



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

**Solicitation**

NUMBER
DNR214063

PAGE
1

ADDRESS CORRESPONDENCE TO ATTENTION OF
DEAN WINGERD
304-558-0468

RFQ COPY

TYPE NAME/ADDRESS HERE

VENDOR

**Burns Industrial Equipment**  
 156 Mesa Drive  
 St. Albans, WV 25177

SHIP TO

DIVISION OF NATURAL RESOURCES  
 VARIOUS LOCALES AS INDICATED  
 BY ORDER

DATE PRINTED
01/31/2014

BID OPENING DATE: 02/27/2014

BID OPENING TIME 1:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>THE WEST VIRGINIA PURCHASING DIVISION FOR THE AGENCY, WV DIVISION OF NATURAL RESOURCES, IS SOLICITING BIDS FOR THE ONE TIME PURCHASE OF 4 UTV'S AND 1 ATV FOR VARIOUS LOCATIONS PER THE ATTACHED SPECIFICATIONS.</p> <p>ATTACHMENTS 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. DNR214063 SPECIFICATIONS.</li> <li>4. CERTIFICATION AND SIGNATURE PAGE.</li> <li>5. PURCHASING AFFIDAVIT.</li> <li>6. RESIDENT VENDOR PREFERENCE (RVP) FORM.</li> </ol> <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 style="text-align: center;">02/27/14 10:15:54AM          West Virginia Purchasing Division</p>						

SIGNATURE <i>Anthony Beane</i>	TELEPHONE 304-755-9333	DATE 2/26/14
TITLE President	FEIN 25-1232695	ADDRESS CHANGES TO BE NOTED ABOVE

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



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LINE	QUANTITY	UOP	CAT NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	EA	4010	070-48-50-001 UTV KAWASAKI MODEL 4010 OR EQUAL	\$15,639.17	\$15,639.17
0002	1	EA	4010	070-48-50-001 UTV KAWASAKI MODEL 4010 OR EQUAL	\$15,639.17	\$15,639.17
0003	1	EA	4010	070-48-50-001 UTV KAWASAKI MODEL 4010 OR EQUAL	\$12,554.83	\$12,554.83
0004	1	EA	4010	070-48-50-001 UTV KAWASAKI MODEL 4010 OR EQUAL	\$12,554.83	\$12,554.83
0005	1	EA		070-48-50-001 ATV HONDA FOURTRAX OR EQUAL	\$8,425.43	\$8,425.43

SIGNATURE <i>Christy Burns</i>	TELEPHONE 304-755-9333	DATE 2/26/14
TITLE President	FEIN 25-1232695	ADDRESS CHANGES TO BE NOTED ABOVE

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Burns Industrial Equipment  
 156 Mesa Drive  
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DIVISION OF NATURAL RESOURCES  
 VARIOUS LOCALES AS INDICATED  
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BID OPENING TIME 1:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
***** THIS IS THE END OF RFQ DNR214063 ***** TOTAL:						\$64,813.43

SIGNATURE <i>Christy Burns</i>	TELEPHONE 304-755-9333	DATE 2/26/14
TITLE President	FEIN 25-1232695	ADDRESS CHANGES TO BE NOTED ABOVE

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

DNR214063  
Exhibit A - Pricing Page

Item No.	Description	Manufacturer and Model for "or equal" bids	Qty	Unit Price	Extended Price
1	UTV – Kawasaki 4010 4 x 4 Utility Vehicle, or equal	Kawasaki Mule 4010 4x4	1	\$15,639.17	\$15,639.17
2	UTV – Kawasaki 4010 4 x 4 Utility Vehicle, or equal	Kawasaki Mule 4010 4x4	1	\$15,639.17	\$15,639.17
3	UTV – Kawasaki 4010 4 x 4 Utility Vehicle, or equal	Kawasaki Mule 4010 4x4	1	\$12,554.83	\$12,554.83
4	UTV – Kawasaki 4010 4 x 4 Utility Vehicle, or equal	Kawasaki Mule 4010 4x4	1	\$12,554.83	\$12,554.83
5	ATV - Honda FourTrax Foreman, or equal	Yamaha Grizzly 550 F1 Auto. 4x4	1	\$8,425.43	\$8,425.43
<b>TOTAL BID AMOUNT</b>					<b>64,813.43</b>

\*If bidding "or equal" brands, vendor must include manufacturer's literature documenting it meets the mandatory requirements stated in the specifications. Vendors should note the areas of the provided manufacturer's literature that adheres to the mandatory requirements outlined in the RFQ.

Items are to be delivered within forty-five (45) days to the following locations:

Item #1 WV Division of Natural Resources, Handley Run WMA, District 3 Office, French Creek, WV (Upshur County); Contact Rob Silvester (304-924-6211) for delivery instructions.

Item #2 WV Division of Natural Resources, Wildlife Center, District 3 DNR Office, French Creek, WV (Upshur County); Contact Rob Silvester (304-924-6211) for delivery instructions.

Item #3 WV Division of Natural Resources, East Lynn WMA, District 5 DNR Office, Point Pleasant, WV (Mason County); Contact person: Randall Kelley (304-675-0871) for delivery information.

Item #4 WV Division of Natural Resources, Conaway Run WMA, District 6 Office, Parkersburg, WV (Wood County); Contact Jeff McCrady (304-420-4550) for delivery instructions.

Item #5 WV Division of Natural Resources, Hughes River WMA, District 6 Office, Parkersburg, WV (Wood County); Contact Jeff McCrady (304-420-4550) for delivery instructions.

**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.

Burns Industrial Equipment

\_\_\_\_\_  
(Company)



\_\_\_\_\_  
(Authorized Signature)

Christopher Burns, President

\_\_\_\_\_  
(Representative Name, Title)

304-755-9333

304-755-9326

\_\_\_\_\_  
(Phone Number)

\_\_\_\_\_  
(Fax Number)

2/26/14

\_\_\_\_\_  
(Date)

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 exceeds 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: Burns Industrial Equipment

Authorized Signature: *[Signature]* Date: 2/26/14

State of Pennsylvania

County of Allegheny, to-wit:

Taken, subscribed, and sworn to before me this 26<sup>th</sup> day of February, 2014.

My Commission expires July 13, 2016.

**AFFIX SEAL HERE**

COMMONWEALTH OF PENNSYLVANIA  
Notarial Seal  
Thomas M. Joos Jr., Notary Public  
Plum Boro, Allegheny County  
My Commission Expires July 13, 2016  
MEMBER, PENNSYLVANIA ASSOCIATION OF NOTARIES

NOTARY PUBLIC *[Signature]*



# 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: Burns Industrial Equipment

Signed: 

Date: 2/26/14

Title: President



Division of Natural Resources - Various Locations

QTY	Description/Requirements	Price	Extended
2	Kawasaki Mule 4010 4x4	\$15,339.17	\$30,678.34
	1 Year warranty		
	600 cc liquid cooled gas		
	Continuous variable automatic transmission with high/low range, neutral & reverse		
	2WD / 4WD Selectable with locking diff		
	Steel cargo dump box 800 lb capacity		
	Enclosed hard cab with windshield & steel doors		
	2" hitch receiver w/1000 lb tow capacity		
	Winch with minimum pull power of 3500 lb		
	four wheel drive		
	Freight	\$300.00	\$600.00
	Total:	\$15,639.17	\$31,278.34

QTY	Description/Requirements	Price	Extended
2	Kawasaki Mule 4010 4x4	\$12,254.83	\$24,509.66
	1 Year warranty		
	600 cc liquid cooled gas		
	Continuous variable automatic transmission with high/low range, neutral & reverse		
	2WD / 4WD Selectable with locking diff		
	Steel cargo dump box 800 lb capacity		
	Windshield and hard top		
	2" hitch receiver w/1000 lb tow capacity		
	Winch with minimum pull power of 3500 lb		
	four wheel drive		
	Freight	\$300.00	\$600.00
	Total:	\$12,554.83	\$25,109.66

QTY	Description/Requirements	Price	Extended
1	2014 Yamaha Grizzly 550 FI Auto. 4x4	\$8,125.43	\$8,125.43
	6 month factory warranty		
	Yamaha On-Command® pushbutton; 3-way locking differential; 2WD, 4WD, locked 4WD		
	Shaft Drive		
	558cc, 4-stroke, liquid-cooled single; SOHC, 4 valves		
	Yamaha Ultramatic® V-belt with all-wheel engine braking/H, L, N, R, P		
	Independent double wishbone; 5-way preload adjustment, 7.1-in travel		
	skid plates & bumper guard		
	Dual Hydraulic Disc Brakes - Front & Rear		
	10.1" ground clearance		
	Dual 35W Halogen multireflector headlights & 21W/5W brakelight		
	12 volt automotive style electric outlet		
	Digital LCD multifunction display; speedometer, odometer, dual tripmeter, hour meter, clock;		
	fuel gauge and gear position		
	5.3 gallon fuel tank		
	Front Tires AT25 x 8-12 / Rear Tires AT25 x 10-12		
	fully assembled, Hunter Green		
	Freight	\$300.00	\$300.00
	Total:	\$8,425.43	\$8,425.43

**TOTAL ALL EQUIPMENT: 64,813.43**



1050 Rico Road  
 Monroeville, PA 15146  
 (412) 856-9253

206 Smiley Drive  
 St. Albans, WV 25177  
 (304) 755-9333

17761 Maryland Highway  
 Swanton, MD 21561  
 (301) 359-5051