

RECEIVED

2020 MAR 10 AM 8:50

STATE OF WEST VIRGINIA  
Purchasing Division

WV 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 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: (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:**

Vendor's Name: United Dairy, Inc.

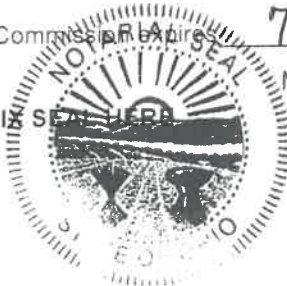
Authorized Signature: [Signature] Date: 3-6-20

State of Ohio

County of Belmont, to-wit:

Taken, subscribed, and sworn to before me this 6 day of March, 2020.

My Commission Expires 7-30, 2020.



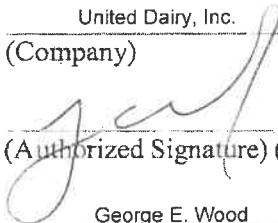
MICHELLE VANNEST  
NOTARY PUBLIC  
STATE OF OHIO  
Comm. Expires  
07-30-2024

NOTARY PUBLIC Michelle Vannest

**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.

Branch Mgr.  
\_\_\_\_\_  
(Name, Title)  
Rich Farber, Branch Mgr.  
\_\_\_\_\_  
(Printed Name and Title)  
6 Garvin Dairy Rd, Fairmont, WV 26554  
\_\_\_\_\_  
(Address)  
304-363-6400/304-366-3755  
\_\_\_\_\_  
(Phone Number) / (Fax Number)  
rfarber@uniteddairy.com  
\_\_\_\_\_  
(email address)

**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.

United Dairy, Inc.  
\_\_\_\_\_  
(Company)  
  
\_\_\_\_\_  
(Authorized Signature) CFO/VP  
George E. Wood CFO/VP  
\_\_\_\_\_  
(Printed Name and Title of Authorized Representative)

3-6-20  
\_\_\_\_\_  
(Date)  
1-800-252-1542 / 1-740-633-5641  
\_\_\_\_\_  
(Phone Number) (Fax Number)

REQUEST FOR QUOTATION  
DAIRY PRODUCTS FOR MCA

---

7.2 The following remedies shall be available to Agency upon default.

7.2.1 Immediate cancellation of the Contract.

7.2.2 Immediate cancellation of one or more release orders issued under this Contract.

7.2.3 Any other remedies available in law or equity.

**8. MISCELLANEOUS:**

8.1 **No Substitutions:** Vendor shall supply only Contract Items submitted in response to the Solicitation unless a contract modification is approved in accordance with the provisions contained in this Contract.

8.2 **Vendor Supply:** Vendor must carry sufficient inventory of the Contract Items being offered to fulfill its obligations under this Contract. By signing its bid, Vendor certifies that it can supply the Contract Items contained in its bid response.

8.3 **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.

8.4 **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. Vendor should list its Contract manager and his or her contact information below.

**Contract Manager:** RICH FARBER  
**Telephone Number:** 304-363-6400  
**Fax Number:** 304-366-3755  
**Email Address:** rfarber@uniteddairy.com



Purchasing Division  
 2019 Washington Street East  
 Post Office Box 50130  
 Charleston, WV 25305-0130

State of West Virginia  
 Request for Quotation  
 15 - Food

Proc Folder: 651717

Doc Description: Dairy Products at Mountaineer Challenge Academy Camp Dawson

Proc Type: Central Master Agreement

Date Issued	Solicitation Closes	Solicitation No	Version
2020-02-25	2020-03-11 13:30:00	CRFQ 0603 ADJ2000000016	1

**BID RECEIVING LOCATION**

BID CLERK  
 DEPARTMENT OF ADMINISTRATION  
 PURCHASING DIVISION  
 2019 WASHINGTON ST E  
 CHARLESTON WV 25305  
 US

**VENDOR**

Vendor Name, Address and Telephone Number:

UNITED DAIRY, INC.  
 300 N 5TH ST  
 MARTINS FERRY, OH 43935  
 1-800-252-1542

**FOR INFORMATION CONTACT THE BUYER**

John W Estep  
 (304) 558-7839  
 john.w.estep@wv.gov

Signature X

FEIN # 341141090

DATE 3-6-20

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

**ADDITIONAL INFORMATION:**

The West Virginia Purchasing Division is soliciting bids on behalf of Adjutant General's Office to establish an open-end contract for dairy products. Per the attached Documents

INVOICE TO		SHIP TO	
STATE FINANCE ADJUTANT GENERALS OFFICE 1703 COONSKIN DR		MOUNTAINEER CHALLENGE PROGRAM ADJUTANT GENERALS OFFICE 1001 ARMY RD	
CHARLESTON	WV25311-1085	KINGWOOD	WV 26537
US		US	

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
1	MILK 1/2 PINT, WHITE, LOW-FAT 1%	0.00000	EA	.306	7,650.00

Comm Code	Manufacturer	Specification	Model #
50131700	UNITED DAIRY		415

Extended Description :  
MILK 1/2 PINT, WHITE, LOW-FAT 1%

INVOICE TO		SHIP TO	
STATE FINANCE ADJUTANT GENERALS OFFICE 1703 COONSKIN DR		MOUNTAINEER CHALLENGE PROGRAM ADJUTANT GENERALS OFFICE 1001 ARMY RD	
CHARLESTON	WV25311-1085	KINGWOOD	WV 26537
US		US	

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
2	MILK 1.2 PINT, CHOCOLATE, FAT-FREE 0%	0 00000	EA	.298	2,980.00

Comm Code	Manufacturer	Specification	Model #
50131700	UNITED DAIRY, INC.		1215

Extended Description :  
MILK 1.2 PINT, CHOCOLATE, FAT-FREE 0%

INVOICE TO		SHIP TO	
STATE FINANCE ADJUTANT GENERALS OFFICE 1703 COONSKIN DR		MOUNTAINEER CHALLENGE PROGRAM ADJUTANT GENERALS OFFICE 1001 ARMY RD	
CHARLESTON	WV25311-1085	KINGWOOD	WV 26537
US		US	

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
3	MILK 1/2 PINT, WHITE, FAT-FREE 0%	0.00000	EA	.281	1,405.00

Comm Code	Manufacturer	Specification	Model #
50131700	UNITED DAIRY, INC		715

Extended Description :  
MILK 1/2 PINT, WHITE, FAT-FREE 0%

INVOICE TO		SHIP TO	
STATE FINANCE ADJUTANT GENERALS OFFICE 1703 COONSKIN DR  CHARLESTON WV25311-1085 US		MOUNTAINEER CHALLENGE PROGRAM ADJUTANT GENERALS OFFICE 1001 ARMY RD  KINGWOOD WV 26537 US	

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
4	MILK 1 GALLON, WHITE, LOW-FAT 1%	0.00000	EA	4.05	729.00

Comm Code	Manufacturer	Specification	Model #
50131700	UNITED DAIRY, INC.		405

Extended Description :  
MILK 1 GALLON, WHITE, LOW-FAT 1%

INVOICE TO		SHIP TO	
STATE FINANCE ADJUTANT GENERALS OFFICE 1703 COONSKIN DR  CHARLESTON WV25311-1085 US		MOUNTAINEER CHALLENGE PROGRAM ADJUTANT GENERALS OFFICE 1001 ARMY RD  KINGWOOD WV 26537 US	

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
5	SOUR CREAM, LOW-FAT 1%	0.00000	EA	7.00	1,225.00

Comm Code	Manufacturer	Specification	Model #
50131700	UNITED DAIRY, INC.		2023

Extended Description :  
SOUR CREAM, LOW-FAT 1%

INVOICE TO		SHIP TO	
STATE FINANCE ADJUTANT GENERALS OFFICE 1703 COONSKIN DR		MOUNTAINEER CHALLENGE PROGRAM ADJUTANT GENERALS OFFICE 1001 ARMY RD	
CHARLESTON	WV25311-1085	KINGWOOD	WV 26537
US		US	

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
6	COTTAGE CHEESE, LOW-FAT (SMALL CURD)	0.00000	EA	7.50	300.00

Comm Code	Manufacturer	Specification	Model #
50131700	UNITED DAIRY, INC.		2723

Extended Description :  
COTTAGE CHEESE, LOW-FAT (SMALL CURD)

INVOICE TO		SHIP TO	
STATE FINANCE ADJUTANT GENERALS OFFICE 1703 COONSKIN DR		MOUNTAINEER CHALLENGE PROGRAM ADJUTANT GENERALS OFFICE 1001 ARMY RD	
CHARLESTON	WV25311-1085	KINGWOOD	WV 26537
US		US	

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
7	BUTTER GRADE AA (>80 FAT) UNSALTED	0.00000	EA	NB	

Comm Code	Manufacturer	Specification	Model #
50131700			

Extended Description :  
BUTTER GRADE AA (>80 FAT) UNSALTED

SCHEDULE OF EVENTS
--------------------

Line	Event	Event Date
1	Technical Questions due by 10:00am est	2020-03-02