



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
DJS010229

PAGE
1

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

VENDOR

\*709053751      304-327-3561  
 FLOWERS BAKING CO OF WV LLC  
 PO DRAWER 308  
  
 BLUEFIELD WV 24701

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						

SIGNATURE	TELEPHONE	DATE
	304-327-3561	6-21-06
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE
President	55-0654747	

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



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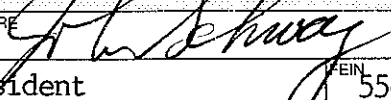
**DIVISION OF JUVENILE SERVICES**  
  
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<p>ORIGINAL CONTRACT. THE "REASONABLE TIME" PERIOD SHALL NOT EXCEED TWELVE (12) MONTHS. DURING THIS "REASONABLE TIME" THE VENDOR MAY TERMINATE THIS CONTRACT FOR ANY REASON UPON GIVING THE DIRECTOR OF PURCHASING 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

SIGNATURE 	TELEPHONE <b>304-327-3561</b>	DATE <b>6-21-06</b>
TITLE <b>President</b>	FEIN <b>55-0654747</b>	ADDRESS CHANGES TO BE NOTED ABOVE

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

# A F F I D A V I T

**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:**

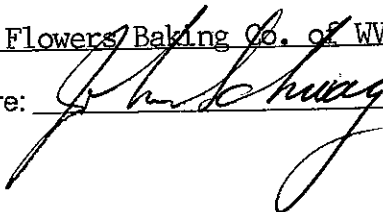
The vendor must be licensed in accordance with any and all state requirements to do business with the state of West Virginia.

**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](http://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: Flowers Baking Co. of WV, LLC

Authorized Signature:  Date: 6-21-06



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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 I 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>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS			
SIGNATURE 	TELEPHONE <b>304-327-3561</b>	DATE <b>6-21-06</b>	
TITLE <b>President</b>	FEIN <b>55-0654747</b>	ADDRESS CHANGES TO BE NOTED ABOVE	

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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 &amp; REVENUE DETERMINES THAT A BIDDER RECEIVING PREFERENCE HAS FAILED TO CONTINUE TO MEET THE REQUIREMENTS FOR SUCH</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>J. L. Schrey</i>	TELEPHONE <b>304-327-3561</b>	DATE <b>6-21-06</b>
TITLE <b>President</b>	FEIN <b>55-0654747</b>	ADDRESS CHANGES TO BE NOTED ABOVE

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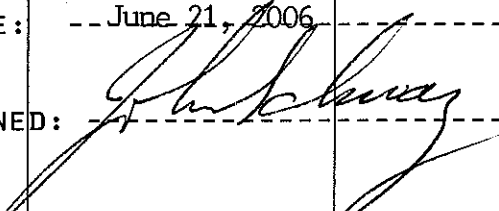
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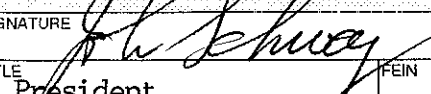
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<p>PREFERENCE, THE SECRETARY MAY ORDER THE DIRECTOR OF PURCHASING TO: (A) RESCIND THE CONTRACT OR PURCHASE ORDER ISSUED; OR (B) ASSESS A PENALTY AGAINST SUCH BIDDER IN AN AMOUNT NOT TO EXCEED 5% OF THE BID AMOUNT AND THAT SUCH PENALTY WILL BE PAID 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 PURCHASING DIVISION IN WRITING IMMEDIATELY.</p> <p>BIDDER: <u>Flowers Baking Co. of WV, LLC</u></p> <p>DATE: <u>June 21, 2006</u></p> <p>SIGNED: </p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

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President	55-0654747	

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				TITLE: --- <u>President</u> ---		
<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>-----304-325-5410-----</p>						

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SIGNATURE 	TELEPHONE 304-327-3561	DATE 6-21-06
TITLE President	FEIN 55-0654747	ADDRESS CHANGES TO BE NOTED ABOVE

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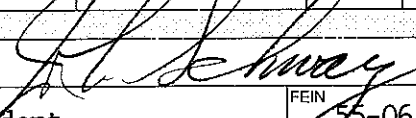
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CONTACT PERSON (PLEASE PRINT CLEARLY):						
----- Allen Branscome, Vice President -----						
***** THIS IS THE END OF RFQ DJS010229 ***** TOTAL:						<u>\$22,662.60</u>

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%

### 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

Description	Estimated Annual Usage	* Unit Price	Extended Price
Bread, whole wheat, round top 20 oz.	800	\$ 1.42	\$ 1136.00
Bread, white, sandwich 23 oz.	11,000	\$ 1.27	\$ 13,970.00
Rolls, brown and serve 11.5 oz	500	\$ 1.11	\$ 555.00
Hot dog buns <del>100 oz</del> 12 packs	1,500	\$ 1.20	\$ 1,800.00
Hamburger buns <del>54 oz</del> 12 packs	3,500	\$ 1.20	\$ 4,200.00
Bread, salt free 16 oz	180	\$ N/B	\$ N/B
Bread, Italian, sliced 12 oz.	192	\$ .95	\$ 182.40
Submarine buns <del>8</del> inch - Min. 6 per pk.	130	\$ 1.70	\$ 221.00
Sweet rolls 6/pk. 12 oz.	60	\$ 1.20	\$ 72.00
Donuts, glazed 10 oz.	60	\$ 2.05	\$ 123.00
Diet (light wheat bread) Min. 16 -oz. loaf	360	\$ 1.12	\$ 403.20
Kaiser rolls 12 pk.	30	\$ N/B	\$ N/B
Variety pack donuts	50	\$ N/B	\$ N/B
Hard crusted Italian bread, 20 oz. loaf	192	\$ N/B	\$ N/B
<b>Failure to use this form may result in disqualification</b>		<b>Total</b>	\$ 22,662.60

**Bidder / Vendor Information:**

Name: Flowers Baking Co. of WV, LLC

Address: P.O. Drawer 308  
Bluefield, WV 24701-0308

Phone#: 304-327-3561

Email Address: allen.branscome@flocorp.com

**Contract Coordinator Information:**

Name: Same

Address: \_\_\_\_\_  
 \_\_\_\_\_

Phone#: \_\_\_\_\_

Email Address: \_\_\_\_\_

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



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ADDENDUM 01						
THIS ADDENDUM IS TO CORRECT THE OUNCES PER PACKAGE REQUIRED ON THE BID FORM. SEE ATTACHED REVISED BID FORM - HOT DOG & HAMBURGER BUNS.						
ATTACHMENTS:						
1. REVISED BID FORM						
2. ADDENDUM ACKNOWLEDGEMENT						
NOTE: REMINDER TO COMPLETE THE ORIGINAL AFFIDAVIT AND THE ATTACHED ADDENDUM ACKNOWLEDGEMENT FORMS AND SUBMIT THEM WITH YOUR BID.						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Alle Hanscome</i>	TELEPHONE 504-327-3561	DATE 6/27/06
TITLE <i>Vice President</i>	FEIN 55-0654747	ADDRESS CHANGES TO BE NOTED ABOVE

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

WV-36a	<b>STATE OF WEST VIRGINIA PURCHASING CONTINUATION SHEET</b>	Buyer:	Page	Req or P. O No :
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Vendor:	Spending Unit:
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Requisition No : \_\_\_\_\_

**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 \_\_\_\_\_
- 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

Allen Banner  
Signature

Flowers Baking Co Of WV, LLC  
Company

June 27, 2006  
Date

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

Description	Estimated Annual Usage	* Unit Price	Extended Price
Bread, whole wheat, round top 20 oz.	800	\$ 1.42	\$ 1,136.00
Bread, white, sandwich <del>20oz.</del> 24oz	11,000	\$ 1.27	\$ 13,970.00
Rolls, brown and serve 11.5 oz	500	\$ 1.11	\$ 555.00
Hot dog buns 18 oz per pk.	1,500	\$ 1.20	\$ 1,800.00
Hamburger buns <del>21oz</del> per pk. 20oz	3,500	\$ 1.20	\$ 4,200.00
Bread, salt free 16 oz	180	\$ NB	\$ NB
Bread, Italian, sliced <del>12oz.</del> 16oz	192	\$ .95	\$ 182.40
Submarine buns <del>9" Min. 6 per pk.</del> 8" Min. 6 per pk.	130	\$ 1.70	\$ 221.00
Sweet rolls 6/pk. 12 oz.	60	\$ 1.20	\$ 72.00
Donuts, glazed <del>10oz.</del> 16oz	60	\$ 2.05	\$ 123.00
Diet (light wheat bread) Min. 16 -oz. loaf	360	\$ 1.12	\$ 403.20
Kaiser rolls 12 pk.	30	\$ NB	\$ NB
Variety pack donuts	50	\$ NB	\$ NB
Hard crusted Italian bread, 20 oz. loaf	192	\$ NB	\$ NB
<b>Failure to use this form may result in disqualification</b>		<b>Total</b>	<b>\$ 22,662.60</b>

**Bidder / Vendor Information:**

Name: Flowers Baking Company of West Birginia LLC

Address: P.O. Drawer 308  
Bluefield, WV 24701

Phone#: 304-327-3561

Email Address: allen.branscome@flocorp.com

**Contract Coordinator Information:**

Name: Allen Branscome

Address: P.O. Drawer 308  
Bluefield, WV 24701

Phone#: 304-327-3561

Email Address: allen.branscome@flocorp.com

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

# A F F I D A V I T

## 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](http://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: Flowers Baking Co. of WV, LLC

Authorized Signature:  Date: 6-21-06