

MIDDLETOWN TRACTOR SALES

FAX FORM

2345 Whitehall Boulevard
Fairmont, WV 26554
304-366-4690
304-366-4698 (FAX)

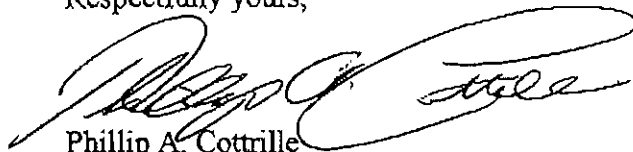
14 March 2011

State of West Virginia
Department of Administration
Purchasing Division
2019 Washington Street, East
Post Office Box 50130
Charleston, WV 25305-0130
REF: Sealed Bid
RFQ#: AGR1113
B.O.D.: 3/15/2011
B.O.T.: 01:30PM
Buyer: 21 (Krista Ferrell)

Ms. Ferrell;

Due to time constraints I am forwarding this Quote to you this evening via FAX so it will be there in time for the opening @ 01:30PM tomorrow. I will also mail the hard copy via US Mail service tomorrow.

Respectfully yours;



Phillip A. Cottrille
Sales Consultant.
304-366-4690 (EX-42)
phil@middletowntractor.com

RECEIVED
2011 MAR 15 A 8:58
PURCHASING DIVISION
STATE OF WV



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
AGR1113

PAGE
1

ADDRESS CORRESPONDENCE TO ATTENTION OF
KRISTA FERRELL 304-558-2596

VENDOR

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

SHIP TO

DEPARTMENT OF AGRICULTURE
 GEN. JOHN MCCAUSLAND MEM. FARM
 HC 89, BOX 62A (ROUTE 35)
 HENDERSON, WV 25106 558-2222

DATE PRINTED	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS
02/16/2011	Net 30 Days	Ovr Truck	Destination	Pre-Paid

BID OPENING DATE: 03/15/2011 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	EA		020-13		
<p>SILAGE SPECIAL BAILER</p> <p>(Alternate unit being bid John Deere 468SS w/Cover-Edge)</p> <p>REQUEST FOR QUOTATION (RFQ)</p> <p>THE WEST VIRGINIA STATE PURCHASING DIVISION FOR THE AGENCY, THE WEST VIRGINIA DEPARTMENT OF AGRICULTURE, IS SOLICITING BIDS TO PROVIDE THE AGENCY WITH (1) NEW HOLLAND MODEL #7070 SILAGE SPECIAL BAILER, OR EQUAL EQUIPPED WITH EXTRA SWEEP PICKUP, BAIL KICKER, AND ENGLSS BELTS PER THE ATTACHED SPECIFICATIONS.</p> <p>TECHNICAL QUESTIONS CONCERNING THIS SOLICITATION MUST BE SUBMITTED IN WRITING TO KRISTA FERRELL 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 KRISTA.S.FERRELL@WV.GOV. DEADLINE FOR ALL TECHNICAL QUESTIONS IS 03/01/2011 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>EXHIBIT 10</p> <p>REQUISITION NO.: AGR1113</p> <p>ADDENDUM ACKNOWLEDGEMENT</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS			
SIGNATURE <i>[Signature]</i>	TELEPHONE 304-366-4690	DATE 11 March 2011	
TITLE Sales Consultant	FEIN 55-054-7175	ADDRESS CHANGES TO BE NOTED ABOVE	

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



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PAGE
2

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MIDDLETOWN TRACTOR SALES

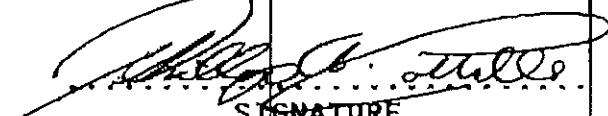
*709043751 304-366-4690
 MIDDLETOWN TRACTOR SALES
 2345 WHITEHALL BLVD
 FAIRMONT WV 26554

MIDDLETOWN TRACTOR SALES

DEPARTMENT OF AGRICULTURE
 GEN. JOHN MCCAUSLAND MEM. FARM
 HC 89, BOX 62A (ROUTE 35)
 HENDERSON, WV
 25106 558-2222

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
02/16/2011				

BID OPENING DATE: 03/15/2011 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
<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 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;">  SIGNATURE Middletown Tractor Sales COMPANY 11 March 2011 DATE </p>						

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

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S U B J E C T

*709043751 304-366-4690
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S H I P T O

DEPARTMENT OF AGRICULTURE
 GEN. JOHN MCCAUSLAND MEM. FARM
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 HENDERSON, WV 25106 558-2222

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02/16/2011				

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<p>NOTE: THIS ADDENDUM ACKNOWLEDGEMENT SHOULD BE SUBMITTED WITH THE BID.</p> <p>REV. 09/21/2009</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 MODEL/BRAND/SPECIFICATIONS NAMED HEREIN ESTABLISH THE ACCEPTABLE LEVEL OF QUALITY ONLY AND ARE NOT INTENDED TO REFLECT A PREFERENCE OR FAVOR ANY PARTICULAR BRAND OR VENDOR. VENDORS WHO ARE BIDDING ALTERNATES SHOULD SO STATE AND INCLUDE PERTINENT LITERATURE AND SPECIFICATIONS. FAILURE TO PROVIDE INFORMATION FOR ANY ALTERNATES MAY BE GROUNDS FOR REJECTION OF THE BID. THE STATE RESERVES THE RIGHT TO WAIVE MINOR IRREGULARITIES IN BIDS OR SPECIFICATIONS IN ACCORDANCE WITH SECTION 148-1-4(F) OF THE WEST VIRGINIA LEGISLATIVE RULES AND REGULATIONS.</p> <p>NOTICE</p> <p>A SIGNED BID MUST BE SUBMITTED TO:</p> <p>DEPARTMENT OF ADMINISTRATION PURCHASING DIVISION BUILDING 15 2019 WASHINGTON STREET, EAST CHARLESTON, WV 25305-0130</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE

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MIDDLETOWN TRACTOR SALES

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LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
THE BID SHOULD CONTAIN THIS INFORMATION ON THE FACE OF THE ENVELOPE OR THE BID MAY NOT BE CONSIDERED: SEALED BID BUYER: KRISTA FERRELL-FILE 21 RFQ. NO.: AGR1113 BID OPENING DATE: 03/15/2011 BID OPENING TIME: 1:30 PM PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID: 304-366-4698 ----- CONTACT PERSON (PLEASE PRINT CLEARLY): Phillip A. Cottrille ----- ***** THIS IS THE END OF RFQ AGR1113 ***** TOTAL: _____						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS			
SIGNATURE	TELEPHONE	DATE	
TITLE	FAX	ADDRESS CHANGES TO BE NOTED ABOVE	

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WV Dept of Agr.

New Holland Model #7070 Silage Special Baler,
Equipped with Extra Sweep Pickup, Bale Kicker &
Endless belts (or equal)

Specs:

Bale Size: 36'-72", Bale Width: 46.5' min., Density: Adjustable

Baler Dimensions & Weight: Overall width: 95" min., Overall
Length: 187" min., Overall Height: 12.6' min., Weight: 6310 lbs. min.

Extra Sweep Pickup with 2 floating gauge wheels: Overall width: 84"
min., Width (tine-to-tine): 71" min., Tine spacing: 26" max., Tine bars: 4
min., Number of tines: 112, Reel Diameter: 12", Adjustable ratchet clutch

Bale Form Chamber: 12" floor roll, Embossed surface stupper roll, 6
endless belts, Width of belts: 7", mini rough surface on belts,

Twine System: Net Wrap 2: Twine tied with dual pivoting arms, automatic
twinc control, twine storage: 6 balls min., Net Wrap: over edge net wrap.

Bale Command Plus System with full bale alarm. This must include
driving gauge, bale size, bale counter, tailgate latch, and hydraulic
pressure gauge.

540 PTO Drive with slip clutch

Options: Automatic oil system for chains, highway safety lights, safety
chains and heavy duty jack.

This baler will be used at two different farms with two different tractors.
Vendor will supply 2 wiring harnesses and 2 bale command plus units.
(installed) In addition, baler must be fully assembled, delivered and
demonstrated at the Lakin State Farm, Route 62 North, Box 9, Plant Lane
Road, Lakin, WV 25287. One year warranty (equivalent to 2,000 bales)
all parts and labor included. If baler requires repairs to vendor's shop for
repairs, all transportation costs to and from WVDA farm will be covered
by the successful vendor for one year.

Pricing:

Option 1: No Trade In

Vendors must provide pricing for (1) new Silage Special Bailer equipped with extra sweep pickup, bail kicker, and engless belts. This cost is for the entire unit cost without a trade in of any equipment.

Option 2: With Trade In

Vendors must provide pricing for (1) new Silage Special Bailer equipped with extra sweep pickup, bail kicker, and engless belts. The vendor will show the unit cost for the equipment without the trade in, the value of the trade in, and the total cost to the agency. *Please note that the unit cost provided for Option 1 and 2 must be the same.* Example below:

Option 2: With Trade In	Manufacturer Bid	Model #	Quantity	Unit Cost	Trade In Value	Total Cost
Silage Special Bailer equipped with the following options: extra sweep pickup, bail kicker, and engless belts with trade in of (1) New Holland, Model #853 Round Bailer, WVDA Tag #5409	New Holland	7070	1	\$10,000.00	\$2,500.00	\$7,500.00
				*Cost w/o Trade In	*Trade In Value	*Cost w/o Trade In Minus Trade In Value

Vendors may view the equipment to be traded in by calling Neal Muncy at the the General John McCausland Memorial Farm located in Henderson, WV and making arrangements for a visit. Phone: 304-579-3939. The Bailer is in good conditions and needs a tune up.

**RFQ# AGR1113
Silage Bailer
Attachment 1: Cost Sheet**

Please complete the below cost sheet for evaluation. It is strongly preferred that this cost sheet be used in lieu of submission of manufacturer's quotes. Vendors should list the manufacturer and model of the equipment bid. Vendor's bidding "or equal" products should provide manufacturer's literature clearly indicating adherence to the mandatory requirements listed in this RFQ.

Description	Manufacturer Bid	Model #	Quantity	Unit Cost	Trade In Value	Total Cost
Option 1: No Trade In						
Silage Special Bailer equipped with the following options: extra sweep pickup, ball kicker, and engless belts.	John Deere	468SS	1	\$35,237.18		\$35,237.18
Option 2: With Trade In						
Silage Special Bailer equipped with the following options: extra sweep pickup, ball kicker, and engless belts with trade in of (1) New Holland, Model #853 Round Bailer, WVDA Tag #5409	John Deere	468SS	1	\$35,237.18	\$1,000.00	\$34,237.18

Note: Unit Cost bid for Option 1 must be the same as bid for Option 2

Rev. 09/08

State of West Virginia

VENDOR PREFERENCE CERTIFICATE

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

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

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

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

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

Bidder: Middletown Tractor Sales Signed: [Signature] Title: Sales Consultant
Date: 11 March, 2011

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

RFQ No. AGR1113

STATE OF WEST VIRGINIA
Purchasing Division

PURCHASING AFFIDAVIT

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

DEFINITIONS:

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

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

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

Under penalty of law for false swearing (*West Virginia Code §61-5-3*), it is hereby certified that the vendor affirms and acknowledges the information in this affidavit and is in compliance with the requirements as stated.

WITNESS THE FOLLOWING SIGNATURE

Vendor's Name: Middletown Tractor Sales

Authorized Signature: *[Signature]* Date: 11 March 2011

State of WV

County of Taylor, to-wit:

Taken, subscribed, and sworn to before me this 14 day of MARCH, 2011.

My Commission expires 9-30, 2019.

AFFIX SEAL HERE

NOTARY PUBLIC *[Signature]*

