



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
6611C030

PAGE
1

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

RFQ COPY  
 TYPE NAME/ADDRESS HERE

CAUDILL SEED COMPANY  
 1064 E. MAIN STREET  
 MOREHEAD, KY 40351

DIVISION OF HIGHWAYS  
 VARIOUS LOCALES AS INDICATED  
 BY ORDER

DATE PRINTED	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS
05/10/2011				

BID OPENING DATE: 06/15/2011 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	LS		570-68		
	WELDED WIRE MESH			GABION BASKET		
<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 TWISTED WIRE MESH OR WELDED WIRE MESH GABION BASKETS PER THE ATTACHED SPECIFICATIONS.</p> <p>TECHNICAL QUESTIONS CONCERNING THIS SOLICITATION MUST BE SUBMITTED IN WRITING TO PAUL REYNOLDS IN THE WEST VIRGINIA STATE PURCHASING DIVISION VIA MAIL AT THE ADDRESS SHOWN IN THE BODY OF THIS RFQ, VIA FAX AT 304-588-4118, OR VIA EMAIL AT PAULREYNOLDS@WV.GOV. A WORD DOCUMENT HAS BEEN ATTACHED FOR YOUR CONVENIENCE TO SUBMIT TECHNICAL QUESTIONS. DEADLINE FOR ALL TECHNICAL QUESTIONS IS 06/01/2011 AT THE CLOSE OF BUSINESS. ANY TECHNICAL QUESTIONS RECEIVED WILL BE ADDRESS BY FORMAL ADDENDUM TO BE ISSUED BY THE PURCHASING DIVISION AFTER THE DEADLINE HAS LAPSED.</p> <p>EXHIBIT 10</p>						
				REQUISITION NO.:	6611C030	

*See Attached*

RECEIVED

2011 JUN 14 AM 11:00

WV PURCHASING DIVISION

SEE REVERSE SIDE FOR TERMS AND CONDITIONS			
SIGNATURE	TELEPHONE	DATE	
<i>Magnum</i>	606 454 7105	10/12/2011	
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE	
<i>Smith</i>	610789227		

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



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PAGE  
**2**


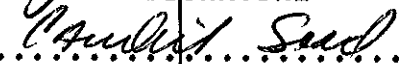
ADDRESS CORRESPONDENCE TO ATTENTION OF  
**BUYER 33**  
**304-558-2402**

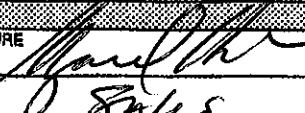
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DIVISION OF HIGHWAYS  
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DATE PRINTED <b>05/10/2011</b>	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS
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BID OPENING DATE: **06/15/2011** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
<p><b>ADDENDUM ACKNOWLEDGEMENT</b></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 .....            NO. 2 .....            NO. 3 .....            NO. 4 .....            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 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: right;">             .....            SIGNATURE              .....            COMPANY            .....</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS		TELEPHONE <b>6064547105</b>	DATE <b>10/6/2011</b>
SIGNATURE 	TITLE <b>Sales</b>	ADDRESS CHANGES TO BE NOTED ABOVE	

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PAGE  
**3**

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**DIVISION OF HIGHWAYS  
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DATE						
<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 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> <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</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE: *[Signature]* TELEPHONE: **6667800848** DATE: **13/2011**

TITLE: *[Signature]* FEIN: **010489227** ADDRESS CHANGES TO BE NOTED ABOVE

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4

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05/10/2011				
BID OPENING DATE: 06/15/2011		BID OPENING TIME 01:30PM		

LINE	QUANTITY	UCP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>NOTICE TO THE VENDOR IF THE COMMODITIES AND/OR SERVICES 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 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</p>						

SIGNATURE		SEE REVERSE SIDE FOR TERMS AND CONDITIONS		TELEPHONE	DATE
					7/3/11
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE			

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PAGE  
**5**

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<p>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 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>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TITLE	FEIN	TELEPHONE	DATE
<i>[Signature]</i>		610489227	606 7800898	7/3/2011

ADDRESS CHANGES TO BE NOTED ABOVE

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PAGE
6

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05/10/2011				

BID OPENING DATE: 06/15/2011 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	QTY NO	ITEM NUMBER	UNIT PRICE	AMOUNT
DEPARTMENT OF ADMINISTRATION PURCHASING DIVISION BUILDING 15 2019 WASHINGTON STREET, EAST CHARLESTON, WV 25305-0130						
THE BID SHOULD CONTAIN THIS INFORMATION ON THE FACE OF THE ENVELOPE OR THE BID MAY NOT BE CONSIDERED:						
SEALED BID						
BUYER:				PAUL REYNOLDS - FILE 33		
RFQ. NO.:				6611C030		
BID OPENING DATE:				06/15/2011		
BID OPENING TIME:				1:30 PM		
PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID:						
606-780-7497						
CONTACT PERSON (PLEASE PRINT CLEARLY):						
MAYNARD HACKER						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
<i>Paul Reynolds</i>	606-780-0898	13/2/2011
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE
Spico	610489227	

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PAGE  
**7**

ADDRESS CORRESPONDENCE TO ATTENTION OF  
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VENDOR

SHIP TO

**DIVISION OF HIGHWAYS  
 VARIOUS LOCALES AS INDICATED  
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DATE PRINTED	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS
05/10/2011				

BID OPENING DATE: **06/15/2011** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UQP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
***** THIS IS THE END OF RFQ 6611C030 ***** TOTAL: _____						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>[Signature]</i>	TELEPHONE <i>6067500848</i>	DATE <i>13/2011</i>
TITLE <i>[Signature]</i>	FEIN <i>610489227</i>	ADDRESS CHANGES TO BE NOTED ABOVE

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

## 9. Bid Schedule

## District 1

Size	Unit of Measure	Estimated Quantity	Cost per Unit of Measure	Extended Cost
6'x3'x18"	each	100	30.50	3050-
6'x3'x1'	each	100	26.50	2650-
6'x3'x3'	each	100	46.25	4625-
9'x3'x3'	each	100	68.50	6850-
12'x3'x18"	each	100	60.00	6000-
12'x3'x3'	each	100	87.00	8700-
12'x3'x6'	each	100	149.90	14990-

9. Bid Schedule Gabion Baskets 66-11-C030  
including Tie Wire

## District 2

Size	Unit of Measure	Estimated Quantity	Cost per Unit of Measure	Extended Cost
6'x3'x18"	each	100	30.50	3050-
6'x3'x1'	each	100	26.50	2650-
6'x3'x3'	each	500	46.25	23125-
9'x3'x3'	each	500	68.50	34250-
12'x3'x18"	each	100	60.00	6000-
12'x3'x3'	each	250	87.00	21750-
12'x3'x6'	each	100	149.90	14990-



## 9. Bid Schedule

District 3

Size	Unit of Measure	Estimated Quantity	Cost per Unit of Measure	Extended Cost
6'x3'x18"	each	100	30.50	3050 -
6'x3'x1'	each	100	26.50	2650 -
6'x3'x3'	each	500	46.25	23125 -
9'x3'x3'	each	100	68.50	6850 -
12'x3'x18"	each	100	60.00	6000 -
12'x3'x3'	each	100	87.00	8700 -
12'x3'x6'	each	100	149.90	14990 -

## 9. Bid Schedule

Gabion Baskets  
including Tie Wire

66-11-C030

District 4

Size	Unit of Measure	Estimated Quantity	Cost per Unit of Measure	Extended Cost
6'x3'x18"	each	250	30.50	7625 -
6'x3'x1'	each	100	26.50	2650 -
6'x3'x3'	each	600	46.25	27750 -
9'x3'x3'	each	100	68.50	6850 -
12'x3'x18"	each	100	60.00	6000 -
12'x3'x3'	each	100	87.00	8700 -
12'x3'x6'	each	250	149.90	37475.00

## 9. Bid Schedule

District 5

Size	Unit of Measure	Estimated Quantity	Cost per Unit of Measure	Extended Cost
6'x3'x18"	each	100	30.50	3050 -
6'x3'x1'	each	100	26.50	2650 -
6'x3'x3'	each	100	46.25	4625 -
9'x3'x3'	each	25	68.50	1712.50
12'x3'x18"	each	100	60.00	6000 -
12'x'3'x3'	each	40	87.00	3480 -
12'x'3'x6'	each	100	149.90	14990 -

9. Bid Schedule Gabion Baskets 66-11-C030  
including Tie Wire

District 6

Size	Unit of Measure	Estimated Quantity	Cost per Unit of Measure	Extended Cost
6'x3'x18"	each	100	30.50	3050 -
6'x3'x1'	each	100	26.50	2650 -
6'x3'x3'	each	500	46.25	23125 -
9'x3'x3'	each	500	68.50	34250 -
12'x3'x18"	each	100	60.00	6000 -
12'x'3'x3'	each	250	87.00	21750 -
12'x'3'x6'	each	100	149.90	14990 -

## 9. Bid Schedule

District 9

Size	Unit of Measure	Estimated Quantity	Cost per Unit of Measure	Extended Cost
6'x3'x18"	each	250	30.50	7625-
6'x3'x1'	each	100	26.50	2650-
6'x3'x3'	each	500	46.25	23125-
9'x3'x3'	each	500	68.50	34250-
12'x3'x18"	each	50	60.00	3000-
12'x3'x3'	each	250	87.00	21750-
12'x3'x6'	each	100	149.90	14990-

9. Bid Schedule Gabion Baskets 66-11-C030  
including Tie Wire

District 10

Size	Unit of Measure	Estimated Quantity	Cost per Unit of Measure	Extended Cost
6'x3'x18"	each	50	30.50	1525-
6'x3'x1'	each	50	26.50	1325-
6'x3'x3'	each	200	46.25	9250-
9'x3'x3'	each	100	68.50	6850-
12'x3'x18"	each	100	60.00	6000-
12'x3'x3'	each	100	87.00	8700-
12'x3'x6'	each	100	149.90	14990-

## 9. Bid Schedule

District 7

Size	Unit of Measure	Estimated Quantity	Cost per Unit of Measure	Extended Cost
6'x3'x18"	each	25	30.50	762.50
6'x3'x1'	each	100	26.50	2650-
6'x3'x3'	each	50	46.25	2312.50
9'x3'x3'	each	50	68.50	3425-
12'x3'x18"	each	100	60.00	6000-
12'x3'x3'	each	25	87.00	2175-
12'x3'x6'	each	100	149.90	14990-

## 9. Bid Schedule

Gabion Baskets  
including Tie Wire

66-11-C030

District 8

Size	Unit of Measure	Estimated Quantity	Cost per Unit of Measure	Extended Cost
6'x3'x18"	each	100	30.50	3050-
6'x3'x1'	each	100	26.50	2650-
6'x3'x3'	each	250	46.25	11562.50
9'x3'x3'	each	250	68.50	17125-
12'x3'x18"	each	100	60.00	6000-
12'x3'x3'	each	100	87.00	8700-
12'x3'x6'	each	100	149.90	14990-

*None*

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: *Michael Tucker*

Signed: *[Signature]*

Date: *1/3/2011*

Title: *Sales*

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

RFQ No. 6611030

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: Caudill SEED Co. Inc

Authorized Signature: [Signature] Date: Apr 2011

State of Kentucky

County of Bowling, to-wit:

Taken, subscribed, and sworn to before me this 10 day of June, 2011.

My Commission expires Apr 11, 2015.

AFFIX SEAL HERE

NOTARY PUBLIC [Signature]



No. 1621 P. 1

**CAUDILL SEED  
AND WAREHOUSE COMPANY INC.**

PHONE: 606-780-0848

FAX: 606-780-7497

RECEIVED

2011 JUN 23 A 10:59

PLANNING DIVISION  
STATE OF WV

TO Paul Reynolds FAX # 304-558-3970

FROM Bill Little

DATE 6-23-11 PAGES 2 (INCLUDING COVER SHEET)

- URGENT
- REPLY ASAP
- PLEASE COMMENT
- FOR YOUR INFORMATION

COMMENTS

Reply to bid Request

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FAX COVER

CAUDILL SEED CO - 1064 EAST MAIN STREET - MOREHEAD, KY 40351

Jun. 23, 2011 10:55AM Caudill Seed



# CAUDILL SEED

COMPANY, INCORPORATED

Serving the Seed Industry Since 1947

1064 E. MAIN STREET  
MOREHEAD, KENTUCKY 40351

PHONE (606) 780-0848  
FAX (606) 780-7497

JUNE 23, 2011

MR. PAUL REYNOLDS  
STATE OF WEST VIRGINIA  
PURCHASING DEPARTMENT  
2019 WASHINGTON STREET, EAST  
CHARLESTON, WEST VIRGINIA 25305-0130

RE: REQUISITION #6611CD30 WELDED WIRE MESH GABION BASKET BIDS

DEAR MR. REYNOLDS:

IN REFERENCE TO YOUR REQUEST FOR A "LAST AND FINAL OFFER", THE NEW QUOTE AS OF JUNE 23, 2011 WILL BE \$57.50 FOR BASKET SIZE 12' x 3' x 18.

IF YOU HAVE ANY OTHER QUESTIONS, CONTACT BILL LITTLE AT (606)780-0848 OR FAX (606)780-7497.

THANK YOU,

BILLY LITTLE



CAUDILL SEED CO.  
DIVISION MANAGER

No. 1621 P. 2

Jun. 23, 2011 10:55AM

Seed Caudill