastic Corner Bead	280	ea	\$	\$
6)	10' Zip Strip Bead	280	ea	\$	\$
7)	250' Rolls of 2-1/16" Paper Drywall Tape	100	rl	\$	\$
8)	4' x 10' x 5/8" Fire-rated X-Type Drywall	175	sh	\$	\$
9)	Metal Door Frames for 3-0 x 7-0 door: Knockdown type, Left Hand Swing with 5" throat; 90-minute fire rating	8	ea	\$	\$
10)	Metal Door Frames for 3-0 x 7-0 door: Knockdown type, Right Hand Swing with 5" throat; 90-minute fire rating	8	ea	\$	\$
11)	3-0 x 7-0 unfinished oak doors: Left Hand Swing with 90-minute Fire rating	8	ea	\$	\$
12)	3-0 x 7-0 unfinished oak doors: Right Hand Swing with 90-minute Fire rating	8	ea	\$	\$
13)	Chicago Metallic Item #21420-01: 12' White Wall Angle (see NOTE)	175	ea	\$	\$
14)	Chicago Metallic Item #250-01: 12' White Main Runners (fire-rated)(see NOTE)	300	ea	\$	\$
15)	Chicago Metallic Item #254-01: 4' White Tees (fire-rated)(see NOTE)	1650	ea	\$	\$

16)	Chicago Metallic Item #252-01: 2' White Tees (fire-rated)(see NOTE)	1650	ea	X	\$	=	\$
17)	12 gauge Metal Hanger Wire, 12' Sections	420	ea	X	\$	=	\$
18)	5-Piece Cartons of Celotex BET-157 2' x 2' Ceiling Tile (see NOTE)	200	cn	X	\$	=	\$
19)	4' x 8' Formica, Color:White	25	sh	X	\$	=	\$
20)	Gallon Containers of Formica Glue	10	ea	X	\$	=	\$

TOTAL BID (for all items listed above) = \$ _____.

NOTE: Certain items listed above require the bidding of a specific brand and model number to match existing stock which the Agency owns and intends to use to complete this project. NO SUBSTITUTIONS are acceptable unless they can be shown to exactly match the composition, color, texture, size, locking or connecting mechanics, and fire-rating of the listed product.

Vendors are strongly encouraged to type Cost Sheets/Bid Forms.

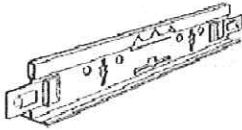
RFQ#GSD126456 Attachment B: Technical Specifications for Select Items

Item#13: Chicago Metallic Item#21420-01 Wall Angle (or equal), must:

- Be 12' x 15/16" x 15/16";
- Be Commercial Fire-Rated (meeting Class A flame-spread rating in ASTM standard E1264-08;
- Be White in color;
- Be Constructed of hot-dipped galvanized metal.

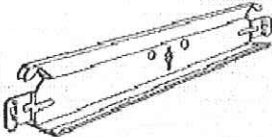
Item#14: Chicago Metallic Item#250-01 Main Runners (or equal), must:

- Be 12' in Length, 1-1/2"H, with 15/16" face;
- Be Commercial Fire-Rated (meeting Class A flame-spread rating in ASTM standard E1264-08;
- Be White in color;
- Be Constructed of hot-dipped galvanized metal;
- Have the same connecting ends as in the image below:



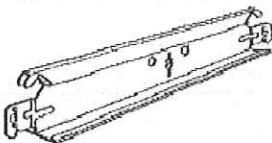
Item#15: Chicago Metallic Item#254-01 4' Tees (or equal), must:

- Be 4' in Length, 1-1/2"H, with 15/16" face;
- Be Commercial Fire-Rated (meeting Class A flame-spread rating in ASTM standard E1264-08;
- Be White in color;
- Be Constructed of hot-dipped galvanized metal;
- Have the same connecting ends as in the image below:



Item#16: Chicago Metallic Item#252-01 2' Tees (or equal), must:

- Be 2' in Length, 1-1/2"H, with 15/16" face;
- Be Commercial Fire-Rated (meeting Class A flame-spread rating in ASTM standard E1264-08;
- Be White in color;
- Be Constructed of hot-dipped galvanized metal;
- Have the same connecting ends as in the image below:



Item#18: Celotex BET-157 2' x 2' Ceiling Tile (or equal), must:

- Be 24" x 24" in size;
- Comply with ASTM E1264, Class A, Type 3 Form 2, square-edged;
- Have a nominal thickness of 5/8"
- Have a factory-applied washable white finish;
- Have a trim edge;
- Must match the Celotex "Baroque" non-directional fissure pattern.

State of West Virginia

VENDOR PREFERENCE CERTIFICATE

Certification and application* is hereby made for Preference in accordance with West Virginia Code, §5A-3-37. (Does not apply to construction contracts). West Virginia Code, §5A-3-37, provides an opportunity for qualifying vendors to request (at the time of bid) preference for their residency status. Such preference is an evaluation method only and will be applied only to the cost bid in accordance with the West Virginia Code. This certificate for application is to be used to request such preference. The Purchasing Division will make the determination of the Resident Vendor Preference, if applicable.

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

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

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

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

Bidder: _____ Signed: _____
Date: _____ Title: _____

*Check any combination of preference consideration(s) indicated above, which you are entitled to receive.

STATE OF WEST VIRGINIA
Purchasing Division

PURCHASING AFFIDAVIT

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

DEFINITIONS:

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

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

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

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

WITNESS THE FOLLOWING SIGNATURE

Vendor's Name: _____

Authorized Signature: _____ Date: _____

State of _____

County of _____, to-wit:

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

My Commission expires _____, 20__.

AFFIX SEAL HERE

NOTARY PUBLIC _____