



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
 6611C014

PAGE
 1

ADDRESS CORRESPONDENCE TO ATTENTION OF:
 BUYER 33
 304-558-2402

VENDOR

*424153422 303-431-7333
 APPLEWOOD SEED COMPANY
 5380 VIVIAN STREET
 ARVADA CO 80002

SHIP TO

DIVISION OF HIGHWAYS
 VARIOUS LOCALES AS INDICATED
 BY ORDER

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
12/13/2010				

BID OPENING DATE: 12/28/2010 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	EA		595-15		
<p>TO PROVIDE WILDFLOWER SEEDS PACKAGED AS INDIVIDUAL</p> <p>REQUEST FOR QUOTATION (RFQ) OPEN END CONTRACT</p> <p>THE WEST VIRGINIA STATE PURCHASING DIVISION FOR THE AGENCY, THE WEST VIRGINIA DIVISION OF HIGHWAYS, IS SOLICITING BIDS FOR AN OPEN END CONTRACT TO PROVIDE INDIVIDUAL, NATIVE, PERENNIAL, ANNUAL PACKAGED SEED PER THE ATTACHED SPECIFICATIONS</p> <p>TECHNICAL QUESTIONS CONCERNING THIS SOLICITATION MUST BE SUBMITTED IN WRITING TO SHERI SLONE IN THE WEST VIRGINIA STATE PURCHASING DIVISION VIA MAIL AT THE ADDRESS SHOWN IN THE BODY OF THIS RFQ, VIA FAX AT 304-558-2596, OR VIA EMAIL AT SHERI.D.SLONE@WV.GOV. DEADLINE FOR ALL TECHNICAL QUESTIONS IS 12/21/2010 AT THE CLOSE OF BUSINESS. ANY TECHNICAL QUESTIONS RECEIVED WILL BE ANSWERED BY FORMAL ADDENDUM TO BE ISSUED BY THE PURCHASING DIVISION AFTER THE DEADLINE HAS LAPSED.</p> <p>EXHIBIT 10</p> <p>REQUISITION NO.:</p> <p>ADDENDUM ACKNOWLEDGEMENT</p>						

RECEIVED
 2010 DEC 22 PM 12:12
 WV PURCHASING DIVISION

SEE REVERSE SIDE FOR TERMS AND CONDITIONS			
SIGNATURE <i>Quenie Wilson</i>	TELEPHONE <i>(303) 431-7333</i>	DATE <i>12/20/10</i>	
TITLE <i>Bid Manager</i>	FEN <i>84-0671900</i>	ADDRESS CHANGES TO BE NOTED ABOVE	

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



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I HEREBY ACKNOWLEDGE RECEIPT OF THE FOLLOWING CHECKED ADDENDUM(S) AND HAVE MADE THE NECESSARY REVISIONS TO MY PROPOSAL, PLANS AND/OR SPECIFICATION, ETC.

- ADDENDUM NO. S:
- NO. 1
 - NO. 2
 - NO. 3
 - NO. 4
 - NO. 5

I UNDERSTAND THAT FAILURE TO CONFIRM THE RECEIPT OF 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.

.....
Janet Wilson
 SIGNATURE

Applewood Seed Co.
 COMPANY

December 20, 2010
 DATE

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
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TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE
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3

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<p>NOTE: THIS ADDENDUM ACKNOWLEDGEMENT SHOULD BE SUBMITTED WITH THE BID.</p> <p>REV. 09/21/2009</p> <p>EXHIBIT 3</p> <p>LIFE OF CONTRACT: THIS CONTRACT BECOMES EFFECTIVE ON AND EXTENDS FOR A PERIOD OF ONE (1) YEAR OR UNTIL SUCH "REASONABLE TIME" THEREAFTER AS IS NECESSARY TO OBTAIN A NEW CONTRACT OR RENEW THE ORIGINAL CONTRACT. THE "REASONABLE TIME" PERIOD SHALL NOT EXCEED TWELVE (12) MONTHS. DURING THIS "REASONABLE AIME" THE VENDOR MAY TERMINATE THIS CONTRACT FOR ANY REASON UPON GIVING THE DIRECTOR OF PURCHASING 30 DAYS WRITTEN NOTICE.</p> <p>UNLESS SPECIFIC PROVISIONS ARE STIPULATED ELSEWHERE IN THIS CONTRACT DOCUMENT, THE TERMS, CONDITIONS AND PRICING SET HEREIN ARE FIRM FOR THE LIFE OF THE CONTRACT.</p> <p>RENEWAL: THIS CONTRACT MAY BE RENEWED UPON THE MUTUAL WRITTEN CONSENT OF THE SPENDING UNIT AND VENDOR, SUBMITTED TO THE DIRECTOR OF PURCHASING THIRTY (30) DAYS PRIOR TO THE EXPIRATION DATE. SUCH RENEWAL SHALL BE IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE ORIGINAL CONTRACT AND SHALL BE LIMITED TO TWO (2) ONE (1) YEAR PERIODS.</p> <p>CANCELLATION: THE DIRECTOR OF PURCHASING RESERVES THE RIGHT TO CANCEL THIS CONTRACT IMMEDIATELY UPON WRITTEN NOTICE TO THE VENDOR IF THE COMMODITIES AND/OR SERVICES SUPPLIED ARE OF AN INFERIOR QUALITY OR DO NOT CONFORM</p>						

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LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>TO THE SPECIFICATIONS OF THE BID AND CONTRACT HEREIN.</p> <p>OPEN MARKET CLAUSE: THE DIRECTOR OF PURCHASING MAY AUTHORIZE A SPENDING UNIT TO PURCHASE ON THE OPEN MARKET, WITHOUT THE FILING OF A REQUISITION OR COST ESTIMATE, ITEMS SPECIFIED ON THIS CONTRACT FOR IMMEDIATE DELIVERY IN EMERGENCIES DUE TO UNFORESEEN CAUSES (INCLUDING BUT NOT LIMITED TO DELAYS IN TRANSPORTATION OR AN UNANTICIPATED INCREASE IN THE VOLUME OF WORK.)</p> <p>QUANTITIES: QUANTITIES LISTED IN THE REQUISITION ARE APPROXIMATIONS ONLY, BASED ON ESTIMATES SUPPLIED BY THE STATE SPENDING UNIT. IT IS UNDERSTOOD AND AGREED THAT THE CONTRACT SHALL COVER THE QUANTITIES ACTUALLY ORDERED FOR DELIVERY DURING THE TERM OF THE CONTRACT, WHETHER MORE OR LESS THAN THE QUANTITIES SHOWN.</p> <p>ORDERING PROCEDURE: SPENDING UNIT(S) SHALL ISSUE A WRITTEN STATE CONTRACT ORDER (FORM NUMBER WV-39) TO THE VENDOR FOR COMMODITIES COVERED BY THIS CONTRACT. THE ORIGINAL COPY OF THE WV-39 SHALL BE MAILED TO THE VENDOR AS AUTHORIZATION FOR SHIPMENT, A SECOND COPY MAILED TO THE PURCHASING DIVISION, AND A THIRD COPY RETAINED BY THE SPENDING UNIT.</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>THE TERMS AND CONDITIONS CONTAINED IN THIS CONTRACT SHALL SUPERSEDE ANY AND ALL SUBSEQUENT TERMS AND CONDITIONS WHICH MAY APPEAR ON ANY ATTACHED PRINTED DOCUMENTS SUCH AS PRICE LISTS, ORDER FORMS, SALES AGREEMENTS OR MAINTENANCE AGREEMENTS, INCLUDING ANY</p>						

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PAGE
 5

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<p>ELECTRONIC MEDIUM SUCH AS CD-ROM.</p> <p>REV. 05/26/2009</p> <p>PURCHASING CARD ACCEPTANCE: THE STATE OF WEST VIRGINIA CURRENTLY UTILIZES A VISA PURCHASING CARD PROGRAM WHICH IS ISSUED THROUGH A BANK. THE SUCCESSFUL VENDOR MUST ACCEPT THE STATE OF WEST VIRGINIA VISA PURCHASING CARD FOR PAYMENT OF ALL ORDERS PLACED BY ANY STATE AGENCY AS A CONDITION OF AWARD.</p> <p>EXHIBIT 4</p> <p>LOCAL GOVERNMENT BODIES: UNLESS THE VENDOR INDICATES IN THE BID HIS REFUSAL TO EXTEND THE PRICES, TERMS, AND CONDITIONS OF THE BID TO COUNTY, SCHOOL, MUNICIPAL AND OTHER LOCAL GOVERNMENT BODIES, THE BID SHALL EXTEND TO POLITICAL SUBDIVISIONS OF THE STATE OF WEST VIRGINIA. IF THE VENDOR DOES NOT WISH TO EXTEND THE PRICES, TERMS, AND CONDITIONS OF THE BID TO ALL POLITICAL SUBDIVISIONS OF THE STATE, THE VENDOR MUST CLEARLY INDICATE SUCH REFUSAL IN HIS BID. SUCH REFUSAL SHALL NOT PREJUDICE THE AWARD OF THIS CONTRACT IN ANY</p> <p style="text-align: center;">NOTICE</p> <p>A SIGNED BID MUST BE SUBMITTED TO:</p> <p style="text-align: center;">DEPARTMENT OF ADMINISTRATION PURCHASING DIVISION BUILDING 15 2019 WASHINGTON STREET, EAST</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

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PAGE
6

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				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: SHERI SLONE FILE - 33 RFQ. NO.: 6611C014 BID OPENING DATE: 12/28/2010 BID OPENING TIME: 1:30 PM PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID: ----- (303) 467-7886 ----- CONTACT PERSON (PLEASE PRINT CLEARLY): ----- Diane Wilson -----						
0002		EA		595-15		
TO PROVIDE WILDFLOWER SEEDS PACKAGED AS NATIVE						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS			
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PAGE
 7

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LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
0003	1	EA		595-15		
TO PROVIDE WILDFLOWER CUSTOM/PERENNIAL SEED MIX						
0004	1	EA		595-15		
TO PROVIDE WILDFLOWER CUSTOM/ANNUAL SEED MIX						
***** THIS IS THE END OF RFQ 6611C014 ***** TOTAL:						\$ 217,734.00

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SPECIFICATIONS

Seed must be United States origin.

Successful vendor(s) must provide documentation with each delivery that seed is grown in North America for a period of three growing seasons prior to seed harvest.

Quantities are for pure live seed (PLS).

No substitutions of species will be accepted.

Minimum 80% germination

Minimum 98% purity

Proof of germination and purity must be attached to each bag of seed.

All seed shipped must meet West Virginia Chapter 19, Article 16, Section 2, labeling requirements. All seed shall be tested by a certified seed laboratory with certified results submitted to the purchaser in writing at the time of delivery.

The state of West Virginia will randomly test seed for purity and germination.

Shipping must be FOB

CONTRACT AWARD

Qualified vendors who submit a valid low bid will be awarded a contract for those items for which their bid is low. The State of West Virginia reserves the right to make multiple awards on this contract when it is in the best interest of the State.

ACCEPTANCE PLAN

With each delivery of wildflowers to the Division, the vendor will certify that the products so delivered do conform to the materials specifications. Material failing to comply with the quality requirement will not be accepted.

BID QUANTITIES

Vendor should base quotation on estimated pure live seed (PLS) quantities.

Vendors are cautioned that the quantities on the Attachment I: Cost Sheet, are estimates only. Estimated quantities are intended for bid evaluation purposes only. Actual orders will be for the required needs of the Division of Highways.

RFQ#: 66-11-C014 -- Wildflower Seeds
Attachment I: Cost Sheet

The vendor must provide pricing inclusive of all associated costs for the following items including the cost of delivery. The estimated quantities contained in this cost sheet are intended for bid evaluation purposes only. Actual quantities may vary based upon the needs of the Division of Highways.

Item No.	Description -- Genus and Species			Unit Cost Per Pound	Estimated Quantity	Extended Cost
1	Red Straight Poppy/Flaners Poppy/Papaver Rhoeas (Papaveraceae)	Purity 98 %	Germination 85 %	\$ 18.58	300 pounds (PLS)	5,574.00
2	Dwarf Cornflower/Straight Blue Bachelor's Button/Centaurea Cyanus (Asteraceae)	Purity 98 %	Germination 80 %	7.20	400 pounds (PLS)	2880.00
3	Plain Coreopsis/Calliopsis/Coreopsis Tinctoria (Asteraceae)	Purity 95 %	Germination 80 %	16.26	400 pounds (PLS)	6504.00
4	Crest Red Cosmos/Cosmos Sulphureus	Purity %	Germination %	No bid	200 pounds (PLS)	
5	Wild Cosmos/Cosmos Bipinnatus (Asteraceae)	Purity 99 %	Germination 95 %	12.96	700 pounds (PLS)	9,072.00
6	Yellow Cosmos/Cosmos Sulphureus (Asteraceae)	Purity 98 %	Germination 85 %	15.48	100 pounds (PLS)	1548.00
7	Blanket Flower/Gaillardia Aristata (Asteraceae)	Purity %	Germination %	No bid	300 pounds (PLS)	
8	Golden Lupine/Lupinus Densiflorus	Purity %	Germination %	No bid	200 pounds (PLS)	

9	Rocket Lockspur/Delphinium Ajacis		98 %	Germination	85 %	14.64	700 pounds (PLS)	10,248.00
	Purity							
10	Tickseed/lance-leaved Coreopsis/Coreopsis Lanceolata		98 %	Germination	80 %	14.94	200 pounds (PLS)	2,988.00
	Purity							
11	Ox-Eyed Daisy/Chrysanthemum Leucanthemum			Germination	%	No bid	200 pounds (PLS)	
	Purity							
12	Butterfly Weed/Asclepias Tuberosa			Germination	%	No bid	100 pounds (PLS)	
	Purity							
13	Black-Eyed Susan/Rudbeckia Hirta		99 %	Germination	90 %	16.40	300 pounds (PLS)	4,920.00
	Purity							
14	Beard-Tongue/Penstemon Digitalis			Germination	%	No bid	100 pounds (PLS)	
	Purity							

Item No.	Description -- Genus and Species		Unit Cost Per Pound	Estimated Quantity	Extended Cost
15	Custom Mix - Perennial Mix (Packaged in 8.0 pound bags)		\$ 19.40	5000 pounds (PLS)	97,000.00
	20% by Weight	25.3% by Seed			
	(Chrysanthemum)	Purity 99 %			Maximum Shasta Daisy Germination 85 %
	32% by Weight	26.2% by Seed			Tickseed/Coreopsis, Lance Leaved
	(Coreopsis lanceolata)	Purity 98 %			Germination 80 %
	40% by Weight	22.9% by Seed			Purple Coneflower
	(Echinacea purpurea)	Purity 98 %			Germination 85 %
	8% by Weight	25.6% by Seed			Black-Eyed Susan
	(Rudbeckia hirta)	Purity 98 %			Germination 80 %
16	Custom Mix - Annual Mix (Packaged in 8.0 pound bags)		\$ 15.40	5000 pounds (PLS)	77,000.00
	25% by Weight	8.4% by Seed			Dwarf Cornflower
	(Centaurea cyanus)	Purity 99 %			Germination 85 %
	5% by Weight	20.7% by Seed			Plains Coreopsis
	(Coreopsis tinctoria)	Purity 95 %			Germination 80 %
	20% by Weight	5.2% by Seed			Wild Cosmos
	(Cosmos bipinnatus)	Purity 99 %			Germination 90 %
	35% by Weight	6.8% by Seed			Yellow Cosmos
	(Cosmos sulphureus)	Purity 98 %			Germination 85 %
	10% by Weight	8.7% by Seed			California Poppy
	(Eschscholzia California)	Purity 98 %			Germination 80 %
	5% by Weight	50.2% by Seed			Red Poppy
	(Papaver rhoeas)	Purity 98 %			Germination 80 %

RFQ No. 66112014

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: Applewood Seed Company

Authorized Signature: Duane Wilson Date: 12/20/2010

State of Colorado

County of Jefferson, to-wit:

Taken, subscribed, and sworn to before me this 20th day of December, 2010.

My Commission expires _____, 20__.

AFFIX SEAL HERE

NOTARY PUBLIC [Signature]

My Commission Expires 05/20/2013