



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

**Solicitation**

NUMBER
DPS1307

PAGE
1

ADDRESS CORRESPONDENCE TO ATTENTION OF:
TARA LYLE 304-558-2544

VENDOR

\*709060515 304-265-1805  
 MOUNTAINEER CUSTOM CARTRIDGE  
 RT 3 BOX 199A  
 GRAFTON WV 26354

SHIP TO

WEST VIRGINIA STATE POLICE  
 4124 KANAWHA TURNPIKE  
 SOUTH CHARLESTON, WV  
 25309 304-746-2141

DATE PRINTED
08/15/2012

BID OPENING DATE: 09/06/2012 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	LS		680-04		
<p>AMMUNITION</p> <p>OPEN-END CONTRACT</p> <p>THE WEST VIRGINIA PURCHASING DIVISION FOR THE AGENCY, WV STATE POLICE, IS SOLICITING BIDS TO PROVIDE AMMUNITION FOR THE WEST VIRGINIA STATE POLICE, PER THE ATTACHED SPECIFICATIONS.</p> <p>ATTACHMENT INCLUDE:</p> <ol style="list-style-type: none"> <li>1. INSTRUCTIONS TO VENDORS SUBMITTING BIDS.</li> <li>2. GENERAL TERMS AND CONDITIONS.</li> <li>3. DPS1307 SPECIFICATIONS.</li> <li>4. CERTIFICATION AND SIGNATURE PAGE.</li> <li>5. PURCHASING AFFIDAVIT.</li> <li>6. RESIDENT VENDOR PREFERENCE (RVP) FORM.</li> </ol> <p>***** THIS IS THE END OF RFQ DPS1307 ***** TOTAL: _____</p>						

RECEIVED  
 2012 SEP -6 AM 9:31  
 WV PURCHASING DIVISION

SIGNATURE <i>Jonathan M. Bet...</i>	TELEPHONE 304 265-1805	DATE 8-29-12
TITLE OWNER	FEIN 550-695-767	ADDRESS CHANGES TO BE NOTED ABOVE

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

# Bid Form DPS 1307

Item #	Description	Manufacturer Name	Model Name	*Estimated Annual Quantity	Unit Price	Extended Price
1.	.40 caliber pistol ammunition, 180 grain, Speer brand, Gold Dot Hollow Point or equal, brass or nickel casing. Brass or nickel casing. New ammunition, No brass exchange	SPEER	#53962	15,000	\$ .316	\$ 4,740 <sup>00</sup>
2.	.40 caliber pistol ammunition, 180 grain, Speer brand TMJ practice round or equal, non-clean fire load, must be companion round (same ballistics) to item #1, Brass or nickel casing New ammunition, No brass exchange	SPEER	#53652	100,000	\$ .20	\$ 20,000 <sup>00</sup>
2A	.40 caliber pistol ammunition, 180 grain, Speer, TMJ practice round or equal non clean fire load, must be companion round (same ballistics) to item #2. ALUMINUM CASE instead of brass or nickel	SPEER	#3592	100,000	\$ .212	\$ 21,200 <sup>00</sup>
3.	9mm caliber pistol ammunition, 124 grain, Speer brand Gold Dot Hollow Point or equal, must be brass or nickel casing New ammunition, No brass exchange	SPEER	#53618	1,000	\$ .295	\$ 295 <sup>00</sup>
4.	9mm caliber pistol ammunition, 124 grain Speer brand or equal TMJ practice round non-clean fire load, must be companion round (same ballistics) to items #3 above. Brass or nickel casing New ammunition, No brass exchange	SPEER	#53651	55,000	\$ .18	\$ 9,900 <sup>00</sup>

4A	9mm caliber pistol ammunition, 124 grain, Speer brand or equal TMJ practice round, non-clean fire load, must be companion round (same ballistics) to item #3 above with the exception of ALUMINUM CASE instead of brass or nickel	SPEER	#3579	55,000	\$ .163	\$ 8,965 <sup>00</sup>
5.	.357 magnum caliber pistol ammunition, 158 grain, Speer brand Gold Dot Hollow Point or equal. Brass or nickel casing New ammunition, No brass exchange	SPEER	#53960	1,000	\$ .589	\$ 589 <sup>00</sup>
6.	.45 ACP caliber pistol ammunition 230 grain, Speer brand Gold Dot Hollow Point or equal, brass or nickel casing New ammunition, No brass exchange	SPEER	#53966	17,000	\$ .352	\$ 5,984 <sup>00</sup>
7.	.45 ACP caliber pistol ammunition, 230 grain, Speer brand TMJ practice round or equal, non-clean fire load must be companion round (same ballistics) to item #6. Brass or nickel casing New ammunition, No brass exchange	SPEER	#53653	300,000	\$ .237	\$ 71,100 <sup>00</sup>
7A	.45 ACP caliber pistol ammunition, 230 grain, Speer brand TMJ practice round or equal, non-clean fire load must be companion round (same ballistics) to item #6. ALUMINUM CASE instead of brass or nickel	SPEER	#3571	300,000	\$ .230	\$ 69,000 <sup>00</sup>
8.	10mm caliber pistol ammunition 200 grain Speer brand TMJ practice round or equal. Non-clean fire load, aluminum casing New ammunition, aluminum case	SPEER	#3597	1,000	\$ .306	\$ 306 <sup>00</sup>

9.	.308 caliber rifle ammunition, Federal Gold Medal Match 168 grain boat tail hollow point ammunition or equal. *Vendors submitting bids on this ammunition that desire to provide ammunition other than Federal brand must provide documentation as to any firing test that has been performed on this ammunition, range of effectiveness and list of any agencies currently using said ammunition. DOCUMENTATION MUST BE SUBMITTED WITH THE BID PACKAGE. New ammunition, No brass exchange	FEDERAL	GM308M 500	5,000	\$ .696	\$ 3,480 <sup>00</sup>
10.	.308 caliber rifle ammunition, Federal, Remington, Winchester brand or equal, 150 grain soft point ammunition New ammunition, No brass exchange	FEDERAL	308A	14,000	\$ .91	\$ 12,740 <sup>00</sup>
11.	.223 caliber rifle ammunition, Federal brand, 55 grain, soft point (Mfg #223A), Winchester, Remington or equal New ammunition, No brass exchange	FEDERAL	T223A	300,000	\$ .52	\$ 156,000 <sup>00</sup>
12.	.223 caliber rifle ammunition, Federal brand, 55 grain, FMJ, Winchester, Remington or equal New ammunition, No brass exchange	FEDERAL	AE223 OR XM193 MILITARY	300,000	\$ .294	\$ 88,200 <sup>00</sup>
13.	12 gauge shot shells, 00 buckshot, 2.75 inch shells, Winchester, Remington, Federal or equal New ammunition, No brass exchange	FEDERAL	9 SHGTOO F12700 FULL LOAD	2,000	\$ .384	\$ 768 <sup>00</sup>

14.	12 gauge shotgun slugs, 2.75 inch shells, Winchester, Remington, federal or equal New ammunition, No brass exchange	FEDERAL	F127RS 1oz SLUG FULL LOAD	40,000	\$ .388	\$ 15,520 <sup>00</sup>
15.	12 gauge shotgun shells, number 7.5 or 8 birdshot, 2.75 inch shells, Winchester, Remington, Federal or equal. Low brass field loads are acceptable New ammunition	FEDERAL	H121-7.5	20,000	\$ .248	\$ 4,960 <sup>00</sup>
16.	.38 Special+P caliber ammunition, 125 grain, Speer brand, Gold Dot Hollow Point or equal, Brass or nickel casing New ammunition, No brass exchange	SPEER	#53720	4,500	\$ .340	\$ 1,530 <sup>00</sup>
17.	.22 caliber long rifle, 40 grain, Federal brand, soft point or equal, Brass or nickel casing New ammunition, No brass exchange	FEDERAL	#710 22 LR 40 GR. SOLID COPPER	10,000	\$ .0334	\$ 334 <sup>00</sup>
18.	.45 GAP caliber ammunition, 185 grain, Speer brand, Gold Dot Hollow Point or equal. Brass or nickel casing New ammunition, No brass exchange	SPEER	#53977	5,000	\$ .396	\$ 1,980 <sup>00</sup>
19.	.45 GAP caliber ammunition, 185 grain, Speer brand TMJ practice round or equal. Non-clean fire load must be companion round (same ballistics) to item #18 above. Brass or nickel casing New ammunition, No brass exchange	SPEER	#53979	10,000	\$ .270	\$ 2,700 <sup>00</sup>
20.	.380 caliber ammunition, 95 grain, Speer brand, Gold Dot Hollow Point or equal. Brass or nickel casing New ammunition, No brass exchange	SPEER	#53606	5,000	\$ .48	\$ 2,400 <sup>00</sup>

21.	.380 caliber ammunition, 95 grain, Speer brand TMJ practice round or equal. Non-clean fire load must be companion round (same ballistics) to item #20 above. Brass or nickel casing. New ammunition, No brass exchange	SPEER	#53608	10,000	\$ 0.169	\$ 1,690.00
Failure to use this form may result in disqualification.				Grand Total	\$ 504,381.00	
<p><b>Bidder / Vendor Information:</b></p> <p>Name: <u>MOUNTAINEER CUSTOM CARTRIDGE</u></p> <p>Address: <u>RT 3 BOX 199-A</u> <u>GRAFTON, WV 26354</u></p> <p>Phone and Fax #: <u>304 265-1805 FAX-SAME</u></p> <p>Email Address: <u>N/A</u></p>						
<p><b>Contact Coordinator Information:</b></p> <p>Name: <u>SAME</u></p> <p>Address: _____</p> <p>Phone and Fax #: _____</p> <p>Email Address: _____</p>						
*Quantities are estimated annual usage for bidding purposes and bidder's information.						

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.

MOUNTAINEER CUSTOM CARTRIDGE

(Company)

Jonathan M. Belt

(Authorized Signature)

JONATHAN M. BELT      OWNER

(Representative Name, Title)

304 265-1805      SAME

(Phone Number)

(Fax Number)

8-29-12

(Date)

RFQ No. DPS1307

STATE OF WEST VIRGINIA  
Purchasing Division

**PURCHASING AFFIDAVIT**

**MANDATE:** Under W. Va. Code §5A-3-10a, 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: (1) the debt owed is an amount greater than one thousand dollars in the aggregate; or (2) the debtor is in employer default.

**EXCEPTION:** The prohibition listed above does not apply where a vendor has contested any tax administered pursuant to chapter eleven of the W. Va. 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.

**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.

**"Employer default"** means having an outstanding balance or liability to the old fund or to the uninsured employers' fund or being in policy default, as defined in W. Va. Code § 23-2c-2, failure to maintain mandatory workers' compensation coverage, or failure to fully meet its obligations as a workers' compensation self-insured employer. An employer is not in employer default if it has entered into a repayment agreement with the Insurance Commissioner and remains in compliance with the obligations under the repayment agreement.

**"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.

**AFFIRMATION:** By signing this form, the vendor's authorized signer affirms and acknowledges under penalty of law for false swearing (W. Va. Code §61-5-3) that neither vendor nor any related party owe a debt as defined above and that neither vendor nor any related party are in employer default as defined above, unless the debt or employer default is permitted under the exception above.

**WITNESS THE FOLLOWING SIGNATURE:**

Vendor's Name: MOUNTAINEER CUSTOM CARTRIDGE

Authorized Signature: [Signature] Date: 9-4-12

State of West Virginia

County of Taylor, to-wit:

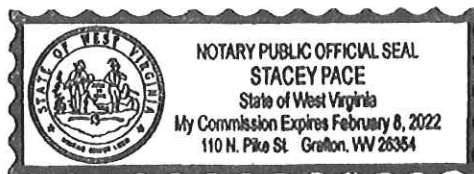
Taken, subscribed, and sworn to before me this 4 day of September, 2012

My Commission expires February 8, 2022

**AFFIX SEAL HERE**

**NOTARY PUBLIC** [Signature]

*Purchasing Affidavit (Revised 07/01/2012)*





# State of West Virginia VENDOR PREFERENCE CERTIFICATE

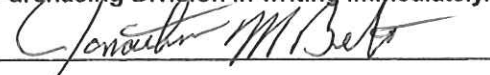
Certification and application\* is hereby made for Preference in accordance with **West Virginia Code**, §5A-3-37. (Does not apply to construction contracts). **West Virginia Code**, §5A-3-37, provides an opportunity for qualifying vendors to request (at the time of bid) preference for their residency 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: MOUNTAINEER CUSTOM CARTRIDGE Signed:   
Date: 8-29-12 Title: OWNER

PG 34

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**ADDENDUM ACKNOWLEDGEMENT FORM**  
**SOLICITATION NO.: DPS1307**

**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 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.

MOUNTAINEER CUSTOM CARTRIDGE

Company

*Janette M. Bels*

Authorized Signature

8-30-12

Date

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

Revised 6/8/2012



**Jon Belt, Proprietor**  
Route #3, Box 199-A  
Grafton, WV 26354  
304-265-1805

*Founded 1989  
Federally Licensed and Insured  
Now Serving Over 70 Police Departments*

August 30, 2012

WV Purchasing Division  
2019 Washington St. East  
P.O. Box 50130  
Charleston, WV 25305-0130

Attn: Tara Lyle

Dear Ms. Lyle:

The ammunition contained in this bid is the same ammunition that state agencies have been using for several years.

These agencies include West Virginia State Police, DNR Law Enforcement, Corrections, Regional Jails, Sheriffs Departments, and City Police Departments.

Sincerely,

Jon Belt, Owner