



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

SOS2012001

PAGE

1

ADDRESS CORRESPONDENCE TO ATTENTION OF:

BUYER 41

304-558-0492

RFQ COPY
TYPE NAME/ADDRESS HERE

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SECRETARY OF STATE

BUILDING 1, ROOM 157K
1900 KANAWHA BOULEVARD, EAST
CHARLESTON, WV
25305-0770 558-6000

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DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
07/21/2011				

BID OPENING DATE:

08/02/2011

BID OPENING TIME

01:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
0001				OPEN END CONTRACT		
				THE WEST VIRGINIA PURCHASING DIVISION, FOR THE AGENCY, THE WEST VIRGINIA SECRETARY OF STATE, IS SOLICITING BIDS TO SUPPLY WEST VIRGINIA UNIFORM APPLICATIONS FOR VOTER REGISTRATION BY MAIL FORMS PER THE ATTACHED SPECIFICATIONS.		
				THIS WILL BE A TWO YEAR CONTRACT WITH NO RENEWALS.		
	1	LS		966-55		
				UNIFORM APPLICATION FOR REGISTRATION		
				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.		
				BANKRUPTCY: IN THE EVENT THE VENDOR/CONTRACTOR FILES FOR BANKRUPTCY PROTECTION, THIS CONTRACT IS AUTOMATICALLY NULL AND VOID, AND IS TERMINATED WITHOUT FURTHER ORDER.		
				PURCHASING CARD ACCEPTANCE: THE STATE OF WEST VIRGINIA CURRENTLY UTILIZES A VISA PURCHASING CARD PROGRAM WHICH IS ISSUED THROUGH A BANK. THE SUCCESSFUL VENDOR 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.		

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE

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

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

1. Awards will be made in the best interest of the State of West Virginia.
 2. The State may accept or reject in part, or in whole, any bid.
 3. Prior to any award, the apparent successful vendor must be properly registered with the Purchasing Division and have paid the required \$125 fee.
 4. All services performed or goods delivered under State Purchase Order/Contracts are to be continued for the term of the Purchase Order/Contracts, contingent upon funds being appropriated by the Legislature or otherwise being made available. In the event funds are not appropriated or otherwise available for these services or goods this Purchase Order/Contract becomes void and of no effect after June 30.
 5. Payment may only be made after the delivery and acceptance of goods or services.
 6. Interest may be paid for late payment in accordance with the *West Virginia Code*.
 7. Vendor preference will be granted upon written request in accordance with the *West Virginia Code*.
 8. The State of West Virginia is exempt from federal and state taxes and will not pay or reimburse such taxes.
 9. The Director of Purchasing may cancel any Purchase Order/Contract upon 30 days written notice to the seller.
 10. The laws of the State of West Virginia and the *Legislative Rules* of the Purchasing Division shall govern the purchasing process.
 11. Any reference to automatic renewal is hereby deleted. The Contract may be renewed only upon mutual written agreement of the parties.
 12. **BANKRUPTCY:** In the event the vendor/contractor files for bankruptcy protection, the State may deem this contract null and void, and terminate such contract without further order.
 13. **HIPAA BUSINESS ASSOCIATE ADDENDUM:** The West Virginia State Government HIPAA Business Associate Addendum (BAA), approved by the Attorney General, is available online at www.state.wv.us/admin/purchase/vrc/hipaa.htm and is hereby made part of the agreement. Provided that the Agency meets the definition of a Cover Entity (45 CFR §160.103) and will be disclosing Protected Health Information (45 CFR §160.103) to the vendor.
 14. **CONFIDENTIALITY:** The vendor agrees that he or she will not disclose to anyone, directly or indirectly, any such personally identifiable information or other confidential information gained from the agency, unless the individual who is the subject of the information consents to the disclosure in writing or the disclosure is made pursuant to the agency's policies, procedures, and rules. Vendor further agrees to comply with the Confidentiality Policies and Information Security Accountability Requirements, set forth in <http://www.state.wv.us/admin/purchase/privacy/noticeConfidentiality.pdf>.
 15. **LICENSING:** Vendors must be licensed and in good standing in accordance with any and all state and local laws and requirements by any state or local agency of West Virginia, including, but not limited to, the West Virginia Secretary of State's Office, the West Virginia Tax Department, and the West Virginia Insurance Commission. The vendor must provide all necessary releases to obtain information to enable the director or spending unit to verify that the vendor is licensed and in good standing with the above entities.
 16. **ANTITRUST:** In submitting a bid to any agency for the State of West Virginia, the bidder offers and agrees that if the bid is accepted the bidder will convey, sell, assign or transfer to the State of West Virginia all rights, title and interest in and to all causes of action it may now or hereafter acquire under the antitrust laws of the United States and the State of West Virginia for price fixing and/or unreasonable restraints of trade relating to the particular commodities or services purchased or acquired by the State of West Virginia. Such assignment shall be made and become effective at the time the purchasing agency tenders the initial payment to the bidder.
- I certify that this bid is made without prior understanding, agreement, or connection with any corporation, firm, limited liability company, partnership, or person or entity submitting a bid for the same material, supplies, equipment or services and is in all respects fair and without collusion or Fraud. I further certify that I am authorized to sign the certification on behalf of the bidder or this bid.

INSTRUCTIONS TO BIDDERS

1. Use the quotation forms provided by the Purchasing Division. Complete all sections of the quotation form.
2. Items offered must be in compliance with the specifications. Any deviation from the specifications must be clearly indicated by the bidder. Alternates offered by the bidder as **EQUAL** to the specifications must be clearly defined. A bidder offering an alternate should attach complete specifications and literature to the bid. The Purchasing Division may waive minor deviations to specifications.
3. Unit prices shall prevail in case of discrepancy. All quotations are considered F.O.B. destination unless alternate shipping terms are clearly identified in the quotation.
4. All quotations must be delivered by the bidder to the office listed below prior to the date and time of the bid opening. Failure of the bidder to deliver the quotations on time will result in bid disqualifications: Department of Administration, Purchasing Division, 2019 Washington Street East, P.O. Box 50130, Charleston, WV 25305-0130
5. Communication during the solicitation, bid, evaluation or award periods, except through the Purchasing Division, is strictly prohibited (W.Va. C.S.R. §148-1-6.6).



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Department of Administration
Purchasing Division
2019 Washington Street East
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DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
07/21/2011				

BID OPENING DATE: 08/02/2011 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
NOTICE						
A SIGNED BID MUST BE SUBMITTED TO:						
DEPARTMENT OF ADMINISTRATION PURCHASING DIVISION BUILDING 15 2019 WASHINGTON STREET, EAST CHARLESTON, WV 25305-0130						
THE BID SHOULD CONTAIN THIS INFORMATION ON THE FACE OF THE ENVELOPE OR THE BID MAY NOT BE CONSIDERED:						
SEALED BID						
BUYER: GUY NISBET						
RFQ. NO.: SOS2012001						
BID OPENING DATE: 08/02/2011						
BID OPENING TIME: 1:30 PM						
PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID:						

CONTACT PERSON (PLEASE PRINT CLEARLY):						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
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07/21/2011				

BID OPENING DATE:

08/02/2011

BID OPENING TIME

01:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
***** THIS IS THE END OF RFQ SOS2012001 ***** TOTAL: _____						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
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200,000 forms delivered to the West Virginia Secretary of State plus supplemental orders to counties and other groups to be available over the contract period. The initial print run to be ordered and delivered shall be 50,000 forms, with the remaining blocks to be ordered in 50,000 partials upon the request of the Secretary of State. The bid will also consist of a price per 1,000 to supply counties, other groups, and the potential needs of the Secretary of State in addition to the 200,000 unit contract amount. The first delivery will take place within one month of awarding the contract.

Contract for printing and delivering the base order, and for printing, stocking, and supplying on order the "West Virginia Uniform Application for Registration by Mail" form, effective upon award and ending 2 years later.

Please bid:

200,000 forms delivered to Secretary of State, Charleston, WV. 50,000 unit initial order, remainder ordered in 50,000 unit blocks. Other orders by counties, organizations, and subsequent orders by Secretary of State in 1,000 unit increments.

Forms to be printed, cut, and produced according to the following:

- Paper 90# white index
- Overall size = 8 ½ inches by 11 inches, including ½ inch perforated strip top and bottom with high-quality, self-sticking adhesive strip (with peel-off protection strip).
- Center perforated bi-fold mailer.
- Packaged in units of 200 forms.
- Include USPS Elections Mail logo according to attached specifications.

Printing: black ink, two-sided, camera ready copy provided, **DRAFT** sample attached, final copy available at bid opening. Voter registration card must meet the requirements found in West Virginia Code §3-2-5, any subsequent federal requirements, and USPS Elections Mail requirements.

Additional stock to be maintained throughout contract period for direct purchase by counties or other groups. Counties and other groups will use their own purchasing procedures.

No substitutions.

OPEN ENDED TWO YEAR CONTRACT

West Virginia Voter Registration Application

Please follow these steps to complete this form. (Please PRINT in blue or black ink.)

Box 1: Indicate if this is a new registration, party change, or name/address change.

Box 2.* Provide your full legal name, including any suffix (Jr., Sr., III, etc.).

Box 3.* Provide your date of birth (MM/DD/YYYY). You must be at least seventeen years old to apply to register to vote and will be eighteen on or before the next general election.

Box 4.* Enter your WV driver's license or DMV-issued non-driver's ID number. If you do not have a WV driver's license or DMV-issued ID, enter the last four digits of your social security number. If you do not have a driver's license, DMV ID or a social security number, enter the word "NONE". An ID number will be assigned to you.

Box 5.* Line 1 Provide your legal residence address (do not enter a P.O. Box.)* Include the name of the county where you reside.
Line 2 Provide your mailing address, if different from your legal residence address.

Box 6: Provide an email address.

Box 7: Indicate your gender.

Box 8: Enter the address where you were last registered to vote and the name under which you were registered.

Box 9: Provide a telephone number.

Box 10: Select your party choice. If you do not make a selection, you will be registered as "unaffiliated." Some political parties may allow voters not affiliated with their party to cast a ballot in their party's primary elections.

Box 11: Check if you would like to be contacted about serving as a poll worker.

Box 12.* Carefully read the statement. If the statement is true, sign and date where indicated. Knowingly providing false information is perjury, punishable on conviction by confinement in a penitentiary for not less than one nor more than ten years.

QUESTIONS?
Contact your local county clerk or go to www.wvsos.com
Call toll-free
1-866-767-8683
West Virginia Secretary of State

REGISTRATION DEADLINE: You may submit a registration application at any time. However, in order to vote in an election, you must register twenty-one (21) days before that election.

For county clerk contact information, including mailing addresses, please visit www.wvsos.com.

If you are registering to vote for the first time in West Virginia, or for the first time in this county and you have not cast a vote in a federal election in this state, you must submit a copy of a current and valid ID with this application or the first time you vote. To submit with this form, include: 1) a copy of a current and valid photo ID, or 2) a copy of a current utility bill, bank statement, government check, paycheck or other government document that shows your name and current residence address.

**Required information. Your registration cannot be processed without this information.*

***Overseas citizens who no longer reside in the U.S. may enter the last address at which they legally resided. Uniformed service voters should check with the Federal Voting Assistance Program for current instructions: www.fvap.gov.*

Are you a citizen of the United States of America?				If you answered "no" to either of these questions, do not complete this form.		FOR OFFICIAL USE	
Will you be 18 years of age on or before the next general election?				<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO		PRECINCT:	
1 <input type="checkbox"/> NEW REGISTRATION <input type="checkbox"/> PARTY CHANGE <input type="checkbox"/> NAME/ADDRESS CHANGE				3* DATE OF BIRTH		VOTER ID:	
2* LAST NAME FIRST NAME MIDDLE NAME SUFFIX (Circle)				4* DRIVER'S LICENSE # or DMV ISSUED ID #:		ID CONFIRMATION:	
				Jr. Sr. II III IV V			
5* LEGAL RESIDENCE (HOUSE NUMBER/STREET NAME, CITY/ZIP)				COUNTY		DATE RECEIVED:	
MAILING ADDRESS (IF DIFFERENT FROM LEGAL RESIDENCE ADDRESS)				6 EMAIL			
8 YOUR NAME AND ADDRESS WHERE YOU LAST REGISTERED TO VOTE				7 GENDER <input type="checkbox"/> M <input type="checkbox"/> F			
				9 TELEPHONE (Office Use)			
10 PARTY: <input type="checkbox"/> DEMOCRATIC <input type="checkbox"/> REPUBLICAN <input type="checkbox"/> MOUNTAIN <input type="checkbox"/> UNAFFILIATED <input type="checkbox"/> OTHER _____				11 <input type="checkbox"/> I WOULD LIKE TO BE A POLL WORKER			
12* I swear or affirm that:				DATE: _____			
<ul style="list-style-type: none"> I am a citizen of the United States; I am at least 17 years of age and will be 18 on or before the next general election; My legal West Virginia residence address is listed in Box 5; I am not under conviction, probation or parole for election bribery, treason, or any felony; and I have not been judged incompetent by a court of competent jurisdiction. 				SIGNATURE _____		PRECINCT:	

ITEMS MARKED WITH AN "*" ARE REQUIRED FOR PROCESSING THIS APPLICATION.


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[Home](#) > [About USPS & News](#) > [Forms & Publications](#) > [Postal Periodicals and Publications](#) > [Publications](#) > Publication 631 - Official Election Mail Graphic Guidelines and Logos

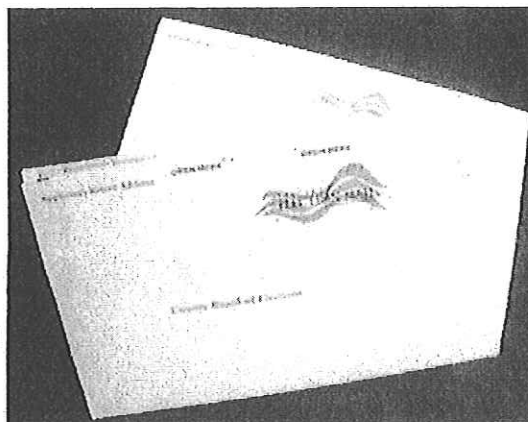
Publication 631 - Official Election Mail Graphic Guidelines and Logos

January 2008

The Official Election Mail logo is a unique registered trademark designed exclusively for inclusion in the design of Official Election Mail. The United States Postal Service created the logo in cooperation with the Joint Election Official Liaison Committee to help federal, state, and local government election officials carry out their responsibilities under the National Voter Registration Act of 1993. The logo design features an interpretation of the stars and stripes of the American flag, and the words "Official Election Mail," clearly visible over the designation - "Authorized by the U.S. Postal Service."

We intend for this guide to provide information regarding the proper usage of the Official Election Mail logo in accordance with Postal Service rules and regulations, and to ensure mail containing the logo can be processed in an efficient and cost-effective manner. Correct usage of the logo by election officials helps to ensure the intent and credibility of this symbol remain intact.

The Official Election Mail logo can be used on any mailpiece created by an election official that is mailed to or from a citizen of the United States for the purpose of participating in the voting process. This includes balloting materials, voter registration cards, absentee applications, polling place notifications, and voter reply mail. The logo can be used on all classes of mail and all processing categories however, it is not intended to upgrade service or substitute for postage.



When the Official Election Mail logo appears on a mailpiece, voters recognize the mail as important and distinct from partisan political mailings. Additionally, the logo serves to identify Official Election Mail for Postal Service workers and distinguish it from the thousands of other mailpieces that are processed daily.

Since this logo is a registered trademark, it is important for election officials to:

- Read and comply with the requirements for its use.
- Schedule a free consultation with a postal mailpiece design analyst to determine how to incorporate the logo into the design of Official Election Mail.

To find an analyst in your area, go online to pe.usps.gov. Click on Mailpiece Design, then, Mailpiece Design Analyst, then Mailpiece Design Analyst Lookup Tool.

Conditions of use:

The Postal Service grants a limited license to use the Official Election Mail logo only under the conditions set forth in 1 through 4 of this section. The Postal Service views any use of the logo inconsistent with these conditions as an infringement of its intellectual property rights.

1. This license is granted only to federal, state, and local voter registration and election officials. Use by any other person or entity is not approved or licensed and will be considered an infringement of the rights of the Postal Service.
2. The official election mail logo must be used only on official election mail, mailed under the authority of an election official. It may not be used on any partisan mailings.
3. The Postal Service reserves the right to obtain information regarding the scope of use, to seek the termination of all unauthorized uses, and to pursue all legal remedies available to it.
4. Use of the logo must conform strictly to the guidelines set forth in this guide. Placement of the logo on a mailpiece must not interfere with the postage area, address area, return address area, or barcode clear zone.

You can find more information about classes of mail, preparation requirements, rules, regulations and policies online at pe.usps.com.

Direct your questions on mailpiece design and placement of the Official Election Mail logo to a mailpiece design analyst. To find an analyst in your area, go to pe.usps.gov. Click on *Mailpiece Design*, then, *Mailpiece Design Analyst*, then *Mailpiece Design Analyst Lookup Tool*.

Direct your questions on the correct reproduction of the Official Election Mail logo to:

BRAND EQUITY AND DESIGN
475 L'ENFANT PLAZA SW RM 10653
WASHINGTON DC 20260-3100
E-mail: imagereq@email.usps.gov

Small Use

Use the small application only on labels, postcards, and envelopes that do not exceed 4 1/8" x 9 1/2" (Standard #10 envelope).



Medium Use

Use the medium application on small-to medium-sized envelopes that exceed 4 1/8" x 9 1/2".



Large Use

Use the large application on placards and all other envelopes, which are large and oversized.



Color and Print Specifications

The following apply:

- Print the Official Election Mail logo using one of these color options:
 - Black.
 - PMS 294 Blue.
 - PMS 485 Red.
- Print the logo only on a light colored



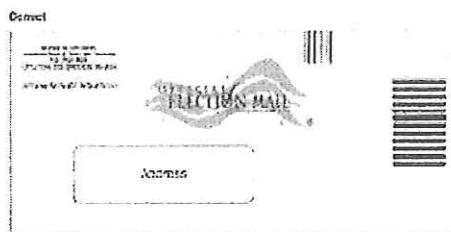
background.

- Print the stripes/waves at 40 percent of the selected color.

Placement

On envelopes, postcards, and labels:

- Place the Official Election Mail logo between the return address and the indicia or postage stamp on the front of the envelope.
- Place the logo vertically from the top edge of the envelope to the top edge of the address area.
- Maintain the clearance area around the logo to keep an identification of the mailpiece as it goes through the system.
- Do not place anything above the logo.



Envelope



Postcard



Label

Clearance Area - All uses

For the small, medium, and large logo, use a minimum 1X clearance area around the entire logo. Do not place other graphics inside the clearance area, this includes the address, postage, and return information. There must also be at least 1X clearance area between the top of the logo and top of the envelope, postcard, or label. The clearance area allows for proportional resizing of the logo.

Incorrect



Envelope



Postcard



Label



Label



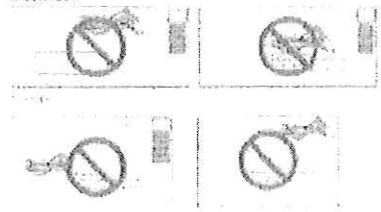
Clearance area

Reproduction — USPS Official Election Mail Logo

Reproduction of the Official Election Mail logo by the public is prohibited. The logo is a registered trademark of the United States Postal Service. The logo is a registered trademark of the United States Postal Service. The logo is a registered trademark of the United States Postal Service.

SMALL USE The logo is a registered trademark of the United States Postal Service.**MEDIUM USE** The logo is a registered trademark of the United States Postal Service.**LARGE USE** The logo is a registered trademark of the United States Postal Service.**LOGO COLORS** The logo is a registered trademark of the United States Postal Service.**Color use****CORRECT USE****PLACEMENT OF LOGO**

The logo is a registered trademark of the United States Postal Service. The logo is a registered trademark of the United States Postal Service. The logo is a registered trademark of the United States Postal Service.

INCORRECT

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Postal Inspectors
Preserving the Trust



Inspector General
Promoting Integrity



Bid Submission: **SOS2012001**

Mail in Voter Registration Cards

West Virginia Secretary of State

Vendor: _____

Item	Unit Lot	Price per Lot Unit		Estimated Quantity		Total
1	50,000	_____	X	4	=	_____
2	1,000	_____	X	30	=	_____
				Total:		_____

Vendor Representative

Date

Instruction to bidders:

Multiply "price per lot unit" by the estimated quantity and enter the results in the "Total" for each Unit Lot. Then total items 1 & 2 totals.

* Quantities listed in this Solicitation are approximations only, based on estimates supplied by the Agency. It is understood and agreed that the Contract shall cover the quantities actually ordered for delivery during the term of the Contract, whether more or less than quantities shown. *

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 owed is an amount greater than one thousand dollars in the aggregate.

DEFINITIONS:

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

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

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

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

WITNESS THE FOLLOWING SIGNATURE

Vendor's Name: _____

Authorized Signature: _____ Date: _____

State of _____

County of _____, to-wit:

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

My Commission expires _____, 20__.

AFFIX SEAL HERE**NOTARY PUBLIC** _____