



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

# Solicitation

NUMBER
PTY137113

PAGE
1

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

VENDOR

\*616125659 740-376-1822  
 BROUGHTON FOODS LLC  
 1701 GREENE ST  
 PO BOX 656  
 MARIETTA OH 45750

SHIP TO

PRUNTYTOWN FACILITY  
 DIVISION OF CORRECTIONS  
 ROUTE 4, BOX 49 A  
 GRAFTON, WV  
 26354-9306 304-265-6111

DATE PRINTED
09/13/2012

BID OPENING DATE: 10/09/2012 BID OPENING TIME 1:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	LS		380-75		
MILK, DAIRY						
OPEN-END CONTRACT						
THE WEST VIRGINIA PURCHASING DIVISION FOR THE AGENCY, WV DIVISION OF CORRECTIONS - PRUNTYTOWN CORRECTIONAL CENTER, IS SOLICITING BIDS TO PROVIDE MILK AND DAIRY PRODUCTS TO THE PRUNTYTOWN CORRECTIONAL CENTER LOCATED IN GRAFTON, WV, PER THE ATTACHED SPECIFICATIONS.						
ATTACHMENTS INCLUDE:						
1. INSTRUCTIONS TO VENDORS SUBMITTING BIDS.						
2. GENERAL TERMS AND CONDITIONS.						
3. PTY137113 SPECIFICATIONS.						
4. CERTIFICATION AND SIGNATURE PAGE.						
5. PURCHASING AFFDAVIT.						
6. RESIDENT VENDOR PREFERENCE (RVP) FORM.						
***** THIS IS THE END OF RFQ PTY137113 ***** TOTAL:						2,708.68

RECEIVED  
 2012 OCT -9 AM 9:44  
 WV PURCHASING DIVISION

SIGNATURE	David J. Broughton	TELEPHONE 800-283-2479	DATE 10-8-12
TITLE General Manager	FEIN 04-3742039	ADDRESS CHANGES TO BE NOTED ABOVE	

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

PTY 137113 DAIRY PRODUCTS				
PRICING PAGE				
Item #	Description	Estimated Monthly Usage	Unit Price	Extended Amount
1	Milk, 2% white 5 Gal. Container	100 EA	13.9375	1,393.75
2	Milk, 1% white 5 Gal. Dispenser	40 EA	13.8348	553.40
3	Milk, 1% chocolate 5 Gal. Dispenser	40 EA	15.0896	603.59
4	Small Curd Cottage Cheese #5 container	20 EA	7.8966	157.94
		<b>Grand Total</b>		<b>2,708.68</b>
<b>Bidder/Vendor Information</b>				
Name: Broughton Foods, LLC				
Address: 1701 Greene Street, PO Box 656				
Marietta, OH 45750				
Phone No.: 800-283-2479 Ext. 822				
Fax: 740-376-1763				
Email Address: dave_broughton@deanfoods.com				

\*\* Estimated quantities are for bidding purposes only, more or less may be utilized by the agency.

\*\* Failure to use this form may result in disqualification

\*\* Unit price must be inclusive of all delivery fees, fuel charges etc.

**VENDOR INFORMATION:**

VENDOR NAME: Broughton Foods, LLC

CONTACT NAME: David J. Broughton

PHONE NO.: 800-283-2479 Ext. 822

FAX NO.: 740-376-1763

AUTHORIZED SIGNATURE: 

**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.

Broughton Foods, LLC

(Company)



(Authorized Signature)

David J. Broughton, General Manager

(Representative Name, Title)

800-283-2479 Ext. 822      740-376+1763

(Phone Number)

(Fax Number)

October 8, 2012

(Date)

RFQ No. PTY 137113

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: Broughton Foods, LLC

Authorized Signature: *David J. Broughton* Date: October 8, 2012  
David J. Broughton, General Manager

State of Ohio

County of Washington, to-wit:

Taken, subscribed, and sworn to before me this 8 day of October, 2012.

My Commission expires August 1, 2016

AFFIX SEAL HERE



Timothy D Bretthauer  
Notary Public State of Ohio  
My Commission Expires  
August 1, 2016

NOTARY PUBLIC

*[Signature]*

Purchasing Affidavit (Revised 07/01/2012)