



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
DNR210151

PAGE
1

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

RFQ COPY
TYPE NAME/ADDRESS HERE
 Middletown Tractor Sales
 2345 Whitehall Boulevard
 Fairmont, WV 26554

S H I P T O
 DIVISION OF NATURAL RESOURCES
 WILDLIFE RESOURCES
 219/250 WARD ROAD
 ELKINS, WV
 26241 304-637-0245

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
02/18/2010	Net 30 Days	Our Trucks	Destination	Pre-Paid
BID OPENING DATE: 03/17/2010		BID OPENING TIME 01:30PM		

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	LS		020-89		
<p>TRACTORS AND ACCESSORIES FOR VARIOUS WMA delivery points.</p> <p>REQUEST FOR QUOTATION (RFQ)</p> <p>THE WEST VIRGINIA STATE PURCHASING DIVISION FOR THE AGENCY, THE WEST VIRGINIA DIVISION OF NATURAL RESOURCES, IS SOLICITING BIDS TO PROVIDE THE AGENCY WITH (5) TRACTORS AND (8) ACCESSORIES FOR VARIOUS WILDLIFE MANAGEMENT AREAS PER THE ATTACHED SPECIFICATIONS.</p> <p>TECHNICAL QUESTIONS CONCERNING THIS SOLICITATION MUST BE SUBMITTED IN WRITING TO FRANK WHITTAKER IN THE WEST VIRGINIA STATE PURCHASING DIVISION VIA MAIL AT THE ADDRESS SHOWN IN THE BODY OF THIS RFQ, VIA FAX AT 304-558-4115, OR VIA EMAIL AT FRANK.M.WHITTAKER@WV.GOV. DEADLINE FOR ALL TECHNICAL QUESTIONS IS 03/03/2010 AT THE CLOSE OF BUSINESS. ALL TECHNICAL QUESTIONS SUBMITTED, 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>EXHIBIT 10</p>						

RECEIVED
 200 MAR 16 A 10:23
 PURCHASING DIVISION
 STATE OF WV

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE: *Phillip A. Patten* TELEPHONE: 304-366-4690 DATE: 15 March 2010

TITLE: Sales Consultant FEIN: 55-054-7175 ADDRESS CHANGES TO BE NOTED ABOVE

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

GENERAL TERMS & CONDITIONS PURCHASE ORDER/CONTRACT

1. **ACCEPTANCE:** Seller shall be bound by this order and its terms and conditions upon receipt of this order.
2. **APPLICABLE LAW:** 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
3. **NON-FUNDING:** All services performed or goods delivered under State Purchase Orders/Contracts are to be continued for the terms of the Purchase Order/Contract, 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.
4. **COMPLIANCE:** Seller shall comply with all federal, state and local laws, regulations and ordinances including, but not limited to, the prevailing wage rates of the WV Division of Labor.
5. **MODIFICATIONS:** This writing is the parties' final expression of intent. No modification of this order shall be binding unless agreed to in writing by the Buyer.
6. **ASSIGNMENT:** Neither this Order nor any monies due, or to become due hereunder may be assigned by the Seller without the Buyer's consent
7. **WARRANTY:** The Seller expressly warrants that the goods and/or services covered by this order will:
(a) conform to the specifications, drawings, samples or other description furnished or specified by the Buyer; (b) be merchantable and fit for the purpose intended; and/or (c) be free from defect in material and workmanship.
8. **CANCELLATION:** The Director of Purchasing may cancel any Purchase Order/Contract upon 30 days written notice to the seller.
9. **SHIPPING, BILLING & PRICES:** Prices are those stated in this order. No price increase will be accepted without written authority from the Buyer. All goods or services shall be shipped on or before the date specified in this Order.
10. **LATE PAYMENTS:** Payments may only be made after the delivery of goods or services. Interest may be paid on late payments in accordance with the *West Virginia Code*.
11. **TAXES:** The State of West Virginia is exempt from federal and state taxes and will not pay or reimburse such taxes
12. **RENEWAL:** 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, the State may deem this contract null and void, and terminate such contract without further order.
14. **HIPAA BUSINESS ASSOCIATE ADDENDUM:** The West Virginia State Government HIPAA Business Associate Addendum (BAA), approved by the Attorney General, is available online at www.state.wv.us/admin/purchase/vrc/hipaa.htm and 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. **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>.
16. **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 agency 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



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FRANK WHITTAKER
304-558-2316

PROPERTY OF STATE

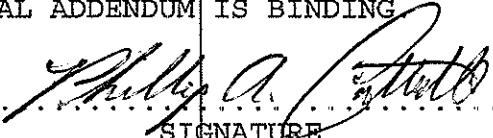
RFQ COPY
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SHIP TO

DIVISION OF NATURAL RESOURCES
 WILDLIFE RESOURCES
 219/250 WARD ROAD
 ELKINS, WV
 26241 304-637-0245

DATE PRINTED	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS
02/18/2010				

BID OPENING DATE: 03/17/2010 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
REQUISITION NO.: DNR210151						
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	X				
	NO. 2					
	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	DATE
	304-366-4690	15 March 2010
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE
Sales Consultant	55-054-7175	

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VENDOR

SHIP TO

DIVISION OF NATURAL RESOURCES
 WILDLIFE RESOURCES

219/250 WARD ROAD
 ELKINS, WV
 26241 304-637-0245

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02/18/2010				

BID OPENING DATE: 03/17/2010 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
				15 March 2010		
				DATE		
<p>NOTE: THIS ADDENDUM ACKNOWLEDGEMENT SHOULD BE SUBMITTED WITH THE BID.</p> <p>REV. 09/21/2009</p> <p>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.</p> <p>BANKRUPTCY: IN THE EVENT THE VENDOR/CONTRACTOR FILES FOR BANKRUPTCY PROTECTION, THE STATE MAY DEEM THE CONTRACT NULL AND VOID, AND TERMINATE SUCH CONTRACT WITHOUT FURTHER ORDER.</p> <p>NOTICE</p> <p>A SIGNED BID MUST BE SUBMITTED TO:</p> <p>DEPARTMENT OF ADMINISTRATION PURCHASING DIVISION BUILDING 15 2019 WASHINGTON STREET, EAST</p>						

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VENDOR

SHIP TO

DIVISION OF NATURAL RESOURCES
 WILDLIFE RESOURCES

219/250 WARD ROAD
 ELKINS, WV
 26241 304-637-0245

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BID OPENING DATE: 03/17/2010 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
				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.: DNR210151 BID OPENING DATE: 03/17/2010 BID OPENING TIME: 1:30 PM PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID: 304-366-4698 ----- CONTACT PERSON (PLEASE PRINT CLEARLY): Phillip A. Cottrille -----						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

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**Wildlife Management Areas
Purchase of Tractors and Accessories**

The West Virginia Purchasing Division for the West Virginia Division of Natural Resources is requesting bids for the purchase of five (5) tractors and eight (8) accessories. All items are to be F.O.B. Destination. Freight or delivery charges must be included in the price of the goods. Delivery must be made within thirty (30) days of purchase order award. The award may be split if it is in the best interest of the West Virginia Division of Natural Resources.

General Specifications:

The tractors and accessories must be manufactured for commercial use. All items must be new.

Information for Bidders:

Bidders must submit a unit price bid for each item to furnish all items specified.

Damaged Items:

Damaged or defective items must be replaced at no additional expense to The West Virginia Division of Natural Resources.

Warranty:

The equipment must be guaranteed to be free of defects in workmanship and material for a minimum of one (1) year from date of acceptance. However, if manufacturer warranty periods are longer than the required minimum one year warranty, those warranties shall apply.

DNR210151
Wildlife Management Areas
Purchase of Tractors and Accessories

Four Wheel Drive, Diesel Farm Tractor

New Holland Model T4030 Farm Tractor with Loader or equal. Tractor must meet the following specifications:

- Must be 4X4 wheel drive;
- Must have a minimum 76 horsepower diesel engine;
- Must have a minimum PTO (Power Transmission Overdrive) horsepower of 62;
- Must have a synchronized mechanical shuttle transmission;
- Must have flexible link arms;
- Must have a front grill guard;
- Must have operational lights;
- Must have a Roll Over Protection System;
- Must have telescoping stabilizers;
- Must have dual rear remote valves with lever controls;
- Must have an open operators station;
- Must have a drawbar and clevis attached;
- Must have general farming rated tires (R-1 grade);
- Must be equipped with an engine block heater;
- Must have a free standing quick attachment system front end loader with a minimum capacity of 2,000 lbs., and a minimum front end lift height of 122 in. Loader must also include two open center, mid-mounted loader valves with a four-way joystick; and
- Must include service manual and a demonstration must be provided upon delivery by the dealer representative.

Two (2) Tractors delivered to the following locations:

One (1) Farm Tractor to:

Pleasant Creek Wildlife Management Area

Barbour County

Route 3 Box 180, Philippi, WV

Contact: Steve Rauch (304-825-6787) for delivery information

DNR210151
Wildlife Management Areas
Purchase of Tractors and Accessories

One (1) Farm Tractor to:

*Short Mountain Wildlife Management Area
Hampshire County
Fort Hill Road, Augusta, WV
Contact Rich Rogers (304-822-3551) for delivery information*

Six Foot, Heavy Duty Rotary Cutter

Bush Hog Model Tough 406 Series or equal. Rotary cutter must meet the following specifications:

- Must have a minimum cutting width of 6 ft ;
- Must have a three (3) point lift Category II type hitch;
- Must have a minimum deck thickness of ¼ inch;
- Must have a ASAE (American Society of Agricultural Engineers) Category driveshaft;
- Must have a gearbox rated for a minimum 540 RPM;
- Must have a heavy duty slip clutch driveline protection;
- Must have front and rear deflectors and front and rear chains;
- Must have extra heavy duty blades – minimum of 5/8 inch thick and 5 in. in width;
- Must have a laminated or caster wheel tire.

Two (2) Rotary Cutters delivered to the following locations:

One (1) Rotary Cutter to:

*Blackwater Wildlife Management Area
Tucker County
Parsons, WV
Contact Steve Rauch (304-825-6787) for delivery information*

One (1) Rotary Cutter to:

*Nathaniel Mountain Wildlife Management Area
Hampshire County
Grassy Lick Road
Romney, WV
Contact Rich Rogers (304-822-3551) for delivery information*

DNR210151
Wildlife Management Areas
Purchase of Tractors and Accessories

Fifty-five (55) Gallon three (3) Point Hitch Herbicide Sprayer. Sprayer must meet the following specifications:

- Must have a corrosion resistant polyethylene tank which holds a minimum of fifty-five (55) gallons;
- Must be equipped with a pump kit;
- Must have a minimum nine (9) ft. and a maximum ten (10) ft. boom with breakaway hinges;
- Must have a single manual lever valve with relief valve and pressure gauge;
- Must be equipped with two handguns and hoses (minimum 25 ft.);
- Must have a roller pump; and
- Must have a three (3) point lift Category II type hitch.

Three (3) Herbicide Sprayers to be delivered to the following locations:

One (1) Herbicide Sprayer to:

*Coopers Rock State Forrest
Monongalia County
Route 1 Box 80
Bruceton Mills, WV
Contact Steve Rauch (304-825-6787) for delivery information*

One (1) Herbicide Sprayer to:

*Stonewall Jackson Wildlife Management Area
Lewis County
114 Old Georgetown Road, Roanoke, WV
Contact Rob Silvester (304-924-6211) for delivery information*

One (1) Herbicide Sprayer to:

*Greenbottom WMA
Cabell County
Route 1 Box 538, Lesage, WV
Contact Gary Sharp (304-675-0871) for delivery information*

DNR210151
Wildlife Management Areas
Purchase of Tractors and Accessories

Eight (8) Foot Heavy Duty Rotary Tiller

Bush Hog Model RTH88 or equal. Rotary tiller must meet the following specifications:

- Must have a minimum tilling width of eighty-eight (88) in.;
- Must have a three (3) point hitch Category I & II type hitch;
- Must be rated for a tractor range of 65-80 PTO (Power Transmission Overdrive);
- Must have a slip clutch standard driveline;
- Must have a position lock skid shoe system;
- Must have an adjustable cutting depth up to seven (7) in.;
- Must have a gear driven single speed power to rotor transmission;
- Must have a minimum rotor speed for 210 RPM/540 PTO; and
- Must be a minimum weight of 950 lbs.

One (1) Rotary Tiller to:

Bluestone Wildlife Management Area

Summers County

HC 65 Box 91, Indian Mills, WV

Contact Colin Carpenter (304-256-6947) for delivery information

No-Till Seed Drill

Great Plains Model 706NT No-Till Seed Drill or equal. Drill must meet the following specifications:

- Must have a minimum planting width of seven (7) ft ;
- Must have a primary seed box capacity of 2.5 bushels per ft.;
- Must have a small seed (legume) box for plants with small seeds (i.e. clover, alfalfa, switch grass) and a large grain seed box for plants with large seeds (i.e. wheat, soybeans, peas);
- Must have adjustable row spacing;
- Must have a warm season grass seed box;
- Must have an acre meter;
- Must have transport lights;
- Must have weight brackets;
- Must have water tight seed box lids;
- Must have lock out hubs and be 8 ply highway tire compatible; and
- Must have a folding hitch.

Two (2) Seed Drills to be delivered to:

**Wildlife Management Areas
Purchase of Tractors and Accessories**

One (1) Seed Drill to:

*Bluestone WMA
Summers County
HC 65, Box 91, Indian Mills, WV
Contact Colin Carpenter (304-256-6947) for delivery information*

One (1) Seed Drill to:

*Greenbottom Wildlife Management Area
Cabell County
Route 1 Box 538, Lesage, WV
Contact Gary Sharp (304-675-0871) for delivery information*

10 Foot Single Wing Flex Rotary Cutter

Bush Hog Model 2710L Single Wing Flex Rotary Cutter or equal. Rotary cutter must meet the following specifications:

- Must have a minimum cutting width of ten (10) ft. with a maximum 8 ft. transport width;
- Must have a minimum deck thickness of eleven (11) gauge steel;
- Must have a self-leveling hitch;
- Must have a minimum of Category V velocity joints;
- Must have a slip clutch;
- Must have chain deflectors;
- Must have laminated tires; and
- Must have a minimum wing flex of eighty-five (85) degrees up and a minimum twenty (20) degrees down.

One (1) Wing Flex Rotary Cutter to:

*Bluestone Wildlife Management Area
Summers County
HC 65, Box 91, Indian Mills, WV
Contact Colin Carpenter (304-256-6947) for delivery information*

**Wildlife Management Areas
Purchase of Tractors and Accessories**

Rear Mounted 8 Foot Heavy Duty Blade

Woods Model RB850 or equal. Back blade must meet the following specifications:

- Must have a minimum moldboard length of 95 inches and include moldboard end plates;
- Must have Category II 3-point hitch;
- Must have a minimum moldboard height of 17 in ;
- Must have a parking stand;
- Must have an angle adjustment with hydraulic cylinder;
- Must have a minimum weight of 850 lbs;
- Must have a tilt adjustment with hydraulic cylinder; and
- Must be ASAE (American Society of Agricultural Engineers) quick hitch compatible.

Two (2) Heavy Duty Blades to be delivered to:**One (1) Heavy Duty Blade to:**

Burnsville Wildlife Management Area

Braxton County

US Route 19, Falls Mill

Contact Rob Silvester (304-924-6211) for delivery information

One (1) Heavy Duty Blade to:

Bluestone Wildlife Management Area

Summers County

HC 65 Box 91, Indian Mills, WV

Contact Collin Carpenter (304-256-6947) for delivery information

Agriculture Grade 3-Point Hitch Post Hole Digger

Bush Hog Model 2102 or equal. Post Hole Digger must meet the following specifications:

- Must have shear bolt component protection;
- Must have a maximum digging depth of forty-eight (48) in;

DNR210151
Wildlife Management Areas
Purchase of Tractors and Accessories

- Must have a Category I and II type hitch;
- Must have a minimum two (2) in diameter output shaft;
- Must have a minimum 2 7/8 in. tubing yolk;
- Must have a minimum 3 ½ in. tubing on the reinforced rib boom;
- Must include a minimum 12 in diameter auger;
- Must have a minimum driveshaft size of ASAE (American Society of Agricultural Engineers); Category III; and
- Must have a leveling handle and parking stand

One (1) Post Hole Digger to:

*Nathaniel Mountain Wildlife Management Area
Hampshire County
Grassy Lick Road, Romney, WV
Contact Rich Rogers (304-822-3551) for delivery information*

8 Foot Tandem Disk

New Frontier Model DH1508 or equal. Disk must meet the following specifications:

- Must be tractor rated for 35 to 55 HP;
- Must have a minimum 8 ft. working width;
- Must have a minimum 3 in. square and 5X3 in frame;
- Must have a drawn hitch with clovis and jack and safety chains;
- Must have an adjustable depth control with front to rear leveling;
- Must have adjustable front and rear gang axle;
- Must have sealed bearings;
- Must have a minimum 3X3 in. gang tube with minimum thickness of 3/16 in. ;
- Must be equipped with hydraulic cylinder and hoses;
- Must have a minimum weight of 1,800 lbs.; and
- Must have a minimum blade size of 20 in.

One (1) Tandem Disk to:

*Stonewall Jackson Wildlife Management Area
Lewis County
114 Old Georgetown Road, Roanoke, WV
Contact Rob Silvester (304-924-6211) for delivery information*

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Wildlife Management Areas
Purchase of Tractors and Accessories

Multi-Terrain Tractor with 54 inch Cutting Width Deck

John Deere Model X530 Multi-Terrain Tractor or equal. Tractor must meet the following specifications:

- Must have a minimum 25 HP gasoline engine with a minimum 675 cc displacement;
- Must have a minimum 4.5 gallon gas tank;
- Must have an automatic transmission with differential lock;
- Must have twin touch pedal controls;
- Must have cruise control;
- Must have a heavy duty welded frame with cast iron front axle;
- Must have an adjustable high back seat;
- Must have a hydraulic lift system;
- Must have a mowing deck (minimum 54 inch) with side discharge;
- Must have a front bumper;
- Must have power steering;
- Must have a fuel gauge and hour meter;
- Must have all front turf tires and rear all-purpose tires;
- Must have adjustable cutting heights; and
- Must have a heavy duty garden tractor transaxle.

Three (3) Multi-Terrain Tractors to be delivered to:

One (1) Multi-Terrain Tractor to:

Handley Wildlife Management Area

Pocahontas County

Route 1 Box 320, Marlinton, WV

Contact Rob Silvester (304-924-6211) for delivery information

One (1) Multi-Terrain Tractor to:

Lewis Wetzel Wildlife Management Area

Wetzel County

HC 62 Box 8, Jacksonburg, WV

Contact Steve Rauch (304-825-6787) for delivery information

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Wildlife Management Areas
Purchase of Tractors and Accessories

One (1) Multi-Terrain Tractor to:

*Conaway Run Wildlife Management Area
Tyler County
HC 69 Box 54, Middlebourne, WV
Contact Jeff McCrady (304-420-4550) for delivery information*

3-Point Hitch Landscape Rake

Bush Hog Model MLR Series 7 ft. Landscape Rake or equal. Rake must meet the following specifications:

- Must have a tubular welded frame;
- Must have a minimum working width of 84 in.;
- Must have a Category I or II quick hitch;
- Must have a minimum weight of 330 lbs;
- Must have adjustable forward and reverse positions;
- Must have minimum tine spacing of 1 in. and a maximum tine spacing of 2 in.;
- Must have a minimum rake height of 14 in.; and
- Must have a maximum tractor PTO Rating of 50 PTO.

One (1) Landscape Rake to:

*Rimel Wildlife Management Area
Pocahontas County
Route 39/Route 92, Marlinton, WV
Contact Shawn Head (304-637-0245) for delivery information*

Ten (10) Ft. Heavy Duty Rotary Cutter

Taylor Pittsburgh 270 Series or equal. Rotary cutter must meet the following specifications:

- Must have a minimum cutting width of 10 ft.;
- Must have slip clutch gearbox protection;
- Must have a minimum deck thickness of 1/4 inch steel;
- Must be equipped with a stump jumper;
- Must have a Category II quick hitch system;
- Must have safety chains;

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Wildlife Management Areas
Purchase of Tractors and Accessories

- Must have a minimum 90 HP rated gearbox with 125 splitter;
- Must have a gearbox rated for a minimum 540 RPM;
- Must have extra heavy duty blades – minimum of 4/8 inch thick and 4 inches in width; and
- Must have a laminated or caster wheel tire

One (1) Heavy Duty Rotary Cutter to:

*Greenbottom Wildlife Management Area
Cabell County
Route 1 Box 538, Lesage, WV
Contact Gary Sharp (304-675-0871) for delivery information*

ATV Mounted 12 Volt Herbicide Sprayer

Sprayer must meet the following specifications:

- Must have a 20 to 25 gallon polyethylene corrosion resistance tank;
- Must have an adjustable pressure control and pressure gauge;
- Must have a handgun with an adjustable pattern nozzle with a minimum of fifteen (15) ft. of hose;
- Must have a universal ATV mounting kit;
- Must have a 10 to 12 ft. foldable boom;
- Must have a diaphragm pump with a minimum GPM rating of 2.1 GPM; and
- Must have a minimum horizontal spray distance of 30 ft (handgun) and 18 ft. vertical (handgun).

One (1) Herbicide Sprayer to:

*Elkins Operation Center
Randolph County
Route 219/250 South Ward Road, Elkins, WV
Contact Terry Jones (304-637-0245) for delivery information*

Wildlife Management Areas
Purchase of Tractors and Accessories

ATV Mounted 12 Volt Seeder

Seeder must meet the following specifications:

- Must have a polyethylene hopper with lid which will hold a minimum of 1 bushel;
- Must have a 12 volt motor with variable seed control;
- Must include a universal ATV mounting kit;
- Must have a power cord with on/off toggle switch;
- Must be equipped with wiring harness; and
- Must have flow control lever.

One (1) 12 Volt Seeder to:

Burnsville Wildlife Management Area

Braxton County

US Route 19, Falls Mill, WV

Contact Rob Silvester (304-924-6211) for delivery information.

Wildlife Management Areas
Tractor and Accessories
Manufacturer's List

Please complete the below information concerning the brand(s) of equipment being bid in relation to this project. If bidding "or equal" brands, please attach manufacturer's literature documenting that it meets the mandatory requirements stated in the specifications. Vendors should note the areas of the provided manufacturer's literature that adheres to the mandatory requirements outlined in the Request for Quotation.

ITEM NO.	EQUIPMENT	MANUFACTURER	MODEL
1	NEW HOLLAND MODEL T4030 FARM TRACTOR WITH LOADER OR EQUAL	John Deere John Deere	5075E 553 (Loader)
2	BUSH HOG MODEL TOUGH 406 SERIES ROTARY CUTTER OR EQUAL	John Deere	609
3	55 GALLON, 3 POINT HITCH, HERBICIDE SPRAYER	FIMCO	LG553PT
4	BUSH HOG MODEL RTH88 ROTARY TILLER OR EQUAL	KUHN	EL82-205
5	GREAT PLAINS MODEL 706NT NO-TILL SEED DRILL OR EQUAL	SAME	SAME
6	BUSH HOG MODEL 2710L SINGLE WING FLEX ROTARY CUTTER OR EQUAL	ALAMO	Eagle 10
7	WOODS MODEL RB850 OR EQUAL	FRONTIER	RB23X8
8	AGRICULTURAL GRADE 3-POINT HITCH BUSH HOG MODEL 2102 POST HOLE DIGGER OR EQUAL	FRONTIER	PHD100
9	NEW FRONTIER MODEL DH1508 8 FOOT TANDEM DISK OR EQUAL	SAME	SAME
10	JOHN DEERE MODEL X530 MULTI-TERRAIN TRACTOR OR EQUAL	SAME	SAME
11	BUSH HOG MODEL MLR SERIES 7 FT. LANDSCAPE RAKE OR EQUAL	FRONTIER	LR21
12	TAYLOR PITTSBURGH 270 SERIES HEAVY DUTY ROTARY MOWER OR EQUAL	JOHN DEERE	HX10
13	ATV MOUNTED 12 VOLT HERBICIDE SPRAYER	FIMCO	ATV25700
14	ATV MOUNTED 12 VOLT SEEDER	FIMCO	ATVDSM12V

DNR210151
Wildlife Management Area
Tractors and Accessories
PRICING SHEET

ITEM NO.	QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
1	2	NEW HOLLAND MODEL T4030 FARM TRACTOR WITH LOADER OR EQUAL		
2	2	BUSH HOG MODEL TOUGH 406 SERIES ROTARY CUTTER OR EQUAL		
3	3	55 GALLON, 3 POINT HITCH, HERBICIDE SPRAYER		
4	1	BUSH HOG MODEL RTH88 ROTARY TILLER OR EQUAL		
5	2	GREAT PLAINS MODEL 706NT NO-TILL SEED DRILL OR EQUAL		
6	1	BUSH HOG MODEL 2710L SINGLE WING FLEX ROTARY CUTTER OR EQUAL		
7	2	REAR MOUNTED 8 FOOT HEAVY DUTY BLADE WOODS MODEL RB850 OR EQUAL		
8	1	BUSH HOG 3-POINT HITCH POST HOLE DIGGER MODEL 2102 OR EQUAL		
9	1	NEW FRONTIER 8 FT. TANDEM DISK MODEL D1508 OR EQUAL		
10	3	JOHN DEERE MODEL X530 MULTI-TERRAIN TRACTOR OR EQUAL		
11	1	BUSH HOG MODEL MLR SERIES 7 FT. LANDSCAPE RAKE OR EQUAL		
12	1	TAYLOR PITTSBURGH 270 SERIES HEAVY DUTY ROTARY MOWER OR EQUAL		
13	1	ATV MOUNTED 12 VOLT HERBICIDE SPRAYER		
14	1	ATV MOUNTED 12 VOLT SEEDER		
			TOTAL COST	

"PLEASE REFERENCE THE ATTACHED PRICING DIRECTORY FOR DELIVERY TO VARIOUS POINTS IWHTIN WEST VIRGINIA"



MIDDLETOWN TRACTOR SALES

2345 WHITE HALL BLVD
FAIRMONT, WV 26554

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

www.middletontractor.com

15 March 2010

Division of Natural Resources
219/250 Ward Road
Elkins, WV 26241
REF: RFQ# DNR210151

Mr. Whittaker,

Due to the complexity of this RFQ I am attaching this memo to explain the pricing of all required equipment based upon the particular delivery point

Item# 1	Tractor/Loader	FOB	Philippi WV	\$31,229.32
Item# 2	Tractor/Loader	FOB	Augusta WV	\$30,891.59
Item# 3	6' HD Rotary Cutter	FOB	Parsons WV	\$3,957.28
Item# 4	6' HD Rotary Cutter	FOB	Romney WV	\$4,127.20
Item# 5	55 Gallon 3 Point Hitch Herbicide Sprayer	FOB	Bruceton Mills WV	\$1,123.67
Item# 6	55 Gallon 3 Point Hitch Herbicide Sprayer	FOB	Roanoke WV	\$1,123.67
Item# 7	55 Gallon 3 Point Hitch Herbicide Sprayer	FOB	Lesage WV	\$1,390.33
Item# 8	Eight Foot HD Rotary Tiller	FOB	Indian Mills WV	\$7,631.65
Item# 9	Great Plains Drill Model 706NT	FOB	Indian Mills WV	\$23,824.73
Item# 10	Great Plains Drill Model 706NT	FOB	Lesage WV	\$23,824.73
Item# 11	10' Single wing Flex Rotary Cutter	FOB	Indian Mills WV	\$12,599.68
Item# 12	Rear Mounted 8' HD Blade	FOB	Falls Mills WV	\$3,343.12
Item# 13	Rear Mounted 8' HD blade	FOB	Indian Mills WV	\$3,400.91
Item# 14	Agricultural Grade 3-Point Hitch Post Auger w/12" drill	FOB	Romney WV	\$1,592.50
Item# 15	8' Tandem Disc	FOB	Roanoke WV	\$6,242.98
Item# 16	Multi-Terrain Tractor w/54" Deck	FOB	Marlinton WV	\$5,384.31
Item# 17	Multi-Terrain Tractor w/54" Deck	FOB	Jacksonburg WV	\$5,277.71
Item# 18	Multi-Terrain Tractor w/54" Deck	FOB	Middlebourne WV	\$5,242.88
Item# 19	3-Point Hitch Landscape Rake	FOB	Marlinton WV	\$1,299.26
Item# 20	10' HD Rotary Cutter	FOB	Lesage WV	\$7,684.35
Item# 21	ATV Mounted 12V Herbicide Sprayer	FOB	Elkins WV	\$468.22
Item# 22	ATV Mounted 12V Seeder	FOB	Falls Mill WV	\$431.76

Respectfully yours,

Phillip A Cottrille
PHIL@MIDDLETOWNTRACTOR.COM
304-483-6770 (CELL)



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
DNR210151

PAGE
1

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

VENDOR

*709043751 304-366-4690
 MIDDLETOWN TRACTOR SALES
 2345 WHITEHALL BLVD
 FAIRMONT WV 26554

SHIP TO

DIVISION OF NATURAL RESOURCES
 WILDLIFE RESOURCES
 219/250 WARD ROAD
 ELKINS, WV
 26241 304-637-0245

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
03/09/2010				

BID OPENING DATE: 03/17/2010 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
***** ADDENDUM NO. 01 *****						
THIS ADDENDUM IS ISSUED TO PROVIDE THE ATTACHED TECHNICAL QUESTIONS & ANSWERS.						
THE BID OPENING DATE AND TIME HAVE NOT CHANGED.						
0001	1	LS		020-89		
TRACTORS AND ACCESSORIES FOR VARIOUS WMA					Please reference attachment for explanation of pricing for various delivery points.	
***** THIS IS THE END OF RFQ DNR210151 ***** TOTAL: _____						

SIGNATURE: <i>Phillip A. [Signature]</i>		TELEPHONE: 304-366-4690	DATE: 15 March 2010
TITLE: Sales Consultant	FEIN: 55-054-7175	ADDRESS CHANGES TO BE NOTED ABOVE	

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

DNR210151 Technical Questions and Answers

Q: In reviewing the requested minimum specifications for the tractors I would like to request consideration for reducing the engine and PTO horsepower by (1) unit to allow for a broader range of competitive tractors. This historically will save a considerable amount of cost to the DNR and for the purpose these tractors will be used the (1) horsepower should not be an issue.

A: The West Virginia DNR is agreeable to the request to reduce the engine and PTO horsepower by one (1) unit to a minimum engine horsepower of 75 HP and a minimum PTO horsepower of 61.

Q: Within the advertised requirements I do not see where this RFQ requests a bucket for the loader. Is this correct or an over-sight?

A: The terms loader and bucket are often used interchangeably. Subsequently, the tractor should include the following equipment: Must have a free standing quick attachment system front end loader/bucket with a minimum capacity of 2,000 lbs., and a minimum front end lift height of 122 in. Loader must also include two open centers, mid-mounted loader valves with a four-way joystick

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: 

Date: 15 March 2010

Title: Sales Consultant

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

STATE OF WEST VIRGINIA
Purchasing Division

PURCHASING AFFIDAVIT

West Virginia Code §5A-3-10a states: No contract or renewal of any contract may be awarded by the state or any of its political subdivisions to any vendor or prospective vendor when the vendor or prospective vendor or a related party to the vendor or prospective vendor is a debtor and the debt owed is an amount greater than one thousand dollars in the aggregate.

DEFINITIONS:

"Debt" means any assessment, premium, penalty, fine, tax or other amount of money owed to the state or any of its political subdivisions because of a judgment, fine, permit violation, license assessment, defaulted workers' compensation premium, penalty or other assessment presently delinquent or due and required to be paid to the state or any of its political subdivisions, including any interest or additional penalties accrued thereon.

"Debtor" means any individual, corporation, partnership, association, limited liability company or any other form or business association owing a debt to the state or any of its political subdivisions. "Political subdivision" means any county commission; municipality; county board of education; any instrumentality established by a county or municipality; any separate corporation or instrumentality established by one or more counties or municipalities, as permitted by law; or any public body charged by law with the performance of a government function or whose jurisdiction is coextensive with one or more counties or municipalities. "Related party" means a party, whether an individual, corporation, partnership, association, limited liability company or any other form or business association or other entity whatsoever, related to any vendor by blood, marriage, ownership or contract through which the party has a relationship of ownership or other interest with the vendor so that the party will actually or by effect receive or control a portion of the benefit, profit or other consideration from performance of a vendor contract with the party receiving an amount that meets or exceeds five percent of the total contract amount.

EXCEPTION: The prohibition of this section does not apply where a vendor has contested any tax administered pursuant to chapter eleven of this code, workers' compensation premium, permit fee or environmental fee or assessment and the matter has not become final or where the vendor has entered into a payment plan or agreement and the vendor is not in default of any of the provisions of such plan or agreement.

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

WITNESS THE FOLLOWING SIGNATURE

Vendor's Name: Middletown Tractor Sales

Authorized Signature:  Date: 15 March 2010

State of West Virginia

County of Marion, to-wit:

Taken, subscribed, and sworn to before me this 15 day of MARCH, 20 10

My Commission expires 9-30-19, 20

AFFIX SEAL HERE

NOTARY PUBLIC 

