



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

Request for Quotation

RFG NUMBER
DNR209152

PAGE
1

ADDRESS CORRESPONDENCE TO ATTENTION OF
FRANK WHITTAKER 304-558-2316

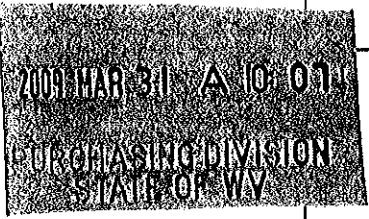
***710153438 859-594-4948**
TURFGRASS INC
PO BOX 637
8045 D DIXIE HIGHWAY
FLORENCE KY 41022

DIVISION OF NATURAL RESOURCES
TWIN FALLS RESORT STATE PARK
ATTN: PARK SUPERINTENDENT
RT. 97, PO BOX 667
MULLENS, WV
25882 304-294-6000

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
03/19/2009				

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

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	LS		335-42		
<p>GOLF COURSE CHEMICALS</p> <p style="text-align: center;">REQUEST FOR QUOTATION</p> <p>THE WEST VIRGINIA STATE PURCHASING DIVISION FOR THE AGENCY, THE WEST VIRGINIA DIVISION OF NATURAL RESOURCES, IS SOLICITING BIDS TO PROVIDE GOLF COURSE CHEMICALS FOR THE TWIN FALLS STATE PARK COURSE PER THE ATTACHED PRODUCT LIST.</p> <p>TECHNICAL QUESTIONS CONCERNING THIS SOLICITATION MUST BE SUBMITTED IN WRITING TO FRANK WHITTAKER IN THE WEST VIRGINIA STATE PURCHASING DIVISION VIA FAX AT 304-558-4115 OR VIA EMAIL AT FRANK.M.WHITTAKER@WV.GOV. DEADLINE FOR ALL TECHNICAL QUESTIONS IS THURSDAY, MARCH 26, 2009 AT THE CLOSE OF BUSINESS. ALL TECHNICAL QUESTIONS RECEIVED, IF ANY, WILL BE ANSWERED BY ADDENDUM AFTER THE DEADLINE HAS LAPSED.</p> <p>QUESTIONS CONCERNING THE ACTUAL PROCESS BY WHICH A VENDOR MAY SUBMIT A BID TO THE STATE OF WEST VIRGINIA ARE NOT CONSIDERED TO BE TECHNICAL QUESTIONS AND MAY BE SUBMITTED AT ANY TIME PRIOR TO THE BID OPENING AND IN ANY FORMAT.</p> <p>AERIFICATION OF THE GOLF COURSE IS SCHEDULED FOR APRIL 13, 2009. VENDOR MUST BE ABLE TO PROVIDE 20-4-10 W/ TEAM AND 18-3-18 GREENS GRADE, LEBANON COUNTRY CLUB BY THIS DATE. ALL OTHER CHEMICALS MUST BE DELIVERED WITHIN 2 WEEKS OF RECEIPT OF ORDER.</p>						



SEE REVERSE SIDE FOR TERMS AND CONDITIONS			
SIGNATURE	TELEPHONE	DATE	
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE	

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



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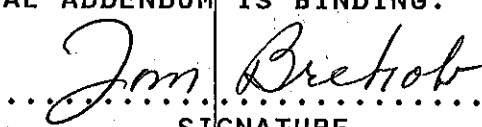
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LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
EXHIBIT 10						
REQUISITION NO.:						
ADDENDUM ACKNOWLEDGEMENT						
I HEREBY ACKNOWLEDGE RECEIPT OF THE FOLLOWING CHECKED ADDENDUM(S) AND HAVE MADE THE NECESSARY REVISIONS TO MY PROPOSAL, PLANS AND/OR SPECIFICATION, ETC.						
ADDENDUM NO.'S:						
NO. 1 ✓						
NO. 2 ✓						
NO. 3 ✓						
NO. 4 ✓						
NO. 5 ✓						
I UNDERSTAND THAT FAILURE TO CONFIRM THE RECEIPT OF TH 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						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS		
SIGNATURE	TELEPHONE	DATE

TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE
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LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
				<i>TURFGRASS INC</i> COMPANY <i>3/30/09</i> 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:		FRANK WHITTAKER-FILE 44				
RFQ. NO.:		DNR209152				
BID OPENING DATE:		04/01/2009				
BID OPENING TIME:		1:30 PM				

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DNR209152 Cost Sheet

Item No.	Description	Packaged Per Case	Unit Price (case)	Quantity	Extended Cost
Fungicide					
1	Armor Tech PPZ 143 FATHOM 14.3	2 x 2.5 gal	785.00	4 cases	\$ 3140.00
2	Rubigan	2 x 1 gal	NO BID	4 cases	\$ NO BID
3	Chippo 26 GT	2 x 2.5 gal	560.00	4 cases	\$ 2240.00
4	Cleary 3336 FUNGO FL	2 x 2.5 gal	535.00	4 cases	\$ 2140.00
5	Daconil Weatherstik Flowable	2 x 2.5 gal	386.25	4 cases	\$ 1545.00
6	Daconil ZN	2 x 2.5 gal	278.25	4 cases	\$ 1113.00
7	ProStar 70 WP	10 x 1 lb	431.00	4 cases	\$ 1724.00
8	Subdue Maxx	2 x 1 gal	1142.00	2 cases	\$ 2284.00
9	Fungicide IX	42.1 lb bag	69.00	22 bags	\$ 1518.00
				Subtotal Fungicide:	\$ 15,704.00
Insecticide					
10	Dylox 80 Dylox 420SL	10 x 5 lb 2x 1/2	239.00	3 cases	\$ 717.00
				Subtotal Insecticide:	\$ 717.00
Herbicide					
11	Bensumec	2 x 2.5 gal	401.00	4 cases	\$ 1604.00
12	MCPP 4-Amine	2 x 2.5 gal	135.00	5 cases	\$ 675.00
				Subtotal Herbicide:	\$ 2279.00
Wetting Agent					
13	Cascade Plus	2 x 2.5 gal	275.00	4 cases	\$ 1100.00
				Subtotal Wetting Agent:	\$ 1100.00
Liquid Fertilizer					
14	29-2-3 Liquid Fertilizer	2 x 2.5 gal	85.00	5 cases	\$ 425.00
15	Roots 1-2-3	2 x 2.5 gal	NO BID	4 cases	\$ NO BID
				Subtotal Liquid Fertilizer:	\$ 425.00
Fertilizer					
16	20-4-10 w/ Team 19-0-5 w/ TEAM	50 lb bag	21.00	100 bags	\$ 2100.00
17	22-3-8 w/ Merit	50 lb bag	35.45	130 bags	\$ 4673.50
18	18-5-9 Lebanon Country Club	50 lb bag	36.00	40 bags	\$ 1440.00
19	18-3-18 Greens Grade, Lebanon Country club	50 lb bag	46.00	40 bags	\$ 1840.00
				Subtotal Fertilizer:	\$ 10,053.50
Total Bid \$					30,278.50

** Note: All proven equals will be accepted for the products listed above.

Product List

Please complete the below information concerning the brand(s) of items being bid in relation to this project.

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 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.

Line Item:	Manufacturer	Part No.
1	PROKOS PROKOS	
2	—	
3	BAYER	
4	ANDERSON FERT CO.	
5	SYNGENTA	
6	SYNGENTA	
7	BAYER	
8	SYNGENTA	
9	ANDERSONS FERT	
10	DYLOXBO-DISCONTINUED BAYER	
11	PBI GORDON	
12	NUFARM	
13	PRECISION CO.	
14	ANDERSON	
15	—	
16	KNOX FERT CO.	
17	ANDERSON	
18	LEBANON	
19	LEBANON	

**For vendors supplying alternates, please provide supporting documentation detailing how the product bid is equal.

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.

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: _____ **Signed:** _____

Date: _____ **Title:** _____

**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: TURFCRASS INC
Authorized Signature: Jim Buchob Date: 3/30/09