



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
DNR210174

PAGE
1

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

VENDOR

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

SHIP TO

**DIVISION OF NATURAL RESOURCES
 STONEWALL JACKSON STATE PARK
 ATTN: PARK SUPERINTENDENT
 149 STATE PARK TRAIL
 ROANOKE, WV
 26447 304-269-0523**

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
03/18/2010	Net 30 Days	Our Truck	Destination	Pre-Paid

BID OPENING DATE: **04/14/2010** **BID OPENING TIME 01:30PM**

LINE	QUANTITY	UOP	CAT NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	EA		765-85		
<p>TRACTORS, CRAWLER TYPE</p> <p>THE WEST VIRGINIA PURCHASING DIVISION FOR THE AGENCY, THE WEST VIRGINIA DIVISION OF NATURAL RESOURCES IS SOLICITING BIDS FOR A FORESTRY GRADE COMPACT TRACK LOADER WITH ROTARY MULCHER ATTACHMENT PER THE ATTACHED SPECIFICATIONS.</p> <p>ALL TECHNICAL QUESTIONS MUST BE SUBMITTED IN WRITING TO FRANK WHITTAKER IN THE PURCHASING DIVISION VIA EMAIL AT FRANK.M.WHITTAKER@WV.GOV OR VIA FAX AT 304-558-4115. DEADLINE FOR TECHNICAL QUESTIONS IS 03/30/2010 AT 3:00 PM. ALL TECHNICAL QUESTIONS WILL BE ADDRESSED BY ADDENDUM AFTER THE DEADLINE.</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 style="text-align: center;">NOTICE</p> <p>A SIGNED BID MUST BE SUBMITTED TO:</p> <p>DEPARTMENT OF ADMINISTRATION PURCHASING DIVISION BUILDING 15 2019 WASHINGTON STREET, EAST CHARLESTON, WV 25305-0130</p>						



SEE REVERSE SIDE FOR TERMS AND CONDITIONS		
SIGNATURE <i>Frank Whittaker</i>	TELEPHONE 304-366-4690	DATE 3 April 2010
TITLE Sales Consultant	FON 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
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FRANK WHITTAKER
304-558-2316

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 TYPE NAME/ADDRESS HERE

VENDOR

SHIP TO

DIVISION OF NATURAL RESOURCES
 STONEWALL JACKSON STATE PARK
 ATTN: PARK SUPERINTENDENT
 149 STATE PARK TRAIL
 ROANOKE, WV
 26447 304-269-0523

DATE PRINTED	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS
03/18/2010				

BID OPENING DATE: **04/14/2010** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>THE BID SHOULD CONTAIN THIS INFORMATION ON THE FACE OF THE ENVELOPE OR THE BID MAY NOT BE CONSIDERED:</p> <p>SEALED BID</p> <p>BUYER: 44</p> <p>RFQ. NO.: DNR210174</p> <p>BID OPENING DATE: 04/14/10</p> <p>BID OPENING TIME: 1:30 PM</p> <p>PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID:</p> <p style="text-align: center;">----- 304-366-4698 -----</p> <p>CONTACT PERSON (PLEASE PRINT CLEARLY):</p> <p style="text-align: center;">----- Phillip A. Cottrille -----</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Phillip A. Cottrille</i>	TELEPHONE	DATE
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE

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. Prior to any award, the apparent successful vendor must be properly registered with the Purchasing Division and have paid the required \$125 fee.
4. 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.
5. Payment may only be made after the delivery and acceptance of goods or services
6. Interest may be paid for late payment in accordance with the *West Virginia Code*
7. Vendor preference will be granted upon written request in accordance with the *West Virginia Code*
8. The State of West Virginia is exempt from federal and state taxes and will not pay or reimburse such taxes.
9. The Director of Purchasing may cancel any Purchase Order/Contract upon 30 days written notice to the seller.
10. The laws of the State of West Virginia and the *Legislative Rules* of the Purchasing Division shall govern the purchasing process.
11. Any reference to automatic renewal is hereby deleted. The Contract may be renewed only upon mutual written agreement of the parties.
12. **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.
13. **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.
14. **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>.
15. **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, and the West Virginia Insurance Commission. 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.
16. **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 material, 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.

INSTRUCTIONS TO BIDDERS

1. Use the quotation forms provided by the Purchasing Division. Complete all sections of the quotation form.
2. 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. Unit prices shall prevail in case of discrepancy. All quotations are considered F.O.B. destination unless alternate shipping terms are clearly identified in the quotation.
4. 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
5. Communication during the solicitation, bid, evaluation or award periods, except through the Purchasing Division, is strictly prohibited (W.Va. C.S.R. §148-1-6.6).



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Middletown Tractor Sales
 2345 Whitehall Blvd.
 Fairmont, WV 26554

SHIP TO

DIVISION OF NATURAL RESOURCES
 STONEWALL JACKSON WILDLIFE
 MANAGEMENT AREA
 114 OLD GEORGETOWN ROAD
 ROANOKE, WV
 26447 304-637-0245

DATE PRINTED	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS
03/25/2010	Net 30 Days	Our Truck	Destination	Pre-Paid

BID OPENING DATE: 04/14/2010 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
***** ADDENDUM NO. 1 *****						
THIS ADDENDUM IS ISSUED TO CHANGE THE SHIP TO ADDRESS.						
THE SHIP TO ADDRESS IS CHANGED TO:						
STONEWALL JACKSON WILDLIFE MANAGEMENT AREA						
114 OLD GEORGETOWN ROAD						
ROANOKE, WV 26447						
0001	1	EA		765-85		
TRACTORS, CRAWLER TYPE						
***** THIS IS THE END OF RFQ DNR210174 ***** TOTAL:						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Shelly A. Smith</i>	TELEPHONE 304-366-4690	DATE 03 April 2010
TITLE Sales Consultant	FEBN 55-054-7175	ADDRESS CHANGES TO BE NOTED ABOVE

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DNR210174
Stonewall Jackson Wildlife Management Area
Purchase of Compact Track Loader with Rotary Mulcher Attachment

The West Virginia Purchasing Division for the West Virginia Division of Natural Resources is requesting bids for the purchase of one (1) Forestry Grade Compact Track Loader with Rotary Mulcher Attachment. 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.

General Specifications:

The Forestry Grade Compact Track Loader with Rotary Mulcher Attachment 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.

Forestry Grade Compact Track Loader with Rotary Mulcher Attachment

ASV Model PT-100 Forestry Loader & ASV Model HD7460B Rotary Mulcher Attachment or equal. Forestry loader/rotary mulcher must meet the following specifications:

-
- **Must have a diesel engine with a minimum horsepower of 99 HP and a minimum peak torque of 300 ft-lb;**
 - **Must have general purpose tracks with minimum track width of 17 inches with a minimum ground contact area of 2,500 square inches;**
 - **Must have a hydrostatic powertrain;**
 - **Must have a heavy duty independent suspension of undercarriage;**

DNR210174

Stonewall Jackson Wildlife Management Area
Purchase of Compact Track Loader with Rotary Mulcher Attachment

- Must have pilot joystick controls;
- Must have a suspension seat with lap and shoulder belts and seat belt;
- Must have auxiliary hydraulic (quick connect fittings) with low flow maximum of 20 gpm and high flow maximum of 40 gpm;
- Must have an engine block heater;
- Must be ROPS/FOPS/OPS (certified);
- Must have indicators warning lights for engine oil pressure, hot hydraulic oil and low battery; voltage and a tachometer gauge, engine temperature gauge, and a fuel level gauge;
- Must have front and rear emergency exits and a heavy duty polycarbonate door and wiper;
- Must have light, hood, window, and condenser guards and skid plates;
- Must have a climate control system with high output with a/c, heat and service access;
- Must not exceed 13,000 lbs. (total weight) for entire package (track loader and mulcher attachment); and
- Must have a heavy duty rotary drum (quick attach) mulcher attachment which has a minimum cutting width of 60 inches and maximum outside width of 75 inches.

Forestry Loader/Mulcher to be delivered to the following location:

Stonewall Jackson Wildlife Management Area

Lewis County

114 Old Georgetown Road, Roanoke, WV

Contact: Gary Foster (304-637-0245) for delivery information

**Forestry Mulcher
Manufacturer's List**

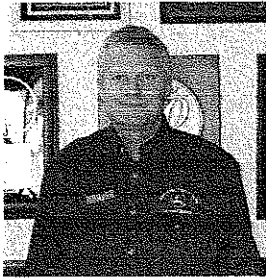
Please complete the below information concerning the brand(s) of equipment being bid in relation to this project. If bidding "or equal" brands, please attach manufacturer's literature documenting that it meets the mandatory requirements stated in the specifications. Vendors should note the areas of the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

ITEM NO.	EQUIPMENT	MANUFACTURER	MODEL
1	ASV Model PT-100 Forestry Loader & ASV Model HD7460B Rotary Mulcher Attachment or Equal	John Deere	333D MHW0

TRACK LOADER
MULCHING KEND

FORESTRY MULCHER
PRICING SHEET

ITEM NO.	QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
1	1	ASV Model PT-100 Forestry Loader & ASV Model HD7460B Rotary Mulcher Attachment or Equal	81,981.38	81,981.38
			TOTAL COST	



MIDDLETOWN TRACTOR SALES

2345 WHITE HALL BLVD.
FAIRMONT, WV 26554

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

www.middletowntractor.com

27 March 2010

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

REF:

Division of Natural Resources
RFQ# DNR210174
Stonewall Jackson State Park
149 State Park Trail
Roanoke, WV 26447

Mr. Whittaker;

With respect to the aforementioned RFQ we are submitting current technical information provided by John Deere Governmental Sales to address the proprietary nature of said RFQ.

All vendors in West Virginia should understand the intent of "Shall", "Must", "Minimum", "Maximum", ect., as setting benchmarks where-as purchased products are of an acceptable quality level at time of award. We would not be as concerned if our product (John Deere) did not offer superior features to those requested in this RFQ, this being the case though, we respectfully request that the HORSEPOWER requirement be amended to a minimum of 95 HP versus 99.9 HP which will allow a more competitive bidding process.

We are submitting advertised information on the John Deere product that also shows other areas of performance that far surpasses the advertised unit.

Respectfully yours:

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

Phil Cottrille

From: Foster Larry J [FosterLarryJ@JohnDeere.com]
Sent: Friday, March 26, 2010 9:17 AM
To: Phil Cottrille
Subject: Foster Comments on 333D vs. PT100 Forestry ASV / Terex Unit.
Importance: High
Attachments: ASV pt-100_forestry_spec_sheet[1].pdf; Terex PT100_Forestry_Spec_Sheet[1].pdf

Phil,

I find it puzzling why a governmental department would put a **requirement** of 99.9 hp for a bid on a hydrostatic transmission compact track loader. Please keep in mind specifying a manufacturers specific hp as a **MUST** requirement would block or eliminate all other bidders. Fact is engine HP **does not** determine the best machine. Specifications and machine attributes in side by side comparisons is the best method known to measure Best machine metrics. The Best machine would one that is superior in the following areas:

- Best Performance
- Best Productivity
- Best Reliability
- Best Ease of Service
- Best Uptime {Least amount of downtime due to maintenance}
- Best in Safety
- Lowest Operating Cost

I have listed below some comments and facts comparing the Deere 333D Vs. PT100 ASV Forestry Machine. Please note ASV does not list many specifications on their machine published literature. One has to wonder why they list so few specifications. Some key performance specifications any customer would be interested in that are not listed by ASV are:

- Boom Breakout Force
- Bucket Breakout Force
- Bucket Dump Angle
- Bucket Capacity
- Bucket Reach - Measured at full reach and dump
- Tractive Effort - "pushing power"
- Engine Torque Rise
- Engine Maintenance requirements

Bottom Line:

Here would be a few of the machine advantages the Deere 333D offers over the ASV / Terex PT100. Please note all of these would be Deere advantages even though the Deere engine Hp is Less than the ASV / Terex product.

- More pushing Power - Deere delivers 11,400 lbs of Tractive Effort. Achieved by: Weight, Stability, Balance, Track Design, Planetary Drive & Hydrostatic System.
- More Digging Power - Deere delivers up to 13,875 lbs of bucket breakout force and 6,600 lbs of boom breakout force.
- More bucket dump angle - Deere = 45 degrees for a fast clean out of material in bucket.
- More bucket rollback angle - Deere = 35 degrees at ground level resulting in less material spilled per cycle
- More bucket reach with over 39 inches at full height and full bucket dump. ASV uses a radial lift boom design that has very poor reach
- Less overall machine height. Less machine height in woods is a good thing. Deere 333D is over 6 inches lower than ASV

- Larger bucket capacity - Deere bucket capacity with a HD construction bucket = 0.78 cu yd. 1.0 cu yd with utility bucket. Result is more material moved per cycle
- 24% More Tipping Load - Deere = 9425 lbs Vs 7600 lbs for ASV. Deere stability is greater
- 24% More Rated operating Capacity - Deere = 3300 lbs Vs 2660 lbs for ASV
- Electronic Fuel Injection - Faster more responsive to load. ASV uses a slow mechanical fuel injection system
- More Torque rise - Deere engine delivers 37% torque rise and a 5% power bulge
- Never ever have to adjust engine valve lash - Deere engine uses hydraulic lifters like your car and trucks. ASV Perkins engine uses solid lifters that require a valve lash adjustment every 1000 hrs. 3 or 4 hrs minimum to perform valve lash adjustment. \$100 hr shop rate and you add \$900 - \$1200 cost of ASV in 3000 hrs vs. Deere.
- Never ever have to adjust a belt - Deere uses a serpentine belt with auto tensioner to drive alternator, water pump and AC condenser.
- Ability to clean DIRTY side of coolers - Vee Plenum design with no fan or fan shroud in front of dirty side of coolers allows for easy cleaning and inspection of coolers
- No stacked hydraulic cooler - Better cooling
- No Sand blasting of coolers - We use a drafting fan and do not Blast air into coolers.
- Auto Idle - Saves fuel, reduces noise and is a great convenience to all operators
- Larger fuel tank ~ 15% greater than ASV. Combination of EFI engine, Auto Idle, Variable speed fan = Longer run times between fill ups in woods
- Cool on demand variable speed fan for less noise, less fuel consumption and less engine hp consumption
- Easier entry & exit - Safety
- Built in Boom Lock that operator applies and removes from safety of the seat
- Best in class 360 degree visibility for increased safety and productivity
- Best in class stability for superior safety and productivity when operating on slopes
- Vastly superior instrumentation
- Creep Control "snail mode" for precise speed control down to 1% of drive system to match work conditions
- Variable loader speed control settings "Production, Utility and Fine Grading" for increased safety and performance
- Cushioned boom cylinders for lower noise to the operator & bystanders
- Optional Air ride seat - Full Suspension seat is standard equipment
- Optional Factory Installed radio with AM/FM/Weather Band & MP3 port. Radio and Speakers do NOT take up cab space like other brands aftermarket systems
- Quiet Operation @ 84 DBA for noise abatement to the operator
- Ability to easily access and remove / clean / replace Cab and Outside air Filters {just slide seat forward}.
- All fluid drains are environmentally friendly
- 500 hrs engine oil intervals
- Battery access is easy with boom up or down
- Vastly Superior engine compartment access
- Vastly Vastly Superior overall component access with lift up rops and lift out floor pan
- Superior cab ventilation with 8 vents that defrost the windshield, warm and cool operator face, feet and torso
- Convenient rotary throttle Vs large manual lever for ASV
- Lower fuel and Operating cost. Operating costs are all parts, fluids and labor required to complete scheduled maintenance during 3000 hrs of operation.
- 48% larger engine crankcase oil capacity for longer life
- High Intensity mining LED Lights for superior Visibility and Reliability in low light conditions. ASV uses Halogen lights. Deere previous old models had Halogen lights.
- Deere utilizes all Steel track rollers & Idlers in the track system. ASV uses wheels that have plastic hubs and rubber bonding that is suspect to debris damage and limited life. Forestry applications is a severe environment of debris and rocks.
- Easier track tension adjustment Vs large tools and more cumbersome track tension method for ASV.
- Deere 333D engine meets Tier 3 EPA emissions. Per Terex Literature the PT100 is a Tier 2 emission engine. 2010 products are required to be Tier 3 EPA. If Terex is still Tier 2 they should be disqualified for use in a Government Agency.



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13 April 2010

State of West Virginia
Department of Administration
Purchasing Division
2019 Washington Street, East
PO Box 50130
Charleston, WV 25305-0130
ATTN: Frank Whittaker

REF:

Division of Natural Resources
RFQ# DNR210174
Stonewall Jackson State Park
149 State Park Trail
Roanoke, WV 26447

Mr. Whittaker;

Again, with respect to this RFQ we are submitting a brief memo to your attention concerning a few additional items that we feel need to be brought forth. First, provided we are the successful bidder on this project we recommend the addition of a Back-up Alarm kit be installed for the benefit of the operator as well as persons involved with this machine as it is used around the Park. We also recommend the addition of a counter-weight kit to aid in the stability of the machine during operation on uneven ground. This will also aid in the projected life of the undercarriage of the machine. Lastly we definitely recommend the addition of the Mulching Door. This attachment is hydraulically activated to allow for opening the face of the Mulcher Head to make a more aggressive contact pattern with the materials being processed as well as allowing the operator control of closing the door to contain "chunks" inside of the Mulcher Head until they are processed into smaller material prior to ejection onto the ground or surrounding area. This attachment also has a "push bar" mounted on it that will give the operator the ability to shove tall materials forward and away from the machine to better place the rough materials in a proper work place prior to being processed.

The only area of the RFQ that I take exception to is the 13,000# maximum weight of complete machine. The John Deere 333D is advertised as 11,100# as a base and the MH60 Mulcher Head is advertised as weighing 2,497#. This gives a total advertised weight of 13,597#. With the addition of requested guards and shields required for this RFQ there is approximate additional 800-1,000 # as well. If this is the case then our machine will be heavier than the requested minimum weight.

Respectfully yours;

Phillip A. Cottrille
PHIL@MIDDLETOWNTRACTOR.COM



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RECEIVED
2010 MAR 31 AM 9:39
WV PURCHASING
DIVISION

27 March 2010

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2019 Washington Street, East
PO Box 50130
Charleston, WV 25305-0130

REF:
Division of Natural Resources
RFQ# DNR210174
Stonewall Jackson State Park
149 State Park Trail
Roanoke, WV 26447

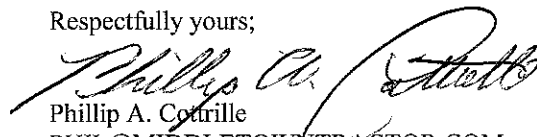
Mr. Whittaker;

With respect to the aforementioned RFQ we are submitting current technical information provided by John Deere Governmental Sales to address the proprietary nature of said RFQ.

All vendors in West Virginia should understand the intent of "Shall", "Must", "Minimum", "Maximum", ect., as setting benchmarks where-as purchased products are of an acceptable quality level at time of award. We would not be as concerned if our product (John Deere) did not offer superior features to those requested in this RFQ, this being the case though, we respectfully request that the HORSEPOWER requirement be amended to a minimum of 95 HP versus 99.9 HP which will allow a more competitive bidding process.

We are submitting advertised information on the John Deere product that also shows other areas of performance that far surpasses the advertised unit.

Respectfully yours;


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

Phil,

I find it puzzling why a governmental department would put a **requirement** of 99.9 hp for a bid on a hydrostatic transmission compact track loader. Please keep in mind specifying a manufacturers specific hp as a **MUST** requirement would block or eliminate all other bidders. Fact is engine HP **does not** determine the best machine. Specifications and machine attributes in side by side comparisons is the best method known to measure Best machine metrics. The Best machine would one that is superior in the following areas:

- Best Performance
- Best Productivity
- Best Reliability
- Best Ease of Service
- Best Uptime {Least amount of downtime due to maintenance}
- Best in Safety
- Lowest Operating Cost

I have listed below some comments and facts comparing the Deere 333D Vs. PT100 ASV Forestry Machine. Please note ASV does not list many specifications on their machine published literature. One has to wonder why they list so few specifications. Some key performance specifications any customer would be interested in that are not listed by ASV are:

3/27/2010

- Boom Breakout Force
- Bucket Breakout Force
- Bucket Dump Angle
- Bucket Capacity
- Bucket Reach - Measured at full reach and dump
- Tractive Effort - "pushing power"
- Engine Torque Rise
- Engine Maintenance requirements

Bottom Line:

Here would be a few of the machine advantages the Deere 333D offers over the ASV / Terex PT100. Please note all of these would be Deere advantages even though the Deere engine Hp is Less than the ASV / Terex product.

- More pushing Power - Deere delivers 11,400 lbs of Tractive Effort. Achieved by: Weight, Stability, Balance, Track Design, Planetary Drive & Hydrostatic System.
- More Digging Power - Deere delivers up to 13,875 lbs of bucket breakout force and 6,600 lbs of boom breakout force.
- More bucket dump angle - Deere = 45 degrees for a fast clean out of material in bucket.
- More bucket rollback angle - Deere = 35 degrees at ground level resulting in less material spilled per cycle
- More bucket reach with over 39 inches at full height and full bucket dump. ASV uses a radial lift boom design that has very poor reach
- Less overall machine height. Less machine height in woods is a good thing. Deere 333D is over 6 inches lower than ASV
- Larger bucket capacity - Deere bucket capacity with a HD construction bucket = 0.78 cu yd. 1.0 cu yd with utility bucket. Result is more material moved per cycle
- 24% More Tipping Load - Deere = 9425 lbs Vs 7600 lbs for ASV. Deere stability is greater
- 24% More Rated operating Capacity - Deere = 3300 lbs Vs 2660 lbs for ASV
- Electronic Fuel Injection - Faster more responsive to load. ASV uses a slow mechanical fuel injection system
- More Torque rise - Deere engine delivers 37% torque rise and a 5% power bulge
- Never ever have to adjust engine valve lash - Deere engine uses hydraulic lifters like your car and trucks. ASV Perkins engine uses solid lifters that require a valve lash adjustment every 1000 hrs. 3 or 4 hrs minimum to perform valve lash adjustment. \$100 hr shop rate and you add \$900 - \$1200 cost of ASV in 3000 hrs vs. Deere.
- Never ever have to adjust a belt - Deere uses a serpentine belt with auto tensioner to drive alternator, water pump and AC condenser.
- Ability to clean DIRTY side of coolers - Vee Plenum design with no fan or fan shroud in front of dirty side of coolers allows for easy cleaning and inspection of coolers
- No stacked hydraulic cooler - Better cooling
- No Sand blasting of coolers - We use a drafting fan and do not Blast air into coolers.
- Auto Idle - Saves fuel, reduces noise and is a great convenience to all operators
- Larger fuel tank ~ 15% greater than ASV. Combination of EFI engine, Auto Idle, Variable speed fan = Longer run times between fill ups in woods
- Cool on demand variable speed fan for less noise, less fuel consumption and less engine hp consumption
- Easier entry & exit - Safety
- Built in Boom Lock that operator applies and removes from safety of the seat
- Best in class 360 degree visibility for increased safety and productivity
- Best in class stability for superior safety and productivity when operating on slopes
- Vastly superior instrumentation
- Creep Control "snail mode" for precise speed control down to 1% of drive system to match work conditions
- Variable loader speed control settings "Production, Utility and Fine Grading" for increased safety and performance

- Cushioned boom cylinders for lower noise to the operator & bystanders
- Optional Air ride seat - Full Suspension seat is standard equipment
- Optional Factory Installed radio with AM/FM/Weather Band & MP3 port. Radio and Speakers do NOT take up cab space like other brands aftermarket systems
- Quiet Operation @ 84 DBA for noise abatement to the operator
- Ability to easily access and remove / clean / replace Cab and Outside air Filters {just slide seat forward}.
- All fluid drains are environmentally friendly
- 500 hrs engine oil intervals
- Battery access is easy with boom up or down
- Vastly Superior engine compartment access
- Vastly Vastly Superior overall component access with lift up rops and lift out floor pan
- Superior cab ventilation with 8 vents that defrost the windshield, warm and cool operator face, feet and torso
- Convenient rotary throttle Vs large manual lever for ASV
- Lower fuel and Operating cost. Operating costs are all parts, fluids and labor required to complete scheduled maintenance during 3000 hrs of operation.
- 48% larger engine crankcase oil capacity for longer life
- High Intensity mining LED Lights for superior Visibility and Reliability in low light conditions. ASV uses Halogen lights. Deere previous old models had Halogen lights.
- Deere utilizes all Steel track rollers & Idlers in the track system. ASV uses wheels that have plastic hubs and rubber bonding that is suspect to debris damage and limited life. Forestry applications is a severe environment of debris and rocks.
- Easier track tension adjustment Vs large tools and more cumbersome track tension method for ASV.
- Deere 333D engine meets Tier 3 EPA emissions. Per Terex Literature the PT100 is a Tier 2 emission engine. 2010 products are required to be Tier 3 EPA. If Terex is still Tier 2 they should be disqualified for use in a Government Agency.

Please remember ASV is No Longer ASV. ASV was bought out by Terex in 2009. Thus if DNR is buying a ASV its probably a 2009 model year product. You would think one of the requirements would be a 2010 Model year product in the list of the DNR specifications.

MULCHING HEAD

SPECIFICATIONS

MH60

- Remove up to 8-inch trees and 12-inch stumps. Shred underbrush and woody materials into beneficial mulch in just minutes.
- Severe-duty design utilizes oversize 2 $\frac{1}{2}$ -inch sealed rotor bearings and double carbide-tipped teeth for long-term durability. Heavy-duty push bar is useful for toppling trees or brush, and helps protect the carrier.
- Hydraulic system maximizes available hydraulic horsepower. For extra protection, an internal valve eliminates return-oil pressure spikes during stalls. Prominently positioned gauge lets an operator easily monitor hydraulic operating pressure. For increased efficiency and reduced stalling.
- Hydraulic brake stops the rotor in less than 10 seconds, eliminating the "freewheeling" common with other designs. Allows an operator to exit quickly, if necessary.
- In-line cooler reduces hydraulic system heat for efficient operation in high-ambient-temperature conditions.
- With a 60-inch opening and 36 teeth, high-capacity rotor takes big bites out of trees and stumps. Rotor torque is balanced to deliver superior large-material knockdown and shredding performance. Also works well below soil level, for chewing out stumps.
- Smooth rotor reduces material drag and horsepower requirements. Internal counter-combs help shatter incoming material, creating a finer mulch.
- Like all Worksite Pro™ attachments, this mulching head is optimized to work with John Deere skid steers and compact track loaders. See your local John Deere skid steer dealer for details.

MH60

Overall Width	74 in. (1880 mm)
Maximum Cutting Width	60 in. (1524 mm)
Height	64 in. (1625 mm)
Length	40 in. (1016 mm)
Weight	2,497 lb. (1133 kg)
Recommended Flow	35–345 gpm (132–170 lpm)
Maximum Hydraulic Pressure	4,000 psi
Flow (standard or high)	high
Number of Cutting Tools	36 double-carbide tipped
Vehicle Compatibility	328, 332, and CT332

WORKSITE PRO



This literature has been compiled for worldwide circulation. While general information, pictures, and descriptions are provided, some illustrations and text may include finance, credit, insurance, product options, and accessories NOT AVAILABLE in all regions. PLEASE CONTACT YOUR LOCAL DEALER FOR DETAILS. John Deere reserves the right to change specifications, design, and price of products described in this literature without notice.



NOTHING RUNS LIKE A DEERE™

DKAMHCWP Litho in U.S.A. (03-10)



JOHN DEERE



MULCHING HEAD

MH60



WORKSITE PRO

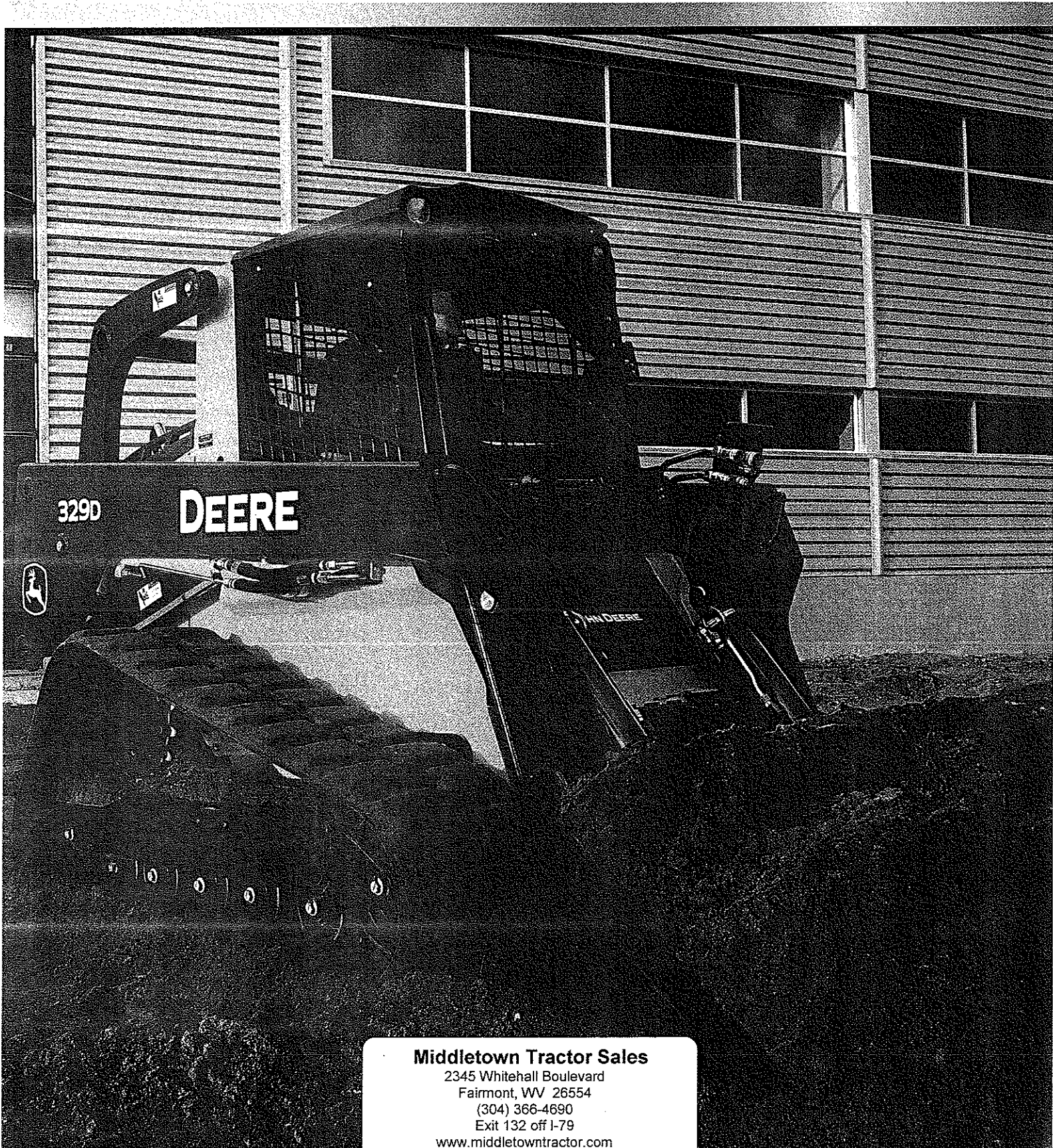
COMMERCIAL WORKSITE PRODUCTS

D-SERIES

COMPACT TRACK LOADERS



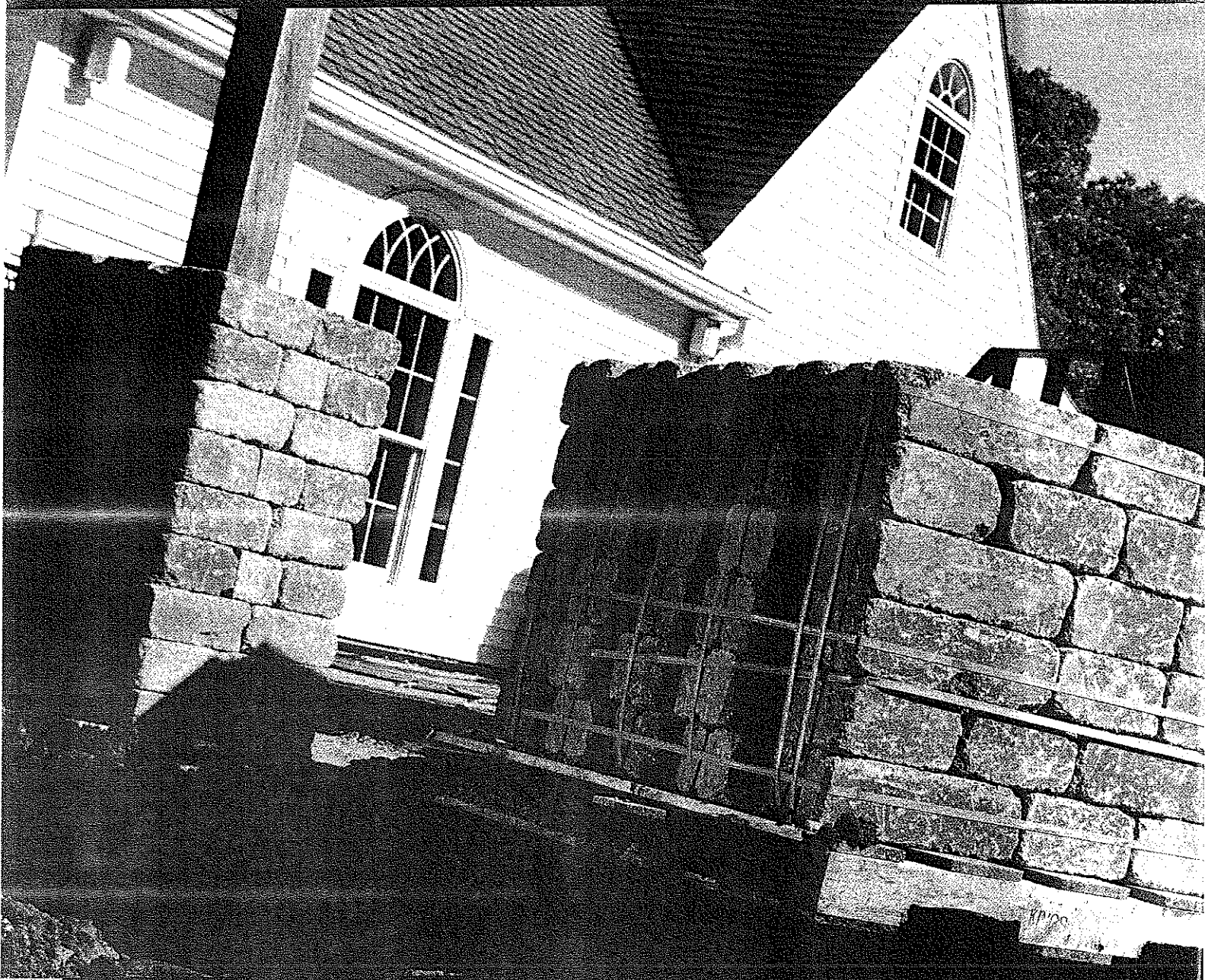
JOHN DEERE



Middletown Tractor Sales

2345 Whitehall Boulevard
Fairmont, WV 26554
(304) 366-4690
Exit 132 off I-79

www.middletowntractor.com



You asked. We “D”elivered.

Loaded with customer-inspired enhancements, all four of our D-Series Compact Track Loaders offer roomier operator stations, quieter pressurized cabs with best-in-class visibility, and swing-out doors. You also have a choice of numerous productivity-boosting options including electrohydraulic (EH) joysticks with selectable control pattern and variable boom and bucket speed settings. Other innovative advantages include a highly efficient and easy-to-clean V-plenum cooling system. And easier-starting electronic fuel-injected PowerTech™ E diesels. As always, grouped checkpoints, advanced diagnostics, and wide-open access help speed servicing, minimize maintenance, and lower daily operating costs. Read on to learn more about the differences in our D-Series that help you get more done, more reliably, for less. Then talk to your John Deere dealer.



	319D	323D	329D	333D
Net horsepower	58 hp (43.3 kW) @ 2,300 rpm	63 hp (47.1 kW) @ 2,300 rpm	80 hp (59.6 kW) @ 2,000 rpm	89 hp (66.7 kW) @ 2,400 rpm
Rated operating capacity	1,900 lb. (863 kg)	2,500 lb. (1135 kg)	2,900 lb. (1317 kg)	3,300 lb. (1498 kg)
Tipping load	5,600 lb. (2540 kg)	7,175 lb. (3257 kg)	8,300 lb. (3765 kg)	9,425 lb. (4279 kg)*

*With one-set standard counterweight.

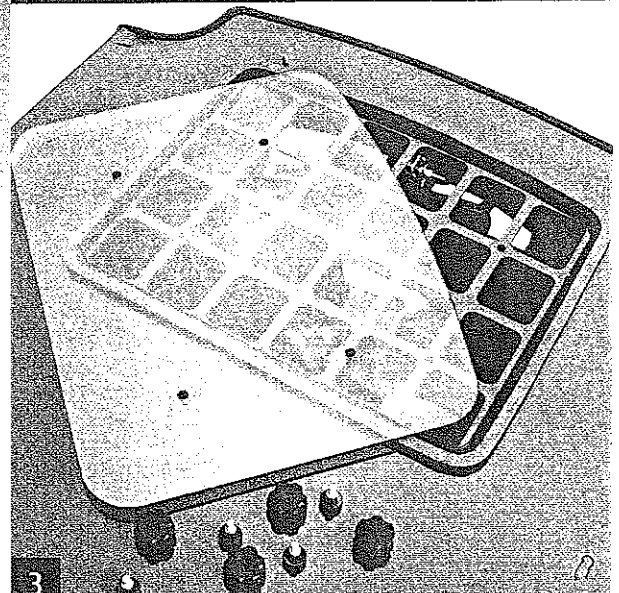
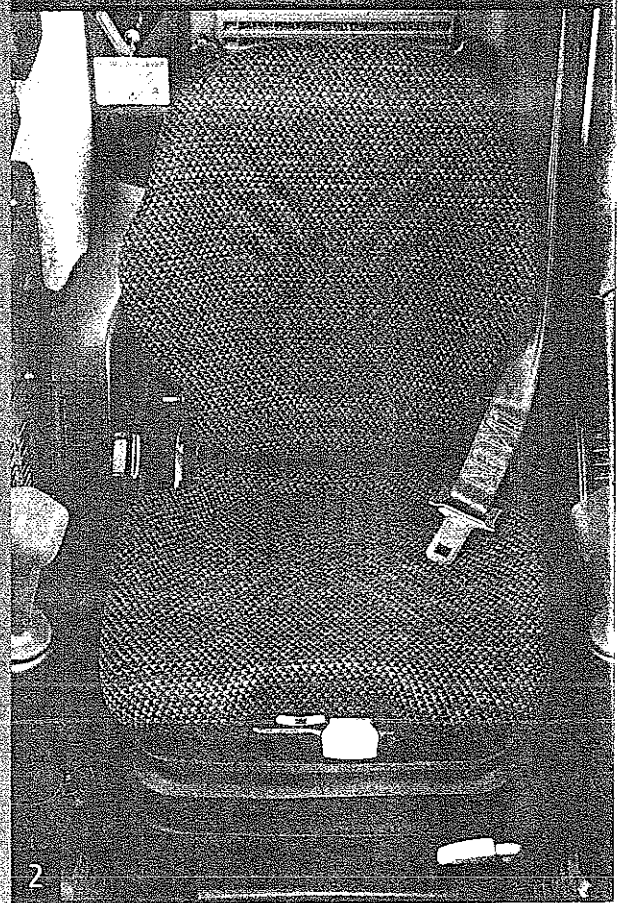
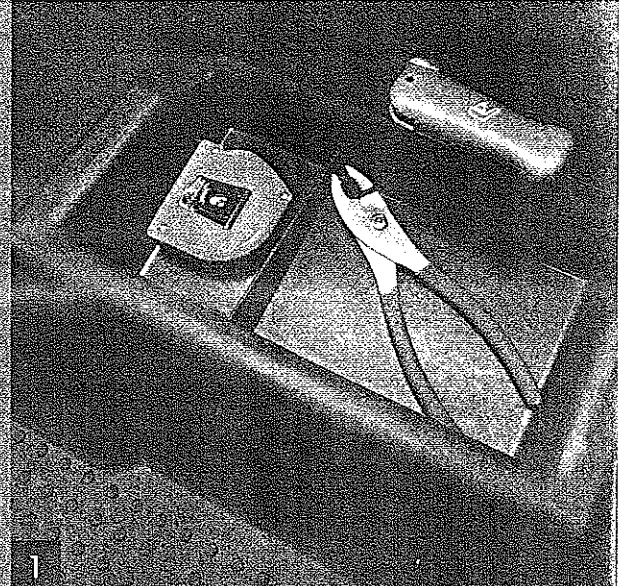
Open wide and be wowed.

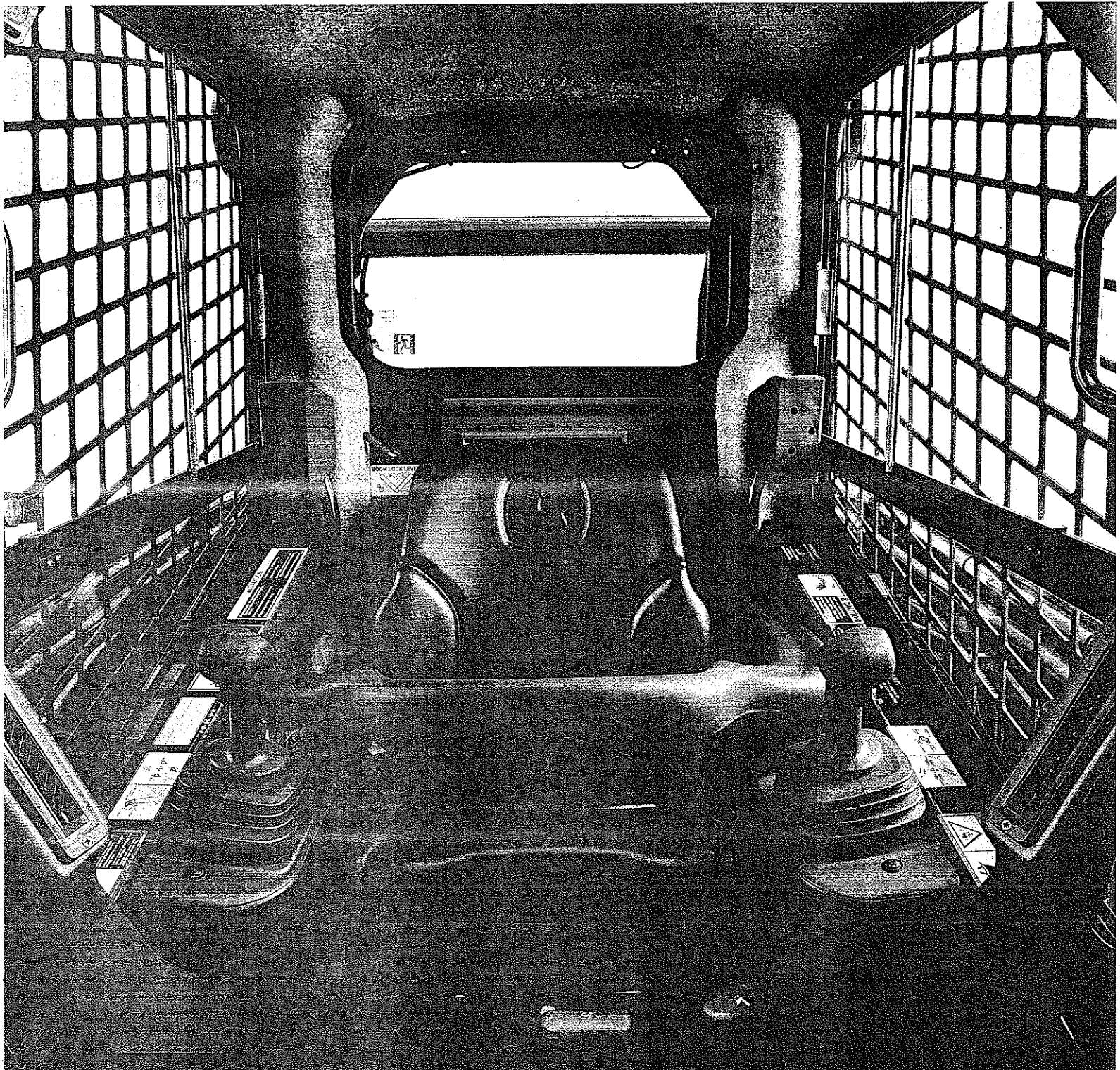
With a noticeably larger entryway and all-glass curved door providing wide-open access, getting in and out of our CTLs has never been easier. Operators are also going to like what they see inside the D-Series. All-around visibility is even more expansive, for a virtually unrestricted view that's second to none. The all-new pressurized cab is 50-percent quieter. More spacious, too, with an extra six inches of headroom. A more efficient and effective HVAC system, more comfortable suspension seat, ample storage, and optional AM/FM/weatherband radio all help keep an operator comfortably productive.

1. Standard amenities include a storage box, cup holder, 12-volt power port, iPod™/cell-phone holder, and other nice D'tails.

2. We've got your back with a sculpted mechanical-suspension seat (standard on 323D, 329D, and 333D) helping smooth the ride. For even more comfort, opt for an available fabric-covered air-suspension seat in cab-equipped models.

3. Although not exactly a sunroof, the optional bolt-on ROPS window removes quickly for increased ventilation and/or easy cleaning.





With 100-percent more front glass, a 50-percent larger top window, and lower side windows, it's easy to see why visibility is best in class. For clear sightlines to the action in front, beside, and behind you.

HVAC system delivers 50-percent more airflow to keep the operator comfortable year-round. Eight automotive-style vents can be directed from head to toe, as well as on the front glass for effective defrosting.

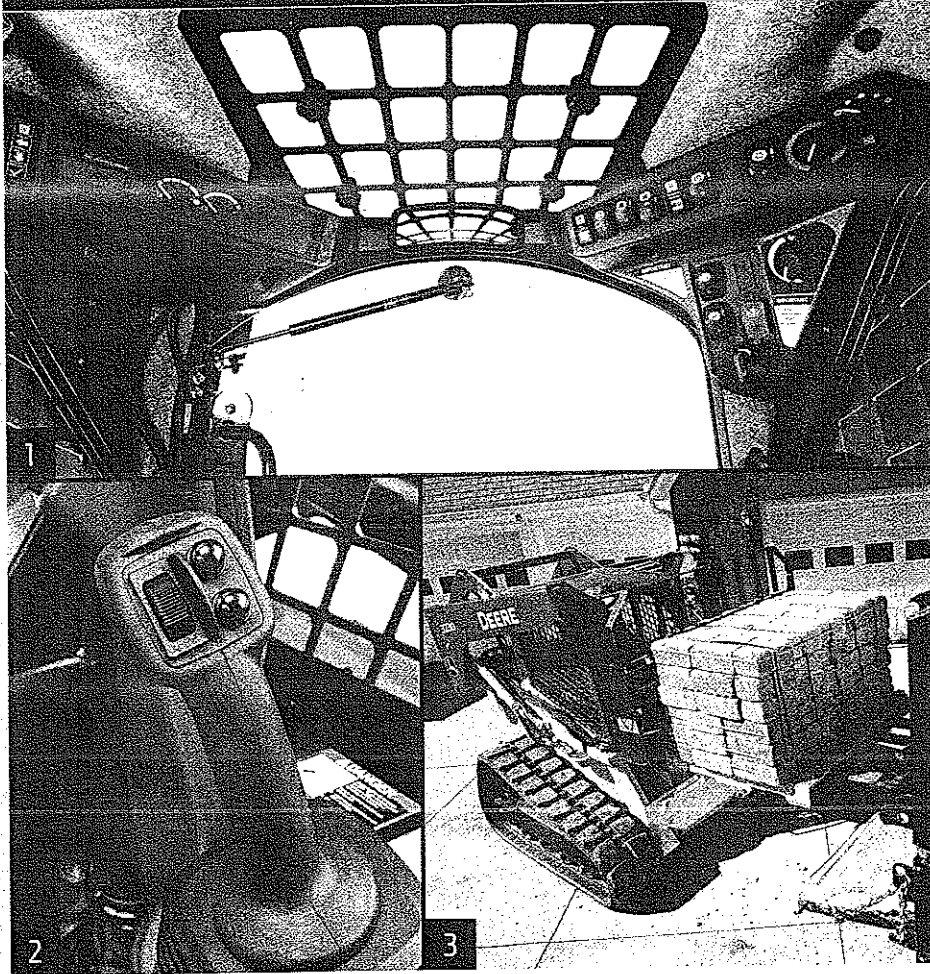
Optional cab is sealed and pressurized to keep out dust and noise. Plus, it's 50-percent quieter, so you'll be able to hear the optional radio.

Pull-down padded lap bar provides quick, convenient operator restraint. It's adjustable up or down to provide comfortable arm support.

Triple-interlock operator-presence system automatically applies the brakes when the lap bar is raised, seat belt is unlatched, operator leaves the seat, or the engine is shut down.

Do things your way.

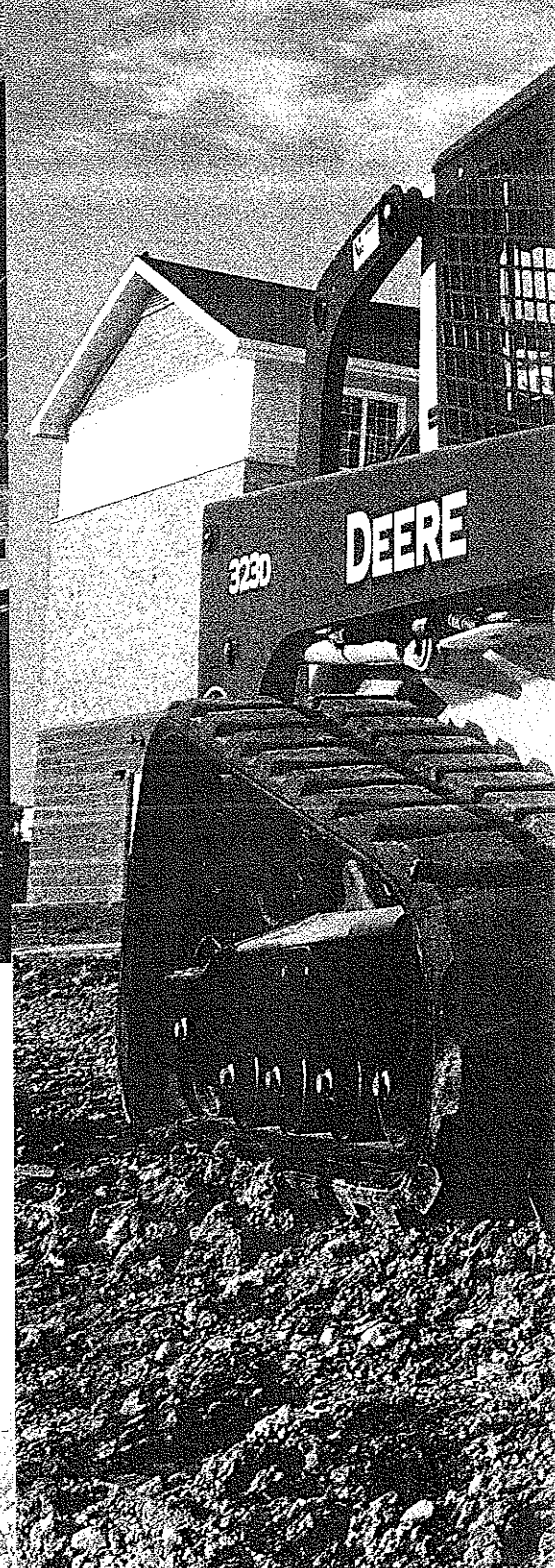
With three different styles of available controls on all four D-Series models, you decide how the work gets done. Foot controls are standard. Or opt for hands-only levers, or EH joysticks for steering, forward/reverse, and boom/bucket functions. EH joysticks provide low-effort fingertip control and smooth machine response. Add the optional EH Performance Package and you can customize performance for specific tasks or conditions.



1. Overhead panel conveniently places machine info on the left and control switches to the right. Easy-to-read LCD monitor provides access to a wealth of machine info and control, including vital operating conditions and advanced diagnostics.

2. Fatigue-beating joysticks allow you to work more productively, precisely, and comfortably. Buttons, triggers, and dial control auxiliary hydraulics and flow rates, two-speed transmission, and bucket float.

3. Our patented vertical-lift boom clears even high sideboards. Add the switch-engaged self-leveling option for parallel-lift throughout the lift arc, and you've got an ideal machine for a multitude of material-handling tasks.





Optional hands-only controls and EH joysticks come equipped with a floor-mounted foot throttle.

Electronic rotary throttle lets you dial-in the engine speed you need for maximum fuel economy or full engine power.

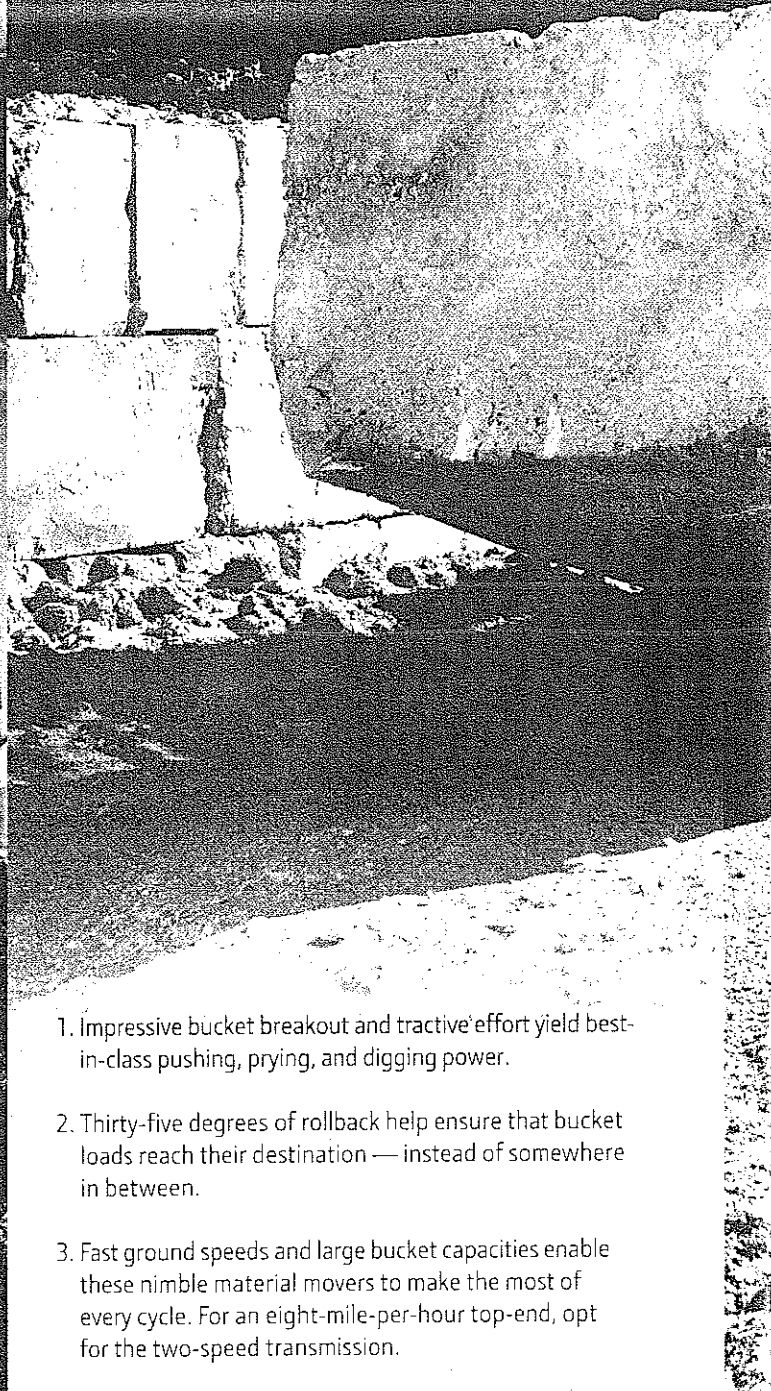
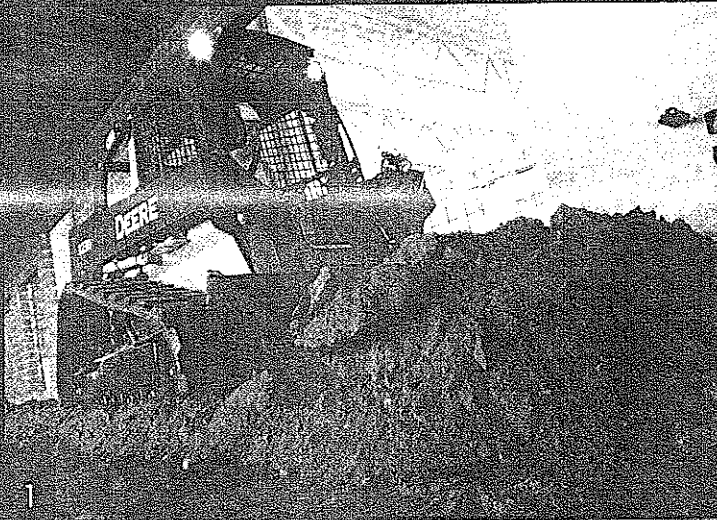
Available with optional joysticks, the EH Performance Package lets an operator customize skid-steer operation and response to personal preferences:

- **Creep mode** decreases ground speed in 10-percent increments while maintaining maximum hydraulic flow. It's ideal for work with cold planers or trenchers.
- **Boom and bucket speed-rate limits:**
 - **Precision mode** limits top speed and provides precise hydraulic metering for work near critical structures.
 - **Utility mode** provides smooth and balanced metering for normal operation.
 - **Production mode** delivers faster joystick response for stockpiling and truck loading where precision isn't as important.
- **Switchable control pattern** goes from ISO to H-pattern at the touch of a fingertip.

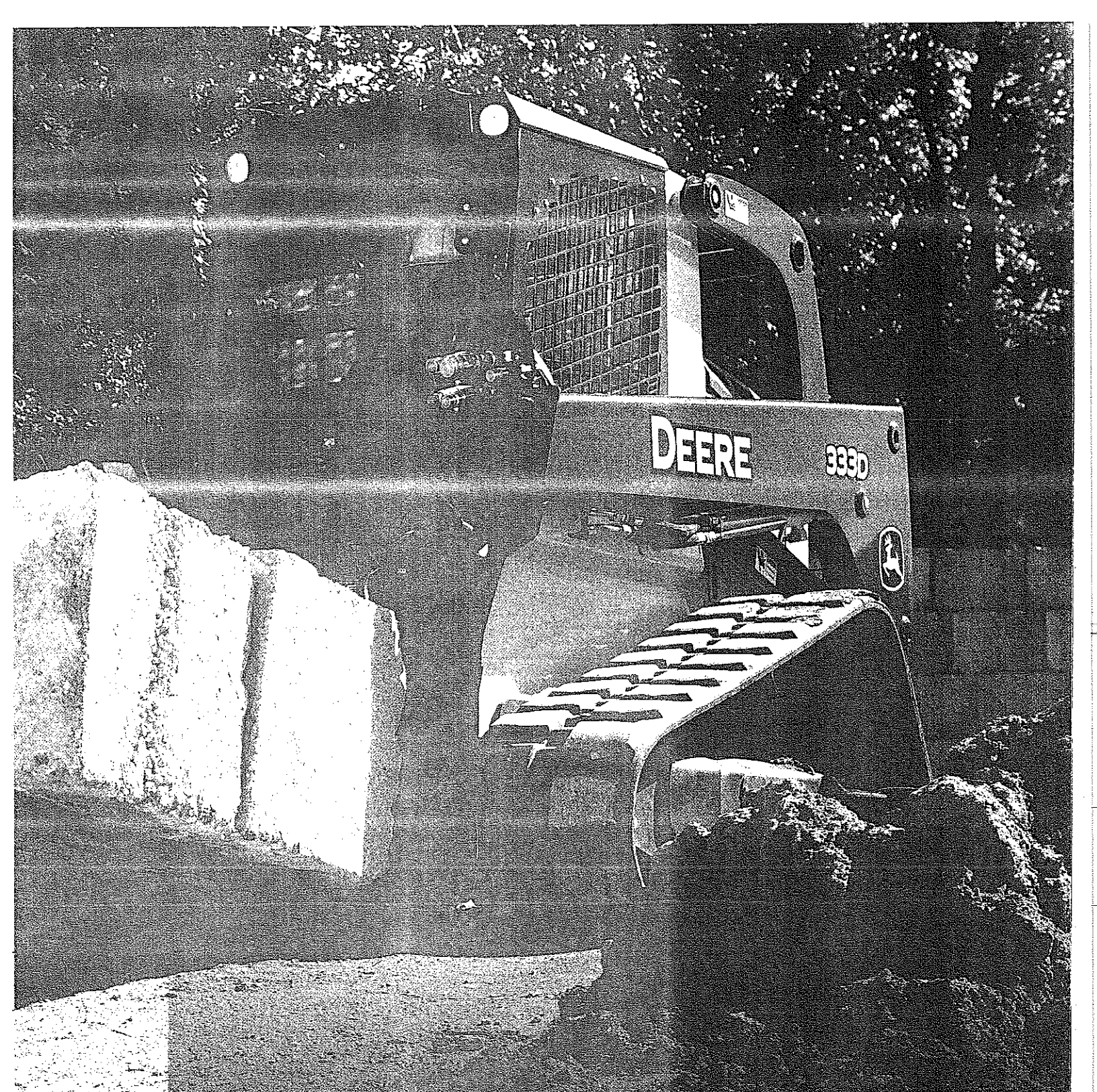
Optional digital-coded antitheft system includes automatic end-of-day activation.

Get on the right tracks.

Want a CTL that's more able? Choose ours. With more breakout force, tractive effort, ground speed, and bucket capacity, all four deliver unmatched performance in virtually every significant category. And with their optimal weight distribution, low center of gravity, high ground clearance, and superior balance, no other compact track loader is as stable. Or as sure-footed on slopes.



1. Impressive bucket breakout and tractive effort yield best-in-class pushing, prying, and digging power.
2. Thirty-five degrees of rollback help ensure that bucket loads reach their destination — instead of somewhere in between.
3. Fast ground speeds and large bucket capacities enable these nimble material movers to make the most of every cycle. For an eight-mile-per-hour top-end, opt for the two-speed transmission.



Nothing lifts like a Deere. With tipping-load capacities up to 9,425 pounds, these CTLs let you precisely place pallets and handle even the most daunting material-handling tasks.

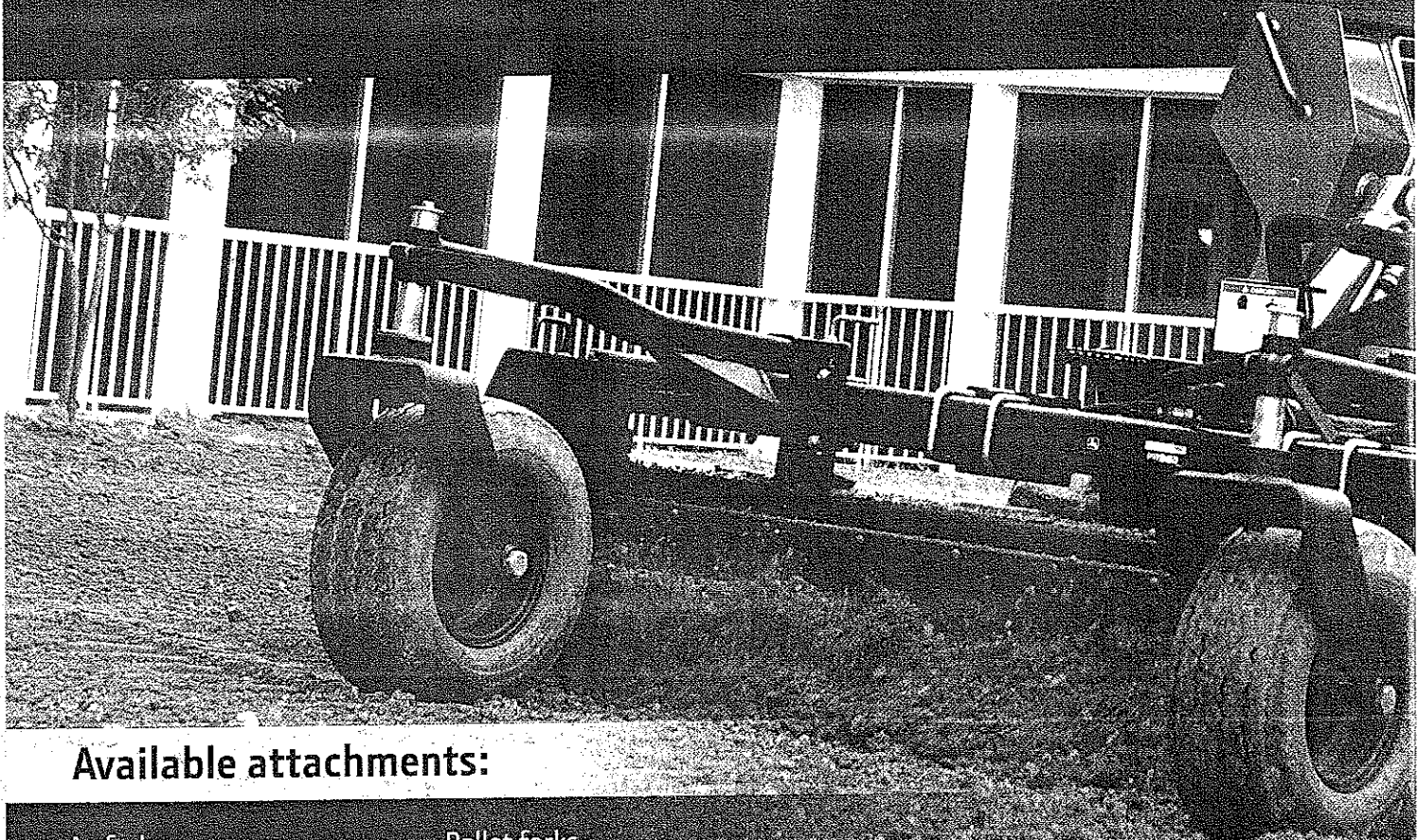
Fuel-sipping PowerTech™ E diesel engines meet stringent Tier 3 (329D, 333D) and Interim Tier 4 (319D, 323D) regulations. Exclusive electronic injection delivers significant torque rise and more usable power. Saves fuel, reduces noise, and improves cold starting, too.

A change in the weather doesn't have to mean a change in plans. High-flotation tracks enable these compacts to work where rubber-tire machines can't.

Need a little more flotation or a little less width? A 15.8-inch track option lets you decrease ground pressure on the 323D. Or narrow the stance of the 333D.

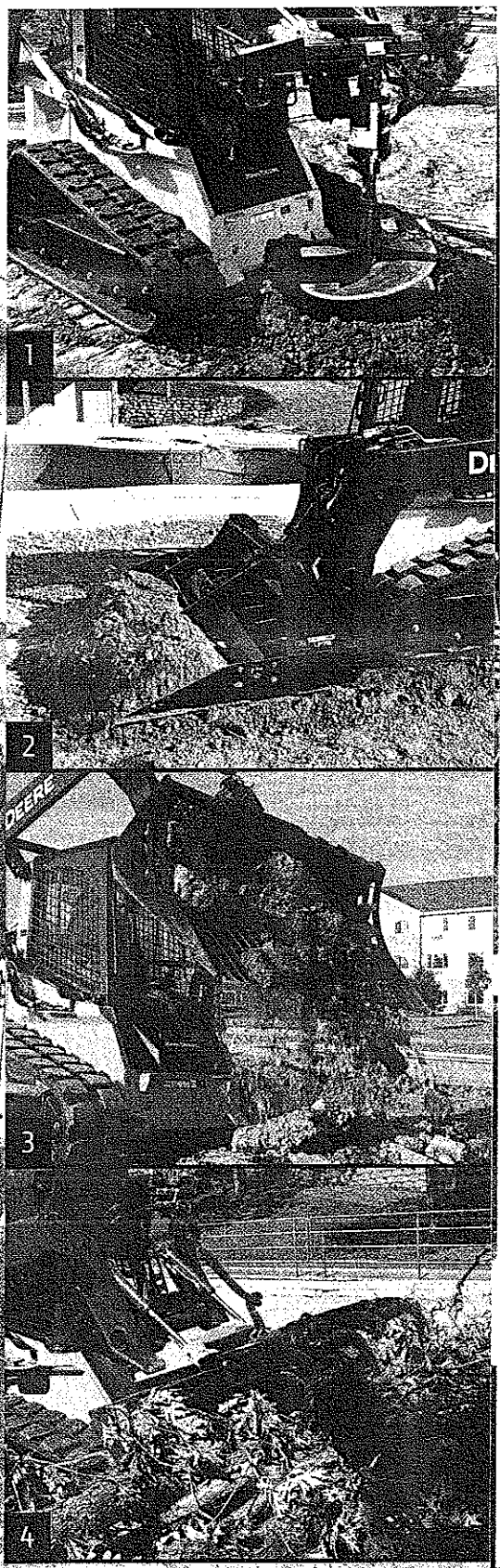
Make the most of your investment.

With their go-everywhere undercarriage, standard auxiliary hydraulics, and universal Quik-Tatch™, D-Series CTLs are highly versatile machines. To take full advantage of their capabilities, add any of the many available Worksite Pro™ attachments. Our ever-expanding lineup includes more than 100 choices that can help you get work done more easily. And expand your business opportunities. To learn more about the entire Worksite Pro attachment lineup, see your John Deere dealer.



Available attachments:

- | | |
|--|-----------------------------|
| Ag forks | Pallet forks |
| Augers | Power rakes |
| Backhoes | Rock buckets |
| Bale spears (round, square) | Roller levels |
| Blades (snow, utility) | Rotary cutters |
| Breakers/hammers | Rotary tillers |
| Brooms (angle, pickup) | Scrapers (material, manure) |
| Cold planers | Side-discharge buckets |
| Dozer blades | Snow blowers |
| Grapples (ag utility,
brush-tined, scrap) | Snow pushers |
| Landplanes | Toothbar |
| Mulching head | Trenchers |
| Multipurpose buckets | 3-point hitch |
| | Vibratory rollers |



1. Whether you're planting trees or setting posts, we've got you covered. Our planetary auger is available with a wide variety of bit styles and diameters.

2. Landplanes provide a cost-efficient productive alternative for finish work. Front and rear cutting edges allow controlled grading and leveling in forward or reverse.

3. Rock buckets are ideal for removing debris and sifting and sorting material. Design retains rocks and refuse while grading.

4. Cleanup is quicker and easier with one of our tined or scrap grapples. Dual-action clamps provide superior material retention.

Nothing runs like a Deere, because nothing is built like one.

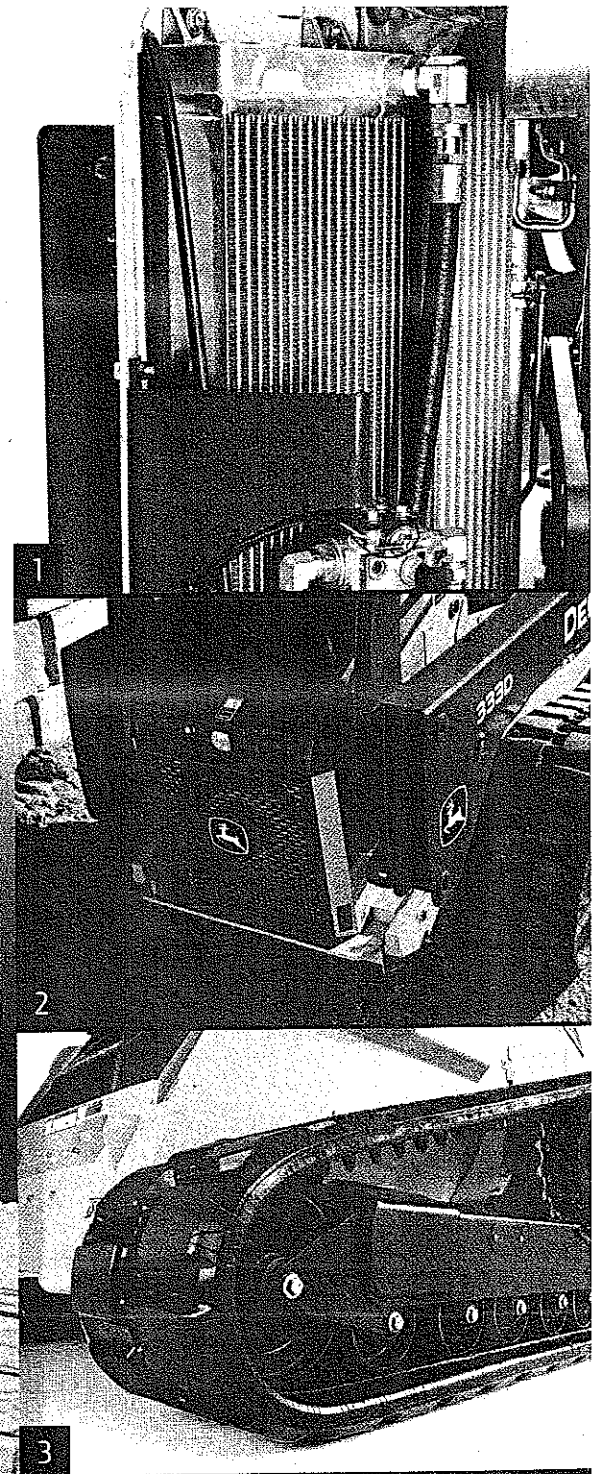
All CTLs travel on tracks, but that's where the similarity ends. Our D-Series boast numerous uptime-boosting advantages you don't find on other compact track loaders. Such as an innovative V-plenum cooling system with hydraulically driven fan. And electronic-ignition PowerTech E diesel engine. Other difference makers are more subtle, but no less significant. Beefier boom, integrated rear bumper, and heavier-duty power Quik-Tatch, to list just a few. Add to those a multitude of traditional John Deere durability advantages and the choice is easy. When you know how they're built, you'll run a Deere.



1. Industry-exclusive design separates coolers in an innovative V-shape configuration that's 20-percent more efficient. Large aluminum hydraulic cooler and radiator provide the necessary cooling capacity for high-ambient-temperature operation.

2. Hydraulic-driven variable-speed fan runs only as fast or as frequently as needed for improved power and fuel efficiency. Decreases noise and debris flow through the coolers, too. There's also an exclusive fan option that periodically reverses to clear core-clogging buildup.

3. All-steel rollers, idlers, and sprockets are similar to those used on our highly durable larger crawlers. Metal-face seals and journal bearings further increase longevity.



Heavy-duty double-steel-reinforced rubber tracks last longer than those on other machines. Easy-clean undercarriage shortens end-of-day cleanout and reduces track wear due to dirt buildup.

Drive motors are heavy duty, and hoses are shielded for extra protection. Direct-mounted planetary final drives employ larger-than-usual bearings for one-of-a-kind reliability.

Spring-applied, hydraulic-released wet-disc park brakes are fully enclosed and never require adjustment.

O-ring face-seal hydraulic fittings virtually eliminate aggravating and costly oil leaks.

Switches and electrical connectors are sealed from moisture and dirt to help prevent corrosion.

Auto-shutdown system monitors engine and hydraulic vitals, and issues an audible warning when limits are exceeded. If necessary, it shuts down the machine to help prevent damage.

Getting to the heart of a Deere is easy. There's no need to raise the boom — just pivot the cab and remove the floor. Takes only minutes.

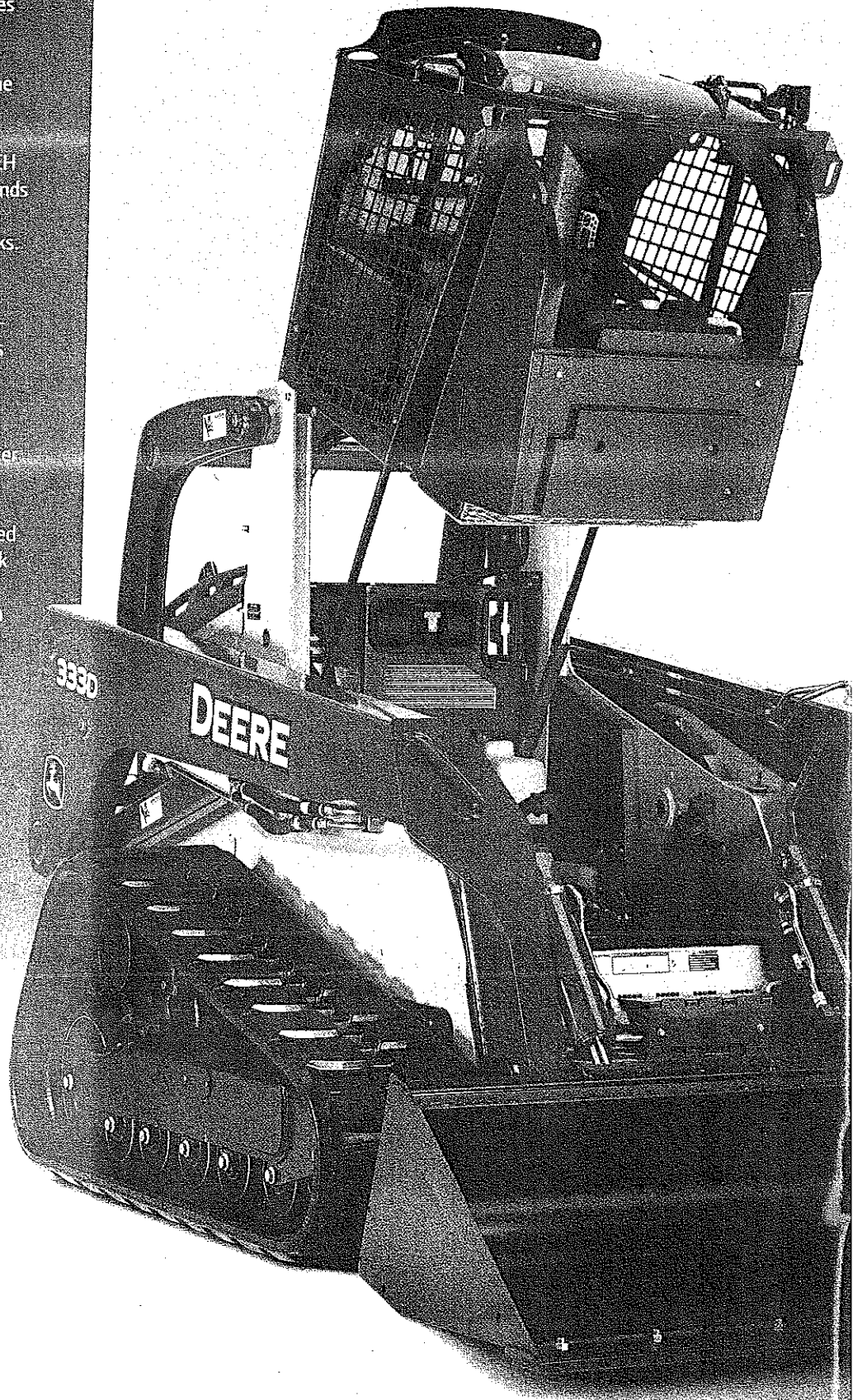
To help conserve fuel and prolong engine life, standard auto-idle reduces engine speed after the operator has vacated the seat. Full auto-idle (available with EH controls) slows the engine after five seconds of inactivity, and resumes preset engine speed with any movement of the joysticks.

Fluid fill locations and checkpoints are grouped and color-coded. And a conveniently displayed maintenance chart helps ensure that nothing gets overlooked.

V-plenum design resists debris buildup and makes radiator and cooler cores easier to clean.

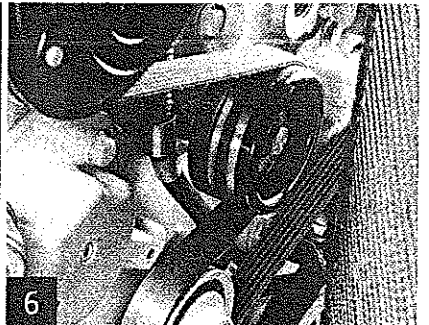
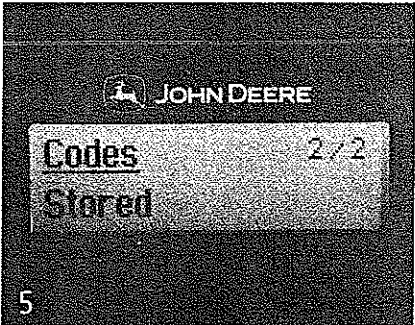
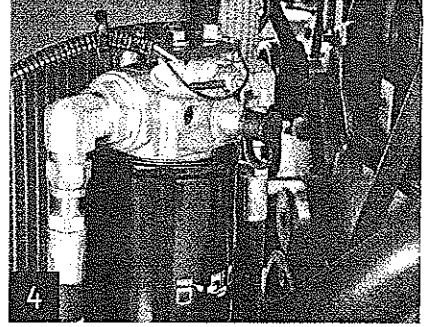
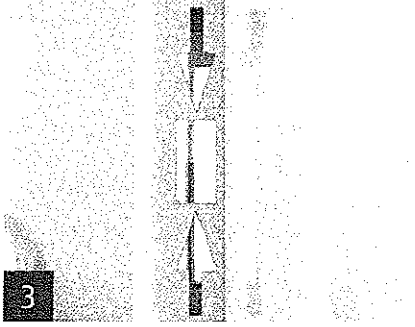
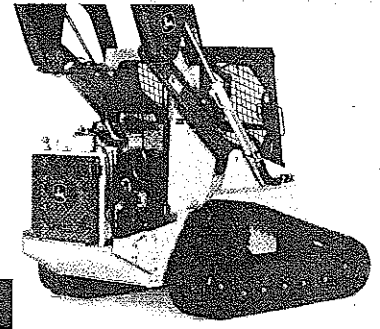
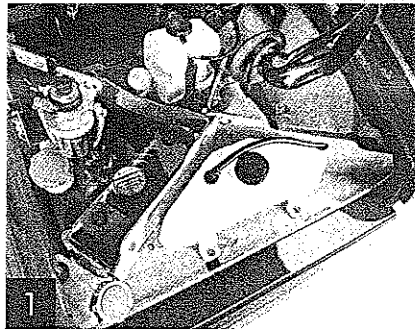
Unlike some CTLs that require complicated daily adjustments with special tools, track tension is checked weekly. If adjustment is necessary, all that's needed is a wrench and grease gun.

Compare the cost of parts and labor for recommended maintenance with other makes. The D-Series will save you significant money. Add the long-term expense for undercarriage replacement, and the savings can be substantial.



We've lowered the boom on maintenance.

Servicing a D-Series CTL is simple and quick. So simple, in fact, that you won't even have to raise the boom for daily service, or most periodic maintenance. Checkpoints are grouped beneath the hinged hood, and easily removable side panels give way to the coolers, maintenance-free battery, and fluid and air filters. If necessary, the operator station can be tilted in minutes for best-in-class drivetrain access. And industry-leading parts and service are just as accessible at more than 1,200 John Deere dealer locations from coast to coast.



1. Daily servicing is quick and convenient. Simply lift the hood for ground-level access to check fluids and to refuel.

2. Need extra elbow room? Raise the boom for wide-open engine-compartment access. Unique lock lever secures the boom from inside the cab.

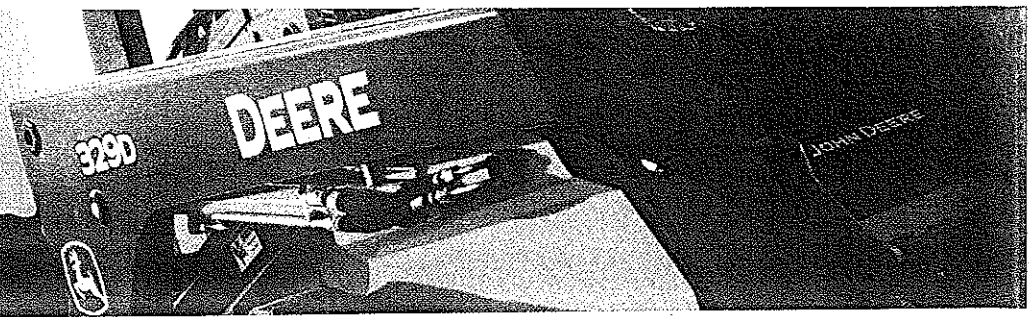
3. Hydraulic sight gauge and see-through coolant and windshield washer fluid reservoirs let you check levels at a glance.

4. Spin-on filters and environmental drains allow quick fluid changes.

5. Through-the-monitor onboard diagnostics help speed troubleshooting.

6. Because no maintenance beats low maintenance, serpentine belt and hydraulic engine-valve lifters never require adjustment.

329D / 333D



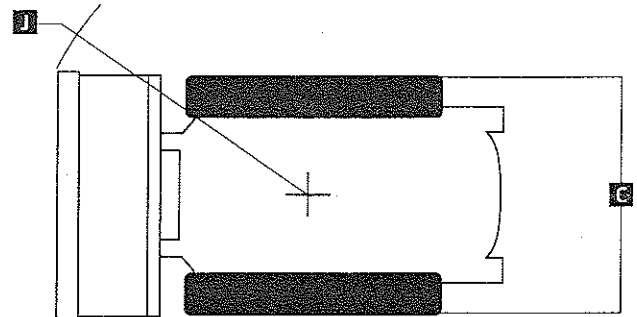
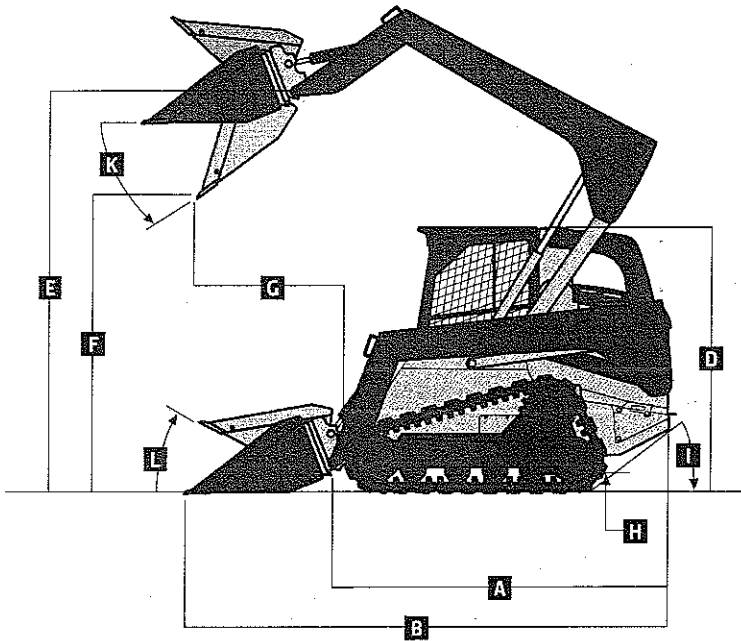
	329D	333D
Engine		
Manufacturer and Model	John Deere PowerTech™ E 5030HT	John Deere PowerTech E 5030HT
Non-Road Emission Standards	Certified to EPA Tier 3 emissions	Certified to EPA Tier 3 emissions
Cylinders	5	5
Net Peak Power (ISO 9249)	80 hp (59.6 kW) at 2,000 rpm	89 hp (66.7 kW) at 2,400 rpm
Gross Peak Power (ISO 14396)	85 hp (63.4 kW) at 2,200 rpm	95 hp (71.1 kW) at 2,400 rpm
Displacement	186 cu. in. (3.0 L)	186 cu. in. (3.0 L)
Net Torque Rise	43.0% at 1,700 rpm	36.9% at 1,680 rpm
Aspiration	Turbocharged and intercooled	Turbocharged and intercooled
Air Cleaner	Dry dual element	Dry dual element
Cooling	329D / 333D	
Fan Drive	Variable-speed hydraulic drive	
Powertrain	329D	333D
Pump	Manual axial-piston hydrostatic-servo	Manual axial-piston hydrostatic-servo
Travel Speeds		
Single Speed	6.2 mph (10.0 km/h)	—
2 Speed, Optional		
Low	5.3 mph (8.5 km/h)	5.3 mph (8.5 km/h)
High	7.8 mph (12.6 km/h)	7.8 mph (12.6 km/h)
Brake	Integral, automatic, spring applied, hydraulically released wet-disc brake	
Undercarriage	New-generation smooth-ride long-life rubber with steel inserts	
Rubber Tracks		
Track Width		
Standard	15.8 in. (400 mm)	17.7 in. (450 mm)
Optional	17.7 in. (450 mm)	15.8 in. (400 mm)
Ground Pressure		
15.8-in. (400 mm) Track (329D standard, 333D optional)	5.0 psi (34.2 kPa)	5.0 psi (34.7 kPa)
17.7-in. (450 mm) Track (329D optional, 333D standard)	4.4 psi (30.6 kPa)	4.5 psi (31.1 kPa)
Track Rollers (per side)	5 triple-flange smooth-ride all-steel rollers	5 triple-flange smooth-ride all-steel rollers
Track Idlers (per side)	2 double-flange smooth-ride all-steel rollers	2 double-flange smooth-ride all-steel rollers
Bearings/Seals (rollers/idlers)	Heavy-duty journal bearings and metal face seals	Heavy-duty journal bearings and metal face seals
Tractive Effort	11,500 lbf (5227 kgf)	11,500 lbf (5227 kgf)
Hydraulics		
Pump Flow		
Standard	21 gpm (80 L/m)	25 gpm (95 L/m)
High-Flow Option Total	33 gpm (125 L/m)	34 gpm (129 L/m)
System Pressure at Couplers	3,450 psi (23 787 kPa)	3,450 psi (23 787 kPa)
Hydraulic Horsepower (calculated)		
Standard Flow	46 hp (34.3 kW)	53 hp (39.5 kW)
High-Flow Option	72 hp (53.7 kW)	73 hp (54.4 kW)
Cylinders	329D / 333D	
	John Deere heat-treated, chrome-plated, polished cylinder rods, hardened steel (replaceable bushings) pivot pins	
Electrical		
Voltage	12 volt	
Battery Capacity	925 CCA	
Alternator Rating	70 amp	
Lights	Halogen, 2 front and 1 rear standard	
Operator's Station		
	ROPS (ISO 3471)/FOPS (ISO 3449) structure with quick-pivot standard	
Serviceability		
Refill Capacities		
Fuel Tank	29.0 gal. (111.0 L)	

Operating Weights

	329D	333D
Track		
15.8-in. (400 mm) (329D standard, 333D optional)	10,830 lb. (4917 kg)	11,000 lb. (4994 kg)
17.7-in. (450 mm) (329D optional, 333D standard)	10,930 lb. (4962 kg)	11,100 lb. (5039 kg)

Machine Dimensions

	329D	333D
A Length without Bucket	9 ft. 10 in. (2.99 m)	9 ft. 10 in. (2.99 m)
B Length	11 ft. 10 in. (3.60 m)	11 ft. 10 in. (3.60 m)
C Width without Bucket		
With 15.8-in. (400 mm) Track	6 ft. 7 in. (2.00 m)	6 ft. 7 in. (2.00 m)
With 17.7-in. (450 mm) Track	6 ft. 9 in. (2.05 m)	6 ft. 9 in. (2.05 m)
D Height to Top of ROPS	7 ft. 1 in. (2.15 m)	7 ft. 1 in. (2.15 m)
E Height to Hinge Pin	10 ft. 6 in. (3.19 m)	10 ft. 6 in. (3.19 m)
F Dump Height	8 ft. 6 in. (2.59 m)	8 ft. 6 in. (2.59 m)
G Dump Reach		
With Foundry Bucket	32.2 in. (819 mm)	32.2 in. (819 mm)
With Construction Bucket	3 ft. 3 in. (1.00 m)	3 ft. 3 in. (1.00 m)
H Ground Clearance	10.4 in. (265 mm)	10.4 in. (265 mm)
I Angle of Departure	32 deg.	32 deg.
J Front Turn Radius	7 ft. 1 in. (2.17 m)	7 ft. 1 in. (2.17 m)
K Dump Angle (full lift height)	45 deg.	45 deg.
L Bucket Rollback (ground level)	35 deg.	35 deg.

**Loader Performance**

	329D	333D
Tipping Load	8,300 lb. (3765 kg)	9,425 lb. (4279 kg)*
SAE Rated Operating Capacity with Foundry Bucket		
At 35% Tipping Load	2,900 lb. (1317 kg)	3,300 lb. (1498 kg)
At 50% Tipping Load	4,150 lb. (1882 kg)	4,725 lb. (2145 kg)
Boom Breakout	4,600 lb. (2088 kg)	6,600 lb. (2996 kg)
Bucket Breakout Force	10,325 lb. (4688 kg)	13,875 lb. (6299 kg)

*With one-set standard counterweight.

Additional equipment

Key: ● Standard ▲ Optional or special

See your John Deere dealer for further information.

319	323	329	333	Engine
●	●			Certified to Interim Tier 4 emissions
		●	●	Certified to EPA Tier 3 emissions
●	●			John Deere PowerTech™ E 4024HT
		●	●	John Deere PowerTech E 5030HT
●	●	●	●	Auto-idle
●	●	●	●	Automatic fan-belt tensioner
●	●	●	●	Automatic preheat
●	●	●	●	Electronic injection system
●	●	●	●	John Deere COOL-GARD™ II Extended-Life Engine Coolant
●	●	●	●	John Deere Plus-50™ 10w30 initial engine oil fill*
●	●	●	●	5-micron primary fuel filter and water separator
▲	▲	▲	▲	Cold-weather package
Cooling System				
●	●	●	●	Coolant recovery tank
●	●	●	●	Cool-on-demand cooling system
▲	▲	▲	▲	Reversing fan drive
Powertrain				
●	●	●	●	High-torque heavy-duty planetary-reduction final drive
●	●	●	●	Automatic spring-applied hydraulically released wet-disc park brakes
●	●	●	●	Transmission, single-speed
	▲	▲	●	Transmission, 2-speed
Hydraulic System				
●	●	●	●	John Deere hydraulic cylinders with cushioned boom cylinders
●	●	●	●	Quick-check hydraulic fluid-level sight glass
●	●	●	●	5-micron hydraulic filter
	▲	▲	▲	High-flow hydraulics
Electrical				
●	●	●	●	Automatic shutdown with alarm
●	●	●	●	Auxiliary hydraulics operator-presence system

319	323	329	333	Electrical (continued)
●	●	●	●	Deluxe instrumentation EMU with: Operator-selectable monitoring – Hour meter, engine rpm, battery voltage, diagnostics, EMU configuration, engine coolant temperature, hydraulic oil temperature / LED warning indicators – Glow plug, seat switch, seat belt, door open, auxiliary hydraulics, park brake engaged, 2-speed engaged, stop, low engine oil pressure, engine coolant over-temperature, battery not charging, air filter restriction, hydraulic filter restriction
●	●	●	●	Front and rear halogen work lights
●	●	●	●	Triple interlock operator-presence control system
▲	▲	▲	▲	Antitheft system
▲	▲	▲	▲	Backup alarm
●	●			Battery, 750 CCA
▲	▲	●	●	Battery, 925 CCA
▲	▲	▲	▲	Dual flashers
▲	▲	▲	▲	Horn
▲	▲	▲	▲	Warning beacon kit
Operator's Station				
●	●	●	●	Adjustable foot pedals
●	●	●	●	Deluxe cab headliner
●	●	●	●	Electronic push-button auxiliary controls
●	●	●	●	Foot controls
▲	▲	▲	▲	Hand controls with foot throttle
●	●	●	●	Pull-down lap bar
●	●	●	●	Quick-pivot ROPS
●	●	●	●	Rear window
●	●	●	●	ROPS/FOPS operator structure
●	●	●	●	Seat belt, 2-in., retractable
▲	▲	▲	▲	Seat belt, 3-in.
▲	▲	▲	▲	Shoulder belt
●	●	●	●	Top window
▲	▲	▲	▲	Removable top window
▲	▲	▲	▲	Side window kit

319	323	329	333	Operator's Station (continued)
●				Water-shedding deluxe vinyl seat
▲	●	●	●	Deluxe vinyl suspension seat
▲	▲	▲	▲	Air-ride (cloth) seat
●	●	●	●	12-volt power port / Dome light / Cargo storage / Beverage holder
▲	▲	▲	▲	Air conditioning with heater/defroster
▲	▲	▲	▲	AM/FM/weatherband radio with auxiliary input
▲	▲	▲	▲	Cab enclosure
▲	▲	▲	▲	Severe-duty cab door
▲	▲	▲	▲	Electrohydraulic joystick controls
▲	▲	▲	▲	Electrohydraulic performance package with attachment controller
▲	▲	▲	▲	Floor mat
▲	▲	▲	▲	Floor mat with left footrest
▲	▲	▲	▲	Heater/defroster
▲	▲	▲	▲	Rearview mirror
▲	▲	▲	▲	Severe-duty rear grille
Loader				
●	●	●	●	Integral cab boom lock
●	●	●	●	Patented John Deere Quik-Tatch™ (no grease required)
▲	▲	▲	▲	Power Quik-Tatch
●	●	●	●	Patented John Deere vertical-lift boom with superior visibility
▲	▲	▲	▲	Hydraulic self-leveling on/off
Other				
●	●	●	●	Convenient front and rear tie-downs
●	●	●	●	Environmental drains for all fluid reservoirs
▲	▲	▲	▲	Chrome exhaust stack
▲	▲	▲	▲	Modular rear-weight packages
▲	▲	▲	▲	Single-point lift kit
●	●	●	●	SMV sign kit
●	●			Track, 12.6-in. (320 mm) wide
	▲	●	▲	Track, 15.8-in. (400 mm) wide
		▲	●	Track, 17.7-in. (450 mm) wide

*500-hour engine oil-change intervals when John Deere Plus-50 oil and John Deere oil filter are used.

Net engine power is with standard equipment including air cleaner, exhaust system, alternator, and hydraulic cooling fan at test conditions per ISO 9249. Gross power is without cooling fan. Specifications and design subject to change without notice. Wherever applicable, specifications are in accordance with SAE and ISO standards. Except where otherwise noted, these specifications are based on units with full fuel tanks and 175-lb. (79 kg) operators; 319D and 323D units with standard 12.6-in. (320 mm) tracks; a 329D unit with standard 15.8-in. (400 mm) tracks; and a 333D unit with standard 17.7-in. (450 mm) tracks.



COMMERCIAL WORKSITE PRODUCTS



JOHN DEERE

ATTACHMENTS

WORKSITE PRO

SKID STEER | COMPACT TRACK LOADER | COMPACT WHEEL LOADER | TRACTOR LOADER BACKHOE | COMPACT EXCAVATOR



Middletown Tractor Sales

2345 Whitehall Boulevard

Fairmont, WV 26554

(304) 366-4690

Exit 132 off I-79

www.middletowntractor.com

WORKSITE PRO™

244J Loader
with Heavy-Duty
Rail-Style Pallet Fork




50D Compact Excavator
with PA30 Auger

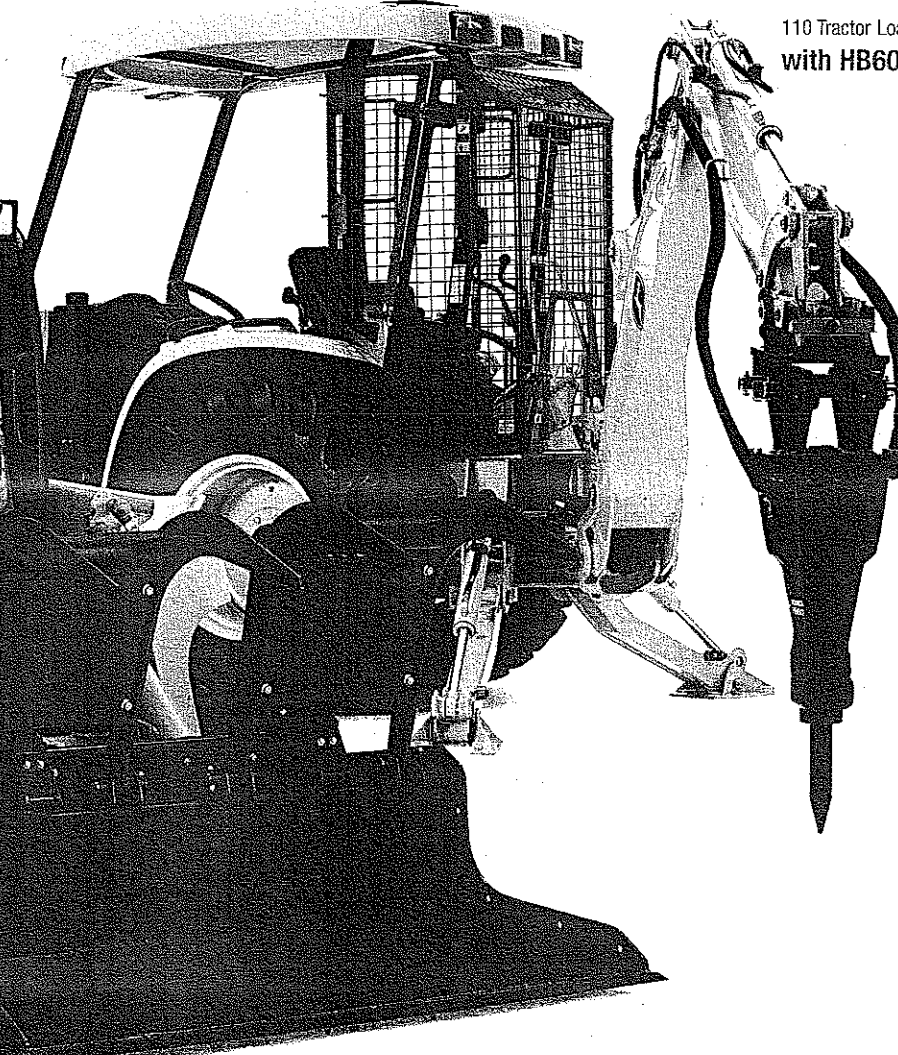
Instant productivity. Just add attachments.

To get more productivity from your skid steer, compact track loader, loader, excavator, or backhoe, hook-up one of the many easy-to-use John Deere Worksite Pro™ attachments. The ever-expanding lineup includes nearly

100 models, so you're sure to find the right tool for the job. What's more, each is backed by legendary John Deere parts, service, and warranty coverage. Add an attachment, and watch your productivity instantly increase.



300-Series Skid Steer
with Scrap Grapple



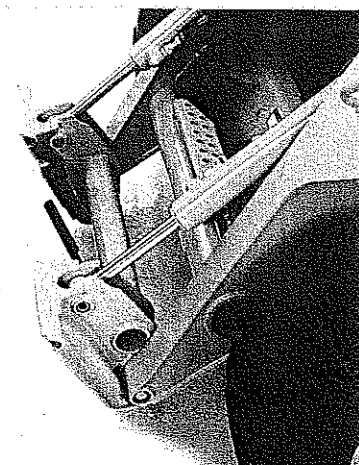
110 Tractor Loader Backhoe
with HB60 Breaker

• **Built-in versatility.**

Worksite Pro attachments fit John Deere 300-Series, as well as numerous other brands of skid steers. Many are also compatible with John Deere Compact Track Loaders, 244J Loader, Compact Excavators, and 110 Tractor Loader Backhoe (refer to pages 10–12 for details).

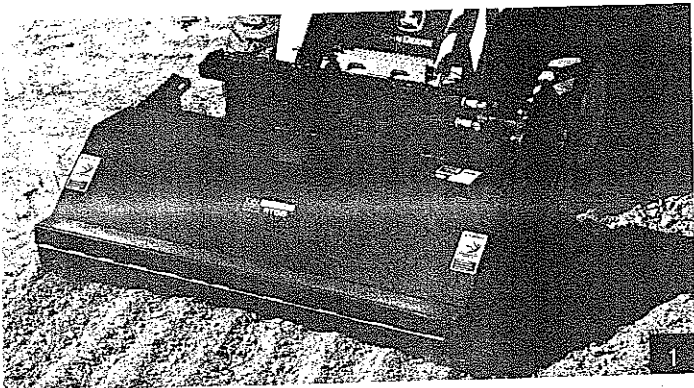
• **Quik-Tatch™ makes any machine a taskmaster.**

With the universal, self-cleaning Quik-Tatch easy-attachment system found on John Deere Skid Steers, Compact Track Loaders, 244J Loader, and 110 Tractor Loader Backhoe, you can go from bucket to grapple to whatever in no time flat. Quik-Tatch attachments, Quik-Tatch productivity. That's the Worksite Pro lineup.



Bale Spear

Tapered spear design reduces drag as spear is inserted and removed from bale. Three-point design provides bale stability.



1. Rotary Tillers

Rugged construction, heavy-duty tines, and a tilling depth to 6 inches. Bidirectional operation increases productivity.



2. Ag Utility Grapples

4.5- or 1.5-inch spaced tines and a one-piece grapple for better handling of hay and manure.



3. Augers

Planetary and chain-drive versions offer reverse rotation for quick back-outs, plus a variety of auger bit styles and diameters.



4. Rock Buckets

Ideal for sifting and sorting material, clearing stones, and removing debris. Buckets retain rock and debris while digging.



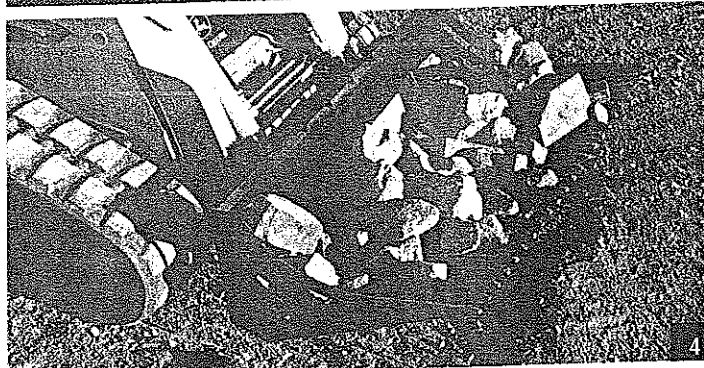
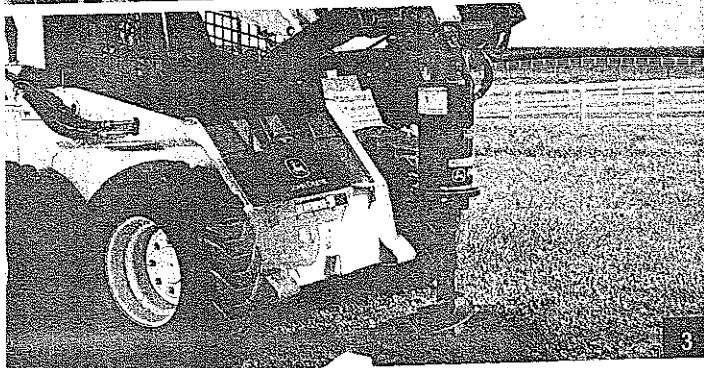
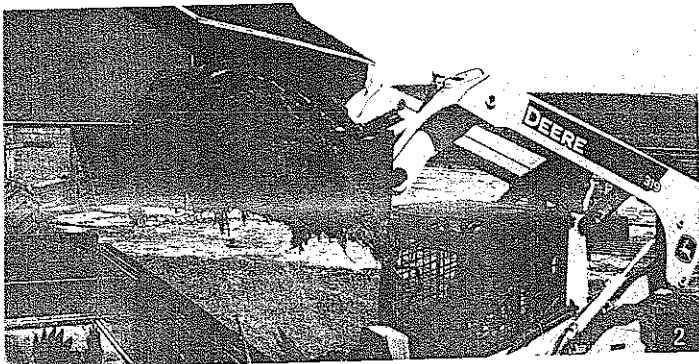
5. Pin/Rail/Heavy-Duty Pallet Forks

42- or 48-inch tine lengths. Rail style holds forks in rigid position. Pin style allows tines to follow the terrain contour. Heavy-duty rail style with 48-inch tines also available.



6. Ag Forks

Tines easily penetrate pen-packed material for quicker clean-out.



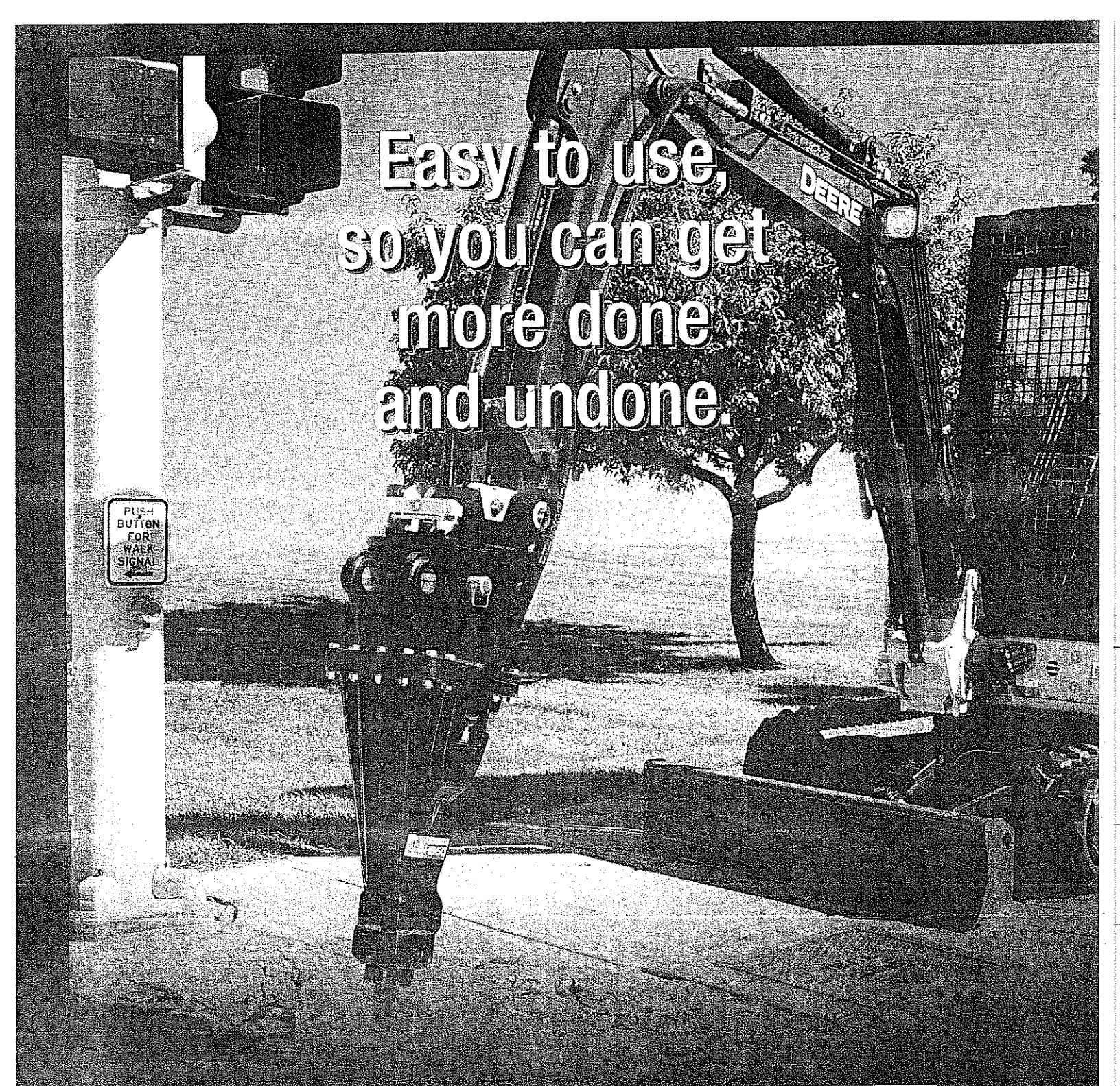
Attachments designed to help your productivity grow.



Worksite Pro attachments are designed to optimize performance and productivity. Their heavy-duty construction ensures maximum uptime and long life — whether you're hoisting hay bales, digging ditches, or rooting

out rocks. What's more, Worksite Pro attachments are compatible among a number of machines throughout the John Deere CWP lineup, letting you increase utilization in a wide variety of tasks.

See pages 10–12 for the full list of available attachments.



Easy to use,
so you can get
more done
and undone.

PUSH
BUTTON
FOR
WALK
SIGNAL
←

Multi-machine compatibility. Intuitive controls. Numerous configurations. The John Deere Worksite Pro lineup offers it all. Hydraulic-driven tools such as trenchers and cold planers are

available in both standard and high-flow variations, giving you exactly what you need to get more work done — or undone. When it's productivity you want, it's a Worksite Pro attachment you need.

Breakers

Compact size and high power-to-weight ratio let these breakers work where others won't.

1. Angle/Pickup Brooms

Angle and pickup styles are available. Heavy-duty high-torque drive motors ensure long-term dependability.

2. Backhoes

Three models connect quickly without tools and offer simple two-lever operation. Digging depths range from 8½–11 feet.

3. Cold Planers

Ideal for milling damaged asphalt and concrete surfaces. Available in standard and high-flow models.

4. Vibratory Rollers

Powerful compactor produces up to 9,370 pounds of easy-to-control force. Choose the width and compaction force you need in padded or sheepsfoot configurations.

5. Scrap/Tined Grapples

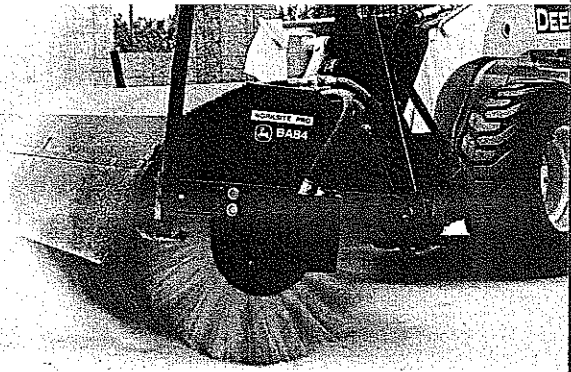
Scrap and tined grapples are available. Scrap grapple has a solid bottom and heavy-duty cutting edge. Both feature two independent-action grapples for better material retention.

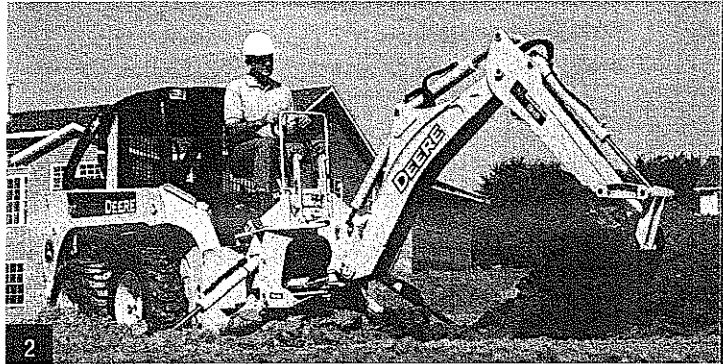
6. Multi-Purpose Buckets

A "4-in-1" multi-purpose bucket, plus numerous other styles including bolt-on tooth bars and cutting edges, ensures there's a Worksite Pro bucket for nearly every earthmoving and material-handling application.



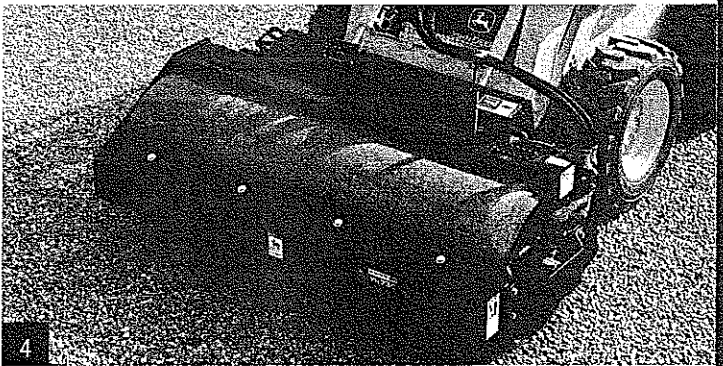
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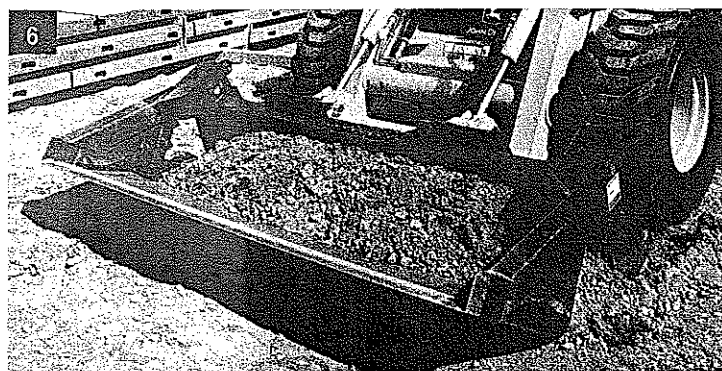
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3



4



6



5



Skid Steer



110 Tractor Loader Backhoe



Compact Wheel Loader



Compact Excavator



Compact Track Loader

Trenchers

36-, 48-, and 60-inch digging depths; high- and low-flow versions. Heavy-duty drive system eliminates chain reduction.

1. Snow/Utility Blades

Blade angles hydraulically 30 degrees right or left. Trip springs protect vehicle from sudden impacts.



2. Dozer Blades

Rugged blades come standard equipped with reversible cutting edge and skid shoes for long-term durability. Power angle and tilt let you make adjustments on-the-go. Available in two sizes.



3. Power Rakes

Perfect for seedbed or site prep. Exclusive forward and backward operation. Adjustable end plates provide box-scraper-like performance.



4. Steel Tracks

Self-cleaning design improves traction and flotation in soft, muddy, or loose conditions. Smoother ride on rough terrain. Reduces ground pressure.



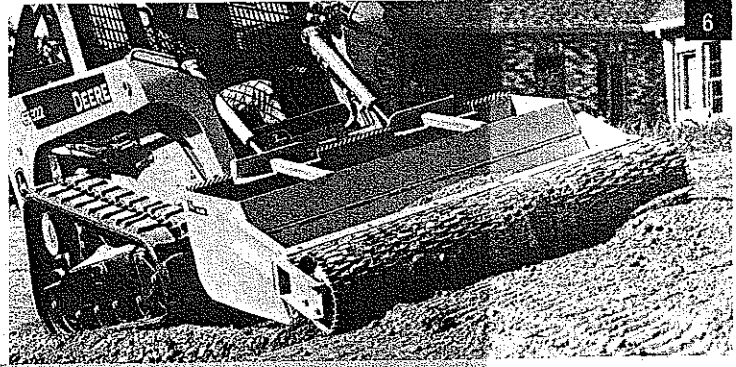
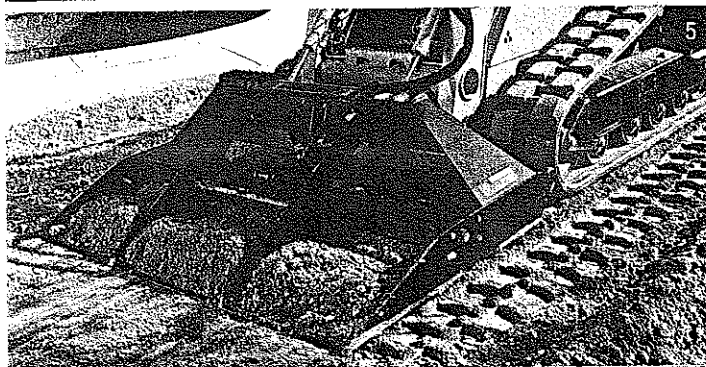
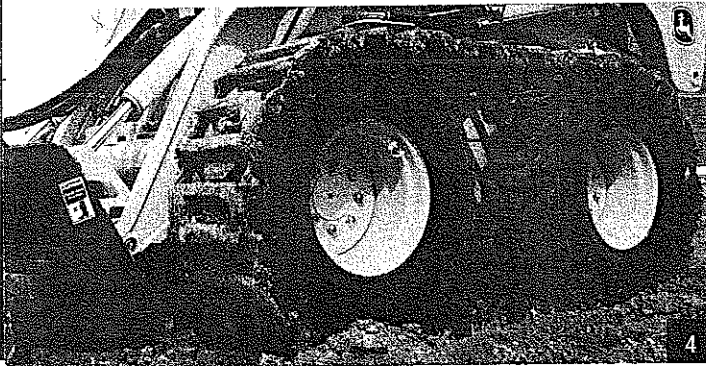
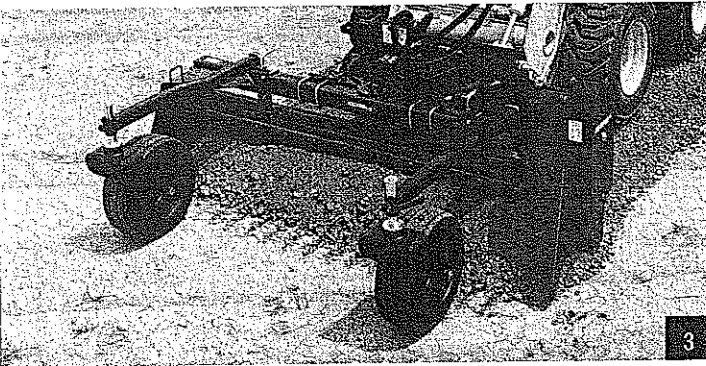
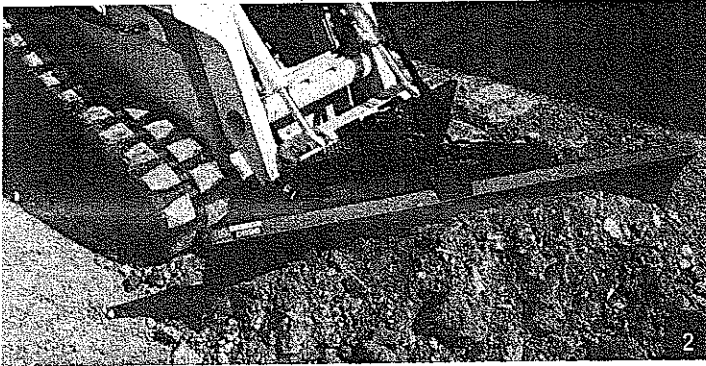
5. Landplane


Provides versatile, cost-efficient productivity for finish work. Front and rear cutting edges allow controlled grading and leveling in forward or reverse.



6. Roller Level

Unique front roller gives total control for contouring, grading, cutting, and smoothing flat or significantly sloped terrain.





When it comes to uptime, we dig deeper.

Any attachment can help you do more. But only John Deere Worksite Pro attachments are backed by more than 800 North American dealers, extensive parts

inventories at eleven North American depots, and a one-year unlimited-hour warranty. Now that's something you can stake your reputation on.

See pages 10-12 for the full list of available attachments.

Worksite Pro Attachment Compatibility

	Skid Steers							Compact Track Loaders		Compact Excavators				Tractor Loader Backhoe	Compact Wheel Loader
	313	315	317	320	325	328	332	CT322	CT332	17D	27D	35D	50D	110 TLB	244J*
Ag Forks															
AF60	•	•													
AF66	•	•	•	•											
AF72			•	•	•	•		•							
AF78			•	•	•	•		•							
Augers															
Planetary Drive															
PA15	•	•								•	•				
PA30			•	•	•	•	•	•	•			•	•	•	•
Chain Drive															
CA15	•	•								•	•				
CA25			•	•	•	•	•	•	•			•		•	•
Backhoes															
BH7	•	•WT	•	•				•							
BH8			•WT	•WT	•	•	•	•	•						
BH9			•WT	•WT	•	•	•	•	•						
BH11			•WT	•WT	•	•	•	•	•						
Bale Spears (Round & Square)	•	•	•	•	•	•	•	•	•					•	•
Breakers															
HH15	•	•	•	•						•	•				
HH30	•	•	•	•			•			•	•	•			
HH50	•	•	•	•	•	•	•	•	•	•	•	•			
HB60	•	•	•	•	•	•	•	•	•	•	•	•		•	
HH75			•	•	•	•	•	•	•			•	•		
Buckets															
Construction 56 in.	•	•													
Construction 60 in.	•	•	•	•											
Construction 66 in.	•	•	•	•											
Construction 72 in.			•	•	•	•		•							
Construction 76 in.				•	•	•	•	•	•						
Construction 78 in. (HD)			•	•	•	•	•	•	•						•
Construction 84 in. (HD)				•	•	•	•	•	•						•
Foundry 66 in.	•	•	•	•										•	
Foundry 72 in.			•	•	•	•		•							
Foundry 78 in. (HD)			•	•	•	•	•	•	•						
MP66			•	•											
MP72			•	•	•	•		•						•	
MP78			•	•	•	•	•	•	•						
MP84				•	•	•	•	•	•						
Rock R66	•	•	•	•											
Rock R75			•	•	•	•	•	•	•						
Rock R84				•	•	•	•	•	•						
Tooth 60 in.	•	•	•	•											

HD=Heavy Duty WT=Requires Additional Weights HF=Requires High Flow

*Requires the skid-steer interface in order to operate.

	Skid Steers							Compact Track Loaders		Compact Excavators				Tractor Loader Backhoe	Compact Wheel Loader
	313	315	317	320	325	328	332	CT322	CT332	17D	27D	35D	50D	110-TLB	244J*
Tooth 66 in.	•	•	•	•											
Tooth 72 in.			•	•	•	•		•						•	
Tooth 76 in.			•	•	•	•	•	•	•						
Tooth 78 in. (HD)			•	•	•	•	•	•	•						•
Tooth 84 in. (HD)			•	•	•	•	•	•	•						•
Utility 66 in.	•	•	•	•											
Utility 72 in.			•	•	•	•		•						•	
Utility 78 in. (HD)			•	•	•	•	•	•	•					•	•
Utility 84 in. (HD)			•	•	•	•	•	•	•					•	•
Backhoe/Excavator Buckets															
9 in.										•					
12 in.										•	•	•	•	•	
16 in.										•					
18 in.										•	•	•	•	•	
20 in.														•	
24 in.											•	•	•	•	
30 in.											•	•	•	•	
34 in.												•			
36 in.													•	•	
Brooms															
Angle/Pickup															
BA72			•	•	•	•	•	•	•						
BA84			•	•	•	•	•	•	•						
BP72			•	•	•	•	•	•	•						
BP84			•	•	•	•	•	•	•						
BR60	•	•													
BR72			•	•	•	•	•	•	•					•	
BR84			•	•	•	•	•	•	•						•
Cold Planers															
CP12C		•	•	•	•	•		•							
CP18C				•HF	•HF	•HF	•HF	•HF	•HF						
CP24C					•HF	•HF	•HF		•HF						
CP30C					•HF	•HF	•HF		•HF						
Dozer Blades															
DB84			•	•	•			•							
DB96						•	•		•						
Grapples															
Brush Tined															
GT72			•	•	•	•		•							•
GT80				•	•	•	•	•	•						•
Scrap															
GS60	•	•													
GS66	•	•	•	•											
GS72			•	•	•	•	•	•	•						
GS78				•	•	•	•	•	•						•
GS84					•	•	•	•	•						•

HD=Heavy Duty WT=Requires Additional Weights HF=Requires High Flow

*Requires the skid-steer interface in order to operate.

Worksite Pro Attachment Compatibility (continued from pages 10-11)

	Skid Steers							Compact Track Loaders		Compact Excavators				Tractor Loader Backhoe	Compact Wheel Loader
	313	315	317	320	325	328	332	CT322	CT332	17D	27D	35D	50D	110 TLB	244J*
Utility Ag															
GU60	•	•													
GU66	•	•	•	•											
GU72			•	•	•	•		•						•	
GU78			•	•	•	•		•							
Landplanes															
LP72	•	•	•	•	•			•							
LP78				•	•	•	•	•	•						
LP84					•	•	•	•	•						
Pallet Forks															
Pin	•	•	•	•	•	•	•	•	•					•	
Rail	•	•	•	•	•	•	•	•	•					•	
Heavy Duty					•	•	•	•	•						•
Power Rakes															
PR60	•	•													
PR72B			•	•	•	•	•	•	•						
PR84B			•	•	•	•	•	•	•						
PR96B				•	•	•	•	•	•						
Roller Levels															
RL66			•	•	•			•							
RL84					•	•	•	•	•						
Rotary Tillers															
RT52			•	•	•	•	•	•	•						
RT66			•	•	•	•	•	•	•						
Snow/Utility Blades															
BL6	•	•													
BL7	•	•	•	•	•	•	•	•	•						
BL8			•	•	•	•	•	•	•						•
BL9			•	•	•	•	•	•	•						•
BL10					•	•	•	•	•						•
Steel Tracks															
10 in.	•	•	•	•											
12 in.				•	•	•									
14 in.							•	•							
Three-Point Hitch	•	•	•	•	•	•	•	•	•					•	
Trenchers															
TR36B	•	•	•	•	•	•	•	•	•						
TR48B	•	•	•	•	•	•	•	•	•						
TR60B			•HF	•HF	•HF	•HF	•HF	•HF	•HF						
Vibratory Rollers															
VR66C	•	•WT	•WT	•WT	•	•	•	•	•						
VR66C Sheepsfoot	•	•WT	•WT	•WT	•	•	•	•	•						
VR73C					•	•	•	•	•						
VR73C Sheepsfoot					•	•	•	•	•						
VR84C					•	•	•	•	•						

HD=Heavy Duty WT=Requires Additional Weights HF=Requires High Flow

*Requires the skid-steer interface in order to operate.



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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: Middletown Tractor Sales

Signed: 

Date: 3 April 2010

Title: Sales Consultant

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

RFQ No. DNR210174

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 owned is an amount greater than one thousand dollars in the aggregate

DEFINITIONS:

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

"Debtor" means any individual, corporation, partnership, association, Limited Liability Company or any other form or business association owing a debt to the state or any of its political subdivisions. "Political subdivision" means any county commission; municipality; county board of education; any instrumentality established by a county or municipality; any separate corporation or instrumentality established by one or more counties or municipalities, as permitted by law; or any public body charged by law with the performance of a government function or whose jurisdiction is coextensive with one or more counties or municipalities. "Related party" means a party, whether an individual, corporation, partnership, association, limited liability company or any other form or business association or other entity whatsoever, related to any vendor by blood, marriage, ownership or contract through which the party has a relationship of ownership or other interest with the vendor so that the party will actually or by effect receive or control a portion of the benefit, profit or other consideration from performance of a vendor contract with the party receiving an amount that meets or 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: *Phillip A. Caldwell* Date: 03 April 2010

State of WV

County of Taylor, to-wit:

Taken, subscribed, and sworn to before me this 13 day of APRIL, 2010.

My Commission expires 9-30, 2019.

AFFIX SEAL HERE

NOTARY PUBLIC *Beatrice K. Stevens*

