

PURCHASING POLICIES AND PROCEDURES MANUAL  
FOR LOCAL EDUCATIONAL AGENCIES

**No Debt Affidavit**

*Instructions*

The **No Debt Affidavit** is administered in accordance with the *West Virginia Code*, §5A-3-10A.

According to the statute, no contract or renewal of any contract may be awarded under this article 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 as defined in this section and the debt owed is an amount greater than \$1,000 in the aggregate.

PURCHASING POLICIES AND PROCEDURES MANUAL  
FOR LOCAL EDUCATIONAL AGENCIES

AGREEMENT

Purchase Order # \_\_\_\_\_ WVEIS Vendor # \_\_\_\_\_

WVEIS Account # \_\_\_\_\_

I, \_\_\_\_\_, agree to perform the  
(Name and address)

following services for \_\_\_\_\_ at \_\_\_\_\_  
(Agency) (Location)

\_\_\_\_\_  
(Detailed description of services to be performed)

\_\_\_\_\_

\_\_\_\_\_

Date(s) of Service: from \_\_\_\_\_ to \_\_\_\_\_

The rate of pay shall be \_\_\_\_\_ per \_\_\_\_\_

not to exceed \$ \_\_\_\_\_ for the entire term of the contract.

**Note: Any anticipated travel must be incorporated into the vendor's fee. No travel expenses will be reimbursed by the LEA as they are the sole responsibility of the vendor. The following certification must be completed and signed by each vendor.**

Please check the appropriate box below:

- I am not currently a full-time employee of the LEA
- I am currently a full-time employee of the LEA (complete certification below).

It is hereby certified that the services to be performed under this agreement will not interfere or detract from the full-time duties of the employee and the amount of annual compensation received by \_\_\_\_\_ (above named vendor) from

The vendor is employed as a \_\_\_\_\_  
(Position)

certified by \_\_\_\_\_  
(Supervisor's Signature)

APPROVED BY:

LEA \_\_\_\_\_

Vendor \_\_\_\_\_

\_\_\_\_\_  
(Authorized Signature of LEA)

\_\_\_\_\_  
(Vendor's Signature)

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(FEIN or Social Security)

**PURCHASING POLICIES AND PROCEDURES MANUAL  
FOR LOCAL EDUCATIONAL AGENCIES**

**AFFIDAVIT**

West Virginia Code §5A-3-10a states:

*No contract or renewal of any contract may be awarded under this article 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 as defined in this section and the debt owed is an amount greater than five thousand dollars in the aggregate.*

Definitions:

"Debt" means any assessment, penalty, fine, tax or other amount of money owed to the state because of a judgment, fine, permit violation, license assessment, penalty or other assessment presently 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;

"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 does not apply where a vendor has contested any tax administered pursuant to chapter eleven of the West Virginia Code, worker's 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.

Vendor's Name: \_\_\_\_\_

Authorized Signature: \_\_\_\_\_ Date: \_\_\_\_\_