



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
709EC013

PAGE
1

ADDRESS CORRESPONDENCE TO ATTENTION OF
MICHAEL AUSTIN 304-558-2402

RFQ COPY

TYPE NAME/ADDRESS HERE

Middletown Tractor Sales  
 2345 Whitehall Blvd.  
 Fiarment, WV 26554

DIVISION OF HIGHWAYS  
 EQUIPMENT DIVISION  
 ROUTE 33  
 BRUSHY FORK ROAD  
 BUCKHANNON, WV  
 26201 304-472-1750

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
03/10/2009	Net 30 Days	Our Trucks	Destination	Pre-Paid

BID OPENING DATE: 04/07/2009 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	EA		962-70		
<p>PORTABLE ASPHALT RECYCLING MACHINE</p> <p>OPEN END CONTRACT</p> <p>TO PROVIDE PORTABLE ASPHALT RECYCLING MACHINE FOR THE WEST VIRGINIA DIVISION OF HIGHWAYS PER THE ATTACHED SPECIFICATIONS.</p> <p>THERE WILL BE A MANDATORY PRE-BID CONFERENCE AT THE STATE CAPITAL COMPLEX, BUILDING 15, PURCHASING DIVISION CONFERENCE ROOM, AT 10:00 AM ON 03/26/2009. FAILURE TO ATTEND THE PRE-BID WILL RESULT IN BID DISQUALIFICATION.</p> <p>QUESTIONS: MUST BE RECEIVED BY CLOSE OF BUSINESS ON FRIDAY 03/20/2009 (5:00 PM EST.) NO FURTHER QUESTIONS WILL BE ACCEPTED AFTER THE DATE STATED.</p> <p>SEND YOUR QUESTIONS TO: PURCHASING DIVISIONS          ATTENTION MICHAEL AUSTIN          2019 WASHINGTON ST. EAST          CHARLESTON, WV 25305</p> <p>QUESTIONS MAY BE SENT VIA FAX, E-MAIL, OR REGULAR MAIL          E-MAIL: MICHAEL.D.AUSTIN@WV.GOV          FAX: 304-558-4115</p> <p>IT IS THE VENDORS RESPONSIBILITY TO VERIFY THAT THEIR QUESTIONS HAVE BEEN RECEIVED BY CALLING 304-558-2402.</p> <p>EXHIBIT 2</p>						

RECEIVED

2009 APR 22 A 10:04

PURCHASING DIVISION  
 STATE OF WV

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
<i>[Signature]</i>	304-366-4690	04 April 2009
TITLE	ADDRESS CHANGES TO BE NOTED ABOVE	
<i>[Signature]</i>	55-054-7175	

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

**GENERAL TERMS & CONDITIONS**  
**REQUEST FOR QUOTATION (RFQ) AND REQUEST FOR PROPOSAL (RFP)**

1. Awards will be made in the best interest of the State of West Virginia.
2. The State may accept or reject in part, or in whole, any bid.
3. All quotations are governed by the *West Virginia Code* and the *Legislative Rules* of the Purchasing Division.
4. Prior to any award, the apparent successful vendor must be properly registered with the Purchasing Division and have paid the required \$125 fee.
5. All services performed or goods delivered under State Purchase Order/Contracts are to be continued for the term of the Purchase Order/Contracts, contingent upon funds being appropriated by the Legislature or otherwise being made available. In the event funds are not appropriated or otherwise available for these services or goods, this Purchase Order/Contract becomes void and of no effect after June 30.
6. Payment may only be made after the delivery and acceptance of goods or services.
7. Interest may be paid for late payment in accordance with the *West Virginia Code*.
8. Vendor preference will be granted upon written request in accordance with the *West Virginia Code*.
9. The State of West Virginia is exempt from federal and state taxes and will not pay or reimburse such taxes.
10. The Director of Purchasing may cancel any Purchase Order/Contract upon 30 days written notice to the seller.
11. The laws of the State of West Virginia and the *Legislative Rules* of the Purchasing Division shall govern all rights and duties under the Contract, including without limitation the validity of this Purchase Order/Contract.
12. Any reference to automatic renewal is hereby deleted. The Contract may be renewed only upon mutual written agreement of the parties.
13. **BANKRUPTCY:** In the event the vendor/contractor files for bankruptcy protection, this Contract may be deemed null and void, and terminated without further order.
14. **HIPAA BUSINESS ASSOCIATE ADDENDUM:** The West Virginia State Government HIPAA Business Associate Addendum (BAA), approved by the Attorney General, and available online at the Purchasing Division's web site (<http://www.state.wv.us/admin/purchase/vrc/hipaa.htm>) is hereby made part of the agreement. Provided that, the Agency meets the definition of a Cover Entity (45 CFR §160.103) and will be disclosing Protected Health Information (45 CFR §160.103) to the vendor.
15. **WEST VIRGINIA ALCOHOL & DRUG-FREE WORKPLACE ACT:** If this Contract constitutes a public improvement construction contract as set forth in Article 1D, Chapter 21 of the West Virginia Code ("The West Virginia Alcohol and Drug-Free Workplace Act"), then the following language shall hereby become part of this Contract: "The contractor and its subcontractors shall implement and maintain a written drug-free workplace policy in compliance with the West Virginia Alcohol and Drug-Free Workplace Act, as set forth in Article 1D, Chapter 21 of the West Virginia Code. The contractor and its subcontractors shall provide a sworn statement in writing, under the penalties of perjury, that they maintain a valid drug-free work place policy in compliance with the West Virginia and Drug-Free Workplace Act. It is understood and agreed that this Contract shall be cancelled by the awarding authority if the Contractor: 1) Fails to implement its drug-free workplace policy; 2) Fails to provide information regarding implementation of the contractor's drug-free workplace policy at the request of the public authority; or 3) Provides to the public authority false information regarding the contractor's drug-free workplace policy."

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**INSTRUCTIONS TO BIDDERS**

1. Use the quotation forms provided by the Purchasing Division.
2. **SPECIFICATIONS:** Items offered must be in compliance with the specifications. Any deviation from the specifications must be clearly indicated by the bidder. Alternates offered by the bidder as **EQUAL** to the specifications must be clearly defined. A bidder offering an alternate should attach complete specifications and literature to the bid. The Purchasing Division may waive minor deviations to specifications.
3. Complete all sections of the quotation form.
4. Unit prices shall prevail in case of discrepancy.
5. All quotations are considered F.O.B. destination unless alternate shipping terms are clearly identified in the quotation.
6. **BID SUBMISSION:** All quotations must be delivered by the bidder to the office listed below prior to the date and time of the bid opening. Failure of the bidder to deliver the quotations on time will result in bid disqualifications: Department of Administration, Purchasing Division, 2019 Washington Street East, P.O. Box 50130, Charleston, WV 25305-0130



State of West Virginia  
 Department of Administration  
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Middletown Tractor Sales  
 2345 Whitehall Blvd.  
 Fairmont, WV 26554

**DIVISION OF HIGHWAYS**  
**EQUIPMENT DIVISION**  
**ROUTE 33**  
**BRUSHY FORK ROAD**  
**BUCKHANNON, WV**  
**26201**                      **304-472-1750**

DATE PRINTED	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS
03/10/2009	Net 30 Days	Our Trucks	Destination	Pre-Paid

BID OPENING DATE: **04/07/2009**                      **BID OPENING TIME 01:30PM**

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
<p><b>LIFE OF CONTRACT:</b> 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 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 THIRTY (30) DAYS WRITTEN NOTICE.</p> <p><b>UNLESS SPECIFIC PROVISIONS ARE STIPULATED IN THIS CONTRACT DOCUMENT, THE TERMS, CONDITIONS, AND PRICING SET HEREIN ARE FIRM FOR THE LIFE OF THE CONTRACT.</b></p> <p><b>RENEWAL:</b> 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) ONE (1) YEAR PERIODS.</p> <p><b>CANCELLATION:</b> 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><b>OPEN MARKET CLAUSE:</b> 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>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
<i>JAB</i>	304-366-4690	04 April 2009
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE
	55-054-7175	

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 Fairmont, WV 26554

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 ROUTE 33  
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03/10/2009	Net 30 Days	Our Trucks	Destination	Pre-Paid

BID OPENING DATE: **04/07/2009** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
<p><b>QUANTITIES:</b> QUANTITIES LISTED IN THE REQUISITION ARE APPROXIMATIONS ONLY, BASED ON ESTIMATES SUPPLIES BY THE STATE SPENDING UNIT. IT IS UNDERSTOOD AND AGREED THAT THE CONTRACT SHALL COVER THE QUANTITIES ACTUALLY ORDERED FOR DELIVERY DURING THE TERM OF CONTRACT, WHETHER MORE OR LESS THAN THE QUANTITIES SHOWN.</p> <p><b>ORDERING PROCEDURE:</b> SPENDING UNIT(S) SHALL ISSUE A WRITTEN EQUIPMENT CONTRACT ORDER (FORM NUMBER WV-35) FOR COMMODITIES COVERED BY THIS CONTRACT. THE ORIGINAL WV-35 MUST BE SENT TO THE PURCHASING DIVISION OF THE DEPARTMENT OF ADMINISTRATION. AFTER APPROVAL AND ENCUMBRANCE, ONE COPY OF THE PURCHASE ORDER WILL BE RETURNED TO THE SPENDING UNIT AND ONE COPY FORWARDED TO THE VENDOR AS AUTHORIZATION FOR SHIPMENT. NO ORDER IS VALID UNLESS APPROVED AND ENCUMBERED BY THE PURCHASING DIVISION.</p> <p><b>BANKRUPTCY:</b> 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>REV. 9/98</p> <p>EXHIBIT 4</p> <p><b>LOCAL GOVERNMENT BODIES:</b> UNLESS THE VENDOR INDICATES IN THE BID HIS REFUSAL TO EXTEND THE PRICES, TERMS, AND CONDITIONS OF THE BID TO COUNTY, SCHOOL, MUNICIPAL AND OTHER LOCAL GOVERNMENT BODIES, THE BID SHALL EXTEND TO POLITICAL SUBDIVISIONS OF THE STATE OF WEST VIRGINIA. IF THE VENDOR DOES NOT WISH TO EXTEND THE PRICES, TERMS, AND CONDITIONS OF THE BID TO ALL</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
	304-366-4690	04 April 2009
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE
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ADDRESS CORRESPONDENCE TO ATTENTION OF  
**MICHAEL AUSTIN  
 304-558-2402**

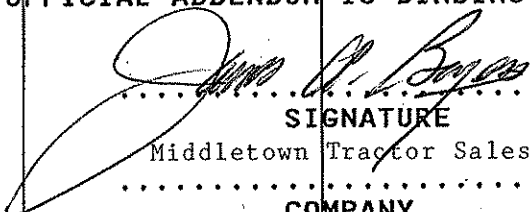
**RFQ COPY  
 TYPE NAME/ADDRESS HERE**

Middletown Tractor Sales  
 2345 Whitehall Blvd.  
 Fairmont, WV 26554

**DIVISION OF HIGHWAYS  
 EQUIPMENT DIVISION  
 ROUTE 33  
 BRUSHY FORK ROAD  
 BUCKHANNON, WV  
 26201 304-472-1750**

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
03/10/2009	Net 30 Days	Our trucks	Destination	Pre-Paid

BID OPENING DATE: **04/07/2009** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
REQUISITION NO.: ..709EC013...						
ADDENDUM ACKNOWLEDGEMENT						
I HEREBY ACKNOWLEDGE RECEIPT OF THE FOLLOWING CHECKED ADDENDUM(S) AND HAVE MADE THE NECESSARY REVISIONS TO M PROPOSAL, PLANS AND/OR SPECIFICATION, ETC.						
ADDENDUM NO.'S:						
NO. 1 ..X.....						
NO. 2 ..... X						
NO. 3 .....						
NO. 4 .....						
NO. 5 .....						
I UNDERSTAND THAT FAILURE TO CONFIRM THE RECEIPT OF THE ADDENDUM(S) MAY BE CAUSE FOR REJECTION OF BIDS.						
VENDOR MUST CLEARLY UNDERSTAND THAT ANY VERBAL REPRESENTATION MADE OR ASSUMED TO BE MADE DURING ANY ORAL DISCUSSION HELD BETWEEN VENDOR'S REPRESENTATIVES AND ANY STATE PERSONNEL IS NOT BINDING. ONLY THE INFORMATION ISSUED IN WRITING AND ADDED TO THE SPECIFICATIONS BY AN OFFICIAL ADDENDUM IS BINDING.						
 ..... SIGNATURE Middletown Tractor Sales ..... COMPANY						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE 304-366-4690	DATE 04 April 2009
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TITLE	FEIN 55-054-7175	ADDRESS CHANGES TO BE NOTED ABOVE
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BID OPENING DATE: **04/07/2009** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
04 April 2009 ..... DATE						
REV. 11/96						
NOTICE						
A SIGNED BID MUST BE SUBMITTED TO:						
DEPARTMENT OF ADMINISTRATION PURCHASING DIVISION BUILDING 15 2019 WASHINGTON STREET, EAST CHARLESTON, WV 25305-0130						
THE BID SHOULD CONTAIN THIS INFORMATION ON THE FACE OF THE ENVELOPE OR THE BID MAY NOT BE CONSIDERED:						
SEALED BID						
BUYER:				33		
RFQ. NO.:				709EC013		
BID OPENING DATE:				4/22/2009		
BID OPENING TIME:				1:30PM		
PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID:						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>James A. Boyce</i>	TELEPHONE 304-366-4690	DATE 04 April 2009
TITLE	FEIN 55-054-7175	ADDRESS CHANGES TO BE NOTED ABOVE

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





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 2345 Whitehall Blvd.  
 Fairmont, WV 26554

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LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>----- 304-366-4698 -----</p> <p>CONTACT PERSON (PLEASE PRINT CLEARLY):</p> <p>----- Phil WARRILLE -----</p>						
Refer to page 17						
***** THIS IS THE END OF RFQ 709EC013 ***** TOTAL: _____						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>James A. Payne</i>	TELEPHONE 304-366-4690	DATE 04 April 2009
TITLE	FEIN 55-054-7175	ADDRESS CHANGES TO BE NOTED ABOVE

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



WEST VIRGINIA DEPARTMENT OF TRANSPORTATION  
DIVISION OF HIGHWAYS  
EQUIPMENT DIVISION

BIDDER'S EVALUATION REPORT

PROCUREMENT SPECIFICATIONS FOR OPEN END CONTRACT  
NO. 504-1-B

OPEN END CONTRACT  
PORTABLE ASPHALT RECYCLING MACHINE

NOTE TO BIDDER: Procurement Specification No. 504-1-B, Paragraph 2.0 recommends the completion and submittal of this Report with your bid. Purpose of this Report is to enable the West Virginia Division of Highways Evaluation Committee to make full and fair evaluation of the bid. Addendums in order, along with a summary of exception as a separate attachment, should be with Bidder's Evaluation Report.  
**FAILURE TO SUBMIT THIS REPORT, COMPLETE IN ITS ENTIRETY, MAY SUBJECT THE BIDDER TO DISQUALIFICATION.**

Reference Requisition No.: 709EC013

Bidder's Name: Middletown Tractor Sales

Address: 2345 Whitehall Blvd., Fairmont, WV 26554

Telephone Number: 304-366-4690

Years Bidder has been registered to do business with the State of West Virginia: 36 YRS.

Years Company has been an authorized dealer for proposed unit: 1 YRS.

X3.2 Have you complied with all mandatory specifications?  YES  NO

X4.2 DELIVERY:

X4.2.1 Delivery date of completed representative unit: 120 Calendar Days After  
Receipt of Purchase Agreement

X4.2.2 Delivery date of balance of completed units: 120 Calendar Days After Receipt of  
Purchase Agreement

The "Bidder's Evaluation Report" is available for download on Purchasing's Web site at  
[www.state.wv.us/admin/purchase](http://www.state.wv.us/admin/purchase)

X5.0 AWARD CRITERIA;

X5.1 Prices for units:

1-5	<u>\$142,348.<sup>54</sup></u> per unit
6-10	<u>\$137,369.<sup>70</sup></u> per unit
11 and over	<u>\$135,789.<sup>92</sup></u> per unit

X6.0 SPECIFICATIONS - GENERAL

X6.1 Manufacturer, model, series, and date of manufacture of proposed unit:

BAGELA BA7000 2009 Production

Is descriptive literature, fully describing proposed unit attached to your bid?  YES  NO

If not, why? \_\_\_\_\_

X6.2 Will the required number of service manuals, and complete parts list be delivered to the Equipment Division at Buckhannon upon completion of delivery of total units?

YES  NO

Will the required Equipment Preventive Maintenance Form (Section X6.2 of Bidders Evaluation Report) be provided upon inspection of the pilot unit?

YES  NO

X6.2  
2-10-00

EQUIPMENT PREVENTATIVE MAINTENANCE QUESTIONNAIRE

THIS FORM MUST BE COMPLETED IN ITS ENTIRETY BY SUCCESSFUL BIDDER OR MANUFACTURER'S TECHNICAL REPRESENTATIVE PRIOR TO DELIVERY OF PILOT MODEL TO THE WVDOH.

DESCRIPTION: \_\_\_\_\_ MAKE: \_\_\_\_\_

MODEL: \_\_\_\_\_ YEAR: \_\_\_\_\_ PURCHASE AMOUNT: \_\_\_\_\_

ENGINE: MAKE: \_\_\_\_\_ MODEL: \_\_\_\_\_ FUEL TYPE: \_\_\_\_\_

HORSEPOWER: \_\_\_\_\_ CYLINDER: \_\_\_\_\_ ENGINE SERIAL: \_\_\_\_\_

COOLING SYSTEM CAPACITY: \_\_\_\_\_

BELTS:	DESCRIPTION:	PART NUMBERS:
_____	_____	_____
_____	_____	_____

GVW: \_\_\_\_\_ AXLE CAPACITY: FRONT: \_\_\_\_\_ REAR: \_\_\_\_\_

TIRES: FRONT MAKE & SIZE: \_\_\_\_\_

REAR MAKE & SIZE: \_\_\_\_\_

DIMENSIONS OF UNIT: LENGTH: \_\_\_\_\_ WIDTH: \_\_\_\_\_ LENGTH: \_\_\_\_\_

VENDOR CONTACT PERSON: \_\_\_\_\_ PHONE: \_\_\_\_\_

PARTS:

BATTERY MAKE: _____	MODEL: _____	CCA: _____
TOP OR SIDE POST: _____	DIMENSIONS: LENGTH _____	WIDTH _____ HEIGHT _____
SPARK PLUGS OR FUEL INJECTORS MAKE: _____	PART # _____	
FUEL PUMP OR INJECTION PUMP MAKE: _____	MODEL: _____	
ALTERNATOR MAKE: _____	PART #: _____	
STARTER MAKE: _____	PART #: _____	
TURBO CHARGER MAKE: _____	PART #: _____	
TRANS. MAKE: _____	MODEL: _____	AUTO/MANUAL: _____
HYDRAULIC PUMP MAKE: _____	MODEL: _____	

FILTERS	MAKE	PART NO.	LUBRICANT	MANUFACTURER TYPE
OIL	_____	_____	ENGINE	_____
AIR INNER	_____	_____	TRANSMISSION	_____
AIR OUTER	_____	_____	POWER STEERING	_____
FUEL PRIMARY	_____	_____	HYDRAULIC	_____
FUEL SECONDARY	_____	_____	DIFFERENTIALS	_____
COOLANT	_____	_____	BRAKE FLUID	_____
HYDRAULIC	_____	_____	COOLANT	_____
OTHER	_____	_____	OTHER	_____

## X6.3 TRAINING:

Will training seminar be conducted on Preventive Maintenance, Operator and Mechanic Training  
 YES  NO

Will you conduct training with each purchase order against this open end contract?  
 YES  NO

Will training be conducted within 2 working days from the delivery of the pilot unit on the individual purchase order?  
 YES  NO

If NO, explain time frame \_\_\_\_\_

Will an Operator's Manual be furnished directly to Training Academy prior to the delivery of the pilot?  
 YES  NO

X6.4 If you are the successful vendor, will you furnish all training aids, i.e., videos, projectors, required in conducting the training?  
 YES  NO

X6.4.1 Will all manuals, booklets, etc. explaining preventive maintenance, operator procedures, and service schedule be delivered with each unit?  
 YES  NO  
 If NO, explain \_\_\_\_\_

## X6.5 WARRANTY AND SERVICE POLICY

Will the warranty and service you provide comply with all areas as stated in Section 6.5 of specifications  
 YES  NO

Is warranty literature attached?  
 YES  NO

Is a minimum two (2) year bumper to bumper basic parts and labor warranty excluding abuse and normal wear items included?  
 YES  NO

Describe:

\_\_\_\_\_  
 Refer to attached copy of the applicable Bagela Warranty

**X6.5 WARRANTY AND SERVICE POLICY QUESTIONNAIRE**

**THIS FORM MUST BE COMPLETED IN ITS ENTIRETY AND SUBMITTED WITH YOUR BID.**

(If additional lines are needed, make copies of form.)

1. Define the terms of the standard warranty. If not offered, so state. (Attach copy)

Unit is warranted for a period of two (2) years from date of installation by the servicing dealer against any and all defects in materials and/or workmanship. Abuse, neglect and lack of maintenance is not covered nor is transportation or service calls.

2. Define warranty service to be performed at DOH facilities and warranty service to be performed at manufacturer's representative facility. List name and location of manufacturer's representative.

At the discretion of the WV-DOH any and all warranty work can be performed at any of the Districts. Travel time is excluded.

3. List locations for parts inventories that are within the State of West Virginia. Also, list availability levels, if known.

Middletown Tractor Sales Fairmont, WV 26554

4. During the term of warranty, list the guarantee discount to manufacturer's published list price for parts that bidder will sell the parts to owner.

A.	Terms: Net 30	Manufacturer's published list price less: <u>2</u> % discount
B.	Terms: Net 60	Manufacturer's published list price less: <u>1</u> % discount
C.	Terms: Net 90	Manufacturer's published list price less: <u>0</u> % discount

5. During the term of warranty, will all manufacturers or engineering improvements be submitted to Division of Highways? X YES      NO

6. During the term of warranty, list the guaranteed rates charged for repair to the unit.

A.	Shop Rate	\$ <u>55.00</u> per mechanic hour
B.	Travel Time Charge (Specify if one-way)	\$ <u>60.00</u> per mechanic hour <u>X</u> ; port to port <u>    </u>
C.	Mileage Charge (Specify if one-way)	\$ <u>None</u> per vehicle mile <u>X</u> ; port to port <u>X</u>
D.	Field Mechanic Rate	\$ <u>60.00</u> per mechanic hour
E.	Specify period of time that prices are in effect:	<u>12 Months (1-year)</u>
F.	Surcharge for miscellaneous items:	<u>15</u> %

## X6.6 EVALUATION COMMITTEE REQUIREMENTS

Is all component specifications, product literature, component models provided for Evaluation Committee bid determination?  YES  NO

**X6.7 Will all parts, equipment, accessories, material, design and performance characteristics not specified herein, but which are necessary to provide a complete unit, be furnished with the unit and conform in strength, quality of material, and quality of workmanship to those which are advertised and provided to the market in general by the unit industry?**

YES  NO

**X6.7.1 Are all parts and accessories adequate and regularly supplied as standard to be included except those which may be duplications of specifications herein, and except these by specification are not to be furnished?**

YES  NO

**X6.7.2 Are all standard safety features that are required by Federal and State statutes of law included?**

YES  NO

## X7.0 SPECIFICATIONS OF THE QUOTED UNIT

The bidder should complete the following schedule in order for the Division to compare the actual bid unit to the specifications. Should the bidder except a requirement, then such exception may be only on the basis that such feature is not offered by the manufacturer. The Division will have the sole discretion as to whether the bidder's substitution meets the requirements of the specifications.

Manufacturer: BEGALA Model: BA7000

**X7.1 Is frame compact and lightweight**

YES  NO

**X7.1.1 Is frame steel, welded construction**

YES  NO

**X7.1.2 Is paint color manufacturers standard**

YES  NO

**X7.2 Dimensions and Weight (including trailer)**

**X7.2.1 Length:** 212 inches

**X7.2.2 Width:** 78 inches

**X7.2.3 Height:** 83 inches

**X7.2.4 Weight:** 5,500 lbs.

## X7.3 Diesel Engine:

X7.3.1 **Manufacturer & Model:** Hatz 1D81ZX7.3.2 Fuel tank capacity: 2 gallonX7.3.3 Horsepower: 11.9 HPX7.3.4 **Does engine have 12 volt electric starter**  YES  NOX7.3.5 **Does engine power a generator**  YES  NO

## X7.4 Hydraulics:

X7.4.1 Reservoir capacity: 19.8 gallonX7.4.2 Hydraulic pump output: 5.28 gallon/minuteX7.4.3 Hydraulic motor capacity: 10.5 cubic inchX7.4.4 Cylinders (borexstroke): 1.38 inch by 23.62 inchX7.4.5 **Does unit have all hydraulic control valves to properly operate unit**  YES  NOX7.4.6 **Does unit have all hydraulic pressure gauges required for standard unit**  YES  NOX7.4.7 **Are hydraulic filters manufacturers standard to properly filter the hydraulic system**  
 YES  NOX7.4.8 **Are all other hydraulic components as standard supplied with unit**  YES  NO

## X7.5 Heating System:

X7.5.1 **Is fuel diesel**  YES  NOX7.5.2 Fuel storage: 33 gallonX7.5.3 **Burner type:** E.O. -B40-ZH, TwinstageX7.5.4 **Burner capacity** .90M BTU/HR KwX7.5.5 **Number of burners:** 1 2 stages  YES  NOX7.5.6 **Are all other heating system components such as piping, hoses, solenoid valve, but not limited to such, supplied with unit as standard**  YES  NO



## X7.6 Electrical System:

- X7.6.1 Does unit have manufacturers standard 12 volt battery  YES  NO
- X7.6.2 Is unit charging accomplished through an inverter powered by diesel engine  YES  NO
- X7.6.3 Is unit power inverter 230V-60Hz  YES  NO
- X7.6.4 Are all other electrical system components such as switches, wiring, fuses, and relays, but not limited to, supplied with unit as standard  YES  NO

## X7.7 Controls:

Are the following controls furnished:

- X7.7.1 Engine starting system  YES  NO
- X7.7.2 Forward-reverse drum rotation  YES  NO
- X7.7.3 Hopper tilt up-down  YES  NO
- X7.7.4 Burner control (#0=off, #1=ventilation, #2=firing on one (1) nozzle, #3=firing on two (2) nozzles)  YES  NO
- X7.7.5 Hour meter  YES  NO
- X7.7.6 All pressure gauges required as standard unit  YES  NO
- X7.7.7 Temperature gauge  YES  NO

## X7.8 Performance:

- X7.8.1 Nominal load size: 7 TPH
- X7.8.2 Recycled asphalt temperature controlled by operator  YES  NO
- X7.8.3 Operating temperature range: 280 °F to 350 °F

## X7.9 Operation:

- X7.9.1 Loading done mechanically with broken chunk, pieces of milled asphalt (rap)  YES  NO
- X7.9.2 Self unloading on to repair site, or into hot box/patch tank  YES  NO
- X7.10 Are all other features considered standard equipment but not addressed  YES  NO

**X7.11 Advertising:**

**X7.11.1** Does unit conform to advertising guidelines  YES  NO

**X7.12 Paint:**

**X7.12.1** Is unit painted manufacturers standard color  YES  NO

**X7.12.2** Are areas painted a color for safety as they normally would be  YES  NO

**X7.13** Does unit conform to OSHA requirements  YES  NO



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:  
 709EC013

PAGE:  
 1

ADDRESS CORRESPONDENCE TO ATTENTION OF:  
 MICHAEL AUSTIN  
 304-558-2402

RFQ COPY  
 TYPE NAME/ADDRESS HERE

Middletown Tractor Sales  
 2345 Whitehall Blvd.  
 Fairmont, WV 26554

DIVISION OF HIGHWAYS  
 EQUIPMENT DIVISION  
 ROUTE 33  
 BRUSHY FORK ROAD  
 BUCKHANNON, WV  
 26201 304-472-1750

DATE PRINTED	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS
03/16/2009	Net 30 Days	Our trucks	Destination	Pre-Paid

BID OPENING DATE: 04/07/2009 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
ADDENDUM NO. 1						
MANDATORY PRE-BID CONFERENCE CHANGED						
FROM: 03/26/09 AT 10:00 A.M.						
TO: 03/27/09 AT 10:00 A.M						
BID OPENING DATE AND TIME REMAINS THE SAME.						
NO OTHER CHANGES						
0001	1	EA		962-70	Refer to page 17	
PORTABLE ASPHALT RECYCLING MACHINE						
***** THIS IS THE END OF RFQ 709EC013 ***** TOTAL:						Refer to page 17

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE 	TELEPHONE 304-366-4690	DATE 04 April 2009
TITLE 	FEIN 55-054-7175	ADDRESS CHANGES TO BE NOTED ABOVE

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



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  
 709EC013

PAGE  
 1

ADDRESS CORRESPONDENCE TO ATTENTION OF  
 MICHAEL AUSTIN  
 304-558-2402

VENDOR

RFQ COPY  
 TYPE NAME/ADDRESS HERE  
 Middletown tractor Sales  
 2345 Whitehall Blvd.  
 Fairmont, WV 26554

SHIP TO

DIVISION OF HIGHWAYS  
 EQUIPMENT DIVISION  
 ROUTE 33  
 BRUSHY FORK ROAD  
 BUCKHANNON, WV  
 26201 304-472-1750

DATE PRINTED	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS
03/17/2009	Net 30 Days	Our Trucks	Destination	Pre-Paid

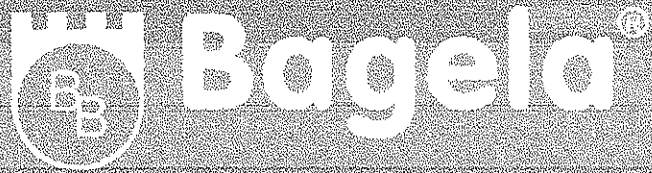
BID OPENING DATE: 04/22/2009 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
ADDENDUM NO. 2						
MANDATORY PRE-BID CONFERENCE CHANGED						
FROM: 03/27/09 AT 10:00 A.M.						
TO: 04/02/09 AT 10:00 A.M.						
BID OPENING DATE AND TIME CHANGED						
FROM: 04/07/09 AT 1:30 P.M.						
TO: 04/22/09 AT 1:30 P.M.						
NO OTHER CHANGES.						
0001	1	EA		962-70		Refer to page 17
PORTABLE ASPHALT RECYCLING MACHINE						
***** THIS IS THE END OF RFQ 709EC013 ***** TOTAL:						Refer to page 17

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>James D. ...</i>	TELEPHONE 304-366-4690	DATE 04 April 2009
TITLE <i>J.D.</i>	55-054-7175	ADDRESS CHANGES TO BE NOTED ABOVE

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



Asphalt Recycling Equipment

# HOT ASPHALT IN MINUTES

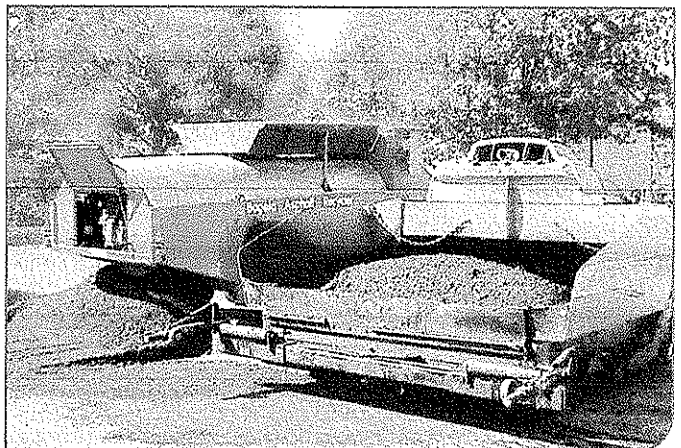
## REMOVE

REDUCE EXISTING ASPHALT STOCKPILES



## RECYCLE

REUSE REPLENISHABLE MATERIALS  
RECYCLE FOR A GREENER TOMORROW



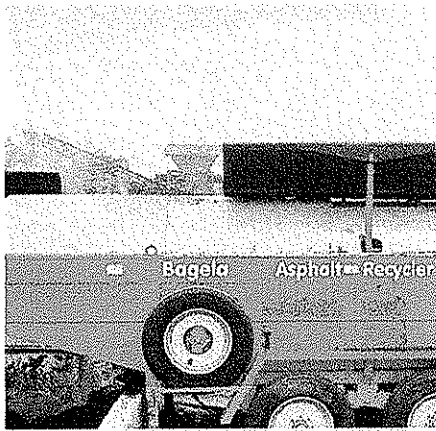
## REPLACE

BETTER ROADS = BETTER COMMUNITIES

**Bagela Asphalt Recyclers**

[www.bageloUSA.com](http://www.bageloUSA.com) 877-499-2221

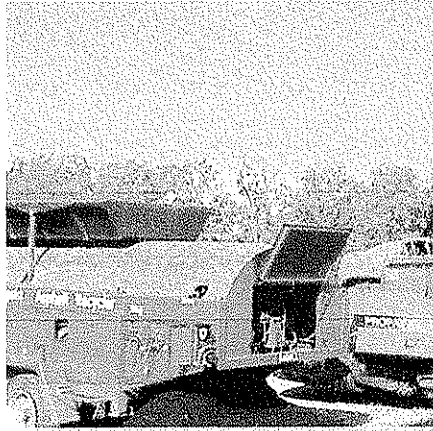
# QUALITY 100% RECYCLED HOT MIX ASPHALT: HOW YOU NEED IT. WHEN YOU NEED IT. WHERE YOU NEED IT.



## FEATURES

Don't let *anything* stop you! Recycle during all seasons, even sub-zero temperatures. From interstates to driveways, asphalt contractors, state DOT's, cities, counties, the Bagela is for you.

- R**e-use existing stockpiled (waste) asphalt materials
- E**asily portable, for on-site recycling and repair
- C**ost savings
- Y**ield - up to 10 tons per hour
- C**apable of working 365 days a year
- L**ess costly alternative to cold mix
- E**nvironmentally friendly!



## CONTROL

Be in control & competitive with Bagela:

- ♦ Asphalt recyclers supply hot asphalt on demand!
- ♦ You now have the ability to work on nights and weekends.
- ♦ No waiting in lines at asphalt plants.
- ♦ Economical production 24-hours a day.
- ♦ Bagela is #1 in providing quality recycled asphalt.
- ♦ Asphalt recycling with its benefits and big profits are here to stay.



## PROCESS

The Bagela Asphalt Recycler line is designed to use existing RAP, chunks or millings and recycle material into usable hot mix. The process, from an operating standpoint, is quite simple. Chunks or separated material is loaded into the self-contained machine, and through a patented heating process, is recycled back into viable hotmix asphalt.

The patented lighted drum keeps the material from coming into direct contact with any flame, so output material is discharged at a consistent temperature, which is monitored by electronic controls making operation very simple.

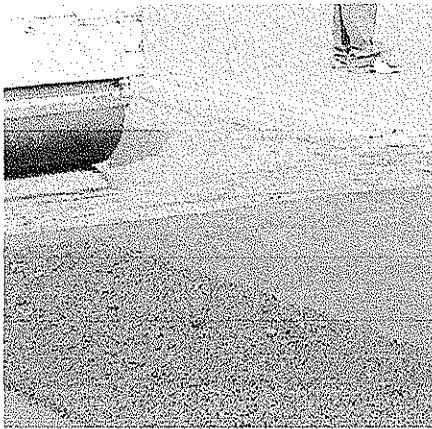
## APPLICATIONS

Pothole patching  
Utility cuts  
Shoulder work  
Curbing  
Electrical trenching repairs  
Catch basin repairs

Plumbing cuts  
Parking lots  
Bridge repairs  
Driveways  
Airport maintenance  
Railway crossing repair

Small-medium paving jobs  
Soil remediation  
All winter patching jobs  
Bike/walking path maintenance





## RESULTS

"We bought the Recycler so we no longer need to purchase cold patch material. We do not use it every day, but it **paid for itself** in just three years! We highly recommend the Thermal Container as well, it keeps the 'hot patch' hot for hours!"

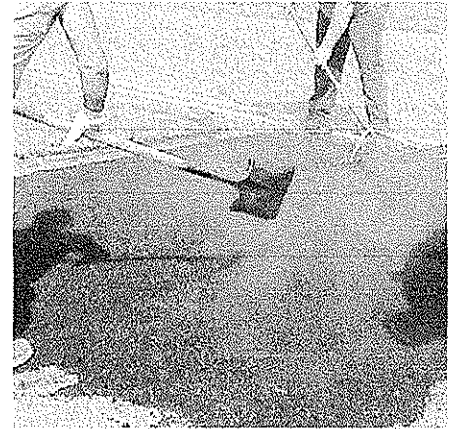
Bruce Kolwicz  
Public Works Director  
City of Blue Springs, MO



## DEPENDABLE

"Our Bagela recyclers have proven to be a **reliable** source for quality material in any season. We produce hot mix for our own use as well as retail sales. It is the best option when the plants are closed."

Howard Vagi  
General Manager, Midwest Region, Site  
Operations, Asphalt Recycler Construction, Inc.



## ABOUT US

Bagela Baumaschinen GmbH & Company has been building construction equipment for over 25 years. Bagela manufactures over 65 different products which are marketed and sold globally. Bagela Asphalt Recyclers have been in operation for over 15 years. The manufacturer, through its distributors, has sold almost 2000 units worldwide.

## BAGELA THERMAL CONTAINERS:

Bagela Thermal Containers are the economical solution for transporting recycled hot mix to the job site! The containers are completely insulated throughout using a special mineral fiber. Thermal Containers can retain hot mix asphalt temperature for approximately 10-12 hours without the need for fuel, electric or any external heat source! Bagela Thermal Containers are offered in four sizes/capacities: 5 ton, 9 ton, 11 ton and 15 ton. Ask your dealer for more information or visit [www.bagelusa.com](http://www.bagelusa.com).

BAGELA ASPHALT RECYCLERS: [WWW.BAGELUSA.COM](http://WWW.BAGELUSA.COM) 877-499-2221





## BAGELA BA 10000

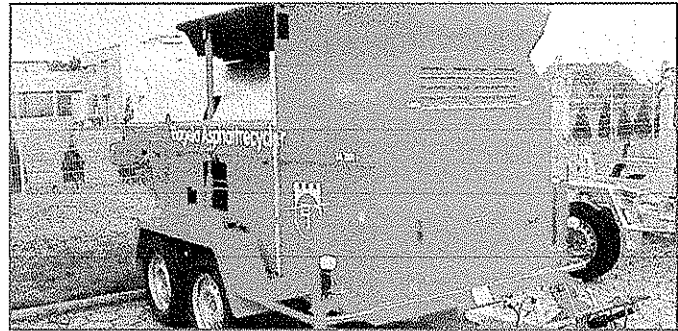
The Bagela BA 10000 is the most recognized model asphalt recycler. This recycler is used by contractors and municipalities for its outstanding performance and proven return on investment. The BA 10000 is capable of recycling up to 10 tons per hour (or more) depending on material input. The BA 10000 efficiently recycles chunks, milling, old roads, leftover, in-situ hot mix with ease.

This recycler comes standard mounted on an oversized double axle trailer for portability. It is also available with self-propulsion or frame mount for a static installation.

## BAGELA BA 7000:

The Bagela BA 7000 is an ideal choice for contractors or municipalities looking to recycle chunk asphalt with the added ease of portability! The BA 7000 is capable of recycling up to 7 tons of hot mix per hour depending on material input. This recycler's economical weight and size make it ideal to tow behind today's standard, half-ton pickup.

The BA 7000 is also available with self-propulsion for ease of movement on the job.



## BAGELA BA 4000

The BA 4000 is an excellent choice for contractors or municipalities looking to recycle their own hot mix in small quantities they need... when they need it! The BA 4000 is capable of producing up to 4 tons per hour depending on material input. This unit is easily transportable due to economical size and weight.

## TECHNICAL DATA:

Type	Length	Width	Height	Weight (lbs)	Diesel Engine	Rated Output	Heating System	Fuel Per Ton Consumption
BA4000F	174"	79"	79"	4400	1 cyl., 6.6 hp	4 tph	Diesel 0.48 MBTU/hr	Approx. 1.0 gal/ton
BA7000F	212"	79"	83"	5500	1 cyl., 11.5 hp	7 tph	Diesel 0.90 MBTU/hr	Approx. 1.0 gal/ton
BA10000F	266"	91"	97"	11000	3 cyl., 27.0 hp	10 tph	Diesel 1.48 MBTU/hr	Approx. 1.5 gal/ton

Complete unit pricing for heavy-duty units are available from our website. Visit us at [www.bagelausa.com](http://www.bagelausa.com)



70 Platt Road  
Shelton, CT 06460  
877.499.2221  
Fax: 203.929.0144

sales@bagelausa.com  
www.bagelausa.com

LOCAL DEALER:

### Middletown Tractor Sales

2345 Whitehall Boulevard  
Fairmont, WV 26554  
(304) 366-4690

[www.middletowntractor.com](http://www.middletowntractor.com)



**Bagela**<sup>®</sup>  
USA

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Bagela Asphalt Recyclers

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[Bagela Thermal Containers](#)

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### **Bagela BA 7000**

[Click here for detailed specification](#) [Click here for BagelaUSA Borchure \(2MB PDF\)](#)

**Production - Maximum- 7 tons per hour**

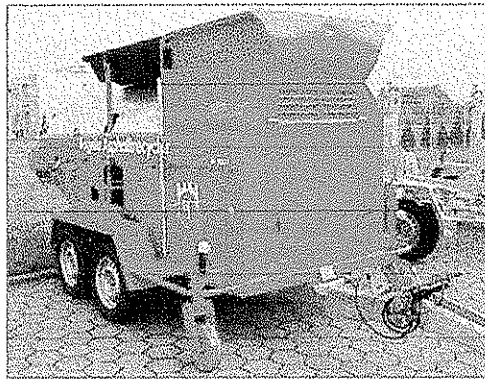
**Length (including trailer) - Aprox. 17 feet**

**Width (including trailer) - Aprox. 6.5 feet**

**Height - Aprox. 6.7 feet**

**Fuel type (engine & burner) - Diesel**

**Fuel/oil consumption - Aprox. .85 gallons per ton of recycled material**



The Bagela BA7000 is the ideal choice for onsite production due to its economical size and weight. With a curb weight of just over 5500 lbs, The Bagela BA7000 can be towed to the jobsite with today's standard, half-ton pickup.

The BA 7000 is capable of recycling either broken chunk or milled (RAP) asphalt at a jobsite or in a static position. Maximum production capability is approximately 7 tons per hour. Production can either increase or decrease due to the moisture content of the material being recycled. It is recommended that any RAP material be stored out of the elements in order to maximize production. If there are questions regarding storage or maximizing production from the Bagela Asphalt Recycler, please contact Bagela USA.

The BA7000 can also be effectively used to reheat virgin hot mix asphalt not previously used.

The BA 7000 asphalt recycler comes standard with a built-in municipal grade trailer, so the machine is portable. Machines can be custom ordered with a secondary frame instead of a trailer for static positioning or permanent mount to a truck frame. The self-propulsion option allows the machine to work independently of a tow vehicle at any jobsite.

### **The Bagela Asphalt Recycler.**

**The solution to turn growing asphalt chunk & milling piles into revenue!**

**EXCLUSIVE DISTRIBUTORS OF BAGELA ASPHALT RECYCLERS WITHIN THE USA**

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## Specifications

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[Bagela Thermal Containers](#)

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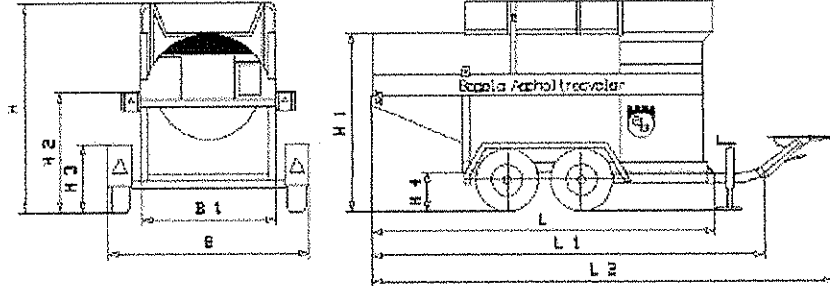
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### Bagela Asphalt Recycler Type: BA4000; BA 7000; BA10000F

[Click here for the BagelaUSA Brochure \(2MB PDF\)](#)



#### Dimensions (type with chassis):

Type	L	L1	L2	B	B1	H	H1	H2	H3	H4	Weight
BA4000	11.5"	151.3"	173.4"	78.8"	47.3"	78.8"	70.9"	43.4"	27.6"	15.8"	4,321 lbs
BA7000	133.2"	171.4"	212.8"	78.8"	53.2"	82.7"	69.8"	47.7"	27.6"	15.8"	5,070 lbs
BA10000	197.4"	253.8"	265.9"	90.6"	70.9"	96.5"	78.8"	46.7"	35.5"	25.6"	10,951 lbs

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1-877-499-2221

email: [questions@bagelausa.com](mailto:questions@bagelausa.com)



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### In the News

#### Back in Black Top Road warriors give new life to old roads

BY ALEXANDER SOULE  
FAIRFIELD COUNTY BUSINESS JOURNAL  
Monday, March 9, 2009 Shelton

On a chilly day near the Shelton riverfront, the operators of a front-end loader dumped a load of pavement debris into an orange hopper. In the space of minutes, out streamed a steamy batch of fresh asphalt ready for spreading. It might just provide the foundation for the next great construction equipment company in Fairfield County. [Click Here to Read More](#)

### In the News

#### Vacaville company offers on-site asphalt recycling for patching

BY JEFF QUACKENBUSH  
BUSINESS JOURNAL STAFF REPORTER  
Monday, February 2, 2009 VACAVILLE

A new company has brought the potential cost and resource savings of pavement recycling to the small-scale realm of asphalt patching.

Instead of paying for asphalt ripped up during underground utility work to be hauled to a landfill or recycler and paying for new material to be hauled from sometimes distant hot-mix plants, Go Green Asphalt of Vacaville offers to tote its mobile recycler to the job site. The renewed hot-mix asphalt can be used to cover the same hole or trench as well as to fill potholes or gaps with newly placed. [Click Here to Read More](#)

### Press Release February 3, 2009 (PDF)

**"PAVING THE WAY FOR GREEN ROADS"** [Click Here to Download](#)

### Star Valley Paving, Thanye, Wyoming:

*"We use our recycler to repair parking lots for private lodges in the Jackson Hole, Wyoming area. Our main concern is getting the work done in the short time period in the spring between when the frost is out and the beginning of the tourist season, around Memorial Day."*

*"The fact that we are recycling in-place is a key factor in our customers selecting Star Valley as their contractor for these jobs. Getting the job(s) done in the right time frame is critical, but no less so is the fact that we are recycling the asphalt. Environmental concerns are very important here and this machine fits right in with those concerns."*

*"The Bagela asphalt recycler does what it is advertised to do and it does it very well! It turns old asphalt into fresh hot mix on the spot."*

**Dennis West – Owner, Star Valley Paving**

**Thanye, Wyoming**

"We purchased a Bagela asphalt recycler and a company representative gave the training on our new unit. We had at least 15-20 men present to go over the unit. We started with the diesel engine and the 400KW power unit. It was pointed out the importance of keeping clean the fuel filters within the fuel system. They covered the controls and operational aspects of the unit."

"We were assisted by way of a demonstration of the operation of the unit, we produced (recycled) a yard of material every 7-8 minutes. We produced (recycled) 10-15 tons in a short time, completing our project within a 2 hour period. Each man shared with me that it was a joy to work with this unit, no one had to wait on it at any time, and the material was not damaged and looked good."

"The unit heated with an indirect heat that did not burn or damage the material, but broke the material down into a viable hot mix. We tried different types of materials and the unit produced (recycled) very well with each. To get the best results, with poorer (older) materials, it was necessary for us to use or add an additive to it. This unit is definitely superior to any that we have or have seen, that produces the volumes of quality material."

**Ralph Dixon – EMIISR Equipment Inspector,**

**Kansas Dept. of Transportation, Garnett, Kansas**

**Arthur J. Lootens & Son, Inc.:**

"We completed three full depth repairs in the asphalt driveway of our business using a Bagela asphalt recycler and used asphalt pieces. This area undergoes a heavy volume of truck traffic. After a year and a half, the repairs show no failure of any kind and have stood up as well as plant produced HMA laid with a paver."

"The Bagela works as advertised and I would not hesitate to recommend it to anyone wanting to use it for top quality asphalt work any time of the year. IT REALLY WORKS."

**Jim Lootens – Owner, Arthur J. Lootens & Son, Inc.**

**West Chicago, Illinois**

### The Bagela Asphalt Recycler.

The solution to turn growing asphalt chunk & milling piles into revenue!

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1-877-499-2221

email: [questions@bagelausa.com](mailto:questions@bagelausa.com)



## MIDDLETOWN TRACTOR SALES

2345 WHITEHALL BLVD.  
FAIRMONT, WV 26554

304-366-4690 (EXT 42)  
304-366-4698 (FAX)

304-483-6770 (CELL)

Please review the items listed below for Exceptions/clarifications:

- Item# 1 (7.3.1) Should read Hatz 1D81Z instead of 1D812
- Item #2 (7.5.3) Model change from E.O.-B30-2/Hm to E.O.-B40-ZH Twin Stage
- Item# 3 (7.5.4) Change of Rating from 264KW to .90 MBTU/HR (Million BTU's/HR)

These are only clarifications and do not affect any mandatory specifications.



# MIDDLETOWN TRACTOR SALES

## FAX FORM

2345 Whitehall Boulevard  
Fairmont, WV 26554  
304-366-4690  
304-366-4698 (FAX)

22 April 2009

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

REF: RFQ# 709EC013

ATTN: Warranty Information

Please include this document in our Bid Package that was delivered this morning via UPS.

Respectfully yours;

Phillip A. Cottrille  
Sales Consultant.  
304-366-4690 (EX-42)  
phil@middletowntractor.com

RECEIVED

2009 APR 22 A 11: 58

PURCHASING DIVISION  
STATE OF WV





## Bagela USA Asphalt Recycler Limited 2-Year Warranty

### BAGELA BA 7000 LIMITED WARRANTY

As the distributor of the Bagela BA7000 confirms that the goods left our premises (or Agents premises) in good working condition. Warranty (parts and labor) on all main components is granted for a period of 24 months from retail delivery date, except on parts which are subject to wear and tear. This warranty is not transferable to a new owner

**What is covered and for how long?** All components listed below are covered for a period of 24 months (parts and labor) from date of retail delivery of Recycler.

All major components:

- Engine
- Hydraulic pump and components
- Drum drive mechanism including chain
- Two stage oil-fired burner and components
- Electronic control module and components
- Chassis and components
- Drum- Normal drum wear or damage is not covered

### What is not covered under the Bagela Asphalt Recycler Warranty?

**Damage caused by:**

- Accidents, collision or objects (including machinery) striking Recycler
- Theft or vandalism
- Fire or explosion
- Using contaminated or improper fuel/fluids
- Customer applied chemicals or accidental spills
- Misuse of Recycler
- Serviced or repaired by someone other an authorized Bagela service facility or trained technician

**Damage caused by alteration or modification:**

- Alterations or modifications of Recycler, including outer body, chassis or components after Recycler leaves control of Bagela USA LLC
- Tampering with Recycler
- The installation or use of non-Bagela part or component, if installed part fails or causes a Bagela part or component to fail

### Damage caused by Use and/or the Environment

Limited warranty does not cover surface rust, deterioration and damage of paint or any other appearance items that result from use and/or exposure to the elements.

### Maintenance/Wear

Bagela Asphalt Recycler limited warranty does not cover:

- Parts and labor needed to maintain Recycler
- Replacement parts due to normal wear and tear

Some examples of normal wear and tear items:

- Oil changes
- Hydraulic fluid changes
- All filters, seals and gaskets
- Tires
- Brake linings
- Drum rollers and assemblies
- Drum lining

# VENDOR PREFERENCE CERTIFICATE

Certification and application\* is hereby made for Preference in accordance with *West Virginia Code*, §5A-3-37. (Does not apply to construction contracts). *West Virginia Code*, §5A-3-37, provides an opportunity for qualifying vendors to request (at the time of bid) preference for their residency status. Such preference is an evaluation method only and will be applied only to the cost bid in accordance with the *West Virginia Code*. This certificate for application is to be used to request such preference. The Purchasing Division will make the determination of the Resident Vendor Preference, if applicable.

- 1. Application is made for 2.5% resident vendor preference for the reason checked:  
 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,  
 Bidder is a partnership, association or corporation resident vendor and 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 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,  
 Bidder is a 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; or,
- 2. Application is made for 2.5% resident vendor preference for the reason checked:  
 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; or,
- 3. Application is made for 2.5% resident vendor preference for the reason checked:  
 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 Bidder's 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; or,
- 4. Application is made for 5% resident vendor preference for the reason checked:  
 Bidder meets either the requirement of both subdivisions (1) and (2) or subdivision (1) and (3) as stated above; or,
- 5. Application is made for 3.5% resident vendor preference who is a veteran for the reason checked:  
 Bidder is an individual resident vendor who is a veteran of the United States armed forces, the reserves or the National Guard and has resided in West Virginia continuously for the four years immediately preceding the date on which the bid is submitted; or,
- 6. Application is made for 3.5% resident vendor preference who is a veteran for the reason checked:  
 Bidder is a resident vendor who is a veteran of the United States armed forces, the reserves or the National Guard, if, for purposes of producing or distributing the commodities or completing the project which is the subject of the vendor's bid and continuously over the entire term of the project, on average at least seventy-five percent of the vendor's employees are residents of West Virginia who have resided in the state continuously for the two immediately preceding years.

Bidder understands if the Secretary of 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) reject the bid; 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.

By submission of this certificate, Bidder agrees to disclose any reasonably requested information to the Purchasing Division and authorizes the Department of 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.

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.

Bidder: Middletown Tractor Sales

Signed: *James A. Boyce*

Date: 04 April 2009

Title: *President*

\*Check any combination of preference consideration(s) indicated above, which you are entitled to receive.

STATE OF WEST VIRGINIA  
Purchasing Division

## PURCHASING AFFIDAVIT

### VENDOR OWING A DEBT TO THE STATE:

**West Virginia Code §5A-3-10a** provides that: 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 the aggregate.

### PUBLIC IMPROVEMENT CONTRACTS & DRUG-FREE WORKPLACE ACT:

If this is a solicitation for a public improvement construction contract, the vendor, by its signature below, affirms that it has a written plan for a drug-free workplace policy in compliance with Article 1D, Chapter 21 of the **West Virginia Code**. The vendor **must** make said affirmation with its bid submission. Further, public improvement construction contract may not be awarded to a vendor who does not have a written plan for a drug-free workplace policy in compliance with Article 1D, Chapter 21 of the **West Virginia Code** and who has not submitted that plan to the appropriate contracting authority in timely fashion. For a vendor who is a subcontractor, compliance with Section 5, Article 1D, Chapter 21 of the **West Virginia Code** may take place before their work on the public improvement is begun.

### ANTITRUST:

In submitting a bid to any agency for the state of West Virginia, the bidder offers and agrees that if the bid is accepted the bidder will convey, sell, assign or transfer to the state of West Virginia all rights, title and interest in and to all causes of action it may now or hereafter acquire under the antitrust laws of the United States and the state of West Virginia for price fixing and/or unreasonable restraints of trade relating to the particular commodities or services purchased or acquired by the state of West Virginia. Such assignment shall be made and become effective at the time the purchasing agency tenders the initial payment to the bidder.

I certify that this bid is made without prior understanding, agreement, or connection with any corporation, firm, limited liability company, partnership or person or entity submitting a bid for the same materials, supplies, equipment or services and is in all respects fair and without collusion or fraud. I further certify that I am authorized to sign the certification on behalf of the bidder or this bid.

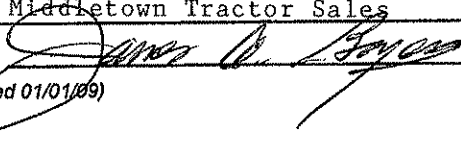
### LICENSING:

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. Vendor further agrees to comply with the Confidentiality Policies and Information Security Accountability Requirements, set forth in <http://www.state.wv.us/admin/purchase/privacy/noticeConfidentiality.pdf>.

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

Vendor's Name: Middletown Tractor Sales  
Authorized Signature:  Date: 04 April 2009