

State of West Virginia Request for Quotation 36 — Vehicles

Proc Folder: 362705

Doc Description: Addendum Four-VARIOUS SCHOOL BUSES FY2018

Proc Type: Central Master Agreement

Date Issued	Solicitation Closes		No	Version
2017-10-27	2017-10-31 13:30:00	CRFQ	0402 EDD1800000002	5

BID CLERK

DEPARTMENT OF ADMINISTRATION

PURCHASING DIVISION

2019 WASHINGTON ST E

CHARLESTON

W

25305

US

Vendor Name, Address and Telephone Number:

Matheny Motor Truck Co. 50 Matheny Lane Mineral Wells, WV 26150 304 485-4418 ext. 2544

10/31/17 12:00:21
*** Purchasing Division

FOR INFORMATION CONTACT THE BUYER

Charles D Barnette (304) 558-2566

charles.d.barnette@wv.gov

Signature X

FEIN #

55-032-0770

DATE 10/31/17

All offers subject to all terms and conditions contained in this solicitation

Page: 1

FORM ID: WV-PRC-CRFQ-001

REQUEST FOR QUOTATION SWC SBUS18 FOR SCHOOL BUSES CRFQ EDD1800000002

either be replaced, or the Agency shall receive a full credit or refund for the purchase price, at the Agency's discretion.

6.5 Return Due to Agency Error: Items ordered in error by the Agency will be returned for credit within 30 days of receipt, F.O.B. Vendor's location. Vendor shall not charge a restocking fee if returned products are in a resalable condition. Items shall be deemed to be in a resalable condition if they are unused and in the original packaging. Any restocking fee for items not in a resalable condition shall be the lower of the Vendor's customary restocking fee or 5% of the total invoiced value of the returned items.

7. MISCELLANEIOUS:

- 7.1 No Substitutions: Vendor shall supply only Desired Items submitted in response to the RFQ. Vendor shall not supply substitute items without Purchasing Division approval.
- 7.2 Vendor Supply: Vendor must carry sufficient inventory of the Desired Items being offered to fulfill its obligations under this Contract. By signing its bid, Vendor certifies that it can supply the Desired Items contained in its bid response.
- 7.3 Reports: Vendor shall provide quarterly reports and annual summaries to the Agency showing the Agency's items purchased, quantities of items purchased, and total dollar value of the items purchased. Vendor shall also provide reports, upon request, showing the items purchased during the term of this Contract, the quantity purchased for each of those items, and the total value of purchases for each of those items. Failure to supply such reports may be grounds for cancellation of this Contract.
- 7.4 Contract Manager: During its performance of this Contract, Vendor must designate and maintain a primary contract manager responsible for overseeing Vendor's responsibilities under this Contract. The Contract manager must be available during normal business hours to address any customer service or other issues related to this Contract.

	Larry Fowler
Vendor's Address:	50 Matheny Lane
#ATTACAGE ATTACAGE A	Mineral Wells, WV 26150
Telephone Number:	304 485-4418
Fax Number:	304 489-0061
Email Address: 1f	owler@mathenymotors.com

DELIVERY: Bidders must state number of days after receipt of order (ARO) for bus delivery. Number of days for delivery shall be no greater than 120 days. This does include "letters of intent". Buses will be delivered within 120 days ARO. Vendor Name : Matheny Motor Truck Company _____ Address: ____50 Matheny Lane ____Mineral Wells, WV 26150__ ____ Phone: 304 485-4418 Toll Free Phone Number: 800 284-4418 Fax: 304 489-0061 Email: <u>Ifowler@mathenymotors.com</u> Vendor's Representative: Larry Fowler (Print Name) 10/31/17 (Date)

1. TRANSIT UNITS

71 Passenger:

230HP, FE	\$ <u>89,346</u>
230HP, RE	\$ 97,093
Delivery to Charleston, WV	\$ 650.00

77 Passenger:

230HP, FE	\$ 93,336
230HP, RE	\$ 100,323
Delivery to Charleston, WV	\$ 650.00

84 Passenger:

245HP, FE	\$_	94,680
245HP, RE	\$_	103,208
Delivery to Charleston	\$	650.00

245HP, FE	\$ 94,974
245HP, RE	\$105,066
Delivery to Charleston, WV	\$ 650.00

2. CONVENTIONAL UNITS

24 Passenger:

Type A - 130HP	\$_	NB
Type A – LPG fueled	\$_	NB
Type A – Gasoline	\$_	52,284
Type B ~ 130HP	\$_	NB
Delivery to Charleston, WV	\$	650.00

30 Passenger:

Type A - 130HP	\$	NB
Type A – LPG fueled	\$	NB
Type A – Gasoline	\$	52,584
Type B 130HP	\$	NB
Delivery to Charleston, WV	2	650.00

35 Passenger:

Regular - 200HP	\$ <u>77,410</u>
Regular – LPG fueled	\$ NB
Delivery to Charleston, WV	\$ 650.00

47 Passenger:

Regular - 200HP	\$_	77,961
Regular LPG fueled	\$_	87,011
Regular - 210HP	\$	78,328
Delivery to Charleston, WV – F/47 Passenger, Conv. Unit Diesel	\$	650.00
Delivery to Charleston, WV - F/47 Passenger, Conv. Unit Propane	S	650.00

Regular - 200HP	\$_	79,293
Regular – LPG fueled	\$_	86,903
Regular - 210HP	\$_	79,634
Delivery to Charleston, WV – F/53 Passenger, Conv. Unit Diesel	\$	650.00
Delivery to Charleston, WV – F/53 Passenger, Conv. Unit Propane	\$	650.00

EXHIBIT B

ADDENDUM NO. 3: SWCSBUS18 - Revised Pricing Pages

59 Passenger:

Regular - 220HP	\$_	80,031
Regular – LPG fueled	\$_	88,020
Delivery to Charleston, WV – F/59 Passenger, Conv. Unit Diesel	\$	650.00
Delivery to Charleston, WV - F/59 Passenger, Conv. Unit Propane	\$	650.00

65 Passenger:

Regular - 230HP	\$_	80,330
Regular – LPG fueled	\$_	89,684
Delivery to Charleston, WV – F/65 Passenger, Conv. Unit Diesel	\$	650.00
Delivery to Charleston, WV – F/65 Passenger, Conv. Unit Propane	\$	650.00

71 Passenger:

Regular - 230HP	\$_	81,231
Regular – LPG fueled	\$_	89,934
Delivery to Charleston, WV – F/71 Passenger, Conv. Unit Diesel	\$	650.00
Delivery to Charleston, WV - F/71 Passenger, Conv. Unit Propane	S	650.00

Regular - 230HP	\$_	84,521
Regular - LPG fueled	\$_	90,973
Delivery to Charleston, WV – F/77 Passenger, Conv. Unit Diesel	\$	650.00
Delivery to Charleston, WV – F/77 Passenger, Conv. Unit Propane	\$	650.00

3. TYPE C - CONVENTIONAL GASOLINE POWERED ENGINE

35	Passenger:
30	rasstilyti.

Type C – Gasoline Engine	\$_	NB
Delivery to Charleston, WV – F/35 Passenger, Conv. Gasoline	\$	NA

47 Passenger:

Type C – Gasoline Engine	\$ NB	
Delivery to Charleston, WV – F/47 Passenger, Conv. Gasoline	\$ NA	

53 Passenger:

Type C – Gasoline Engine	\$ NB
Delivery to Charleston, WV – F/53 Passenger, Conv. Gasoline	\$ NA

59 Passenger:

Type C – Gasoline Engine	\$ NB
Delivery to Charleston, WV - F/59 Passenger, Conv. Gasoline	\$ NA

65 Passenger:

Type C - Gasoline Engine	\$ NB
Delivery to Charleston, WV – F/65 Passenger, Conv. Gasoline	\$ NA

71 Passenger:

Type C - Gasoline Engine	\$ NB
Delivery to Charleston, WV - F/71 Passenger, Conv. Gasoline	\$ NA

Type C – Gasoline Engine	\$ NB
Delivery to Charleston, WV – F/77 Passenger, Conv. Gasoline	\$ NA

4. SPECIAL NEEDS - CONVENTIONAL GASOLINE POWERED ENG	INE	
35 Passenger:		
Type C – Gasoline Engine Delivery to Charleston, WV – F/35 Passenger, Conv. Gasoline	\$ \$	NB NA
47 Passenger:		
Type C – Gasoline Engine Delivery to Charleston, WV – F/47 Passenger, Conv. Gasoline	\$ \$	NB NA
53 Passenger:		
Type C – Gasoline Engine Delivery to Charleston, WV – F/53 Passenger, Conv. Gasoline	\$ \$	NB NA
59 Passenger:		
Type C – Gasoline Engine Delivery to Charleston, WV – F/59 Passenger, Conv. Gasoline	\$ \$	NB NA
65 Passenger:		
Type C – Gasoline Engine Delivery to Charleston, WV – F/65 Passenger, Conv. Gasoline	\$ \$	NB NA
71 Passenger:		
Type C – Gasoline Engine Delivery to Charleston, WV – F/71 Passenger, Conv. Gasoline	\$ \$	NB NA
77 Passenger:		
Type C Gasoline Engine Delivery to Charleston, WV F/77 Passenger, Conv. Gasoline	\$ \$	NB NA

5. SPECIAL NEEDS - CONVENTIONAL

35 Passenger:	
200HP	\$ 80,992
LPG fueled	\$NB
Delivery to Charleston, WV – F/35 Passenger, Conv. Unit	\$ 650.00
47 Passenger:	
220HP	\$ <u>80,931</u>
LPG fueled	\$ <u>91,098</u>
Delivery to Charleston, WV – F/47 Passenger, Conv. Unit	\$ 650.00
53 Passenger:	
220 HP	\$ 81,524
LPG fueled	\$ <u>90,261</u>
Delivery to Charleston, WV – F/53 Passenger, Conv. Unit	\$ 650.00
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59 Passenger:	
220 HP	\$ 83,019
LPG fueled	\$ 91,721
Delivery to Charleston, WV – F/59 Passenger, Conv. Unit	\$ 650.00
65 Passenger:	
230 HP	\$ <u>84,844</u>
LPG fueled	\$ <u>93,636</u>
Delivery to Charleston, WV – F/65 Passenger, Conv. Unit	\$ 650.00
74 Page 1997	
71 Passenger: 230 HP	
	\$ <u>85,607</u>
LPG fueled	\$ 94,117
Delivery to Charleston, WV – F/71 Passenger, Conv. Unit	\$ 650.00
77 Passenger:	
230 HP	\$ 89,466
LPG fueled	\$ 95,369
Delivery to Charleston, WV – F/77 Passenger, Conv. Unit	\$ 650.00
	4 000.00

ADDENDUM ACKNOWLEDGEMENT FORM SOLICITATION NO.: EDD1800000002

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.

(Check the bo	ox next to each addendum	n receive	d)	
[x]	Addendum No. 1	[]	Addendum No. 6
[x]	Addendum No. 2	[]	Addendum No. 7
[x]	Addendum No. 3	[]	Addendum No. 8
[_X]	Addendum No. 4	[]	Addendum No. 9

Addendum Numbers Received:

Addendum No. 5

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.

Addendum No. 10

Company
Authorized Signature

10/31/17

Date

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

Revised 6/8/2012

DESIGNATED CONTACT: Vendor appoints the individual identified in this Section as the Contract Administrator and the initial point of contact for matters relating to this Contract.

Larry Fowler (Name, Title)	Sales Manager
(Printed Name and Title)	
50 Matheny Lane (Address)	Mineral Wells, WV 26150
304 485-4418 F (Phone Number) / (Fax Number)	Fax 304 489-0061 er)
lfowler@mathenymo(email address)	otors.com

CERTIFICATION AND SIGNATURE: By signing below, or submitting documentation through wvOASIS, I certify that I have reviewed this Solicitation in its entirety; that I understand the requirements, terms and conditions, and other information contained herein; that this bid, offer or proposal constitutes an offer to the State that cannot be unilaterally withdrawn; that the product or service proposed meets the mandatory requirements contained in the Solicitation for that product or service, unless otherwise stated herein; that the Vendor accepts the terms and conditions contained in the Solicitation, unless otherwise stated herein; that I am submitting this bid, offer or proposal for review and consideration; that I am authorized by the vendor to execute and submit this bid, offer, or proposal, or any documents related thereto on vendor's behalf; that I am authorized to bind the vendor in a contractual relationship; and that to the best of my knowledge, the vendor has properly registered with any State agency that may require registration.

Matheny Motor Truck Co.
(Company))
Hart Inula Sales Minney
(Authorized Signature) (Representative Name, Title)
Larry Fowler Sales Manager
(Printed Name and Title of Authorized Representative)
10/31/17 (Date)
304 485-4418 Fax 304 489-0061
(Phone Number) (Fax Number)

WV-10 Approved / Revised 12/16/15

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 Vendor Preference, if applicable.

	Application is made for 2.5% 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;
	Bidder is a resident vendor partnership, association, or corporation with at least eighty percent of ownership interest of bidder held by another entity that meets the applicable four year residency requirement; 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% 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% vendor preference for the reason checked: Bidder is a nonresident vendor that employs a minimum of one hundred state residents, or a nonresident vendor which has an affiliate or subsidiary which maintains its headquarters or principal place of business within West Virginia and employs a minimum of one hundred state residents, and for purposes of producing or distributing the commodities or completing the project which is the subject of the bidder's bid and continuously over the entire term of the project, on average at least seventy-five percent of the bidder's employees or the bidder's affiliate's or subsidiary's employees are residents of West Virginia who have resided in the state continuously for the two immediately preceding years and the vendor's bid; or,
4.	Application is made for 5% 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,
<u>5.</u>	Application is made for 3.5% 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% 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.
	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.
or (b) as	inderstands if the Secretary of Revenue determines that a Bidder receiving preference has failed to continue to meet the nents for such preference, the Secretary may order the Director of Purchasing to: (a) rescind the contract or purchase order; sess a penalty against such Bidder in an amount not to exceed 5% of the bid amount and that such penalty will be paid to racting agency or deducted from any unpaid balance on the contract or purchase order.
the requi	hission of this certificate, Bidder agrees to disclose any reasonably requested information to the Purchasing Division and es the Department of Revenue to disclose to the Director of Purchasing appropriate information verifying that Bidder has paid ired business taxes, provided that such information does not contain the amounts of taxes paid nor any other information by the Tax Commissioner to be confidential.
and if ar	nereby certifies that this certificate is true and accurate in all respects; and that if a contract is issued to Bidder nything contained within this certificate changes during the term of the contract, Bidder will notify the Purchassion in writing immediately.
Bidder:_	Matheny Motor Truck Co. Signed: Aug hur four
Date:	
*Check an	ny combination of preference consideration(s) indicated above, which you are entitled to receive.

STATE OF WEST VIRGINIA Purchasing Division

PURCHASING AFFIDAVIT

CONSTRUCTION CONTRACTS: Under W. Va. Code § 5-22-1(i), the contracting public entity shall not award a construction contract to any bidder that is known to be in default on any monetary obligation owed to the state or a political subdivision of the state, including, but not limited to, obligations related to payroll taxes, property taxes, sales and use taxes, fire service fees, or other fines or fees.

ALL OTHER CONTRACTS: 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: (1) for construction contracts, the vendor is not in default on any monetary obligation owed to the state or a political subdivision of the state, and (2) for all other contracts, 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:

5481 Elizabeth Pike Elizabeth. WV 26143 My Commission Expires Dec: 8; 2818

Vendor's Name: Matheny Motor Truck Co.	
Authorized Signature: Date:	10/31/17
State of WV	
County of wood, to-wit:	
Taken, subscribed, and sworn to before me this 31 day of Oct	, 20 <u>17</u> .
My Commission expires 2018.	
AFFIX SEAL HERE OFFICIAL SEAL NOTARY PUBLIC NOTARY PUBLIC	rchasing Affidavit (Revised 07/07/2017)

West Virginia Ethics Commission



Disclosure of Interested Parties to Contracts

Pursuant to W. Va. Code § 6D-1-2, a state agency may not enter into a contract, or a series of related contracts, that has/have an actual or estimated value of \$100,000 or more until the business entity submits to the contracting state agency a Disclosure of Interested Parties to the applicable contract. In addition, the business entity awarded a contract is obligated to submit a supplemental Disclosure of Interested Parties reflecting any new or differing interested parties to the contract within 30 days following the completion or termination of the applicable contract.

For purposes of complying with these requirements, the following definitions apply:

"Business entity" means any entity recognized by law through which business is conducted, including a sole proprietorship, partnership or corporation.

"Interested party" or "Interested parties" means:

- (1) A business entity performing work or service pursuant to, or in furtherance of, the applicable contract, including specifically sub-contractors;
- (2) the person(s) who have an ownership interest equal to or greater than 25% in the business entity performing work or service pursuant to, or in furtherance of, the applicable contract. (This subdivision does not apply to a publicly traded company); and
- (3) the person or business entity, if any, that served as a compensated broker or intermediary to actively facilitate the applicable contract or negotiated the terms of the applicable contract with the state agency. (This subdivision does not apply to persons or business entities performing legal services related to the negotiation or drafting of the applicable contract.)

"State agency" means a board, commission, office, department or other agency in the executive, judicial or legislative branch of state government, including publicly funded institutions of higher education: Provided, that for purposes of W. Va. Code § 6D-1-2, the West Virginia Investment Management Board shall not be deemed a state agency nor subject to the requirements of that provision.

The contracting business entity must complete this form and submit it to the contracting state agency prior to contract award and to complete another form within 30 days of contract completion or termination.

This form was created by the State of West Virginia Ethics Commission, 210 Brooks Street, Suite 300, Charleston, WV 25301-1804. Telephone: (304)558-0664; fax: (304)558-2169; e-mail: ethics@wv.gov; website: www.ethics.wv.gov.

West Virginia Ethics Commission

Disclosure of Interested Parties to Contracts

Contracting business entity:Matheny Motor Truck Co
Address: 50 Matheny Lane Mineral Wells, WV 26150
Contracting business entity's authorized agent: <u>Larry Fowler</u>
Address: 50 Matheny Lane Mineral Wells, WV 26150
Number or title of contract: SWCSBUS18
Type or description of contract: <u>Various School Buses</u>
Governmental agency awarding contract: <u>WV Department of Education</u>
Names of each Interested Party to the contract known or reasonably anticipated by the contracting business entity (attach additional pages if necessary):
Signature: Date Signed: 10/31/17 Check here if this is a Supplemental Disclosure.
Verification
State of, County of, the authorized agent of the contracting bysiness entity listed above, being duly sworn, acknowledges that the Disclosure herein is being made under oath and under the penalty of perjury.
Taken sweet deficiency cribed before me this 3 day of 0 d
To be completed by State Agency:
Date Received by State Agency:
Date submitted to Ethics Commission:
Governmental agency submitting Disclosure: