



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

# Request for Quotation

RFQ NUMBER  
**707C0017**

PAGE  
**1**

ADDRESS CORRESPONDENCE TO ATTENTION OF:  
**JOHN JOHNSTON**  
**304-558-2402**

VENDOR

\*709051055      304-744-3493  
**HOTSYS EQUIPMENT COMPANY**  
**2045 WILSON STREET**  
  
**DUNBAR WV 25064 2004**

SHIP TO

**DIVISION OF HIGHWAYS**  
**VARIOUS LOCALES AS INDICATED**  
**BY ORDER**

DATE PRINTED <b>04/09/2007</b>	TERMS OF SALE <b>NET 30</b>	SHIP VIA <b>MOTOR FREIGHT</b>	F.O.B. <b>BUCKHANNON</b>	FREIGHT TERMS <b>PREPAID</b>
BID OPENING DATE: <b>05/02/2007</b>		BID OPENING TIME <b>01:30PM</b>		

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	DR		485-56	\$158.50	\$158.50
<p><b>HOT WATER CLEANING COMPOUND</b></p> <p><b>OPEN END CONTRACT</b></p> <p><b>TO FURNISH HOT WATER CLEANING COMPOUND IN ACCORDANCE WITH THE ATTACHED SPECIFICATIONS.</b></p> <p><b>ESTIMATED QUANTITY 160 DRUMS PER YEAR.</b></p> <p><b>EXHIBIT 3</b></p> <p><b>LIFE OF CONTRACT: THIS CONTRACT BECOMES EFFECTIVE ON ..... AND EXTENDS FOR A PERIOD OF ONE (1) YEAR OR UNTIL SUCH "REASONABLE TIME" THEREAFTER AS IS NECESSARY TO OBTAIN A NEW CONTRACT OR RENEW THE ORIGINAL CONTRACT. THE "REASONABLE TIME" PERIOD SHALL NOT EXCEED TWELVE (12) MONTHS. DURING THIS "REASONABLE TIME" THE VENDOR MAY TERMINATE THIS CONTRACT FOR ANY REASON UPON GIVING THE DIRECTOR OF PURCHASING 30 DAYS WRITTEN NOTICE.</b></p> <p><b>UNLESS SPECIFIC PROVISIONS ARE STIPULATED ELSEWHERE IN THIS CONTRACT DOCUMENT, THE TERMS, CONDITIONS AND PRICING SET HEREIN ARE FIRM FOR THE LIFE OF THE CONTRACT.</b></p> <p><b>RENEWAL: THIS CONTRACT MAY BE RENEWED UPON THE MUTUAL WRITTEN CONSENT OF THE SPENDING UNIT AND VENDOR, SUBMITTED TO THE DIRECTOR OF PURCHASING THIRTY (30) DAYS PRIOR TO THE EXPIRATION DATE. SUCH RENEWAL SHALL BE IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE ORIGINAL CONTRACT AND SHALL BE LIMITED TO TWO (2) ONE</b></p>						

2007 MAY -2 A 11: 02  
 PURCHASING DIVISION  
 STATE OF WV

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE *Bill Smith*      TELEPHONE **304-744-3493**      DATE **5/2/2007**

TITLE **GENERAL MANAGER**      FEIN **55-0612545**      ADDRESS CHANGES TO BE NOTED ABOVE

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



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DATE PRINTED 04/09/2007	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
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<p>(1) YEAR PERIODS.</p> <p>CANCELLATION: THE DIRECTOR OF PURCHASING RESERVES THE RIGHT TO CANCEL THIS CONTRACT IMMEDIATELY UPON WRITTEN NOTICE TO THE VENDOR IF THE COMMODITIES AND/OR SERVICES SUPPLIED ARE OF AN INFERIOR QUALITY OR DO NOT CONFORM TO THE SPECIFICATIONS OF THE BID AND CONTRACT HEREIN.</p> <p>OPEN MARKET CLAUSE: THE DIRECTOR OF PURCHASING MAY AUTHORIZE A SPENDING UNIT TO PURCHASE ON THE OPEN MARKET, WITHOUT THE FILING OF A REQUISITION OR COST ESTIMATE, ITEMS SPECIFIED ON THIS CONTRACT FOR IMMEDIATE DELIVERY IN EMERGENCIES DUE TO UNFORESEEN CAUSES (INCLUDING BUT NOT LIMITED TO DELAYS IN TRANSPORTATION OR AN UNANTICIPATED INCREASE IN THE VOLUME OF WORK.)</p> <p>QUANTITIES: QUANTITIES LISTED IN THE REQUISITION ARE APPROXIMATIONS ONLY, BASED ON ESTIMATES SUPPLIED BY THE STATE SPENDING UNIT. IT IS UNDERSTOOD AND AGREED THAT THE CONTRACT SHALL COVER THE QUANTITIES ACTUALLY ORDERED FOR DELIVERY DURING THE TERM OF THE CONTRACT, WHETHER MORE OR LESS THAN THE QUANTITIES SHOWN.</p> <p>ORDERING PROCEDURE: SPENDING UNIT(S) SHALL ISSUE A WRITTEN STATE CONTRACT ORDER (FORM NUMBER WV-39) TO THE VENDOR FOR COMMODITIES COVERED BY THIS CONTRACT. THE ORIGINAL COPY OF THE WV-39 SHALL BE MAILED TO THE VENDOR AS AUTHORIZATION FOR SHIPMENT, A SECOND COPY MAILED TO THE PURCHASING DIVISION, AND A THIRD COPY RETAINED BY THE SPENDING UNIT.</p> <p>BANKRUPTCY: IN THE EVENT THE VENDOR/CONTRACTOR FILES FOR BANKRUPTCY PROTECTION, THIS CONTRACT IS AUTOMATICALLY NULL AND VOID, AND IS TERMINATED WITHOUT FURTHER ORDER.</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Ben A...</i>	TELEPHONE 304-744-3493	DATE 5/2/2007
TITLE General Manager	FEIN 55-06/2545	ADDRESS CHANGES TO BE NOTED ABOVE

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<p>THE TERMS AND CONDITIONS CONTAINED IN THIS CONTRACT SHALL SUPERSEDE ANY AND ALL SUBSEQUENT TERMS AND CONDITIONS WHICH MAY APPEAR ON ANY ATTACHED PRINTED DOCUMENTS SUCH AS PRICE LISTS, ORDER FORMS, SALES AGREEMENTS OR MAINTENANCE AGREEMENTS, INCLUDING ANY ELECTRONIC MEDIUM SUCH AS CD-ROM.</p> <p>REV. 04/11/2001</p> <p>PURCHASING CARD ACCEPTANCE: THE STATE OF WEST VIRGINIA CURRENTLY UTILIZES A VISA PURCHASING CARD PROGRAM WHICH IS ISSUED THROUGH A BANK. THE SUCCESSFUL VENDOR MUST ACCEPT THE STATE OF WEST VIRGINIA VISA PURCHASING CARD FOR PAYMENT OF ALL ORDERS PLACED BY ANY STATE AGENCY FOR ORDERS THAT ARE LESS THAN \$2,500 AS A CONDITION OF AWARD.</p> <p>VENDOR PREFERENCE CERTIFICATE</p> <p>CERTIFICATION AND APPLICATION* IS HEREBY MADE FOR PREFERENCE IN ACCORDANCE WITH WEST VIRGINIA CODE, 5A-3-37 (DOES NOT APPLY TO CONSTRUCTION CONTRACTS).</p> <p>A. APPLICATION IS MADE FOR 2.5% PREFERENCE FOR THE REASON CHECKED:</p> <p>( ) 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</p> <p>(✓) BIDDER IS A PARTNERSHIP, ASSOCIATION OR CORPORATION RESIDENT VENDOR AND HAS MAINTAINED ITS HEAD-QUARTERS OR PRINCIPAL PLACE OF BUSINESS CONTINUOUSLY I</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Barrett</i>	TELEPHONE 304-744-3493	DATE 5/2/2007
TITLE GENERAL MANAGER	FEIN 55-0612545	ADDRESS CHANGES TO BE NOTED ABOVE

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<p>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</p> <p>( ) BIDDER IS A CORPORATION 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.</p> <p>B. APPLICATION IS MADE FOR 2.5% PREFERENCE FOR THE REASON CHECKED:</p> <p>(✓) 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;</p> <p>OR</p> <p>( ) 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 BIDDERS' AFFILIATE'S OR SUBSIDIARY'S EMPLOYEES ARE RESIDENTS OF WEST VIRGINIA</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
<i>[Signature]</i>	304-744-3493	5/2/2007
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE
GENERAL MANAGER	55-0612545	

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<p>WHO HAVE RESIDED IN THE STATE CONTINUOUSLY FOR THE TWO YEARS IMMEDIATELY PRECEDING SUBMISSION OF THIS BID.</p> <p>BIDDER UNDERSTANDS IF THE SECRETARY OF TAX &amp; 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) RESCIND THE CONTRACT OR PURCHASE ORDER ISSUED; 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.</p> <p>BY SUBMISSION OF THIS CERTIFICATE, BIDDER AGREES TO DISCLOSE ANY REASONABLY REQUESTED INFORMATION TO THE PURCHASING DIVISION AND AUTHORIZES THE DEPARTMENT OF TAX AND 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.</p> <p>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.</p> <p>BIDDER: <u>HOTSY EQUIPMENT COMPANY</u></p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>B. Johnston</i>	TELEPHONE <b>304-744-3493</b>	DATE <b>5/2/2007</b>
TITLE <b>GENERAL MANAGER</b>	FEIN <b>55-0612545</b>	ADDRESS CHANGES TO BE NOTED ABOVE

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V E N D O R
*709051055      304-744-3493 HOTSY EQUIPMENT COMPANY 2045 WILSON STREET DUNBAR WV 25064 2004

S H I P T O
DIVISION OF HIGHWAYS VARIOUS LOCALES AS INDICATED BY ORDER

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BID OPENING DATE AND TIME  PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID: ----- 304-744-3494 ----- CONTACT PERSON (PLEASE PRINT CLEARLY): ----- BILL SHULTZ -----  ***** THIS IS THE END OF RFQ 707C0017 ***** TOTAL: _____						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
	304-744-3493	5/2/2007
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE
GENERAL MANAGER	55-0612545	

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## SPECIFICATIONS FOR LIQUID HOT WATER CLEANING COMPOUND

1. This specification establishes the requirement for a hot water cleaning compound intended for use in high pressure hot water cleaning machines and which will not discolor in any way aluminum, chrome, and factory painted trucks, cars, and industrial equipment.
2. REQUIREMENTS:
  - A. QUALIFICATION: The cleaning compounds furnished under this specification shall be a product which has been tested and has passed the qualification and tests specified.
  - B. TEMPERATURE STABILITY: The cleaning compound must not break down in field tests at 210°F and pressure of 100 psi. During the field test it must maintain stability and clean surfaces without spotting or streaking when left in the sun to dry.
  - C. STORAGE: The cleaning compound shall not separate, crystalize, no show other visable evidence of deterioration during a 6 month storage period.
  - D. FIELD PERFORMANCE TESTS: The tests performed by the Equipment Division of the WV Division of Highways shall consist of field evaluation conducted in accordance with Standard Operation Procedures on the following:
    - (1) One enamel painted piece of industrial equipment. Must clean exterior satisfactorily.
    - (2) One car, factory painted with acrylic. Must clean exterior and not streak after being rinsed with cold water.
    - (3) One dump truck. Steam clean exterior, undercarriage, engine and engine compartment. Must remove dirt, mud, salt, calcium, grease, etc.
    - (4) One chemical spreader. Must remove salt, calcium, hydraulic oil and grease.
    - (5) One crawler tractor. Steam clean exterior, undercarriage, tracks, track frames, engine and engine compartment. Must remove mud, hydraulic oil, engine oil, grease, etc.



- E. MATERIALS: The materials used in the manufacture of of the cleaning compound shall be of high quality, suitable for the purpose intended and when finally compounded shall form a sediment-free hot water cleaning compound meeting the requirements of this specification. All anionic and nonionic compounds shall be at least 80 percent biodegradable. The material shall contain at least 12% active solids.
- F. LABORATORY TESTING:
- (1) The Ph of the material shall be at least 8.0 when tested in accordance with ASTM D1172.
  - (2) The material shall retain its original uniformity after three freeze-thaw cycles. The material, as recieved, shall be placed in a freezer a  $0 \pm 5^{\circ}$  F overnight, allowed to stand at room temperature during the day. This shall be performed on three consecutice days. The test material shall not separate into distinct layers.
  - (3) The product when diluted as per manufacturer's instructions, shall be instantly soluble in water and shall no become cloudy or precipitate.
- G. The manufacturer shall provide certification for the 80% biodegradable and active solids contents.
3. ACCEPTANCE SAMPLING: For the purpose of acceptance, the State may take samples at random from each shipment of cleaning compound. These samples will be taken by Department personnel for testing purposes prior to delivery. A one gallon sample will be required.
4. Material to be stored for shippment in 55 gallon metal drums, or plastic drums.
- A. Drums are to be NEW not reconditioned
  - B. Drums shall be 20-18 gauge steel

***Equipment Division***

WV Division of Highways  
PO Box 610  
Buckhannon, WV 26201  
ATTENTION: Kevin Riley (FOUR COPYS)

WVDOT/Division of Highways  
D-1  
1340 Smith St.  
Charleston, WV 25301  
Attn: Melissa Mullens

WVDOT/Division of Highways  
D-2  
Po. Box 880  
Huntington, WV 25712  
Attn: Keith Chapman

WVDOT/Division of Highways  
D-3  
626 Depot St.  
Parkersburg, WV 26101  
Attn: Mark Kimes

WVDOT/Division of Highways  
D-4  
P.O. BOX 2570  
Clarksburg, WV 26301  
Attn: John Bartlett

WVDOT/Division of Highways  
D-5  
PO BOX 99  
BURLINGTON, WV 26710  
Attn: Pat Broadhurst

WVDOT/Division of Highways  
D-6  
Third & Jefferson St.  
Moundsville, WV 26041  
Attn: Beverly Agnew

WVDOT/Division Highways  
D-7  
Drawer 1228  
Weston, WV 26452  
Attn: Melissa Jordan

WVDOT/Division of Highways  
D-8  
PO Box 1516  
Elkins, WV 26241  
Attn: Debbie Barnett

WVDOT/Division of Highways  
D-9  
103 ½ Church Street  
Lewisburg, WV 24901  
Attn: Keith Brown

WVDOT/Division of Highways  
D-10  
270 Hardwood Lane  
Princeton, WV 24740  
Attn: Tommy Camden

# AFFIDAVIT

## West Virginia Code §5A-3-10a states:

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 the debt owned is an amount greater than one thousand dollars in the aggregate

## 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.

"Debtor" means any individual, corporation, partnership, association, limited liability company or any other form or business association owing a debt to the state or any of its political subdivisions. "Political subdivision" means any county commission; municipality; county board of education; any instrumentality established by a county or municipality; any separate corporation or instrumentality established by one or more counties or municipalities, as permitted by law; or any public body charged by law with the performance of a government function or whose jurisdiction is coextensive with one or more counties or municipalities. "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.

## EXCEPTION:

The prohibition of this section does not apply where a vendor has contested any tax administered pursuant to chapter eleven of this 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.

## LICENSING:

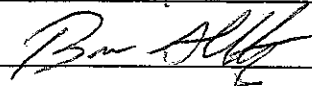
Vendors must be licensed and in good standing in accordance with any and all state and local laws and requirements by any state or local agency of West Virginia, including, but not limited to, the West Virginia Secretary of State's Office, the West Virginia Tax Department, West Virginia Insurance Commission, or any other state agencies or political subdivision. Furthermore, the vendor must provide all necessary releases to obtain information to enable the Director or spending unit to verify that the vendor is licensed and in good standing with the above entities.

## CONFIDENTIALITY:

The vendor agrees that he or she will not disclose to anyone, directly or indirectly, any such personally identifiable information or other confidential information gained from the agency, unless the individual who is the subject of the information consents to the disclosure in writing or the disclosure is made pursuant to the agency's policies, procedures and rules. Vendors should visit [www.state.wv.us/admin/purchase/privacy](http://www.state.wv.us/admin/purchase/privacy) for the Notice of Agency Confidentiality Policies.

Under penalty of law for false swearing (West Virginia Code, §61-5-3), it is hereby certified that the vendor acknowledges the information in this said affidavit and are in compliance with the requirements as stated.

Vendor's Name: HOTSY EQUIPMENT COMPANY

Authorized Signature: 

Date: 5/2/2007