

MIDDLETOWN TRACTOR SALES

FAX FORM

2050 Boyers Drive
Fairmont, WV 26554
304-366-4690
304-366-4698 (FAX)

23 October 2012

Department of Administration
Purchasing Division
2019 Washington Street East
Post Office Box 50130
Charleston, WV 25305-0130
REF; RFQ # 7013EC01
ATTN: Alan Cummings
B.O.D.: 10-24-2012
B.O.T.: 1:30PM

Alan;

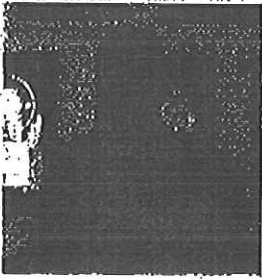
Please accept this FAX copy of my Bid which I have completed this AM and will forward in its entirety via US Mail today.

Respectfully yours;



Phillip A. Cottrille
Sales Consultant.
304-366-4690 (EX-242)
phil@middletowntractor.com

RECEIVED
2012 OCT 23 AM 11:23
WV PURCHASING
DIVISION



MIDDLETOWN TRACTOR SALES

2050 BOYERS DR.
FAIRMONT, WV 26554

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

www.middletontractor.com

"Make your main factor Middletown Tractor"

"LETTER OF EXCEPTIONS TO BID SPECIFICATIONS"

State of West Virginia
Department of Administration
Purchasing Division
2019 Washington Street East
Post Office Box 50130
Charleston, WV 25305-0130
REF: RFQ# 7013EC01
c/o Alan Cummings

Mr. Cummings;

Please reference this document for information concerning exceptions to the advertised bid specifications as stated.

NOTE: The engine configuration, as discussed, should have read Interim Tier IV as Tier IV engines will not be available to the industry until 2014.

The following exceptions appear to be minor at best and in all cases a benefit to the purchasing agency, but as stated I am submitting this list of exceptions for your evaluation purpose.

4.0 As requested 12" blades with 9" diameter and to operate at approximately 3,000 RPM.

Bandit Model 1690 supplies: 16" Blades with 11.5" diameter, operating at 2,700 RPM.

4.3 As requested 6,000# axle supported by HD leaf springs.

Bandit Model 1690 supplies: 7,000# axle supported by Torq-Flex suspension.

4.6 As requested 25 U.S. gallon "minimum".

Bandit Model 1690 supplies: 23.5 US gallon capacity.

4.9 As requested Feed chute minimum 42" W x 27" H x 33" D

Bandit Model 1690 supplies: 52" W x 26.5" H x 40" D.

4.11 As requested Folding Feed Table shall be a minimum 45" W x 50" L
With hinge and latch.

Bandit Model 1690 supplies: 52" W x 70" L (From end of tray to Rotor)

4.13 As requested Rotor shall be 11" diameter minimum X 12" L

Bandit Model 1690 supplies: Rotor diameter of 11.5" x 16" L.

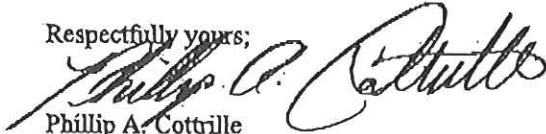
4.13.2 As requested Rotor Knives (4) Hi-Carbon .375" x 3" x 12"

Bandit Model 1690 supplies: (4) Hi-Carbon .375" x 3" x 16" L

4.13.7 As requested Bed Knives to special alloy .750" x 3" x 12" w/4 edges

Bandit Model 1690 supplies: (4) Hi-Carbon 1" x 1" x 16" L w/4 cutting edges.

Respectfully yours;



Phillip A. Cottrille

PHIL@MIDDLETOWNTRACTOR.COM

304-483-6770 (CELL)

SERVING MY CUSTOMERS SINCE 1972

Phil Cottrille

From: Hall, Colleen [chall@banditchippers.com]
Sent: Tuesday, October 23, 2012 8:33 AM
To: Phil Cottrille
Subject: State of West Virginia
Attachments: middletown Tractor 1690 T4i diesel quote 25460.pdf

Good Morning Phil,

Attached is the revised quote to reflect a Tier 4i engine as the state addendum requested. This is Tier4i and is all that currently available. Tier4 final engines will not be available until late 2013 or 2014.

Please note to the state the difference in engine warranty. Cummins is offering a 2 year /2000 hour warranty on Tier 4i engines compared to Perkins Tier 3 engine warranty of 5 years/3000 hours.

Let me know if you have any other questions.

Thank you,
Colleen

From: Phil Cottrille [mailto:phil@middletowntractor.com]
Sent: Tuesday, October 23, 2012 8:23 AM
To: Hall, Colleen

Colleen:

I got in the office early this morning so I could complete the bid package but did not find the information that you said you would forward last evening. Please re-send so I can complete this morning.

Phil C.



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

Solicitation

NUMBER
 7013EC01

PAGE
 1

ADDRESS CORRESPONDENCE TO ATTENTION OF
 ALAN CUMMINGS
 304-558-2402

VENDOR

*709043751 304-366-4690
 MIDDLETOWN TRACTOR SALES
 2050 BOYERS DR
 FAIRMONT WV 26554

SHIP TO

DIVISION OF HIGHWAYS
 EQUIPMENT DIVISION
 ROUTE 33
 BRUSHY FORK ROAD
 BUCKHANNON, WV
 26201 304-472-1750

DATE PRINTED

10/11/2012

BID OPENING DATE

10/24/2012

BID OPENING TIME 1:30PM

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
				ADDENDUM NO. 01		
				ISSUED TO CHANGE BID OPENING DATE/TIME AND DISTRIBUTE THE ATTACHED DOCUMENTATION.		
0001	1	EA		020-04	\$23,729.36 X 5	\$118,646.80
				BRUSH CHIPPER, TRAILER MOUNTED		
***** THIS IS THE END OF RFQ 7013EC01 ***** TOTAL:						\$118,646.80

SIGNATURE

Phillip A. C. [Signature]

TELEPHONE

304-366-4690 (Ext. 242)

DATE

23 October 2012

TITLE

Sales Consultant

FON

55-054-7175

ADDRESS CHANGES TO BE NOTED ABOVE

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

SOLICITATION NUMBER: 7013EC01

Addendum Number: 1

The purpose of this addendum is to modify the solicitation identified as ("Solicitation") to reflect the change(s) identified and described below.

Applicable Addendum Category:

- Modify bid opening date and time
- Modify specifications of product or service being sought
- Attachment of vendor questions and responses
- Attachment of pre-bid sign-in sheet
- Correction of error
- Other

Description of Modification to Solicitation:

Issued to:

Change bid opening date and time,
 From: 10/17/2012 - 1:30 P.M.
 To: 10/24/2012 - 1:30 P.M.

Distribute pre-bid sign-in sheet.

Distribute agency response to vendor questions.

Additional Documentation: Documentation related to this Addendum (if any) has been included herewith as Attachment A and is specifically incorporated herein by reference.

Terms and Conditions:

1. All provisions of the Solicitation and other addenda not modified herein shall remain in full force and effect.
2. Vendor should acknowledge receipt of all addenda issued for this Solicitation by completing an Addendum Acknowledgment, a copy of which is included herewith. Failure to acknowledge addenda may result in bid disqualification. The addendum acknowledgement should be submitted with the bid to expedite document processing.

Revised 6/8/2012

ADDENDUM ACKNOWLEDGEMENT FORM
SOLICITATION NO.: 7013EC01

Instructions: Please acknowledge receipt of all addenda issued with this solicitation by completing this addendum acknowledgment form. Check the box next to each addendum received and sign below. Failure to acknowledge addenda may result in bid disqualification.

Acknowledgment: I hereby acknowledge receipt of the following addenda and have made the necessary revisions to my proposal, plans and/or specification, etc.

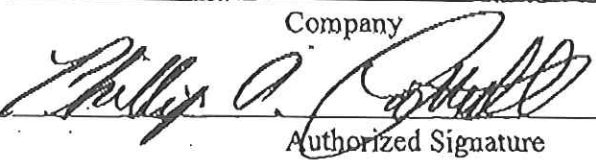
Addendum Numbers Received:

(Check the box next to each addendum received)

- | | |
|--|--|
| <input checked="" type="checkbox"/> Addendum No. 1 | <input type="checkbox"/> Addendum No. 6 |
| <input type="checkbox"/> Addendum No. 2 | <input type="checkbox"/> Addendum No. 7 |
| <input type="checkbox"/> Addendum No. 3 | <input type="checkbox"/> Addendum No. 8 |
| <input type="checkbox"/> Addendum No. 4 | <input type="checkbox"/> Addendum No. 9 |
| <input type="checkbox"/> Addendum No. 5 | <input type="checkbox"/> Addendum No. 10 |

I understand that failure to confirm the receipt of addenda may be cause for rejection of this bid. I further 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.

Middletown tRactor Sales

 Company


 Authorized Signature
 23 October 2012

 Date

NOTE: This addendum acknowledgement should be submitted with the bid to expedite document processing.
Revised 6/8/2012

PREBID ADDENDUM #1

7013EC01

BRUSH CHIPPER, TRAILER MOUNTED

Item # 3.6 Page 22

Delete: "Any such exception must be noted on the bidder's evaluation and should be accompanied by supporting documentation/literature from the manufacturer."

Item # 4.0 Page 22

Change From: The rotor speed shall be the lowest commensurate with cutting efficiency approximately 3,000 RPM.

To: The rotor speed shall be the lowest commensurate with cutting efficiency minimum 2700 RPM.

Item # 4.0 Page 23

Vendor Question: Our system uses a 3 groove Kelvar Belt?

Response: This is acceptable as spec states multiple.

Item 4.2 Page 23

Change From: Tow Bar for proposed model shall be equipped with fully adjustable height and length with pintle ring hitch and manufacturers recommended safety chains with matching grab hooks for a 2 ¼ inch pintle.

To: Tow Bar for proposed model shall be equipped with fully adjustable height and length with pintle ring hitch and manufacturers recommended safety chains with matching grab hooks acceptable for a Holland PH 760 o/e pintle hook.

Item # 4.5 Page 23

Vendor Question: We have a front mounted flip-up crank jack that can be removed and placed on the back of the frame to assist in changing tires. There is no longer a rear stabilizer. It could be added as a special option, but it would serve no useful purpose, unless you would want to operate the chipper without it being attached to the truck?

Response: This is a non-mandatory. List as exception.

Item # 4.6 Page 23

Vendor Question: The poly tank is strapped to a spill pan, which is bolted to the trailer frame. Does a poly tank with straps instead of a bolted steel tank qualify as a shock mounted or do we need to add additional rubber pads?

Response: No problem. The way your tank is mounted is sufficient.

Item # 4.11 Page 24

Change From: Folding feed table shall be minimum 45 inches wide and 50 inches long with hinge and latch.

To: Folding feed table shall be minimum 44 inches wide and 50 inches long with hinge and latch.

Item # 4.13.5 Page 24

Vendor Question: As in 4.0, our system uses a 3 groove Kevlar belt, which is a big update over our old 4 groove rubber belts.

Response: This is non-mandatory. List as exception.

Item # 4.19 Page 25

Change From: Diesel Engine must be water cooled, 4 cylinder, 80 HP minimum.

To: EPA compliant, Tier 4 Diesel Engine, must be water cooled, 4 cylinder, 74 HP Minimum.

Item # 7.1 Page 26

Change From: Vendor shall deliver standard orders within 90 working days after orders are received. A complete pilot model for inspection must be provided within 45 working days after receipt of the purchase agreement by the successful vendor.

To: Vendor shall deliver standard orders within 120 working days after orders are received. A complete pilot model for inspection must be provided within 90 working days after receipt of the purchase agreement by the successful vendor.



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

Solicitation

NUMBER
7013EC01

PAGE
1

ADDRESS CORRESPONDENCE TO ATTENTION OF:
ALAN CUMMINGS 304-558-2402

V
E
N
D
O
R

*709043751 304-366-4690
 MIDDLETOWN TRACTOR SALES
 2050 BOYERS DR
 FAIRMONT WV 26554

S
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DIVISION OF HIGHWAYS
 EQUIPMENT DIVISION
 ROUTE 33
 BRUSHY FORK ROAD
 BUCKHANNON, WV
 26201 304-472-1750

DATE PRINTED
09/13/2012

BID OPENING DATE: 10/17/2012

BID OPENING TIME 1-30PM

LINE	QUANTITY	UOP	QAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	EA		020-04	\$23,729.36 X 5	\$118,646.80
BRUSH CHIPPER, TRAILER MOUNTED						
OPEN-END CONTRACT						
THE WEST VIRGINIA STATE PURCHASING DIVISION FOR THE AGENCY, THE WEST VIRGINIA DIVISION OF HIGHWAYS, IS SOLICITING BIDS TO PROVIDE THE AGENCY WITH AN OPEN-END CONTRACT FOR TRAILER MOUNTED BRUSH CHIPPERS PER THE ATTACHED SPECIFICATIONS.						
***** THIS IS THE END OF RFQ 7013EC01 ***** TOTAL:						\$118,646.80

SIGNATURE <i>[Signature]</i>		TELEPHONE 304-366-4690 (Ext. 242)	DATE 23 October 2012
TITLE Sales Consultant	FEIN 55-054-7175	ADDRESS CHANGES TO BE NOTED ABOVE	

The bid should contain the information listed below on the face of the envelope or the bid may not be considered:

SEALED BID

BUYER: Alan Cummings
 SOLICITATION NO.: 7013EC01
 BID OPENING DATE: 24 October 2012
 BID OPENING TIME: 1:30PM
 FAX NUMBER: 304-366-4698

In the event that Vendor is responding to a request for proposal, the Vendor shall submit one original technical and one original cost proposal plus [] convenience copies of each to the Purchasing Division at the address shown above. Additionally, the Vendor should identify the bid type as either a technical or cost proposal on the face of each bid envelope submitted in response to a request for proposal as follows:

BID TYPE: | | Technical
 | | Cost

- 7. **BID OPENING:** Bids submitted in response to this Solicitation will be opened at the location identified below on the date and time listed below. Delivery of a bid after the bid opening date and time will result in bid disqualification. For purposes of this Solicitation, a bid is considered delivered when time stamped by the official Purchasing Division time clock.

Bid Opening Date and Time:

10/17/2012 - 1:30 P.M.

Bid Opening Location:

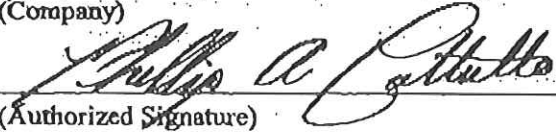
Department of Administration, Purchasing Division
 2019 Washington Street East
 P.O. Box 50130,
 Charleston, WV 25305-0130

- 8. **ADDENDUM ACKNOWLEDGEMENT:** Changes or revisions to this Solicitation will be made by an official written addendum issued by the Purchasing Division, Vendor should acknowledge receipt of all addenda issued with this Solicitation by completing an Addendum Acknowledgment Form, a copy of which is included herewith. Failure to acknowledge addenda may result in bid disqualification. The addendum acknowledgement should be submitted with the bid to expedite document processing.
- 9. **BID FORMATTING:** Vendor should type or electronically enter the information onto its bid to prevent errors in the evaluation. Failure to type or electronically enter the information may result in bid disqualification.

CERTIFICATION AND SIGNATURE PAGE

By signing below, I certify that I have reviewed this Solicitation in its entirety, understand the requirements, terms and conditions, and other information contained herein; that I am submitting this bid or proposal for review and consideration; that I am authorized by the bidder to execute this bid or any documents related thereto on bidder's behalf; that I am authorized to bind the bidder in a contractual relationship; and that to the best of my knowledge, the bidder has properly registered with any State agency that may require registration.

Middletown Tractor Sales
(Company)


(Authorized Signature)

Phillip A. Cottrille, Sales Consultant
(Representative Name, Title)

304-366-4690 (Ext. 242) 304-366-4698
(Phone Number) (Fax Number)

23 October 2012
(Date)

ADDENDUM ACKNOWLEDGEMENT FORM

SOLICITATION NO: 7013EC01

Instructions: Please acknowledge receipt of all addenda issued with this solicitation by completing this addendum acknowledgment form. Check the box next to each addendum received and sign below. Failure to acknowledge addenda may result in bid disqualification.

Acknowledgment: I hereby acknowledge receipt of the following addenda and have made the necessary revisions to my proposal, plans and/or specification, etc.

Addendum Numbers Received:

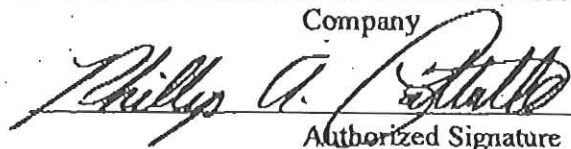
(Check the box next to each addendum received)

- | | |
|--|--|
| <input checked="" type="checkbox"/> Addendum No. 1 | <input type="checkbox"/> Addendum No. 6 |
| <input type="checkbox"/> Addendum No. 2 | <input type="checkbox"/> Addendum No. 7 |
| <input type="checkbox"/> Addendum No. 3 | <input type="checkbox"/> Addendum No. 8 |
| <input type="checkbox"/> Addendum No. 4 | <input type="checkbox"/> Addendum No. 9 |
| <input type="checkbox"/> Addendum No. 5 | <input type="checkbox"/> Addendum No. 10 |

I understand that failure to confirm the receipt of addenda may be cause for rejection of this bid. I further 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.

Middletown Tractor Sales

Company



Authorized Signature

23 October 2012

Date


NOTE: This addendum acknowledgement should be submitted with the bid to expedite document processing.

Revised 6/15/2012

REQUEST FOR QUOTATION
113-1-1 - BRUSH CHIPPER, TRAILER MOUNTED
RFQ 7013EC01

Exhibit A

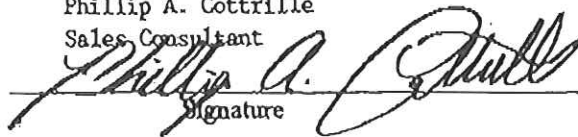
Pricing Page

Item Number	Estimated Quantity	Unit of measure	Description	Unit Price	Total
1	5	Each	Brush Chipper, Trailer Mounted YEAR/MAKE/MODEL:		
1	5	Each	Bandit Industries Model 1690 Conventional (2013)	\$23,729.36	\$118,646.80
Grand Total					\$118,646.80

I hereby certify that the item being bid meets or exceeds specifications as written and I will comply with them all:

Vendor name and address and representative bidding

Phillip A. Cottrille
Sales Consultant


Signature

23 October 2012
Date

Rev. 07/12

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.
7. **Application is made for preference as a non-resident small, women- and minority-owned business, in accordance with *West Virginia Code* §5A-3-59 and *West Virginia Code of State Rules*.**
 Bidder has been or expects to be approved prior to contract award by the Purchasing Division as a certified small, women- and minority-owned business.

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 SalesSigned: Date: 23 October 2012Title: Sales Consultant

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 instrumentally established by a county or municipality; any separate corporation or instrumentally 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: 23 October 2012

State of West Virginia

County of Mexico, to-wit:

Taken, subscribed, and sworn to before me this 23 day of October, 2012.

My Commission expires April 4, 2016.

AFFIX SEAL HERE

NOTARY PUBLIC [Signature]

