

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

Request for Quotation

SHIP

ABC64

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ADDRESS CORRESPONDENCE TO ATTENTION OF SHELLY MURRAY 304-558-8801

606-329-2418 *709063319 POWER PRODUCTS INC PO BOX 1163 3225 GREENUP AVE 41101 ASHLAND KY

ALCOHOL BEVERAGE CONTROL COMMISSION 322 70TH STREET, S.E.

CHARLESTON, WV

25304-2900 558-2487

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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."

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



ASHLAND KY

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

Request for Quotation

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ADDRESS CORRESPONDENCE TO ATTENTION OF

ADDRESS CHANGES TO BE NOTED ABOVE

SHELLY MURRAY 304-558-8801

*709063319 606-329-2418 POWER PRODUCTS INC PO BOX 1163 3225 GREENUP AVE

41101

ALCOHOL BEVERAGE CONTROL COMMISSION 322 70TH STREET, S.E.

CHARLESTON, WV 25304-2900 558-2487

SHIP VIA DATE PRINTED TERMS OF SALE FOB FREIGHT TERMS Charleston, WV 11/25/2008 Net 10 Days Prepaia **BID OPENING DATE:** 12/23/2008/ OPENING TIME 01:30PM CAT LINE OUANTITY ITEM NUMBER UNIT PRICE AMOUNT BANKRUPTCY: | IN THE EVENT THE VENDOR/CONTRACTOR FILES FOR BANKRUPTCY PROTECTION, THIS CONTRACT IS AUTOMATI-CALLY NULL AND VOID, AND IS TERMINATED WITHOUT FURTHER ORDER. THE TERMS AND CONDITIONS CONTAINED IN THIS CONTRACT SHALL SUPERSEDE ANY AND ALL SUBSEQUENT TERMS AND CONDITIONS WHICH MAY APPEAR ON ANY ATTACHED PRINTED DOCUMENTS SUCH AS PRICE LISTS, ORDER FORMS, SALES AGREEMENTS OR MAINTENANCE AGREEMENTS, INCLUDING ANY ELECTRONIC MEDIUM SUCH AS CD-ROM. 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 SHELLY MURRAY / FILE 31 BUYER: RFQ. NO.: ABC64 BID OPENING DATE: 12/23/2008 SEE REVERSE SIDE FOR TERMS AND CONDITIONS: 608-329-2918

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

Request for REQNUMBER Quotation ARC64

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*709063319 606-329-2418 POWER PRODUCTS INC PO BOX 1163 3225 GREENUP AVE ASHLAND KY 41101

ALCOHOL BEVERAGE CONTROL COMMISSION 322 70TH STREET, S.E.

CHARLESTON, WV 25304-2900

558-2487

	HMS OF SALE	SHIP VIA	FOB.	FREIGHT TERMS
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LINE QUANTITY	UOP CAT	ITEM NUMBER	UNIT PRICE	AMOUNT
BID OPENING	TIME: 1:	30 PM		
TO CONTACT		UMBER IN CASE IT NG YOUR BID: -7424	IS NECESSARY	
		PRINT CLEARLY): Villiams	ANT 150 NA AND 160 NA 160 NA 160 NA	
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SIGNATURE M 100 //		VERSE SIDE FOR TERMS AND CON TELEPHONE	DATE	12/16/08
TITLE Prioldent	Man 6/1001		ADDRESS CHANGES	



STATE OF WEST VIRGINIA DEPARTMENT OF REVENUE ALCOHOL BEVERAGE CONTROL ADMINISTRATION

322 70th Street, SE Charleston, West Virginia 25304-2900

JOE MANCHIN III GOVERNOR DALLAS S. STAPLES COMMISSIONER

VIRGIL T. HILTON CABINET SECRETARY

Specifications For LPG Powered Fork Lift Truck (2) Units Needed

Unit Should Be Equal To The Toyota Model 8FGCU25

Load Capacity

Load Center

Powered

Operator Type Tires

Mast

Maximum Fork Hgt Needed

Maximum Fork Hgt Need Engine

Fork Size

Steering

Service Break

Parking Break Transmission

Transmission Speed F/R

Hydraulic Pressure

Mast Tilt Forward/Backward

Load Back Rest Wheels Front/Rear

Side Shifting Attachment

5000LBS

24 Inches

Propane (LP)

Sit-Down

Cushion - Smooth Tread

3-Stage 189 Inches

4-Cylinder (At Least 2.2 Liter)

At Least 1.50 X 4 X 42"

Power

Hydraulic Foot

Mechanical/Manual Hand

Power Shift Automatic

1/1 2250 PSI

230 1 01

At Least 5 Degrees Forward/Backward 48 Inches

2 X 2

RFQ No.	ABC64	

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:

West Virginia Code §21-1D-5 provides that: Any solicitation for a public improvement construction contract shall require each vendor that submits a bid for the work to submit at the same time an affidavit that the vendor has a written plan for a drug-free workplace policy in compliance with Article 1D, Chapter 21 of the West Virginia Code. A 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. 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 is in compliance with the requirements as stated.

	Vendor's Name:/	Power Pr	oducts	Inc			
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Authorized Signature: Male T William - President Date: 12/18/08	Authorized Signature:	Mulas	William	- President	Date:	12110108	

Rev. 11/07

State of West Virginia

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.
require agains or ded	understands if the Secretary of Revenue determines that a Bidder receiving preference has failed to continue to meet the ements for such preference, the Secretary may order the Director of Purchasing to: (a) reject the bid; or (b) assess a penalty t such Bidder in an amount not to exceed 5% of the bid amount and that such penalty will be paid to the contracting agency ucted from any unpaid balance on the contract or purchase order.
authori the red deeme	mission of this certificate, Bidder agrees to disclose any reasonably requested information to the Purchasing Division and izes the Department of Revenue to disclose to the Director of Purchasing appropriate information verifying that Bidder has paid juired business taxes, provided that such information does not contain the amounts of taxes paid nor any other information and by the Tax Commissioner to be confidential.
and a	penalty of law for false swearing (West Virginia Code, §61-5-3), Bidder hereby certifies that this certificate is true ccurate in all respects; and that if a contract is issued to Bidder and if anything contained within this certificate les during the term of the contract, Bidder will notify the Purchasing Division in writing immediately.
Bidde	Signed:
Date:	Title:

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



VENDOR

*709063319

ASHLAND KY

POWER PRODUCTS INC

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

PO BOX 1163 3225 GREENUP AVE

41101

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PAGE 1

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B04-558-8801

ALCOHOL BEVERAGE CONTROL COMMISSION 322 70TH STREET, S.E.

CHARLESTON, WV 25304-2900 558-2487

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CHARLESTON, WV 25304-2900 558-2487

12/11/2008	Net 10 Days	Motor Freialet	Charleston, WV	Prepaid
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REV. 1	END OF	ADDENDUM NO. 1	OTIONS	
11/www.C	Willamy	TELEPHONE 606 -	329-2118 DATE	12/15/08
TITLE President	ICCIN1	1867		TO BE NOTED ABOVE

ABC64 Addendum No. 1

Question:

Komatsu offers 2 engines for this unit: the K21 model, which is 2.1L and 55HP; or the K25 model, which is 2.5L and 60HP. Your specs said at least 2.2L-should I quote the K25 model which is 2.5L?

Response:

YES, QUOTE THE 2.5L MODEL K25.

Questions:

Do you need a LPG tank quoted with unit (33# aluminum)?

Response:

No LPG TANK IS NEEDED.

Question:

Do you need a strobe light and backup alarm quoted with unit?

Response:

YES, BOTH SHOULD BE QUOTED.

Question:

Komatsu's standard mast has a maximum fork height of 188.5". Is this close enough to stated spec of 189", or do I need to quote the next highest fork height mast of 198.5"?

Response:

THE 188.5" FORK HEIGHT IS FINE FOR THIS APPLICATION.

Question:

Basic load capacity of standard Komatsu Model#FG25ST-16 or Model#FG25SHT-16 is 5000lbs.lf equipped with 3-stage 188.5" mast and integral sideshift-rated capacity goes to 4800lbs.ls this sufficient to meet specs?

Response:

YES, IT IS SUFFICIENT.

NOTE: All manufacturers forklifts derate from stated basic capacity with addition of 3-stage mast and sideshift.

Question:

We will be quoting unit with integral sideshift rather than hang-on sideshift. Integral unit gives more derated capacity than hang-on sideshift (4800lbs vs 4650lbs). Will this be alright?

Response:

YES, THE INTEGRAL SIDESHIFT WILL BE FINE.

Question:

First, is the engine size. The bid lists "at least 2.2 Liter." Currently, the standard Komatsu equivalent is 2.1 Liters. There is a 2.5 Liter engine available, but would like to have clarification on whether or not this is a "requirement."

Response:

Quote the 2.5LT engine

Question:

Next is the "maximum fork height needed." Stated in the bid is 189 inches. Currently, the Komatsu equivalent is 188.5 inches. Is this going to be something that would prevent our bid from being accepted?

Response:

The 188.5 inch fork height is fine for this application



3225 GREENUP AVE PO BOX 1163 ASHLAND, KY 41105-1163 PHONE: 606-329-2418 FAX: 606-324-7424 E-mail: powerproductsky@yahoo.com

STATE OF WEST VIRGINIA ALCOHOL BEVERAGE CONTROL COMMISSION 322 20TH STREET CHARLESTON, WV 25304-2900

ATTN: SHELLY MURRAY

PH# 304-558-8801

QUOTATION #

ABC-64

DATE: TERMS: 12/15/08 Net 10 Days

SALESMAN:

Mike Williams

QTY 2-New MAKE KOMATSU MODEL

DESCRIPTION

FG25SHT-16

5,000 LB. BASIC CAPACITY LPG POWERED FORKLIFT

STANDARD EQUIPMENT

UL Approval	Engine Protection System (FG only)
EPA Emission Compliant Fuel System	with Two-stage Prevention of Excessive Coolant Heat
K25 Gasoline Engine (FG)	Fully Hydrostatic Power Steering (FHPS)
with Electronic Control System	Tilting Steering Console
Anti-Restart Ignition Switch	Headlights, OHG Mounted
Single Speed Power-shift Transmission (T)	Rear LED Stop, Tail, Turn Signals, and Backup Lights
Torque Converter Oil Cooler (T)	"Komfort" Non-Suspension Seat – Vinyl
Horn & Hour Meter	Operator Restraint System with Retractable Lap Belt
Fuel (Gas/Diesel) & Water Temperature Gauges	Full Floating Operator Compartment (HSC)
Warning Lights for Oil Pressure and Battery Charge	Adjustable Toggle Type Parking Brake
Three-Way Hydraulic Control Valve	Self Adjusting Service Brakes
Overhead Guard with High Air Intake	Draw Bar Pin
Amber Strobelight	Publications - English
Backup Alarm	Komatsu Operator Presence System PLUS (KOPS PLUS)
Closed Loop Exhaust System (FG)	ANSI / ITSDF B56.1 – 7.21.10/./11 Compliance PLUS
with Three-Way Catalytic Converter	Lift / Lower / Tilt lock

CAPACITY AS EQUIPPED

4,800 LB @ 24" LOAD CENTER

ENGINE

NISSAN K25 MODEL - 60 HP @ 2700 RPM

TRANSMISSION

SINGLE SPEED POWERSHIFT

<u>FORKS</u>

42" x 4.0" x 1.58" STANDARD PALLET

MAST - TRIPLE

MAX FORKLIFT 188.5", LOWERED 85.5" FREELIFT 37.5" – HOOK TYPE INCLUDES 41" ITA CLASS II CARRIAGE WITH 48" LOAD BACKREST

SMOOTH SOLID CUSHION TIRES

DRIVE TIRE SIZE - 21" x 7" x 15" STEER SIZE - 16.1/4" x 5" x 111/4"

SIDESHIFT

37" WIDE INTEGRAL

PRICE EACH \$21,449.87 (QUANTITY 2) TOTAL \$42,899.74

THE KOMATSU BASIC WARRANTY COVERS THE ENTIRE TRUCK EXCLUDING CONSUMABLES, TIRES, AND NORMAL WEAR FOR 12 MONTHS OR 2,000 HOURS, 24 MONTHS OR THE FIRST 4,000 HOURS ON THE POWER TRAIN ONLY.

PRICE VALID FOR 30 DAYS