



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

Request for Quotation

RFO NUMBER
DNR80171

PAGE
1

ADDRESS CORRESPONDENCE TO ATTENTION OF:
BUTCH CHITTUM 304-558-8806

VENDOR

*709043435 304-372-9875
 FAIRPLAIN TRACTOR SALES INC
 PO BOX 787
 RIPLEY WV 25271

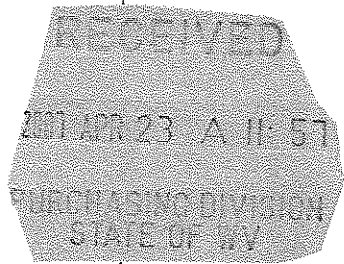
SHIP TO

DIVISION OF NATURAL RESOURCES
 VARIOUS LOCALES AS INDICATED
 BY ORDER

DATE PRINTED 04/01/2007	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
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BID OPENING DATE: 04/25/2007 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	EA		020-89 FOUR WHEEL DRIVE, DIESEL FARM TRACTOR <i>Kubota M8540DTC Cab & Air</i> NEW HOLLAND TN85DA, OR EQUAL OR JOHN DEERE 5425, OR EQUAL.		\$29200 ⁰⁰
0002	1	EA		020-89 FOUR WHEEL DRIVE, DIESEL, FARM TRACTOR <i>Kubota M7040D w/canopy & loader</i> NEW HOLLAND TN75A WITH 810TL LOADER, OR EQUAL OR JOHN DEERE 5425 WITH 542NSL LOADER, OR EQUAL OR QUICKE BRAND Q30 FRONT END LOADER, OR EQUAL		\$26995 ⁰⁰
0003	1	EA		020-89 TWO WHEEL DRIVE, DIESEL, FARM TRACTOR <i>Kubota 2 wheel Dr w/cab & Air loader</i> NEW HOLLAND TN70DA WITH 810 TL LOADER, OR EQUAL OR JOHN DEERE 5325 WITH 542NSL LOADER, OR EQUAL		28824 ⁰⁰
0004	1	EA		020-89 FOUR WHEEL DRIVE, DIESEL, FARM TRACTOR <i>M 7040 Kubota 62 PTO HP w/loader</i> NEW HOLLAND TN70A WITH 810TL LOADER, OR EQUAL OR JOHN DEERE 5325 WITH 542NSL LOADER, OR EQUAL		\$25932 ⁰⁰



SIGNATURE <i>Canell M Fisher</i>	TITLE <i>President</i>	FEIN 55-054-0441	TELEPHONE 304-372-9875	DATE 4/10/07
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ADDRESS CHANGES TO BE NOTED ABOVE

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



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LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
0005	1	EA		020-89		26849 ⁰⁰
				FOUR WHEEL DRIVE, DIESEL, FARM TRACTOR <i>M7040 Kubota Tractor w/loader</i> NEW HOLLAND TN70A WITH 810TL LOADER, OR EQUAL OR JOHN DEERE 5325 WITH 542NSL LOADER, OR EQUAL		
0006	1	EA		020-89		26000
				FOUR WHEEL DRIVE, DIESEL FARM TRACTOR <i>M6040 Kubota w/loader</i> NEW HOLLAND TN65 WITH 810TL LOADER, OR EQUAL OR JOHN DEERE 5225 WITH 542NSL LOADER, OR EQUAL		
0007	1	EA		020-89		19995 ⁰⁰
				FOUR WHEEL DRIVE, DIESEL, COMPACT FARM TRACTOR <i>Kubota L4240 42HP 36.5 PTO w/loader</i> NEW HOLLAND TC40A WITH 250TL LOADER, OR EQUAL OR JOHN DEERE 990 WITH 300 CX LOADER, OR EQUAL OR MASSEY FERGUSON 1540 WITH 1525 LOADER, OR EQUAL SEE ATTACHED SPECIFICATIONS 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		

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Carroll J. Fisher</i>	TELEPHONE 304-372-9875	DATE 4/10/07
TITLE <i>President</i>	FEIN 55-054-0441	ADDRESS CHANGES TO BE NOTED ABOVE

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04/01/2007				
BID OPENING DATE: 04/25/2007		BID OPENING TIME 01:30PM		

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>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>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>(X) 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) 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</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS			
SIGNATURE	TELEPHONE	DATE	
<i>Carroll J. Fisher</i>		4/10/07	
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE	

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<p>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>(X) 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 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>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	<i>Carroll J. Fisher</i>	TELEPHONE	3043729875	DATE	4/10/07
TITLE	President	FAX	55-054044	ADDRESS CHANGES TO BE NOTED ABOVE	

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 304-558-8806**

VENDOR
 *709043435 304-372-9875
FAIRPLAIN TRACTOR SALES INC
PO BOX 787

RIPLEY WV 25271

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BY ORDER

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BID OPENING DATE: 04/25/2007		BID OPENING TIME 01:30PM		

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
<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: <i>Fairplain Tractor Sales</i></p> <p>DATE: <i>4/10/07</i></p> <p>SIGNED: <i>Carroll Fisher</i></p> <p>TITLE: <i>President</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". (REV. 12/00)</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE *Carroll Fisher* TELEPHONE *3043229875* DATE *4/10/07*

TITLE *President* FEIN *55-054044* ADDRESS CHANGES TO BE NOTED ABOVE

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BID OPENING DATE: 04/25/2007		BID OPENING TIME 01:30PM		

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
<i>Carroll Gene Fisher</i>						
***** THIS IS THE END OF RFQ DNR80171 ***** TOTAL:						\$183,795⁰⁰

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Carroll G Fisher</i>	TELEPHONE <i>304 372 9875</i>	DATE <i>4/10/07</i>
TITLE <i>President</i>	FEIN <i>55-0540441</i>	ADDRESS CHANGES TO BE NOTED ABOVE

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

STATE OF WEST VIRGINIA
PURCHASING CONTINUATION SHEET

BUYER:	PAGE 8	Req. or PO#
Spending Unit: DNR - Wildlife Resources		

VENDOR _____

Item No:	Quantity	Description	Unit Price	Amount
1	1	<p>SPECIFICATIONS:</p> <p>Minimum engine horsepower 80 Minimum PTO horsepower 65 Fully enclosed cab with HVAC Synchronized transmission Open center hydraulic system with two valve open center loader control valve, joystick controlled and two rear remote control valves, lever controlled; midmount and rear controls must be fully functional in tandem Category 2 three point hitch R1 agricultural tires Seat armrests Service manual Demonstration to be provided by Dealer Representative upon delivery Deliver to: Green Bottom Wildlife Management Area, Cabell County Contact: Tom Dotson (304-675-0871) for additional information and directions</p>		
2	1	<p>Minimum engine horsepower 75 Minimum PTO horsepower 62; 540 rpm PTO Synchronized transmission; New Holland 12X12 Synchro Command or John Deere 12F/12R PowrReverser with Synchronized Mechanical Shuttle Midmount valve with single joystick control for loader Front End Loader: installed and fully compatible with tractor to include a quick detachable 83" heavy duty material bucket, lift capacity: 2530 lbs. at maximum lift height minimum breakout force: 3080 lbs. at arm center lift Replaceable bushings Single lever quick attach bucket and implements 23 gallon fuel tank or greater 16.9 gpm hydraulic pump flow or greater Grill guard Category 2 three point hitch R1 16.9X30 Rear Tires and 12X24 Front Tires/Rear tires to be loaded with washer fluid Fiberglass canopy Seat armrests Service manual Demonstration to be provided by Dealer Representative upon delivery Deliver to: Bluestone Wildlife Management Area, Summers County Contact: Larry Berry (304-256-6947) for additional information and directions</p>		

STATE OF WEST VIRGINIA
PURCHASING CONTINUATION SHEET

BUYER:	PAGE 8	Req. or PO#
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VENDOR

Spending Unit:
DNR - Wildlife Resources

Item No:	Quantity	Description	Unit Price	Amount
1	1	<p>SPECIFICATIONS:</p> <p>Minimum engine horsepower 80 Minimum PTO horsepower 65 Fully enclosed cab with HVAC Synchronized transmission Open center hydraulic system with two valve open center loader control valve, joystick controlled and two rear remote control valves, lever controlled; midmount and rear controls must be fully functional in tandem Category 2 three point hitch R1 agricultural tires Seat armrests Service manual Demonstration to be provided by Dealer Representative upon delivery Deliver to: Green Bottom Wildlife Management Area, Cabell County Contact: Tom Dotson (304-675-0871) for additional information and directions</p>		
2	1	<p>Minimum engine horsepower 75 Minimum PTO horsepower 62; 540 rpm PTO Synchronized transmission; New Holland 12X12 Synchro Command or John Deere 12F/12R PowrReverser with Synchronized Mechanical Shuttle Midmount valve with single joystick control for loader Front End Loader: installed and fully compatible with tractor to include a quick detachable 83" heavy duty material bucket, lift capacity: 2530 lbs. at maximum lift height minimum breakout force: 3080 lbs. at arm center lift Replaceable bushings Single lever quick attach bucket and implements 23 gallon fuel tank or greater 16.9 gpm hydraulic pump flow or greater Grill guard Category 2 three point hitch R1 16.9X30 Rear Tires and 12X24 Front Tires/Rear tires to be loaded with washer fluid Fiberglass canopy Seat armrests Service manual Demonstration to be provided by Dealer Representative upon delivery Deliver to: Bluestone Wildlife Management Area, Summers County Contact: Larry Berry (304-256-6947) for additional information and directions</p>		

STATE OF WEST VIRGINIA
PURCHASING CONTINUATION SHEET

BUYER:	PAGE 9	Req. or PO#
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VENDOR

Spending Unit: DNR - Wildlife Resources
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Item No:	Quantity	Description	Unit Price	Amount
3	1	<p>SPECIFICATIONS:</p> <p>Minimum engine horsepower 67 Minimum PTO horsepower 55 Fully enclosed cab with HVAC Synchronized transmission Open center hydraulic system with two valve open center loader control valve, joystick controlled and two rear remote control valves, lever controlled; midmount and rear controls must be fully functional in tandem Front End Loader: installed and fully compatible with tractor to include quick detachable 72" heavy duty material bucket, lift capacity: 2500 lbs. minimum, minimum breakout force: 3400 lbs. Category 2 three point hitch R1 agricultural tires, rear: R2 agricultural tires, front Grill guard Seat armrests Service manual Demonstration to be provided by Dealer Representative upon delivery Deliver to: Hillcrest Wildlife Management Area, Hancock County Contact: Steve Rauch (304-825-6787) for additional information and directions</p>		
4	1	<p>Minimum engine horsepower 67 Minimum PTO horsepower 55 Synchronized transmission Open center hydraulic system with two valve open center loader control valve, joystick controlled and two rear remote control valves, lever controlled; midmount and rear controls must be fully functional in tandem Front End Loader: installed and fully compatible with tractor to include a quick detachable 72" heavy duty material bucket, lift capacity: 2500 lbs. minimum, minimum breakout force: 3400 lbs. Category 2 three point hitch R1 agricultural tires Grill guard ROPS canopy Seat armrests Service manual Demonstration to be provided by Dealer Representative upon delivery Deliver to: Nathaniel Mountain Wildlife Management Area, Hampshire Co. Contact: Allan Niederberger (304-822-3551) for additional information and directions</p>		

STATE OF WEST VIRGINIA
PURCHASING CONTINUATION SHEET

BUYER:	PAGE	Req. or PO#
	10	
Spending Unit:		
DNR - Wildlife Resources		

VENDOR

Item No:	Quantity	Description	Unit Price	Amount
5	1	<p>SPECIFICATIONS:</p> <p>Minimum engine horsepower 67 Minimum PTO horsepower 55 Synchronized transmission Open center hydraulic system with three valve open center loader control valve, joystick controlled and three rear remote control valves, lever controlled; midmount and rear controls must be fully functional in tandem. Midmount controls must be capable of operating a grapple attachment Minimum 16.9 gpm hydraulic pump flow Front End Loader: installed and fully compatible with tractor to include quick detachable 72" heavy duty material bucket, lift capacity: 2500 lbs. minimum, minimum breakout force: 3400 lbs. Category 2 three point hitch R1 agricultural tires Grill guard Seat armrests Service manual Demonstration to be provided by Dealer Representative upon delivery Deliver to: Elk River Wildlife Management Area, Braxton County Contact: Lou Smith (304-924-6211) for additional information and directions</p>		
6	1	<p>Minimum engine horsepower 53 Minimum PTO horsepower 45 Synchronized transmission Open center hydraulic system with two valve open center loader control valve, joystick controlled and three rear remote control valves, lever controlled; midmount and rear control must be fully functional in tandem Front End Loader: installed and fully compatible with tractor to include a quick detachable 72" heavy duty material bucket, lift capacity: 2500 lbs. minimum, minimum breakout force: 3400 lbs. Category 2 three point hitch R1 agricultural tires Grill guard ROPS canopy Seat armrests Service manual Demonstration to be provided by Dealer Representative upon delivery Deliver to: Wallback Wildlife Management Area, Roane County Contact: Lou Smith (304-924-6211) for additional information and directions</p>		

STATE OF WEST VIRGINIA
PURCHASING CONTINUATION SHEET

BUYER:	PAGE 11	Req. or PO#
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VENDOR

Spending Unit:		
DNR - Wildlife Resources		

Item No:	Quantity	Description	Unit Price	Amount
7	1	<p>SPECIFICATIONS:</p> <p>Minimum engine horsepower 40 Minimum PTO horsepower 35 Synchronized transmission Open center hydraulic system with two valve open center loader control valve, joystick controlled and one rear remote control valve, lever controlled Front End Loader: installed and fully compatible with tractor to include 72" heavy duty material bucket Category 2 three point hitch R1 agricultural tires Service manual Demonstration to be provided by Dealer Representative upon delivery Deliver to: Conaway Run Wildlife Management Area, Tyler County Contact: Mark Shock (304-420-4550) for additional information and directions</p> <p>PLEASE NOTE: This requisition is drawn on expiring funds. Delivery of items requisitioned herein must be received and invoiced by July 16, 2007. Vendors should bid only on those items for which they can meet delivery requirements.</p>		



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04/19/2007				

BID OPENING DATE: 04/25/2007 BID OPENING TIME

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
				ADDENDUM #1		
				ANSWERS TO QUESTIONS AS PER THE ATTACHED.		
				BID OPENING DATE AND TIME REMAIN THE SAME.		
				NO OTHER CHANGES		
0001	1	EA		020-89		
				FOUR WHEEL DRIVE, DIESEL FARM TRACTOR		

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Carroll J. Fisher</i>	TELEPHONE 304-372-9875	DATE
TITLE President	FEIN 55-0540441	ADDRESS CHANGES TO BE NOTED ABOVE

WHEN RESPONDING TO RFO, INSERT NAME AND ADDRESS IN SPACE ABOVE LABELED "VENDOR"

Question

The John Deere warranty mileage and pickup is not included. We want to know if you have a way of getting the tractors to our facilities or if you're willing to pay the mileage. We want to be up front with everyone and make sure there are no surprises. The answer could reflect on which tractors from the different counties we bid on. Thank you for your attention to this question.

Answer

The standard factory warranty should be in effect for the tractors and if they need warranty service the DNR will deliver tractor to the dealer and pick it up when service is complete.

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 exceed 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:

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, West Virginia Insurance Commission, or any other state agencies or political subdivision. Furthermore, 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.

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: Fairplain Tractor Sales Inc
 Authorized Signature: Pamell M Freshin Date: 4/10/07