



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  
**6611C023**

PAGE  
**1**

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

VENDOR

**\*709034453      540-992-5766**  
**CWC CHEMICAL INC**  
**214 SIMMONS DRIVE**  
  
**CLOVERDALE VA 24077**

SHIP TO

**DIVISION OF HIGHWAYS**  
**VARIOUS LOCALES AS INDICATED**  
**BY ORDER**

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
02/08/2011				

BID OPENING DATE: **03/16/2011**      BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	EA		675-85		
<p><b>CONTRACT TO FURNISH: HERBICIDES</b></p> <p><b>REQUEST FOR QUOTATION (RFQ)</b>  <b>OPEN END CONTRACT</b></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 HERBICIDES AND ADJUVANTS FOR ALL TEN DISTRICTS 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 304-558-4115, OR VIA EMAIL AT SHERI.D.SLONE@WV.GOV. DEADLINE FOR ALL TECHNICAL QUESTIONS IS 02/25/2011 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><b>MANDATORY PRE-BID</b></p> <p>A MANDATORY PRE-BID WILL BE HELD ON FRIDAY 02/18/2011 AT 10 AM IN CHARLESTON, WV, 2019 WASHINGTON ST E. ALL INTERESTED PARTIES ARE REQUIRED TO ATTEND THIS MEETING. FAILURE TO ATTEND THE MANDATORY PRE-BID SHALL RESULT I</p>						

**RECEIVED**  
 2011 MAR 15 A 10:17  
 PURCHASING DIVISION  
 STATE OF WV

SEE REVERSE SIDE FOR TERMS AND CONDITIONS			
SIGNATURE <i>JE. Snye</i>	TELEPHONE <b>800-320-9903</b>	DATE <b>3/10/11</b>	
TITLE <i>President</i>	FEIN <b>54-128-6614</b>	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](http://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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 Department of Administration  
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**6611C023**

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**2**

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 304-558-2402**

**\*709034453 540-992-5766**  
**CWC CHEMICAL INC**  
**214 SIMMONS DRIVE**  
**CLOVERDALE VA 24077**

**DIVISION OF HIGHWAYS**  
**VARIOUS LOCALES AS INDICATED**  
**BY ORDER**

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B	FREIGHT TERMS
02/08/2011				

BID OPENING DATE: **03/16/2011** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>DISQUALIFICATION OF THE BID. NO ONE PERSON MAY REPRESENT MORE THAN ONE BIDDER.</p> <p>AN ATTENDANCE SHEET WILL BE MADE AVAILABLE FOR ALL POTENTIAL BIDDERS TO COMPLETE. THIS WILL SERVE AS THE OFFICIAL DOCUMENT VERIFYING ATTENDANCE AT THE MANDATOR PRE-BID. FAILURE TO PROVIDE YOUR COMPANY AND</p> <p>EXHIBIT 10</p> <p>REQUISITION NO.: <b>6611C023</b></p> <p>ADDENDUM ACKNOWLEDGEMENT</p> <p>I HEREBY ACKNOWLEDGE RECEIPT OF THE FOLLOWING CHECKED ADDENDUM(S) AND HAVE MADE THE NECESSARY REVISIONS TO MY PROPOSAL, PLANS AND/OR SPECIFICATION, ETC.</p> <p>ADDENDUM NO.'S:</p> <p>NO. 1 ✓ .....</p> <p>NO. 2 .....</p> <p>NO. 3 .....</p> <p>NO. 4 .....</p> <p>NO. 5 .....</p> <p>I UNDERSTAND THAT FAILURE TO CONFIRM THE RECEIPT OF THE ADDENDUM(S) MAY BE CAUSE FOR REJECTION OF BIDS.</p> <p>VENDOR MUST CLEARLY UNDERSTAND THAT ANY VERBAL REPRESENTATION MADE OR ASSUMED TO BE MADE DURING ANY</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE **E. Sharp** TELEPHONE **800-380-9903** DATE **3/10/11**

TITLE **President** FEIN **54-128-6614** ADDRESS CHANGES TO BE NOTED ABOVE



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VENDOR

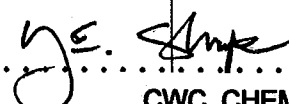
\*709034453      540-992-5766  
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<p>ORAL DISCUSSION HELD BETWEEN VENDOR'S REPRESENTATIVES AND ANY STATE PERSONNEL IS NOT BINDING. ONLY THE INFORMATION ISSUED IN WRITING AND ADDED TO THE SPECIFICATIONS BY AN OFFICIAL ADDENDUM IS BINDING.</p> <p style="text-align: center;">             .....            CWC CHEMICAL, INC.            214 SIMMONS DRIVE            ..... CLOVERDALE, VA 24077            (540) 992-5766            .....            3/10/11            .....            DATE         </p> <p>NOTE: THIS ADDENDUM ACKNOWLEDGEMENT SHOULD BE SUBMITTED WITH THE BID.</p> <p>REV. 09/21/2009            EXHIBIT 3</p> <p>LIFE OF CONTRACT: THIS CONTRACT BECOMES EFFECTIVE UPON AWARD 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 TIME" 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>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE 	TELEPHONE	DATE 3-10-11
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE

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<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 SERVICE SUPPLIED ARE OF AN INFERIOR QUALITY OR DO NOT CONFORM 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</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>J E Sharp</i>	TELEPHONE 800-380-9903	DATE 3/10/11
TITLE PRESIDENT	FEIN 54-128-6614	ADDRESS CHANGES TO BE NOTED ABOVE

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<p>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 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</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Wesham</i>	TELEPHONE	DATE <b>3-10-11</b>
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE

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<p>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 MANNER.</p> <p>REV. 3/88</p> <p>NOTICE</p> <p>A SIGNED BID MUST BE SUBMITTED TO:</p> <p>DEPARTMENT OF ADMINISTRATION            PURCHASING DIVISION            BUILDING 15            2019 WASHINGTON STREET, EAST            CHARLESTON, WV 25305-0130</p> <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: SHERI SLONE - FILE 33</p> <p>RFQ. NO.: 6611C023</p> <p>BID OPENING DATE: 03/16/2011</p> <p>BID OPENING TIME: 1:30 PM</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS			
SIGNATURE	TELEPHONE	DATE	
<i>W E Sharp</i>	800-380-9903	3-10-11	
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE	
PRESIDENT	54-128-6614		



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<p>PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID:  <b>540 992 5601</b></p> <hr/> <p>CONTACT PERSON (PLEASE PRINT CLEARLY):  <b>LARRY F. SHARPE</b></p> <hr/> <p>***** THIS IS THE END OF RFQ 6611C023 ***** TOTAL: _____</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>L. Sharpe</i>	TELEPHONE	DATE <b>3-10-11</b>
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE

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## 1. **SPECIFICATIONS**

The following sections of the West Virginia Department of Transportation, Division of Highways Standard Specification Roads and Bridges, adopted 2010, as modified by the January 1, 2011 Supplemental Specifications shall apply to the administration of this Contract: 101, 102.4, 102.5, 105.1, 105.3, 105.4, 105.10, 105.11, 105.12, 105.13, 106.3, 106.4, 106.5, 106.6, 106.7, 106.9, 107.1, 107.2, 107.3, 107.14, 107.19, 107.20, 108.8, 109.1, 109.2, and 109.20

The terms "Contractor" and "Vendor" used in the above specifications or this contract are interchangeable. Contractor shall mean Vendor and Vendor shall mean Contractor.

West Virginia Department of Transportation, Division of Highways Standard Specifications Roads and Bridges, adopted 2010 and the January 1, 2011 Supplemental Specifications may be obtained from:

West Virginia Division of Highways  
 Contract Administration  
 Building 5, Room 722  
 1900 Kanawha Boulevard, East  
 Charleston, West Virginia 25305  
 Phone: 304-558-2885

<http://www.transportation.wv.gov/highways/contractadmin/specifications/2010StandSpec/Pages/default.aspx>

Herbicide furnished under this contract shall conform to the physical and chemical properties set out in the EPA Registration of the product provided by the Vendor.

## 2. **BIDDING INSTRUCTIONS**

Vendors may quote on any or all of the products listed herein. Vendors may quote Product Name requested or provide an equal product.

The vendor shall list the trade name and EPA Registration Number, where applicable, on the Bidding Schedule for each product bid. Failure to list this information will result in the disqualification of the vendor's bid on that product.

The successful vendor shall furnish two product labels, for each product awarded, to the WV Division of Highways. The labels shall provide pertinent information regarding product storage and handling or this information shall otherwise be provided with each shipment.

Equivalency, chemical name or equivalent, shall mean equal and not necessarily identical.

Prior to award of low bid the WV Division of Highways may require samples for evaluation to determine equivalency. Product specifications and technical information should be submitted with bid and may also be used to determine equivalency. The vendor shall provide the Label from the item being bid to eliminate any confusion in determining equivalency to Product item requested. The final determination of equivalency will be made by the WV Division of Highways.

### 3. CONTRACT AWARD

It is the intent to award a contract for each product listed herein. Qualified vendors who submit a valid low bid will be awarded a contract for those items for which their bid is low, provided that the vendor has listed the trade name and EPA Registration Number, where applicable, on the Bidding Schedule for each product bid, as indicated in Section 2. Failure to list this information will result in the disqualification of the vendor's bid on that product.

The award for each item will be based on the bid price per unit of measure as requested on the Bidding Schedule. Vendors are cautioned that the quantities on the Bidding Schedule are estimates only.

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 to do so.

### 4. ACCEPTANCE PLAN

With each delivery of herbicide products to the Division, the vendor shall certify that the products so delivered do conform to the properties described in the EPA Registration.

Material failing to comply with the quality requirement will not be accepted.

### 5. TESTING PROCEDURES

Upon award of contract, the successful vendor shall supply the WV Division of Highways, Materials Control, Soil and Testing Division, 312 Michigan Avenue, Charleston, West Virginia 25311, the proper testing procedures to determine the presence and concentration of the Herbicide in flowing water.

### 6. BID QUANTITIES

Vendors are cautioned that the quantities listed on the Bidding Schedule are estimates only.

Actual requests will be placed to the awarded vendor from the WV Division of Highways by an Agency Release at the time of need.

## 7. DELIVERY

Materials under this contract are to be shipped prepaid F.O.B. delivery to WV Division of Highways District Storerooms as follows:

District One	Charleston
District Two	Huntington
District Three	Parkersburg
District Four	Clarksburg
District Five	Burlington
District Six	Moundsville
District Seven	Weston
District Eight	Elkins
District Nine	Lewisburg
District Ten	Princeton

Materials should be shipped to the location and in the quantity specified in the Agency Release within 20 days after the Agency Release is issued by the WV Division of Highways.

## 8. VENDOR'S INVOICES

Vendor's invoices must be submitted in original and four copies and contain the following:

- a. WV Division of Highways Agency Release Number and Contract Number.
- b. Total quantity and unit price with the total cost of each type of item furnished.

Note: Under no circumstance will the WV Division of Highways accept, or pay for, quantities of material in excess of the quantity stated on the Agency Release.

## 9. RESTRICTED AND NON-RESTRICTED HERBICIDES

Herbicide products which have been declared RESTRICTED in their use by the Environmental Protection Agency (EPA) must be applied under the supervision of a licensed herbicide applicator. The Department reserves the right to disallow the use of RESTRICTED herbicides when non-restricted herbicides are available to achieve the same objective.

## 10. TRAINING AND TECHNICAL ASSISTANCE

In order to bid on and be awarded items on this contract, the vendor must have a representative, holding a valid Category 7 certification in WV, available to provide training and technical assistance as required or upon request by WV Division of Highways personnel, including but not limited to, an annual WV Division of Highways Vegetation Management Seminar and this person is encouraged to attend the mandatory pre-bid meeting. Each bidder should submit name and telephone number of representative with bid. The company shall have a valid Category 12 certification in West Virginia. Copies of these certifications should be submitted with the bid.

Failure to comply will result in awarding that vendor's Items to the next lowest compliant bidder.

<u>NAME OF REPRESENTATIVE</u>	<u>PHONE NUMBER</u>	<u>ADDRESS</u>
LARRY E. SWARPE	800-380-9903	CWC CHEMICAL, INC. 214 SIMMONS DRIVE CLOVERDALE, VA 24077 (540) 992-5766

## 11. MANDATORY PRE-BID

There will be a mandatory pre-bid meeting on (requesting Friday, February 18, 2011 – this date coincides with the Vegetation Management Seminar being held on Thursday, February 17, 2011).

Location: Purchasing Division Conference Room  
2019 Washington Street, East, Building 15  
Charleston, WV 25305

The "Bid Schedule" is available for download on Purchasing's Web site at [www.state.wv.us/admin/purchase](http://www.state.wv.us/admin/purchase)

Item #	Description	% Concentration/ Pounds per Gallon of Active Ingredients	Estimated		Cost Per		Extended Cost
			Quantity	Measure	Unit of Measure	Measure	
<b>HERBICIDES</b>							
000H-1H	Water Soluble Emulsifiable Concentrate Containing: Ammonium Salt of Fosamine with Surfactant  Product Trade Name: Krenite S or equal EPA Registration Number: <u>352-395</u> A) Supplied in 2.5 gallon containers in lots of 5 gallons B) Supplied in 15 gallon returnable/refillable containers	4 lbs/gallon	3000	gallon	61.49	184,470.00	
			3000	gallon	51.49	154,470.00	
000H-2H	Water Soluble Emulsifiable Concentrate Containing: Isopropylamine Salt of Glyphosate Phosphate Ester Surfactant  Product Trade Name: Roundup Pro Concentrate or equal EPA Registration Number: <u>524-529</u> A) Supplied in 30 gallon plastic returnable drums. B) Supplied in 2.5 gallon containers in lots of 5 gallons C) Supplied in 15 gallon returnable/refillable containers D) Supplied in 150 gallon returnable/refillable shuttle.	50.20%	6000	gallon	14.58	87,480.00	
			6000	gallon	14.93	89,580.00	
			6000	gallon	15.93	95,580.00	
			6000	gallon	14.50	87,000.00	
000H-3H	Dispersible Granules Containing: Sulfometuron Methyl  Product Trade Name: Oust XP or equal EPA Registration Number: <u>352-601</u> A) Supplied in 3 pound containers in lots of 24 pounds B) Supplied in 3 pound jug	75%	100	pound	59.90	5,990.00	
			100	pound	59.90	5,990.00	
000H-4H	Water Soluble Aqueous Suspension Containing: Oryzalin  Product Trade Name: Oryzalin 4 Pro or equal EPA Registration Number: <u>73220-5-81927</u> A) Supplied in 2.5 gallon containers in lots of 5 gallons	4 lbs/gallon	250	gallon	39.95	9,987.50	

Item #	Description	% Concentration/ Pounds per Gallon of Active Ingredients	Estimated		Cost Per Unit of Measure	Extended Cost
			Quantity	Unit of Measure		
00H-5H	HERBICIDES					
	Aqueous Solution Containing: Imazapyr	2 lbs/gallon				
	Product Trade Name: Arsenal Powerline or equal					
	EPA Registration Number: 241-431					
A) Supplied in 1 quart containers in lots of 4 quarts			600	quart	N/A	
	B) Supplied in 2.5 gallon containers in lots of 5 gallons		150	gallon	97.75	14,662.50
	C) Supplied in 15 gallon drums		150	gallon	<del>69.95</del> 79.95	<del>10,492.50</del> 11,992.50
00H-6H	Aqueous Carrier Containing: Pendimethalin	3.8 lbs/gallon				
	Product Trade Name: Pendulum AquaCap or equal					
	EPA Registration Number: 241-416					
	A) Supplied in 2.5 gallon containers in lots of 5 gallons		600	gallon	50.95	30,570.00
00H-7H	Water Soluble Concentrate Containing: Triclopyr	3 lbs/gallon				
	Product Trade Name: Garlon 3A or equal <u>Element 3A (2 1/2: 30's)</u>					
	EPA Registration Number: 62719-37					
	A) Supplied in 2.5 gallon containers in lots of 5 gallons		500	gallon	46.95	23,475.00
B) Supplied in 30 gallon containers		500	gallon	46.95	23,475.00	
C) Supplied in 15 gallon continuum returnable/refillable containers in pallets of 9 containers. <u>Garlon 3A - EPA # 62719-37</u>			500	gallon	58.95	29,475.00
00H-8H	Water Soluble Concentrate Containing: Triclopyr	4 lbs/gallon				
	Product Trade Name: Garlon 4 Ultra or equal					
	EPA Registration Number: 62719-527					
	A) Supplied in 2.5 gallon containers in lots of 5 gallons		250	gallon	78.95	19,737.50
B) Supplied in 30 gallon containers		250	gallon	78.95	19,737.50	
C) Supplied in 15 gallon continuum returnable/refillable containers in pallets of 9 containers.			250	gallon	76.95	19,237.50

Item #	Description	% Concentration/ Pounds per Gallon of Active Ingredients	Estimated Quantity	Unit of Measure	Cost Per Unit of Measure	Extended Cost
OH-9H	A Water Soluble Dispersible Granule Containing: Dituron  Product Trade Name: Karmex XP or equal EPA Registration Number: <u>352-692</u> A) Supplied in 5 pound bags in lots of 10 bags B) Supplied in 25 pound bags	80.00%	2000 2000	pound pound	6.47 6.47	12,940.00 12,940.00
OH-10H	Water Soluble Liquid Containing: Dimethylamine Salt of 2, 4-D acid  Product Trade Name: DM A4 or equal <u>62719-3</u> EPA Registration Number: <u>62719-3</u> A) Supplied in 2.5 gallon containers in lots of 5 gallons B) Supplied in 30 gallon containers C) Supplied in 15 gallon returnable/refillable containers in pallets of 9 containers.	3.8 lbs/gallon	100 100 100	gallon gallon gallon	10.95 10.95 22.00/gal	1,095.00 1,095.00 2,200.00
OH-11H	Water Soluble Liquid Containing: Ammonium Salt of Imazapic  Product Trade Name: Plateau or equal EPA Registration Number: <u>241-365</u> A) Supplied in 1 gallon containers in lots of 2 gallons B) Supplied in 2.5 gallon containers in lots of 5 gallons C) Supplied in 1.44 ounce packets in lots of 14 packets D) Supplied in 1 quart containers in lots of 4 quarts E) Supplied in 15 gallon containers	23.60%	50 50 4444 200 4	gallon gallon packet quart containers	139.95 132.00 59.95 2,300.00/gal	6,997.50 6,600.00 11,950.00 9,200.00
OH-12H	A Dispersible Liquid Containing: Hexazinone  Product Trade Name: Velpar L or equal EPA Registration Number: <u>352-392</u> A) Supplied in 2.5 gallon containers in lots of 5 gallons	2 lbs/gallon	50	gallon	66.49	3,324.50

Item #	Description	% Concentration/ Pounds per Gallon of Active Ingredients	Estimated		Cost Per		Extended Cost
			Quantity	Unit of Measure	Unit of Measure	Cost	
OH-13H	Dry Flowable Containing: Metsulfuron Methyl	60%					
	Product Trade Name: Escort XP or equal <u>352-439 (LES)</u>						
	EPA Registration Number: <u>352-439</u>						
	A) Supplied in 16 ounce containers in lots of 8 pounds (8-16 oz ctrs)		2400	ounce	8.79	21,096.00	
B) Supplied in 16 ounce jugs		2400	ounce	8.79	21,096.00		
C) Supplied in 64 ounce jug returnable/refillable		2400	ounce	8.79	21,096.00		
OH-14H	Water Soluble Granule Herbicide Containing: Ammonium Salt of Glyphosate	71.40%					
	Product Trade Name: Roundup Pro Dry or equal						
	EPA Registration Number:						
	A) Supplied in 23.25 pound box		25	box		N/A	
OH-15H	Dry Flowable Containing: Chlorsulfuron	75%					
	Product Trade Name: Telar XP or equal <u>352-654 (SS)</u>						
	EPA Registration Number: <u>352-654</u>						
	A) Supplied in 8 x 16 ounce container to a case		160	ounce	16.45	2,632.00	
OH-16H	A Liquid Solution Containing: Isooctyl ester of 2,4-Dichlorophenoxyacetic Acid 2-ethylhexyl ester of +R-2-(2,4-Dichlorophenoxy Propionic Acid Dicamba (3,6-Dichloro-o-anisic Acid)	32.48% 15.90% 5.38%					
	Product Trade Name: BK-800 or equal <u>2217-758 (LES)</u>						
	EPA Registration Number: <u>2217-758</u>						
	A) Supplied in 2.5 gallon containers in lots of 5 gallons		100	gallon	58.50	5,850.00	
B) Supplied in 30 gallon drums		100	gallon	58.00	5,800.00		



2 Herbicide Bidding Schedule

Item #	HERBICIDES Description	% Concentration/ Pounds per Gallon of Active Ingredients	Estimated Quantity		Unit of Measure		Cost Per		Extended Cost
			Quantity	Measure	Measure	Unit of Measure			
OH-17H	Dry Flowable Containing: Tebuthiuron  Product Trade Name: Spike 80 DF or equal EPA Registration Number: <u>62719-107</u> A) Supplied in 4 pound bags in lots of 24 pounds B) Supplied in 25 pound bags	80%	50	pound	19.95	50	pound	997.50	
			50	pound	18.95	50	pound	947.50	
OH-18H	A Water Soluble Emulsifiable Concentrate Containing: Clopyralid  Product Trade Name: Transline or equal EPA Registration Number: <u>62719-259</u> A) Supplied in 2.5 gallon containers in lots of 5 gallons B) Supplied in .5 gallon containers in lots of 2 gallons	3 lbs/gallon	25	gallon	169.95	25	gallon	4,248.75	
			25	gallon	169.95	25	gallon	4,248.75	
OH-19H	Aqueous Solution Containing: Isopropylamine Salt of Imazapyr  Product Trade Name: Stalker or equal <u>241-398</u> (LSC) EPA Registration Number: <u>241-398</u> A) Supplied in 1 quart containers in lots of 4 quarts	27.60%	200	quart	71.95	200	quart	14,390.00	
OH-20H	Aqueous Solution Containing: Diglycolamine Salt of 3, 6-Dichloro-0-Anisic Acid  Product Trade Name: Vanquish or equal <u>100-884</u> (LSC) EPA Registration Number: <u>100-884</u> (LSC) <u>228-397</u> A) Supplied in 2.5 gallon containers in lots of 5 gallons B) Supplied in 15 gallon returnable/refillable containers in pallets of 9 containers.	4 lbs/gallon	300	gallon	52.95	300	gallon	15,885.00	
			300	gallon	54.95	300	gallon	16,485.00	
OH-21H	Aqueous Solution Containing: Triclopyr  Product Trade Name: Pathfinder II or equal EPA Registration Number: <u>62719-176</u> A) Supplied in 2.5 gallon containers in lots of 5 gallons	.75 lbs/gallon	300	gallon	36.90	300	gallon	11,070.00	

Herbicide Bidding Schedule

HERBICIDES

Item #	Description	% Concentration/ Pounds per Gallon of Active Ingredients	Estimated Quantity	Unit of Measure	Cost Per Unit of Measure	Extended Cost
DH-22H	A Water Soluble Emulsifiable Concentrate Containing: Isopropylamine Salt of Glyphosate	53.80%	100	gallon	16.95	1,695.00
	Product Trade Name: Rodeo or equal					
	EPA Registration Number: 62719-324					
	A) Supplied in 2.5 gallon containers in lots of 5 gallons B) Supplied in 30 gallon plastic returnable drums					
DH-23H	A Liquid Containing: Aminopyralid	40.60%	200	quarts	74.98	14,996.00
	Product Trade Name: Milestone VM or equal					
	EPA Registration Number: 62719-537					
	A) Supplied in 1 quart containers, 12 containers per lot B) Supplied in 2.5 gallon containers in lots of 5 gallons					
DH-24H	Water Dispersible Granular Material Containing: Prodiamine	65%	50	gallon	294.40	14,720.00
	Product Trade Name: Endurance or equal					
	EPA Registration Number: 100-834					
	A) Supplied in 10 pound containers, 50 pounds per lot					
DH-25H	Emulsifiable Concentrate Containing Quizalofop P-Ethyl	.88 lbs/gallon	100	pound	14.50	1,450.00
	Product Trade Name: Assure II or equal <del>352-541</del> <u>354-165</u>					
	EPA Registration Number: 352-541					
	A) Supplied in 1 gallon containers in lots of 4 gallons					
DH-26H	Emulsifiable Concentrate Containing Fluazifop-P-butyl	6.75%	16	gallon	190.00	3,040.00
	Product Trade Name: Ornamec or equal					
	EPA Registration Number: 2217-728					
	A) Supplied in 1 gallon containers in lots of 4 gallons					

Herbicide Bidding Schedule		HERBICIDES		Estimated Quantity		Unit of Measure		Cost Per Unit of Measure		Extended Cost	
Item #	Description	% Concentration/ Pounds per Gallon of Active Ingredients	Estimated Quantity	Unit of Measure	Cost Per Unit of Measure	Extended Cost					
OH-27H	A Dispersible Granule Containing: Imazapyr Diuron Product Trade Name: Sahara DG or equal <u>IMAZURON</u> EPA Registration Number: <u>228-654</u> A) Supplied in 10 pound bags in lots of 40 pounds	7.78% 62.22%	50	pound	9.75	487.50					
OH-28H	A Water Soluble Dry Granule Containing: Sulfosulfuron Product Trade Name: Outdrin or equal EPA Registration Number: <u>524-500</u> A) Supplied in 20 ounce bottles in lots of 200 ounce	75%	400	ounce	12.40	4,960.00					
OH-29H	A Liquid Containing Diuron Product Trade Name: Diuron 4L or equal <del>19713-36</del> <u>263</u> EPA Registration Number: <u>19713-36</u> A) Supplied in 2.5 gallon containers in lots of 5 gallons	40%	50	gallon		N/A					
OH-30H	A Liquid Containing Fluroxypyr Product Trade Name: Vista XR EPA Registration Number: <u>62719-586</u> A) Supplied in 2.5 gallon containers in lots of 5 gallons	26.20%	100	gallon	157.95	15,795.00					
OH-31H	Wettable Granule Formulation Containing: Sodium Salt of Diflufenzopy: 2-[1-(3,5-Difluorophenylamino) Carbonyl] Hydrazono} Ethyl)-3-Pyridinecarboxylic Acid, Sodium Sodium Salt of 3,6-Dichloro-o-anisic Acid Product Trade Name: Overdrive or equal EPA Registration Number: <u>7969-150</u> A) Supplied in 7.5 pound jugs, 30 pounds per case	21.40% 55.00%	100	pound	32.95	3,295.00					

2 Herbicide Bidding Schedule

HERBICIDES

Item #	Description	% Concentration/ Pounds per Gallon of Active Ingredients	Estimated Quantity		Cost Per Unit of Measure		Extended Cost
			Estimated Quantity	Unit of Measure	Unit of Measure	Cost	
OH-32H	Dispersible Granules Containing Sulfometuron Methyl Chlorsulfuron  Product Trade Name: Landmark XP or equal EPA Registration Number: <u>352-645</u> A) Supplied in 4 pound jugs in lots of 32 pounds B) Supplied in 64 ounce jug, returnable/refillable	56.25% 18.75%	100 1600	pound ounce	134.90 8.50	13,498.00 13,600.00	
OH-33H	Dispersible Granules Containing: Sulfometuron Methyl Metsulfuron Methyl  Product Trade Name: Oust Extra or equal <u>352-622</u> <i>LES</i> EPA Registration Number: <u>352-622</u> A) Supplied in 4 pound jugs in lots of 32 pounds B) Supplied in 64 ounce jug, returnable/refillable C) Supplied in 12 pound jugs	56.25% 15.00%	400 6400 400	pound ounce pound	67.95 4.24 67.95	27,180.00 27,136.00 27,180.00	
OH-34H	A Dry Flowable Granule Containing: Bromacil Diuron  Product Trade Name: Krovar I DF or equal EPA Registration Number: <u>352-505</u> A) Supplied in 6 pound containers in lots of 8 containers	40% 40%	50	pound	11.90	595.00	
OH-35H	A Liquid Containing: Imazapic Glyphosate  Product Trade Name: Journey or equal EPA Registration Number: <u>241-417</u> A) Supplied in 2.5 gallon containers in lots of 5 gallons	8.13% 21.94%	100	gallon	88.00	8,800.00	

Item #	Description	% Concentration/ Pounds per Gallon of Active Ingredients	Estimated Quantity		Unit of Measure		Cost Per Unit of Measure	Extended Cost
			Estimated Quantity	Unit of Measure	Unit of Measure	Cost Per Unit of Measure		
OH-36H	A Liquid Containing: Dimethylamine Salt of 2,4-Dichlorophenoxyacetic Acid Dimethylamine Salt of Dicamba (3,6-Dichloro-o-Anisic Acid) Product Trade Name: Veteran 720 or equal EPA Registration Number: <u>228-295</u>	24.58% 12.82%	100	gallon	25.70	2570.00	2570.00	2570.00
	A) Supplied in 2.5 gallon containers in lots of 5 gallons		100	gallon	25.70	2570.00	2570.00	2570.00
	B) Supplied in 30 gallon drums							
OH-37H	Dispersible Granules Containing: Chlorsulfuron Sulfometuron Methyl Sulfentrazone Product Trade Name: Throttle XP or equal EPA Registration Number: <u>352-725</u>	9% 18% 48%	100	pound	150.00	15000.00	15000.00	15000.00
	A) Supplied in 3.9 pound containers, 8 containers per case		100	pound	150.00	15000.00	15000.00	15000.00

ADJUVANTS								
Item #	Description	Estimated Quantity	Unit of Measure		Cost Per Unit of Measure	Extended Cost		
			Unit of Measure	Cost Per Unit of Measure				
OH-1A	A Water Soluble Blue Liquid Spray Pattern Indicator Product Trade Name: Bullseye A) Supplied in 2.5 gallon containers in lots of 5 gallons.	100	gallon	35.95	3595.00	3595.00		
OH-2A	A Miscible-Dispersible Liquid Defoamer (30% Active Ingredient) Product Trade Name: <u>DeFoamer</u> A) Supplied in <u>QT</u> containers in lots of <u>12</u>	100	gallon	31.95	3195.00	3195.00		
OH-3A	A Diluent with Emulsifiers Product Trade Name: Hygrade EC or Arborchem Basal Oil or Bark Oil EC or Alenza Basal Oil or Penevator or equal A) Supplied in <u>15 gal</u> containers in lots of <u>2/14</u>	100	gallon	12.00	1200.00	1200.00		

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ADJUVANTS

Item #	Description	Estimated Quantity	Unit of Measure	Cost Per	
				Unit of Measure	Extended Cost
DOH-4A	Non-ionic Surfactant (90% Active Ingredient) Product Trade Name: <u>CWC 90</u> A) Supplied in <u>2 1/2</u> containers in lots of <u>2+2 1/2/CASE</u>	100	gallon	11.00	1,100.00
DOH-5A	A Granular/Flake Drift Control Agent Product Trade Name: <u>Poly Dry</u> A) Supplied in <u>10</u> containers in lots of <u>24</u>	100	<del>#</del> gallon	10.00/ <del>#</del>	1,000.00
DOH-6A	A Liquid Drift Control Agent Product Trade Name: <u>Sharpshooter</u> A) Supplied in <u>190</u> containers in lots of <u>4</u>	100	gallon	33.95	3,395.00
DOH-7A	Aquatic Surfactant <u>CWC 90</u> Product Trade Name: <u>CWC 90</u> A) Supplied in <u>2 1/2</u> containers in lots of <u>2</u>	100	gallon	11.00	1,100.00
DOH-8A	A Water Soluble Liquid Spray Pattern Indicator Product Trade Name: <u>Blueprint Plus or equal</u> A) Supplied in 2.5 gallon containers in lots of 5 gallons.	100	gallon	35.95	3,595.00
DOH-9A	A Non-Ionic Sticker Spreader Product Trade Name: <u>Nu-Film-IR or equal</u> A) Supplied in 2.5 gallon containers in lots of <u>2</u>	100	gallon	29.95	2,995.00
DOH-10A	A Ready-to-Use Formula Containing Paraffinic Oil Emulsifiers Product Trade Name: <u>Thinvert RTU or equal</u> A) Supplied in 2.5 gallon containers in lots of 5 gallons per case. B) Supplied in 15 gallon drum.	100 100	gallon gallon		
DOH-11A	A Concentrate Formula Containing Paraffinic Oil Emulsifiers and Surfactants Product Trade Name: <u>Thinvert RTU or equal</u> <del>Sunstream Concentrate</del> A) Supplied in 2.5 gallon containers in lots of 5 gallons per case. B) Supplied in 15 gallon drum.	100 100	gallon gallon	16.75	1,675.00

**SAFETY EQUIPMENT**

Item #	Description	Estimated Quantity	Unit of Measure	Cost Per	
				Unit of Measure	Extended Cost
DOH-1S	Emergency Spill Kit Containing: 15 Universal Plus Sorbent Pads 3 Cobra Coils 1 Pair Safety Goggles 1 Pair Latex Gloves 1 Large Refuse Bag 1 List of Environmental Compliance Telephone Numbers Size: 18"x18"x4" Vacuum Packed in Puncture Resistant Foil Product Trade Name: <u>SPILL RESPONSE K.I.T</u> A) Supplied by the kit.	1	each	175.00	175.00
DOH-2S	A Granular/Flake Spill Absorbent Product Trade Name: <u>SOAK UP</u> A) Supplied in <u>2.5 lb</u> containers in lots of <u>4</u>	1	pound	25.00	25.00
DOH-3S	3 Layer Fabric Coveralls (All Sizes) Product Trade Name: <u>Kleen Guard or equal</u> A) Supplied in 12/each per case.	1	each		
DOH-4S	Disposable Coveralls Product Trade Name: <u>Tyvek or equal</u> A) Supplied in 25/each per case.	1	each	24.00/each	600.00/cs
DOH-5S	32 ounce Eye Wash Bottle Product Trade Name: <u>EYE SALINE</u> A) Supplied per each.	1	each	40.00	40.00

MISCELLANEOUS				Estimated Quantity	Unit of Measure	Cost Per Unit of Measure	Extended Cost
Item #	Description						
DOH-1M	Pressure Rinser						
	Product Trade Name: Easy Rinse or equal						
	A) Supplied per each.	1	each	200.00		200.00	
DOH-2M	Hand Soap with Citrus Oil						
	Product Trade Name: Zep or equal						
	A) Supplied in 32 ounce containers in lots of 20 containers per case	1	container				
DOH-3M	A Biostimulant Containing						
	Soluble Potash	1.00%					
	Iron	0.36%					
	Manure Extract	79.30%					
	Humic and Fulvic Acid Extract	9.00%					
	Kelp Extract	1.20%					
	Organo-Modified Silaxane Surfactant	0.36%					
	Product Trade Name: Launch or equal						
	A) Supplied in 2.5 gallon containers in lots of 5 gallons	2.5	gallon	15.95		39.87	
DOH-4M	Rubber Boot/Shoe Covers						
	Compliance EPA 40 CFR 170						
	A) Supplied in M, size 8 - 9 per pair.	1	pair				
	B) Supplied in L, size 10 - 11 per pair	1	pair				
	C) Supplied in size XL, size 12 - 13 per pair	1	pair				
DOH-5M	Safety Goggles - indirect vent						
	Meets ANS1 287.1-1989						
	A) Supplied per each.	1	each				
DOH-6M	Face Shield - positive lock headgear						
	Meets ANS1 287.1-1989 and CAN 1CSA-294 3-92 Specifications						
	A) Supplied per each.	1	each				



MISCELLANEOUS		Estimated Quantity	Unit of Measure	Cost Per Unit of Measure	Extended Cost
Item #	Description				
DOH-8M	A 5-gallon Backpack Sprayer Product Trade Name: Birchmeier or equal _____	1	each	225.00	225.00
	A) Supplied per sprayer	1	set		
	B) Gasket Set for Sprayer Pump	1	kit		
	C) Hose Valve and Wand Repair Kit				
DOH-9M	Nitri-Solve 100% Nitrile Gloves 15 mil 13" Nitrile Gloves Compliance EPA 40 CFR 170	1	pair		
	A) Supplied size Small.	1	pair		
	B) Supplied size Medium.	1	pair		
	C) Supplied size Large.	1	pair		
	D) Supplied size X-Large.	1	pair		
	E) Supplied size XX-Large.	1	pair		
DOH-10M	2-Quart Handheld Pressure Sprayer Product Trade Name: Tolco or equal _____	1	each	20.00	20.00
	A) Supplied per sprayer				
DOH-11M	Closed System Backpack Sprayer Product Trade Name: Birchmeier BCS or equal _____	1	each	249.00	249.00
	A) Supplied per sprayer	1	set		
	B) Gasket Set for Sprayer Pump	1	kit		
	C) Hose Valve and Wand Repair Kit				



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
6611C023

PAGE
1

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

VENDOR

\*709034453      540-992-5766  
 CWC CHEMICAL INC  
 214 SIMMONS DRIVE  
 CLOVERDALE VA 24077

SHIP TO

DIVISION OF HIGHWAYS  
 VARIOUS LOCALES AS INDICATED  
 BY ORDER

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
02/23/2011				

BID OPENING DATE: 03/16/2011      BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
				ADDENDUM NO. 1		
				THIS ADDENDUM IS ISSUED TO:		
				1.) ADD THREE ADDITIONAL HERBICIDES TO THE BIDDING SCHEDULE TO BE USED IN ALL TEN DISTRICTS PER THE ATTACHED.		
				2.) PROVIDE A COPY OF THE MANDATORY PRE-BID SIGN IN SHEET.		
				*****END ADDUNDUM NO 1*****		
0001	1	EA		675-85		
				CONTRACT TO FURNISH: HERBICIDES		
				***** THIS IS THE END OF RFQ 6611C023 ***** TOTAL:		

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>J.E. Smye</i>	TELEPHONE 800.380.9903	DATE 3/10/11
TITLE President	FEIN 54-128-6614	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](http://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).

HERBICIDES		% Concentration/ Pounds per Gallon of Active Ingredients	Estimated Quantity	Unit of Measure	Cost Per Unit of Measure	Extended Cost
Item #	Description					
DOH-38H	Water Soluble Dispersible Extruded Paste Granule Containing: Aminocyclopyrachlor Chlorsulfuron Product Trade Name: Perspective™ or equal EPA Registration Number: <u>352-846</u> A) Supplied in 20 ounce containers in lots of 240 ounces B) Supplied in 20 ounce jug C) Supplied in 5 pound containers in lots of 40 pounds D) Supplied in 5 pound jug	39.50% 15.80%	240 40 80 20	ounces ounces pounds pounds	4.378/oz 4.378/oz 70.04/lb 70.04/lb	1,050.72 175.12 5,603.20 1,400.80
DOH-39H	Water Soluble Dispersible Extruded Paste Granule Containing: Aminocyclopyrachlor Metsulfuron methyl Product Trade Name: Streamline™ or equal <u>352-848</u> (LES) EPA Registration Number: <u>352-848</u> A) Supplied in 3 pound containers in lots of 24 pounds B) Supplied in 3 pound jug	39.50% 12.60%	96 96	pounds pounds	82.40/lb 82.40/lb	7,910.40 7,910.40
DOH-40H	Water Soluble Dispersible Extruded Paste Granule Containing: Imazapyr Aminocyclopyrachlor Metsulfuron methyl Product Trade Name: Viewpoint™ or equal <u>352-847</u> (LES) EPA Registration Number: <u>352-847</u> A) Supplied in 5 pound containers in lots of 40 pounds B) Supplied in 5 pound jug	31.60% 22.80% 7.30%	100 100	pounds pounds	58.71 58.71	5,871.00 5,871.00

SIGN IN SHEET

6611C023

2/18/2011

Request for Quotation Number:

Date:

Herbicides and Adjuncts

Project Description:

PLEASE PRINT LEGIBLY. THIS INFORMATION IS ESSENTIAL TO CONTACT THE ATTENDEES IN A TIMELY MANNER. FAILURE TO DO SO MAY RESULT IN DELAYS IN YOUR COMPANY GETTING IMPORTANT BID INFORMATION.

Firm Name:	Arborchem
Firm Address:	941 Nixon Drive Mechanicsburg, PA 17055
Representative Attending:	Todd Hagenbuch
Phone Number:	570-401-7098
Fax Number:	717-795-8234
Email Address:	thagenbuch@arborchem.com

Firm Name:	Division of Highways
Firm Address:	
Representative Attending:	Syble Atkins
Phone Number:	304-558-9495
Fax Number:	
Email Address:	Syble.a.atkins@wv.gov

Firm Name:	Cmc Chemical, Inc.
Firm Address:	214 Simmons Dr. Cloverdale, VA 24077
Representative Attending:	BOBBIE TURNER
Phone Number:	800-380-9903
Fax Number:	540-992-5601
Email Address:	BTURNER@cmc-chemical.com

Firm Name:	Department of Highways
Firm Address:	
Representative Attending:	Keith Lynch
Phone Number:	304-420-4719
Fax Number:	
Email Address:	E.Keith.Lynch@WV.gov

Firm Name:	CSm / Summit Helicopters
Firm Address:	P.O. Box 39 Cloverdale VA 24077
Representative Attending:	Richard Chase
Phone Number:	540-992-5500
Fax Number:	540-992-5503
Email Address:	summit.helo@sbnet.com

Firm Name:	WVDOH
Firm Address:	
Representative Attending:	EUGENE TUCKWILLER
Phone Number:	304-487-5233
Fax Number:	
Email Address:	EUGENE.R.TUCKWILLER@WV.GOV

SIGN IN SHEET

Request for Quotation Number: 6611C023

Date: 2/18/2011

Herbicided and Adjuvants

Project Description:

PLEASE PRINT LEGIBLY. THIS INFORMATION IS ESSENTIAL TO CONTACT THE ATTENDEES IN A TIMELY MANNER. FAILURE TO DO SO MAY RESULT IN DELAYS IN YOUR COMPANY GETTING IMPORTANT BID INFORMATION.

Firm Name: NV  
 Firm Address: NOVCO Inc  
PO Box 21757  
Columbus OH 43221

Representative Attending: Michael Jennings  
 Phone Number: 614-989-4275  
 Fax Number: 614 486-7531  
 Email Address: mikejennings@novcoinc.com

Firm Name: Shen Stone  
 Firm Address: DOA - Purchasing

Representative Attending:  
 Phone Number:  
 Fax Number:  
 Email Address:

Firm Name: Crop Production Services, Inc.  
 Firm Address: 1850 Touchstone Road  
Colonial Heights, VA 23834

Representative Attending: Charlie Smyth  
 Phone Number: 804 520-0789  
 Fax Number: 804 520-0089  
 Email Address: charles.smyth@cpsagu.com

Firm Name: Angi Moorme  
 Firm Address: DOH

Representative Attending:  
 Phone Number:  
 Fax Number:  
 Email Address:

Firm Name: WV DOH  
 Firm Address: Bldg. 5 Room 350  
1900 Kanawha Blvd. E.  
CHARLESTON, WV 25305

Representative Attending: HEATHER HUFFMAN  
 Phone Number: 304 - 558 - 9430  
 Fax Number:  
 Email Address: Heather.J.Huffman@wv.gov

Firm Name:  
 Firm Address:

Representative Attending:  
 Phone Number:  
 Fax Number:  
 Email Address:

FOR USE ONLY IN CATEGORIES ABOVE  
WEST VIRGINIA CERTIFICATION

Expires: [REDACTED]  
Commercial Applicator  
Larry Sharpe  
CWC Chemical  
214 Simmons Drive  
Cloverdale, VA 24077

*L. R. Douglas*

NOT  
TRANSFERABLE

AUTHORIZED REPRESENTATIVE

State of West Virginia

VENDOR PREFERENCE CERTIFICATE

Certification and application\* is hereby made for Preference in accordance with West Virginia Code, §5A-3-37. (Does not apply to construction contracts). West Virginia Code, §5A-3-37, provides an opportunity for qualifying vendors to request (at the time of bid) preference for their residency status. Such preference is an evaluation method only and will be applied only to the cost bid in accordance with the West Virginia Code. This certificate for application is to be used to request such preference. The Purchasing Division will make the determination of the Resident Vendor Preference, if applicable.

- 1. Application is made for 2.5% resident vendor preference for the reason checked: Bidder is an individual resident vendor and has resided continuously in West Virginia for four (4) years immediately preceding the date of this certification; or, Bidder is a partnership, association or corporation resident vendor and has maintained its headquarters or principal place of business continuously in West Virginia for four (4) years immediately preceding the date of this certification; or 80% of the ownership interest of Bidder is held by another individual, partnership, association or corporation resident vendor who has maintained its headquarters or principal place of business continuously in West Virginia for four (4) years immediately preceding the date of this certification; or, Bidder is a nonresident vendor which has an affiliate or subsidiary which employs a minimum of one hundred state residents and which has maintained its headquarters or principal place of business within West Virginia continuously for the four (4) years immediately preceding the date of this certification; or,
2. Application is made for 2.5% resident vendor preference for the reason checked: Bidder is a resident vendor who certifies that, during the life of the contract, on average at least 75% of the employees working on the project being bid are residents of West Virginia who have resided in the state continuously for the two years immediately preceding submission of this bid; or,
3. Application is made for 2.5% resident vendor preference for the reason checked: Bidder is a nonresident vendor employing a minimum of one hundred state residents or is a nonresident vendor with an affiliate or subsidiary which maintains its headquarters or principal place of business within West Virginia employing a minimum of one hundred state residents who certifies that, during the life of the contract, on average at least 75% of the employees or Bidder's affiliate's or subsidiary's employees are residents of West Virginia who have resided in the state continuously for the two years immediately preceding submission of this bid; or,
4. Application is made for 5% resident vendor preference for the reason checked: Bidder meets either the requirement of both subdivisions (1) and (2) or subdivision (1) and (3) as stated above; or,
5. Application is made for 3.5% resident vendor preference who is a veteran for the reason checked: Bidder is an individual resident vendor who is a veteran of the United States armed forces, the reserves or the National Guard and has resided in West Virginia continuously for the four years immediately preceding the date on which the bid is submitted; or,
6. Application is made for 3.5% resident vendor preference who is a veteran for the reason checked: Bidder is a resident vendor who is a veteran of the United States armed forces, the reserves or the National Guard, if, for purposes of producing or distributing the commodities or completing the project which is the subject of the vendor's bid and continuously over the entire term of the project, on average at least seventy-five percent of the vendor's employees are residents of West Virginia who have resided in the state continuously for the two immediately preceding years.

Bidder understands if the Secretary of Revenue determines that a Bidder receiving preference has failed to continue to meet the requirements for such preference, the Secretary may order the Director of Purchasing to: (a) reject the bid; or (b) assess a penalty against such Bidder in an amount not to exceed 5% of the bid amount and that such penalty will be paid to the contracting agency or deducted from any unpaid balance on the contract or purchase order.

By submission of this certificate, Bidder agrees to disclose any reasonably requested information to the Purchasing Division and authorizes the Department of Revenue to disclose to the Director of Purchasing appropriate information verifying that Bidder has paid the required business taxes, provided that such information does not contain the amounts of taxes paid nor any other information deemed by the Tax Commissioner to be confidential.

Under penalty of law for false swearing (West Virginia Code, §61-5-3), Bidder hereby certifies that this certificate is true and accurate in all respects; and that if a contract is issued to Bidder and if anything contained within this certificate changes during the term of the contract, Bidder will notify the Purchasing Division in writing immediately.

Bidder: \_\_\_\_\_ Signed: \_\_\_\_\_

Date: \_\_\_\_\_ Title: \_\_\_\_\_

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



RFQ No. \_\_\_\_\_

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 exceed 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 furnished is true and correct in accordance with the requirements as stated.

**WITNESS THE FOLLOWING:**  
**CWC CHEMICAL, INC.**  
**214 SIMMONS DRIVE**  
**CLOVERDALE, VA 24077**  
**(540) 992-5766**

Vendor's Name: \_\_\_\_\_

Authorized Signature: JE. Sipe Date: 3/1/11

State of Virginia

County of BOYD, to-wit:

Taken, subscribed, and sworn to before me this 11<sup>th</sup> day of December, 2011.

My Commission expires 8/31, 2011.

AFFIX SEAL HERE

NOTARY PUBLIC Elizabeth A Justice

