



State of West Virginia
 Department of Administration
 Purchasing Division
 2019 Washington Street East
 Post Office Box 50130
 Charleston, WV 25305-0130

Request for Quotation

| |
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| RFQ NUMBER |
| DJS010229 |

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| PAGE |
| 1 |

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| ADDRESS CORRESPONDENCE TO ATTENTION OF: |
| BUYER 32 304-558-0492 |

VENDOR

Nickles Bakery Inc.
 701 Division Street
 Parkersburg, WV 26101

SHIP TO

DIVISION OF JUVENILE SERVICES
 SECOND FLOOR
 1200 QUARRIER STREET
 CHARLESTON, WV
 25301 304-558-6029

| | | | | |
|--------------|---------------|----------|--------|---------------|
| DATE PRINTED | TERMS OF SALE | SHIP VIA | F.O.B. | FREIGHT TERMS |
| 06/13/2006 | | | | |

BID OPENING DATE: 06/29/2006 BID OPENING TIME 01:30PM

| LINE | QUANTITY | UOP | CAT NO. | ITEM NUMBER | UNIT PRICE | AMOUNT |
|---|----------|-----|---------|-------------|------------|--------|
| REQUEST FOR QUOTATION | | | | | | |
| THE PURCHASING DIVISION IS SOLICITING BIDS FOR THE DIVISION OF JUVENILE SERVICES TO PROVIDE BREAD PRODUCTS PER THE ATTACHED SPECIFICATIONS AND LIST OF PRODUCTS AND ESTIMATED PURCHASE QUANTITIES ON THE BID FORM. | | | | | | |
| ATTACHMENTS: | | | | | | |
| 1. SPECIFICATIONS - 1 PAGE | | | | | | |
| 2. BID FORM - 1 PAGE | | | | | | |
| 3. AFFIDAVIT | | | | | | |
| QUESTIONS: | | | | | | |
| QUESTIONS WILL BE ACCEPTED UNTIL JUNE 22, 2006, 2:00 PM EASTERN TIME ALL QUESTIONS SHALL BE DIRECTED TO: JOHN ABBOTT, SENIOR BUYER 2019 WASHINGTON STREET, EAST CHARLESTON, WV 25311 PREFERRED METHOD FOR CONTACT: EMAIL: JABBOTT@WVADMIN.GOV | | | | | | |
| 0001 | 1 | EA | | 375-15 | | |
| BREAD PRODUCTS | | | | | | |
| EXHIBIT 1 | | | | | | |
| LIFE OF CONTRACT: THIS CONTRACT BECOMES EFFECTIVE ON AND EXTENDS FOR A PERIOD OF ONE (1) YEAR OR UNTIL SUCH "REASONABLE TIME" THEREAFTER AS IS NECESSARY TO OBTAIN A NEW CONTRACT OR RENEW THE | | | | | | |

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| SIGNATURE | TELEPHONE | DATE |
| TITLE | FEIN | ADDRESS CHANGES TO BE NOTED ABOVE |

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



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| <p>ORIGINAL CONTRACT. THE "REASONABLE TIME" PERIOD SHALL NOT EXCEED TWELVE (12) MONTHS. DURING THIS "REASONABLE TIME" THE VENDOR MAY TERMINATE THIS CONTRACT FOR ANY REASON UPON GIVING THE DIRECTOR OF PURCHASING 30 DAYS WRITTEN NOTICE.</p> <p>UNLESS SPECIFIC PROVISIONS ARE STIPULATED ELSEWHERE IN THIS CONTRACT DOCUMENT, THE TERMS, CONDITIONS, AND PRICING SET HEREIN ARE FIRM FOR THE LIFE OF THE CONTRACT.</p> <p>RENEWAL: THIS CONTRACT MAY BE RENEWED UPON THE MUTUAL WRITTEN CONSENT OF THE SPENDING UNIT AND VENDOR, SUBMITTED TO THE DIRECTOR OF PURCHASING THIRTY (30) DAYS PRIOR TO THE EXPIRATION DATE. SUCH RENEWAL SHALL BE IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE ORIGINAL CONTRACT AND SHALL BE LIMITED TO TWO (2) SUCCESSIVE ONE (1) YEAR PERIODS.</p> <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 WITH THE SPECIFICATIONS OF THE BID AND CONTRACT HEREIN</p> <p>OPEN MARKET CLAUSE: THE DIRECTOR OF PURCHASING MAY AUTHORIZE A SPENDING UNIT TO PURCHASE ON THE OPEN MARKET, WITHOUT THE FILING OF A REQUISITION OR COST ESTIMATE, ITEMS SPECIFIED ON THIS CONTRACT FOR IMMEDIATE DELIVERY IN EMERGENCIES DUE TO UNFORESEEN CAUSES (INCLUDING BUT NOT LIMITED TO DELAYS IN TRANSPORTATION OR AN UNANTICIPATED INCREASE IN THE VOLUME OF WORK).</p> <p>INSURANCE: SUCCESSFUL VENDOR SHALL FURNISH PROOF OF COVERAGE OF COMMERCIAL GENERAL LIABILITY INSURANCE</p> | | | | | | |

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

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| <p>PRIOR TO ISSUANCE OF THE CONTRACT. UNLESS OTHERWISE SPECIFIED IN THE BID DOCUMENTS, THE MINIMUM AMOUNT OF INSURANCE COVERAGE REQUIRED IS \$250,000.</p> <p>WORKER'S COMPENSATION: VENDOR IS REQUIRED TO PROVIDE A CERTIFICATE FROM WORKER'S COMPENSATION IF SUCCESSFUL.</p> <p>BANKRUPTCY: IN THE EVENT THE VENDOR/CONTRACTOR FILES FOR BANKRUPTCY PROTECTION, THIS CONTRACT IS AUTOMATICALLY NULL AND VOID, AND IS TERMINATED WITHOUT FURTHER ORDER.</p> <p style="text-align: center;">VENDOR PREFERENCE CERTIFICATE</p> <p>CERTIFICATION AND APPLICATION* IS HEREBY MADE FOR PREFERENCE IN ACCORDANCE WITH WEST VIRGINIA CODE, 5A-3-37 (DOES NOT APPLY TO CONSTRUCTION CONTRACTS).</p> <p>A. APPLICATION IS MADE FOR 2.5% PREFERENCE FOR THE REASON CHECKED:</p> <p>() 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</p> <p>() BIDDER IS A PARTNERSHIP, ASSOCIATION OR CORPORATION RESIDENT VENDOR AND HAS MAINTAINED ITS HEAD-QUARTERS 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)</p> | | | | | | |

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| <p>YEARS IMMEDIATELY PRECEDING THE DATE OF THIS CERTIFICATION; OR</p> <p>() BIDDER IS A CORPORATION 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.</p> <p>B. APPLICATION IS MADE FOR 2.5% PREFERENCE FOR THE REASON CHECKED:</p> <p>() 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;</p> <p>OR</p> <p>() 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 BIDDERS' 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.</p> <p>BIDDER UNDERSTANDS IF THE SECRETARY OF TAX & REVENUE DETERMINES THAT A BIDDER RECEIVING PREFERENCE HAS FAILED TO CONTINUE TO MEET THE REQUIREMENTS FOR SUCH</p> | | | | | | |

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| <p>PREFERENCE, THE SECRETARY MAY ORDER THE DIRECTOR OF PURCHASING TO: (A) RESCIND THE CONTRACT OR PURCHASE ORDER ISSUED; 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.</p> <p>BY SUBMISSION OF THIS CERTIFICATE, BIDDER AGREES TO DISCLOSE ANY REASONABLY REQUESTED INFORMATION TO THE PURCHASING DIVISION AND AUTHORIZES THE DEPARTMENT OF TAX AND 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.</p> <p>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 PURCHASIN DIVISION IN WRITING IMMEDIATELY.</p> <p>BIDDER: <u>Alfred Nickles BAKERY, Inc.</u></p> <p>DATE: <u>6/23/06</u></p> <p>SIGNED: <u>Russell Cook</u></p> | | | | | | |

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| <p>TITLE: <i>RESTAURANT DIVISION MANAGER</i></p> <p>* CHECK ANY COMBINATION OF PREFERENCE CONSIDERATION(S) IN EITHER "A" OR "B", OR BOTH "A" AND "B" WHICH YOU ARE ENTITLED TO RECEIVE. YOU MAY REQUEST UP TO THE MAXIMUM 5% PREFERENCE FOR BOTH "A" AND "B".</p> <p>NOTICE</p> <p>AN ORIGINAL, 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 ENVELOPES OR THE BIDS MAY NOT BE CONSIDERED:</p> <p>SEALED BID</p> <p>BUYER: BETTY FRANCISCO</p> <p>RFQ. NO.: DJS010229</p> <p>BID OPENING DATE: JUNE 29, 2006</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><i>419-332-8165</i></p> | | | | | | |

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| CONTACT PERSON (PLEASE PRINT CLEARLY): | | | | <i>RUSSELL COOK</i> | | |
| ***** THIS IS THE END OF RFQ DJS010229 ***** | | | | | | <i>\$19,333.60</i> |

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

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DJS010229 – BREAD SPECIFICATIONS

Bread shall be enriched with Vitamins and Minerals as prescribed by Chapter 19, Article 28, of the code of West Virginia. You must also abide by all the rules and regulations of the State of WV.

Bread shall contain the following ingredients:

1. Hard wheat flour of .42 ash or less
2. Protein content of not less than 11%
3. Bread shall contain the following ingredients in amounts by weight of not less than:
 - a. Sugar 6%
 - b. Shortening 2% of the total weight of flour
 - c. Solids of milk or skim milk 3% *NONE*

PACKING:

Bread shall be packaged according to the codes, rules, and regulations of the State of West Virginia. Net weight shall be shown on package sizes. Bid prices will be based on weight shown on package.

DELIVERY:

A regular schedule delivery time shall be maintained by the vendor on specified days of each week. Such days are to be mutually agreed upon between institution and vendor.

Acknowledgements of deliveries will only be made at the location designated by the receiving agency, and by an authorized receiver. Vendor shall assume responsibility to deliver bakery foods at a fixed and designated dry and sanitary place at the receiving agency.

Invoicing shall be done on the bases of the unit price reflecting the price per pound. All deliveries and pricing shall be F.O.B. institution.

DJS010229 - BREAD PRODUCTS BID FORM - BID OPENING 6/29/06

1293
1008
1678
1509
1524
1099
1087
1816
2010
3215
1386
1898
3212
165

| Description | Estimated Annual Usage | * Unit Price | Extended Price |
|--|------------------------|--------------|----------------|
| Bread, whole wheat, round top 20 oz. | 800 | \$ 1.40 | \$ 1,120.00 |
| Bread, white, sandwich 23 oz. <i>24oz</i> | 11,000 | \$.98 | \$ 10,780.00 |
| Rolls, brown and serve 11.5 oz | 500 | \$ 1.39 | \$ 695.00 |
| Hot dog buns 18 oz per pk. <i>17oz.</i> | 1,500 | \$.94 | \$ 1,410.00 |
| Hamburger buns 21 oz per pk. <i>22oz</i> | 3,500 | \$ 1.02 | \$ 3,570.00 |
| Bread, salt free 16 oz | 180 | \$ 1.80 | \$ 324.00 |
| Bread, Italian, sliced 12 oz. <i>20oz</i> | 192 | \$ 1.20 | \$ 230.40 |
| Submarine buns 9 inch - Min. 6 per pk. | 130 | \$ 1.42 | \$ 184.60 |
| Sweet rolls 6/pk. 12 oz. <i>15oz</i> | 60 | \$ 2.15 | \$ 129.00 |
| Donuts, glazed 10 oz. <i>11oz</i> | 60 | \$ 1.40 | \$ 84.00 |
| Diet (light wheat bread) Min. 16 -oz. loaf | 360 | \$ 1.10 | \$ 396.00 |
| Kaiser rolls 12 pk. | 30 | \$ 1.20 | \$ 36.00 |
| Variety pack donuts <i>12 count</i> | 50 | \$ 2.50 | \$ 125.00 |
| Hard crusted Italian bread, ^{16 oz.} 20 oz. loaf | 192 | \$ 1.30 | \$ 249.60 |
| | | Total | \$ 19,333.60 |

Bidder / Vendor Information:

Name: Alfred Nickles Bakery, Inc.
 Address: 220 Meadow Lane
Fairmont, WV. 26554
 Phone#: 800-456-1326
 Email Address: LCrities@nicklesbakery.com

Contract Coordinator Information:

Name: Russell Cook
 Address: 721 White Road
Fairmont, OH. 43420
 Phone#: 888-766-3906
 Email Address: Rcook@nicklesbakery.com

* Unit prices are either packages or loaves per the description.

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 owned 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.

LICENSING:

The vendor must be licensed in accordance with any and all state requirements to do business with the state of West Virginia.

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. Vendors should visit www.state.wv.us/admin/purchase/privacy for the Notice of Agency Confidentiality Policies.

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

Vendor's Name: Alfred Nickles BAKERY, INC.

Authorized Signature: Russell Cook Date: 6/23/06

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| WV-369 STATE OF WEST VIRGINIA PURCHASING CONTINUATION SHEET | Buyer: | Page | Req. or P O No.: |
|---|--------|------|------------------|

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| Vendor: <i>Alfred Nickles BAKERY, INC.</i> | Spending Unit: |
|--|----------------|

Requisition No.: *DJ5010229*

ADDENDUM ACKNOWLEDGEMENT

I hereby acknowledge receipt of the following checked addendum(s) and have made the necessary revisions to my proposal, plans and/or specifications, etc

Addendum No.'s:

No. 1 *X*

No. 2 _____

No. 3 _____

No. 4 _____

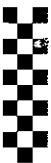
No. 5 _____

I understand that failure to confirm the receipt of the addendum(s) is cause for rejection of bids.

Russell Cook
Signature

Alfred Nickles BAKERY, INC.
Company

6/23/06
Date



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| LINE | QUANTITY | UOF | CAT. NO. | ITEM NUMBER | UNIT PRICE | AMOUNT |
|--|----------|-----|----------|-------------|------------|--------|
| <p>ADDENDUM 01</p> <p>THIS ADDENDUM IS TO CORRECT THE OUNCES PER PACKAGE REQUIRED ON THE BID FORM. SEE ATTACHED REVISED BID FORM - HOT DOG & HAMBURGER BUNS.</p> <p>ATTACHMENTS:</p> <p style="margin-left: 40px;">1. REVISED BID FORM 2. ADDENDUM ACKNOWLEDGEMENT</p> <p>NOTE: REMINDER TO COMPLETE THE ORIGINAL AFFIDAVIT AND THE ATTACHED ADDENDUM ACKNOWLEDGEMENT FORMS AND SUBMIT THEM WITH YOUR BID.</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'