

KANAWHA COUNTY COMMISSION

P. O. BOX 3627
407 VIRGINIA STREET, EAST
CHARLESTON, WEST VIRGINIA 25336
(304) 357-0115

Request for Proposals

Re: Refunding of Lease-Revenue Bonds of the Kanawha County Building Commission
for the Benefit of the County Commission of Kanawha County

Date: August 30, 2010

Proposal Due Date: Proposals must be received on or before Thursday, September 16, 2010, at
12:00 p.m. in the Kanawha County Commission Purchasing Office, 407 Virginia
Street, East, Third Floor, Room 229, Charleston, WV 25301 (P.O. Box 3627,
Charleston, WV 25336)

INSTRUCTIONS TO BIDDERS:

***PLEASE USE THIS FORM AS THE COVER SHEET FOR YOUR PROPOSAL**

1. Proposals must be received in a sealed envelope with the date and time the proposals are due opening on the outside of the envelope. Faxed proposals will not be accepted.
2. All proposals should be signed and in ink, showing all facts and the total amount of the bid.
4. The Kanawha County Commission reserves the right to accept or reject in part or in whole any proposal submitted, whichever is in the best interest of the County.

Item No.	Description
1	Request for Proposals for Refunding of Lease-Revenue Bonds of the Kanawha County Building Commission for the Benefit of the County Commission of Kanawha County

Vendor Name: _____

Signature: _____

Address: _____

Date: _____

Telephone: _____

E-Mail Address: _____

Fax: _____

ATTENTION VENDORS

Have you registered for the Kanawha County Commission Automatic Vendor E-Mail Notification System for bid specifications? Register by visiting our website @ www.kanawhacounty.com/purchasing/alerts.

**REQUEST FOR PROPOSALS FOR
REFUNDING OF LEASE-REVENUE BONDS
OF THE KANAWHA COUNTY BUILDING COMMISSION
FOR THE BENEFIT OF THE COUNTY COMMISSION OF KANAWHA COUNTY**

The County Commission of Kanawha County (the "County Commission") is requesting proposals from investment banking firms, banks and other qualified entities in connection with the refunding of the Kanawha County Building Commission Judicial Annex Lease-Revenue Bonds, Series 2003A and Parking Garage Lease-Revenue Refunding Bonds, Series 2003B (collectively, the "Series 2003 Bonds") through the issuance by the Kanawha County Building Commission (the "Building Commission") of its lease-revenue refunding bonds (the "Refunding Bonds"). The proceeds of the Series 2003 Bonds were used to finance or refinance all or a portion of the costs of improving the real estate, together with the improvements thereon, located in the City of Charleston, Kanawha County, West Virginia, and bordered by Virginia, Court, Quarrier and Goshorn Streets, including without limitation the Kanawha County Judicial Annex and adjacent parking garage situate thereon (the "Property"). The Property is currently owned by the Building Commission and leased to the County Commission. The Building Commission will execute a deed of trust encumbering the Property to secure the repayment of the Refunding Bonds and will then lease the Property to the County Commission. The County Commission will be required pursuant to the provisions of the subject lease to make lease payments equal to the debt service on the Refunding Bonds. The County Commission will have the right at least once each fiscal year to terminate the lease without any further obligation thereunder after such termination.

The source of repayment will be lease payments to be made by the County Commission. The County Commission desires an amortization period for the Refunding Bonds that is no longer than the amortization periods for the respective Series 2003 Bonds. The Refunding Bonds will be "bank qualified" meaning that they will be a "qualified tax-exempt obligation" for purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

DESCRIPTION OF BONDS TO BE REFUNDED.

The Kanawha County Building Commission Lease-Revenue Bonds, Series 2003A (the "Series 2003A Bonds") were issued on December 10, 2003 in the original principal amount of \$9,335,000. The outstanding balance of the Series 2003A Bonds as of August 1, 2010, was \$7,265,000, \$385,000 of which will mature on December 1, 2010.

The Kanawha County Building Commission Lease-Revenue Bonds, Series 2003B (the "Series 2003B Bonds") were issued on December 29, 2003 in the original principal amount of \$1,510,000. The outstanding balance of the Series 2003B Bonds as of August 1, 2010, was \$1,115,000, \$75,000 of which will mature on December 1, 2010.

The outstanding Series 2003 Bonds maturing on and after December 1, 2011 are subject to optional redemption on and after December 1, 2010, at redemption price equal to 100% of the principal amount of the Series 2003 Bonds being redeemed plus interest thereon to the dated fixed for redemption.

Proposals responsive to this request should contain at a minimum the following information:

1. The interest rate or rates on the proposed Refunding Bonds;
2. Redemption premiums or other prepayment penalties, if any, that would be applicable to the Refunding Bonds;
3. The proposed maturity date or dates, aggregate principal amount and amortization schedule for the proposed Refunding Bonds. The County Commission would like to receive proposals for an amortization period for the Refunding Bonds that is no longer than the amortization periods for the respective Series 2003 Bonds;
4. A comparison of the debt service requirements of the Refunding Bonds to the debt service requirements of the Series 2003 Bonds to be refunded (the debt service schedules for the respective Series 2003 Bonds are attached hereto);
5. Whether a debt service reserve fund will be required with respect to the Refunding Bonds and, if required, the amount of the debt service reserve fund;
6. A list of all professionals, e.g. underwriter's or bank's counsel, etc. to be involved in the issuance of the proposed Refunding Bonds, assuming Bond Counsel has been retained by the Building Commission;
7. A list of all costs of issuance relating to the issuance of the proposed Refunding Bonds, excluding the fees and expenses of Bond Counsel which has already been retained by the Building Commission;
8. Approximate time schedule for the issuance of the proposed Refunding Bonds;
9. Whether payments will be made on the Refunding Bonds monthly, quarterly, semi-annually or otherwise;
10. How long the proposed interest rate or rates will remain available and/or method by which such interest rate or rates will be adjusted to reflect changes in market interest rates; and
11. Any other terms or conditions of the proposal.

Proposals should be submitted in a manner to be received by the County Commission at 407 Virginia Street, East, Charleston, West Virginia 25301, Attention: Jerie Whitehead, Purchasing Director, no later than 12:00 noon on Thursday, September 16, 2010. Questions and requests for information relating to this Request for Proposals should be directed to Jerie Whitehead, Purchasing Director, at (304) 357-0115. Three (3) copies of the proposal are requested.

Nether the County Commission nor the Building Commission will be responsible for any expenses incurred in the preparation and/or presentation of the proposals and oral interviews, if conducted, or for the disclosure of any information or material received in connection with this solicitation, whether by negligence or otherwise. The County Commission and Building Commission reserve the right to reject any and all proposals, with or without cause, and waive any irregularities or informalities in the proposals. The County Commission and Building Commission further reserve the right to make such investigations as it deems necessary as to the qualifications of any and all parties submitting proposals. In the event all proposals are rejected, the County Commission and Building Commission reserve the right to solicit additional proposals.

**DEBT SERVICE SCHEDULE
SERIES 2003A BONDS**

Principal	Coupon	Interest	Total P+I	Net New D/S
-	-	203,053.75	203,053.75	203,053.75
320,000.00	2.300%	203,053.75	523,053.75	523,053.75
-	-	199,373.75	199,373.75	199,373.75
330,000.00	2.800%	199,373.75	529,373.75	529,373.75
-	-	194,753.75	194,753.75	194,753.75
335,000.00	3.350%	194,753.75	529,753.75	529,753.75
-	-	189,142.50	189,142.50	189,142.50
350,000.00	3.550%	189,142.50	539,142.50	539,142.50
-	-	182,930.00	182,930.00	182,930.00
360,000.00	3.750%	182,930.00	542,930.00	542,930.00
-	-	176,180.00	176,180.00	176,180.00
375,000.00	3.600%	176,180.00	551,180.00	551,180.00
-	-	169,430.00	169,430.00	169,430.00
385,000.00	3.800%	169,430.00	554,430.00	554,430.00
-	-	162,115.00	162,115.00	162,115.00
400,000.00	4.000%	162,115.00	562,115.00	562,115.00
-	-	154,115.00	154,115.00	154,115.00
420,000.00	4.100%	154,115.00	574,115.00	574,115.00
-	-	145,505.00	145,505.00	145,505.00
435,000.00	5.200%	145,505.00	580,505.00	580,505.00
-	-	136,370.00	136,370.00	136,370.00
455,000.00	4.300%	136,370.00	591,370.00	591,370.00
-	-	126,587.50	126,587.50	126,587.50
475,000.00	4.400%	126,587.50	601,587.50	601,587.50
-	-	116,137.50	116,137.50	116,137.50
495,000.00	4.500%	116,137.50	611,137.50	611,137.50
-	-	105,000.00	105,000.00	105,000.00
515,000.00	5.000%	105,000.00	620,000.00	620,000.00
-	-	92,125.00	92,125.00	92,125.00
540,000.00	5.000%	92,125.00	632,125.00	632,125.00
-	-	78,625.00	78,625.00	78,625.00
570,000.00	5.000%	78,625.00	648,625.00	648,625.00
-	-	64,375.00	64,375.00	64,375.00
600,000.00	5.000%	64,375.00	664,375.00	664,375.00
-	-	49,375.00	49,375.00	49,375.00
625,000.00	5.000%	49,375.00	674,375.00	674,375.00
-	-	33,750.00	33,750.00	33,750.00
660,000.00	5.000%	33,750.00	693,750.00	693,750.00
-	-	17,250.00	17,250.00	17,250.00
690,000.00	5.000%	17,250.00	707,250.00	707,250.00

**DEBT SERVICE SCHEDULE
SERIES 2003B BONDS**

Date	Principal	Coupon	Interest	Total P+I	Net New D/S
06/01/2004	-	-	29,481.14	29,481.14	29,481.14
12/01/2004	65,000.00	2.300%	31,967.50	96,967.50	96,967.50
06/01/2005	-	-	31,220.00	31,220.00	31,220.00
12/01/2005	60,000.00	2.800%	31,220.00	91,220.00	91,220.00
06/01/2006	-	-	30,380.00	30,380.00	30,380.00
12/01/2006	65,000.00	3.350%	30,380.00	95,380.00	95,380.00
06/01/2007	-	-	29,291.25	29,291.25	29,291.25
12/01/2007	65,000.00	3.550%	29,291.25	94,291.25	94,291.25
06/01/2008	-	-	28,137.50	28,137.50	28,137.50
12/01/2008	70,000.00	3.750%	28,137.50	98,137.50	98,137.50
06/01/2009	-	-	26,825.00	26,825.00	26,825.00
12/01/2009	70,000.00	3.600%	26,825.00	96,825.00	96,825.00
06/01/2010	-	-	25,565.00	25,565.00	25,565.00
12/01/2010	75,000.00	3.800%	25,565.00	100,565.00	100,565.00
06/01/2011	-	-	24,140.00	24,140.00	24,140.00
12/01/2011	75,000.00	4.000%	24,140.00	99,140.00	99,140.00
06/01/2012	-	-	22,640.00	22,640.00	22,640.00
12/01/2012	80,000.00	4.100%	22,640.00	102,640.00	102,640.00
06/01/2013	-	-	21,000.00	21,000.00	21,000.00
12/01/2013	80,000.00	4.200%	21,000.00	101,000.00	101,000.00
06/01/2014	-	-	19,320.00	19,320.00	19,320.00
12/01/2014	85,000.00	4.300%	19,320.00	104,320.00	104,320.00
06/01/2015	-	-	17,492.50	17,492.50	17,492.50
12/01/2015	90,000.00	4.400%	17,492.50	107,492.50	107,492.50
06/01/2016	-	-	15,512.50	15,512.50	15,512.50
12/01/2016	95,000.00	4.500%	15,512.50	110,512.50	110,512.50
06/01/2017	-	-	13,375.00	13,375.00	13,375.00
12/01/2017	95,000.00	5.000%	13,375.00	108,375.00	108,375.00
06/01/2018	-	-	11,000.00	11,000.00	11,000.00
12/01/2018	100,000.00	5.000%	11,000.00	111,000.00	111,000.00
06/01/2019	-	-	8,500.00	8,500.00	8,500.00
12/01/2019	105,000.00	5.000%	8,500.00	113,500.00	113,500.00
06/01/2020	-	-	5,875.00	5,875.00	5,875.00
12/01/2020	115,000.00	5.000%	5,875.00	120,875.00	120,875.00
06/01/2021	-	-	3,000.00	3,000.00	3,000.00
12/01/2021	120,000.00	5.000%	3,000.00	123,000.00	123,000.00
Total	\$1,510,000.00	-	\$727,996.14	\$2,237,996.14	\$2,237,996.14

VENDOR REGISTRATION & DISCLOSURE STATEMENT
KANAWHA COUNTY COMMISSION, P.O. BOX 3627, CHARLESTON, WEST VIRGINIA 25336

TELEPHONE (304) 357-0115 FAX (304) 357-4674

1. Name & Address of Individual, Company or Corporation: _____

ACCOUNTS RECEIVABLE ADDRESS: _____

2. FEIN (or SSN if Individual): _____

3. Vendor is Classified as: _____ Individual _____ Company _____ Partnership _____ Corporation _____ Proprietorship

4. ★ If the Vendor is an **individual**, indicate below "INDIVIDUAL" his name and residence address; if he has associates or partners sharing in his business, indicate "ASSOCIATE" or "PARTNER", their names and residence addresses.

★ If the Vendor is a **firm**, indicate below each "MEMBER", "PARTNER", or "ASSOCIATE" of the firm, their names and residence addresses.

★ If the Vendor is a **corporation**, indicate below the "PRESIDENT", "SECRETARY", "TREASURER", and "GENERAL MANAGER" of the corporation, their names and residence address; and the names and residences of any stockholders of the corporation owning or holding more than ten percent of the capital stock thereof. Attach another sheet if additional space is needed.

POSITION	NAME	ADDRESS (STREET & NUMBER), CITY & STATE
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

6. Is the vendor acting as an agent for some other individual, firm or corporation? Yes _____ No _____ If yes, attach a statement of the principal authorizing such representation. _____

7. What is the vendor's net worth? _____

8. List one or more banking institutions to serve as references for the vendor: _____

9. List the State in which the Company was incorporated and the date of the incorporation: _____

10. List the general classification of the products and/or services offered by the Vendor: _____

11. Indicate the areas of Kanawha County that the Vendor can service or supply with the Vendor's product: _____

12. Has the vendor or those owning a controlling interest of the Vendor or those serving as managers or officers of the Vendor done business within the preceding ten years under a different name or a different form of business organization? Yes _____ No _____ If yes, list the names and form of business organization under which such business was conducted: _____

13. If those owning a controlling interest of the Vendor or those serving as the managers or officers of the Vendor own at least ten percent of the capital stock of another corporation, list the name and state of incorporation of such corporations: _____

14. The above named vendor practices equal employment opportunities and is in compliance with the Immigration Reform and Control Act.

STATE OF _____, COUNTY OF _____

I, _____, do solemnly swear the above disclosed information is true & complete. Given under my hand this _____ day of _____, 20____. _____ (Signature & Title)

Subscribed and sworn to before me, a Notary Public in and for the aforesaid County and State, on this _____ day of _____, 20____, _____, Notary Public

PLEASE LIST THE GOODS AND/OR SERVICES YOUR BUSINESS PROVIDES:

BUSINESS NAME: _____

CONTACT PERSON: _____

REMIT PAYMENT ADDRESS: _____

STREET ADDRESS: _____

TELEPHONE: _____

FAX: _____

E-MAIL/WEBSITE: _____

ATTENTION VENDORS

Have you registered for the Kanawha County Commission Automatic Vendor E-Mail Notification
System for bid notifications? [Download here](#) [Download here](#) [Download here](#)

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 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 of 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 of 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 bidder and all related parties do not owe any debts or, if a debt is owed, that the provisions of the exception clause above apply; and all state licensing requirements are in compliance.

Vendor's Name: _____

Authorized Signature: _____ Date: _____

Request for Taxpayer Identification Number and Certification

Give form to the
requester. Do not
send to the IRS.

Print or type
See Specific Instructions on page 2.

Name	
Business name, if different from above	
Check appropriate box: <input type="checkbox"/> Individual/ Sole proprietor <input type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Other ▶	<input type="checkbox"/> Exempt from backup withholding
Address (number, street, and apt. or suite no.)	Requester's name and address (optional)
City, state, and ZIP code	
List account number(s) here (optional)	

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see How to get a TIN on page 3.

Note: If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

Social security number								
OR								
Employer identification number								

Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
- I am a U.S. person (including a U.S. resident alien).

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the Certification, but you must provide your correct TIN. (See the instructions on page 4.)

Sign Here	Signature of U.S. person ▶	Date ▶
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Purpose of Form

A person who is required to file an information return with the IRS, must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

U.S. person. Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

- Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
- Certify that you are not subject to backup withholding,

or

- Claim exemption from backup withholding if you are a U.S. exempt payee.

Note: If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

Foreign person. If you are a foreign person, use the appropriate Form W-8 (see Pub. 515, Withholding of Tax on Nonresident Aliens and Foreign Entities).

Nonresident alien who becomes a resident alien.

Generally, only a nonresident alien individual may use the terms of a tax treaty to reduce or eliminate U.S. tax on certain types of income. However, most tax treaties contain a provision known as a "saving clause." Exceptions specified in the saving clause may permit an exemption from tax to continue for certain types of income even after the recipient has otherwise become a U.S. resident alien for tax purposes.

If you are a U.S. resident alien who is relying on an exception contained in the saving clause of a tax treaty to claim an exemption from U.S. tax on certain types of income, you must attach a statement that specifies the following five items:

- The treaty country. Generally, this must be the same treaty under which you claimed exemption from tax as a nonresident alien.
- The treaty article addressing the income.
- The article number (or location) in the tax treaty that contains the saving clause and its exceptions.
- The type and amount of income that qualifies for the exemption from tax.
- Sufficient facts to justify the exemption from tax under the terms of the treaty article.