



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
 VET012166

PAGE
 1

ADDRESS CORRESPONDENCE TO ATTENTION OF:
 TARA LYLE
 304-558-2544

RFQ COPY
 TYPE NAME/ADDRESS HERE

VENDOR

SHIP TO

DIVISION OF VETERANS AFFAIRS
 ATTENTION: C. PRATHER
 SUITE 101
 1321 PLAZA EAST
 CHARLESTON, WV
 25301-1400 558-3661

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
05/03/2012				
BID OPENING DATE: 06/06/2012		BID OPENING TIME 01:30PM		

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	LS		020-33		
MINI-TRACK & SKID-STEER LOADER & BACKHOE W/ATTACH THE WEST VIRGINIA PURCHASING DIVISION FOR THE AGENCY, WV DIVISION OF VETERANS ASSISTANCE, IS SOLICITING BIDS TO PROVIDE ONE (1) MINI-TRACK LOADER, (1) ONE SKID-STEER LOADER AND (1) ONE BACKHOE, ALL WITH ATTACHMENTS, FOR THE WV VETERANS CEMETERY LOCATED IN DUNBAR, WV, PER THE ATTACHED SPECIFICATIONS. INQUIRIES: WRITTEN QUESTIONS WILL BE ACCEPTED UNTIL CLOSE OF BUSINESS ON 05/21/2012. QUESTIONS MAY BE SENT VIA USPS, FAX, COURIER OR E-MAIL. IN ORDER TO ASSURE NO VENDOR RECEIVES AN UNFAIR ADVANTAGE, NO SUBSTANTIVE QUESTIONS WILL BE ANSWERED ORALLY. IF POSSIBLE, E-MAIL QUESTIONS ARE PREFERRED. ADDRESS INQUIRIES TO: TARA LYLE DEPARTMENT OF ADMINISTRATION PURCHASING DIVISION 2019 WASHINGTON STREET, EAST CHARLESTON, WV 25305 FAX: 304-558-4115 EMAIL: TARA.L.LYLE@WV.GOV						

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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<p>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 TO THE SPECIFICATIONS OF THE BID AND CONTRACT HEREIN.</p> <p>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.</p> <p>THE MODEL/BRAND/SPECIFICATIONS NAMED HEREIN ESTABLISH THE ACCEPTABLE LEVEL OF QUALITY ONLY AND ARE NOT INTENDED TO REFLECT A PREFERENCE OR FAVOR ANY PARTICULAR BRAND OR VENDOR. VENDORS WHO ARE BIDDING ALTERNATES SHOULD SO STATE AND INCLUDE PERTINENT LITERATURE AND SPECIFICATIONS. FAILURE TO PROVIDE INFORMATION FOR ANY ALTERNATES MAY BE GROUNDS FOR REJECTION OF THE BID. THE STATE RESERVES THE RIGHT TO WAIVE MINOR IRREGULARITIES IN BIDS OR SPECIFICATIONS IN ACCORDANCE WITH SECTION 148-1-4(F) OF THE WEST VIRGINIA LEGISLATIVE RULES AND REGULATIONS.</p> <p>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.</p> <p>VENDOR PREFERENCE CERTIFICATE</p> <p>THIS TEAM EXHIBIT HAS BEEN REPLACED BY THE ONLINE VERSION WHICH IS AVAILABLE HERE:</p>						

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<p>HTTP://WWW.STATE.WV.US/ADMIN/PURCHASE/VRC/VENPREF.PDF</p> <p>NOTICE</p> <p>A SIGNED BID MUST BE SUBMITTED TO:</p> <p>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:-----TL/32-----</p> <p>RFQ. NO.:-----VET012166-----</p> <p>BID OPENING DATE:-----06/06/2012-----</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>						

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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 VET012166 ***** TOTAL: _____						

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VET012166

The WV Department of Veteran's Assistance is soliciting bids for a mini-track loader with attachments, a skid-steer loader with attachments and a backhoe with attachments for the Donel Kinnard Memorial State Veterans Cemetery in Dunbar, WV.

The equipment must be manufactured for commercial use. All items must be new. Damaged or defective items must be replaced at no additional expense to the WV Department of Veterans Assistance.

If bidding "or equal" brands, Vendors should attach manufacturer's literature documenting that it meets the requirements stated in the specifications. If vendors are bidding equivalent products, product literature should be included with your bid.

All items are to be FOB Destination. Freight or delivery prices should be included in the bid price. Items to be delivered to the Donel Kinnard Memorial State Veterans Cemetery located at 130 Academy Drive Dunbar, WV 25064. Delivery should occur 30 days after the purchase order issued to the successful vendor.

The contract may be awarded to one or multiple vendors, depending what is in the best interest of the State, with the lowest bid meeting all of the specifications with the most complete bid. An authorized signature must be in the bid.

See additional specifications.

STATE OF WEST VIRGINIA
PURCHASE CONTINUATION SHEET

Page ___ of ___ Pages	Requisition / P.O. No.: VET012166
File: _____	Acct. No.: _____
Spending Unit: Veterans Assistance	

Vendor: _____ P.O. Date: _____

Item No.	Quantity	Description	Unit Price	Amount
1	1	<p>MINI-TRACK LOADER, Bobcat MT55, or equal</p> <p>ENGINE: 3 cylinder, liquid cooled diesel, appx. 25 hp Must meet EPA Tier IV Emission Standards Spark arrestor muffler, dual element air cleaner and glow plug cold weather assist standard. Engine coolant shall include propylene glycol anti-freeze with freeze protection to -34 degrees 12 volt battery with minimum of 530 cold-cranking amps 40 amp alternator 12 volt starter Glow plug starting aid</p> <p>WORKING RANGE: Angle of departure to be appx 23 degrees Ground clearance must be 4.5 inches Turning radius with standard bucket appx 55 inches Track tread width appx 7 inches Width over tracks appx 36 inches Width over bucket appx 36 inches</p> <p>PERFORMANCE: Rated operating capacity - SAE appx 550 lbs Tipping load - SAE rated appx 1700 lbs Forward speed appx 3.5 mph Reverse speed appx 1.5 mph Parking brake Reverse stop panel</p> <p>DRIVE SYSTEM: Fully hydrostatic rubber track drive Transmission shall be a direct drive of hydrostatic motor to main undercarriage drive sprocket</p> <p>HYDRAULIC SYSTEM: Pump Type - gear type capable of providing 12 gpm for bucket, lift arm and attachment operation. System pressure at the quick couplers shall be appx 2900 psi Standard auxiliary hydraulics. Shall include flush face style quick couplers. Standard continuous flow shutoff lever Control valve -three spool, open center, series parallel configuration. Includes lift (with float detent), tilt and front auxiliary hydraulic spools. Double-acting cylinders. Tilt cylinders shall have cushioning feature on dump. Standard hydraulic oil cooler Cylinders shall meet the following minimum specifications: Lift - 2 cylinders, bore diameter 2.25", rod diameter 1.25", stroke 14.16" Tilt - 1 cylinder, bore diameter 3", rod diameter 1.25", stroke 10.56"</p>		

**STATE OF WEST VIRGINIA
PURCHASE CONTINUATION SHEET**

Page ___ of ___ Pages

Requisition / P.O. No.:
VET012166

File: _____

Acct No.: _____

Vendor: _____ P.O. Date: _____

Spending Unit:
Veterans Assistance

Item No.	Quantity	Description	Unit Price	Amount
2	1	<p>CONTROLS: Vehicle Steering - Direction and speed controlled by one multi-function handle Hydraulic Functions - lift and tilt functions controlled by one hand lever. (Front auxiliary hydraulics (standard equipment) controlled by fore/aft movement of hand lever Engine speed - controlled by hand lever throttle Engine starting and shutdown functions shall be controlled electrically with the key switch.</p> <p>Fuel tank capacity 7 gal. minimum</p> <p>INSTRUMENTATION: Loader conditions shall be monitored by a combination of gauges and warning lights in the operator's line of sight that monitor the following functions: Engine coolant temperature Engine oil pressure Hourmeter Hydraulic Oil temperature System voltate Fuel level</p> <p>Must have easy access to all lift arm greasepoints Rod end of the tilt cylinder shall have a replaceable bushing Standard safety equipment</p> <p>Attachments: Standard ride on platform Standard 36" bucket</p> <p>SKID-STEER LOADER, Bobcat Model S185, or equal ENGINE: Liquid cooled 4 cylinder engine Emissions Tier (EPA) Interim Tier 4 Diesel engine 61 hp minimum</p> <p>Appx 24 gal fuel tank</p> <p>HYDRAULIC SYSTEM: System relief quick couplers, 330 psi Auxiliary standard flow appx 16.9 gpm Auxiliary high flow appx 26.4 gpm Hydraulic oil cooler shall be standard equipment Lift circuit port relief valve shall be standard equipment</p> <p>PERFORMANCE: Rated operating capacity 1850 lbs Tipping load appx 4076 lbs Travel speed appx 7.3 mph</p>		

**STATE OF WEST VIRGINIA
PURCHASE CONTINUATION SHEET**

Page ___ of ___ Pages

Requisition / P.O. No.:
VET012166

File: _____ Acct. No.: _____

Vendor: _____ P.O. Date: _____

Spending Unit:
Veterans Assistance

Item No.	Quantity	Description	Unit Price	Amount
		Turning radius 78" minimum Wheelbase 40" minimum Adjustable seat Back-up alarm BICS System Cab enclosure Cab heater Lift-arm support Seat belt Hydraulic Bucket Positioning Spark arrestor muffler Front and rear windshield wipers Dome light standard Front and rear operating lights Appx 24 gal fuel tank capacity DRIVE SYSTEM: Shall have a fully hydrostatic four-wheel drive Transmission shall be infinitely variable tandem hydrostatic piston pumps, driving two fully reversing hydrostatic drive motors Hydrostatic piston pumps shall be belt driven and shall not require any adjustments Final drive chains shall be pre-stressed #80 HSOC endless roller chain (no master link) Two chains per each side of the loader with no idler sprocket and shall not require periodic adjustments Axle seals shall be protected by the wheel hub and shall never need greasing Parking brake shall be a positive engagement wedge and lobe Tires: 10-16.5, 8 PR, Standard duty tires OPERATOR CONTROLS: Loader direction, steering and travel speed shall be controlled by two independent steering levers Loader lift and tilt functions shall be controlled by separate foot pedals Engine speed shall be controlled by a hand lever or foot pedal Parking brake shall be controlled by a finger operated rocker switch on control panel Engine starting and shutdown functions shall be controlled electrically with a key switch. ATTACHMENTS: All attachments shall be mounted on a quick-change mechanism that allows for changes by experienced operator in two minutes. A single control unit shall be provided which will control all attachments		

**STATE OF WEST VIRGINIA
PURCHASE CONTINUATION SHEET**

Page ____ of ____ Pages	Requisition / P.O. No.: VET012166
File: _____	Acct. No.: _____
Sponsoring Unit: Veterans Assistance	

Vendor: _____ P.O. Date: _____

Item No.	Quantity	Description	Unit Price	Amount
3	1	<p>ATTACHMENTS REQUESTED;</p> <p>Pallet fork Auger, 24" Auger, 36" Grapple, 55" with general purpose bucket Sweeper, 72" with gutter brush Brush saw, 28" diameter minimum Rotary Cutter, 72" standard flow Chipper 9" feeder opening Reversible tool steel blades Discharge chute with adjustable deflector Snowblower 72" minimum width 14" minimum auger diameter 270 degree chute rotation Hydraulic deflector control</p> <p>BACKHOE, John Deere Model 310J, or equal 72 hp 4.5L diesel engine minimum Altitude compensating turbocharged engine MFWD & Powershift 4-speed transmission 19.5L-24" 10PR rear tires 12-16.5" 8PR front tires Cab with dual doors Mechanical suspension fabric seat Single battery Extendible dipperstick w/5 function hydraulics and standard stabilizers W/cam lock reversible pads Loader with RTD W/2 function hydraulics 1000 lb front counterweight Multi brand quick coupler Hydrostatic power and emergency steering Power assisted, hydraulic wet disc brakes, self-adjusting and self-equalizing Standard Backhoe controls Standard Loader controls Appx 41 gal fuel tank</p> <p>ATTACHMENTS:</p> <p>36" Bellhole & Cemetery Bucket 2 year warranty required</p> <p>Training video to be supplied for each piece of equipment</p>		

VET012166 - Mini-Track Loader, Skid-Steer, Backhoe - Bid Form

Item #	Description	Estimated Quantity	Unit Price	Extended Amount
1	Mini-Track Loader, bobcat MT55, or equal	1		
	<i>Attachments per specifications for Mini-Track Loader</i>			
	Standard Ride on Platform for Mini-Track Loader or equal	1		
	Standard 36" Bucket for Mini-Track Loader or equal	1		
2	Skid-Steer Loader, Bobcat Model S185, or equal	1		
	<i>Attachments per specifications for Mini-Track Loader</i>			
	Pallet Fork or equal	1		
	Auger 24" or equal	1		
	Auger 36" or equal	1		
	Grapple 55" with general purpose bucket or equal	1		
	Sweeper 72" with gutter brush or equal	1		
	Brush saw 28" or equal	1		
	Rotary Cutter 72" standard flow or equal	1		
	Chipper 9" feeder opening - per the specifications	1		
	Snowblower per the specifications	1		
3	Backhoe, John Deere Model 310J, or equal	1		
	<i>Attachments per specifications for Mini-Track Loader</i>			
	36" Bellhole and cemetery bucket or equal	1		
	Failure to use this form may result in disqualification		GRAND TOTAL:	\$
	Bidder / Vendor Information:			
	Name: _____			
	Address: _____			
	Phone# : _____			
	Email Address: _____			
	Authorized Signature: _____			

RFQ No. VET 012166

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 _____

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.