



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  
**DNR80171**

PAGE  
**1**

ADDRESS CORRESPONDENCE TO ATTENTION OF  
**BUTCH CHITTUM**  
**304-558-8806**

VENDOR

\*709043435      304-372-9875  
 FAIRPLAIN TRACTOR SALES INC  
 PO BOX 787  
 RIPLEY WV 25271

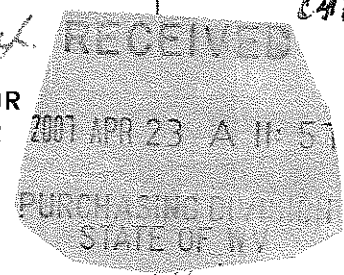
SHIP TO

DIVISION OF NATURAL RESOURCES  
 VARIOUS LOCALES AS INDICATED  
 BY ORDER

DATE PRINTED <b>04/01/2007</b>	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
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BID OPENING DATE: **04/25/2007**      BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	EA		020-89 FOUR WHEEL DRIVE, DIESEL FARM TRACTOR <i>New Holland TN85DA, Cab &amp; Air</i> NEW HOLLAND TN85DA, OR EQUAL OR JOHN DEERE 5425, OR EQUAL.		<b>\$31000.00</b> <i>CMF</i>
0002	1	EA		020-89 FOUR WHEEL DRIVE, DIESEL, FARM TRACTOR <i>TN75 New Holland N.H. Loader as spec.</i> NEW HOLLAND TN75A WITH 810TL LOADER, OR EQUAL OR JOHN DEERE 5425 WITH 542NSL LOADER, OR EQUAL OR QUICKE BRAND Q30 FRONT END LOADER, OR EQUAL		<b>\$28832.00</b> <i>CMF</i>
0003	1	EA		020-89 TWO WHEEL DRIVE, DIESEL, FARM TRACTOR <i>New Holland TN70 2whxldr w/cab</i> NEW HOLLAND TN70DA WITH 810 TL LOADER, OR EQUAL OR JOHN DEERE 5325 WITH 542NSL LOADER, OR EQUAL		<b>\$29775.00</b>
0004	1	EA		020-89 FOUR WHEEL DRIVE, DIESEL, FARM TRACTOR <i>TN70 4wheelldr w/loader</i> NEW HOLLAND TN70A WITH 810TL LOADER, OR EQUAL OR JOHN DEERE 5325 WITH 542NSL LOADER, OR EQUAL		<b>\$26985.00</b>



SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE: *Canell G Fisher*      TELEPHONE: **304-372-9875**      DATE: **4/19/07**  
 TITLE: *President*      FEIN: **550540441**      ADDRESS CHANGES TO BE NOTED ABOVE

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



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BID OPENING DATE: **04/25/2007**      BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
0005	1	EA		020-89		27785 <sup>00</sup>
				FOUR WHEEL DRIVE, DIESEL, FARM TRACTOR <i>New Holland TN70 4 wheel Dr w/loader</i> NEW HOLLAND TN70A WITH 810TL LOADER, OR EQUAL OR JOHN DEERE 5325 WITH 542NSL LOADER, OR EQUAL		
0006	1	EA		020-89		27380 <sup>00</sup>
				FOUR WHEEL DRIVE, DIESEL FARM TRACTOR <i>TN60A 4 wheel Dr w/cab.</i> NEW HOLLAND TN65 WITH 810TL LOADER, OR EQUAL OR JOHN DEERE 5225 WITH 542NSL LOADER, OR EQUAL		
0007	1	EA		020-89		19300 <sup>00</sup>
				FOUR WHEEL DRIVE, DIESEL, COMPACT FARM TRACTOR <i>New Holland TC40 w/ 250TL loader</i> NEW HOLLAND TC40A WITH 250TL LOADER, OR EQUAL OR JOHN DEERE 990 WITH 300 CX LOADER, OR EQUAL OR MASSEY FERGUSON 1540 WITH 1525 LOADER, OR EQUAL  SEE ATTACHED SPECIFICATIONS  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		

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Conrad J. Rubin</i>	TELEPHONE <b>304-372-9875</b>	DATE <b>4/9/07</b>
TITLE <i>President</i>	FEIN <b>55-054-0441</b>	ADDRESS CHANGES TO BE NOTED ABOVE

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DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
04/01/2007				
BID OPENING DATE: 04/25/2007		BID OPENING TIME 01:30PM		

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>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>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>(X) BIDDER IS A PARTNERSHIP, ASSOCIATION OR CORPORATION RESIDENT VENDOR AND HAS MAINTAINED ITS HEAD-QUARTERS 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</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</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
<i>Canell Johnson</i>	304-372-9875	4/9/07
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE
President	55-0540441	

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**4**

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BID OPENING DATE: **04/25/2007**      BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>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><input checked="" type="checkbox"/> 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><input type="checkbox"/> 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 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>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Carroll Fisher</i>	TELEPHONE <i>3043229875</i>	DATE <i>4/9/07</i>
TITLE <i>President</i>	FEIN <i>55-054044</i>	ADDRESS CHANGES TO BE NOTED ABOVE

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**5**

ADDRESS CORRESPONDENCE TO ATTENTION OF:  
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 304-558-8806**

VENDOR

\*709043435      304-372-9875  
**FAIRPLAIN TRACTOR SALES INC**  
**PO BOX 787**  
  
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SHIP TO

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 VARIOUS LOCALES AS INDICATED  
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DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
04/01/2007				

BID OPENING DATE: **04/25/2007**      BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
<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>Fairplain Tractor Sales</u></p> <p>DATE: <u>4/9/07</u></p> <p>SIGNED: <u>Canell et Fubis</u></p> <p>TITLE: <u>President</u></p> <p>* CHECK ANY COMBINATION OF PREFERENCE CONSIDERATION(S) IN EITHER "A" OR "B", OR BOTH "A" AND "B" WHICH YOU ARE ENTITLED TO RECEIVE. YOU MAY REQUEST UP TO THE MAXIMUM 5% PREFERENCE FOR BOTH "A" AND "B".            (REV. 12/00)</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <u>Canell et Fubis</u>	TELEPHONE <u>304 372 9875</u>	DATE <u>4/9/07</u>
TITLE <u>President</u>	FEIN <u>55-0540441</u>	ADDRESS CHANGES TO BE NOTED ABOVE

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DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
04/01/2007				

BID OPENING DATE: **04/25/2007**      **BID OPENING TIME 01:30PM**

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
<p><b>NOTICE</b></p> <p><b>A SIGNED BID MUST BE SUBMITTED TO:</b></p> <p><b>DEPARTMENT OF ADMINISTRATION            PURCHASING DIVISION            BUILDING 15            2019 WASHINGTON STREET, EAST            CHARLESTON, WV 25305-0130</b></p> <p><b>THE BID SHOULD CONTAIN THIS INFORMATION ON THE FACE OF            THE ENVELOPE OR THE BID MAY NOT BE CONSIDERED:</b></p> <p><b>SEALED BID</b></p> <p><b>BUYER:-----BUTCH CHITTUM      44-----</b></p> <p><b>RFQ. NO.: <i>DNR 80171</i> -----DNR80171-----</b></p> <p><b>BID OPENING DATE:-----04/25/2007-----</b></p> <p><b>BID OPENING TIME:-----1:30 PM-----</b></p> <p><b>PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY            TO CONTACT YOU REGARDING YOUR BID:</b></p> <p><b>-----304-372-2713-----</b></p> <p><b>CONTACT PERSON (PLEASE PRINT CLEARLY): <i>Gene Fisher</i></b></p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Gene Fisher</i>	TELEPHONE <i>304-372-9875</i>	DATE <i>4/19/07</i>
TITLE <i>President</i>	FEIN <i>550540441</i>	ADDRESS CHANGES TO BE NOTED ABOVE

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**7**

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DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
04/01/2007				

BID OPENING DATE: **04/25/2007**      **BID OPENING TIME 01:30PM**

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
				<i>Carroll Gene Fisher</i>		
***** THIS IS THE END OF RFQ    DNR80171 ***** TOTAL:						<u>\$191057.00</u>

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Carroll G Fisher</i>	TELEPHONE <i>3043729875</i>	DATE <i>4/19/07</i>
TITLE <i>President</i>	FEIN <i>55-0540441</i>	ADDRESS CHANGES TO BE NOTED ABOVE

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

STATE OF WEST VIRGINIA  
**PURCHASING CONTINUATION SHEET**

BUYER:	PAGE 8	Req. or PO#
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VENDOR

Spending Unit: DNR - Wildlife Resources
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Item No:	Quantity	Description	Unit Price	Amount
1	1	<p><b>SPECIFICATIONS:</b></p> <p>Minimum engine horsepower 80                      Minimum PTO horsepower 65                      Fully enclosed cab with HVAC                      Synchronized transmission                      Open center hydraulic system with two valve open center loader control valve, joystick controlled and two rear remote control valves, lever controlled; midmount and rear controls must be fully functional in tandem                      Category 2 three point hitch                      R1 agricultural tires                      Seat armrests                      Service manual                      Demonstration to be provided by Dealer Representative upon delivery                      Deliver to: Green Bottom Wildlife Management Area, Cabell County                      Contact: Tom Dotson (304-675-0871) for additional information and directions</p>		
2	1	<p>Minimum engine horsepower 75                      Minimum PTO horsepower 62; 540 rpm PTO                      Synchronized transmission; New Holland 12X12 Synchro Command or John Deere 12F/12R PowrReverser with Synchronized Mechanical Shuttle                      Midmount valve with single joystick control for loader                      Front End Loader: installed and fully compatible with tractor to include a quick detachable 83" heavy duty material bucket, lift capacity: 2530 lbs. at maximum lift height                      minimum breakout force: 3080 lbs. at arm center lift                      Replaceable bushings                      Single lever quick attach bucket and implements                      23 gallon fuel tank or greater                      16.9 gpm hydraulic pump flow or greater                      Grill guard                      Category 2 three point hitch                      R1 16.9X30 Rear Tires and 12X24 Front Tires/Rear tires to be loaded with washer fluid                      Fiberglass canopy                      Seat armrests                      Service manual                      Demonstration to be provided by Dealer Representative upon delivery                      Deliver to: Bluestone Wildlife Management Area, Summers County                      Contact: Larry Berry (304-256-6947) for additional information and directions</p>		



STATE OF WEST VIRGINIA  
**PURCHASING CONTINUATION SHEET**

BUYER:	PAGE 9	Req. or PO#
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VENDOR

Spending Unit: DNR - Wildlife Resources
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Item No:	Quantity	Description	Unit Price	Amount
3	1	<p><b>SPECIFICATIONS:</b></p> <p>Minimum engine horsepower 67                      Minimum PTO horsepower 55                      Fully enclosed cab with HVAC                      Synchronized transmission                      Open center hydraulic system with two valve open center loader control valve, joystick controlled and two rear remote control valves, lever controlled; midmount and rear controls must be fully functional in tandem                      Front End Loader: installed and fully compatible with tractor to include quick detachable 72" heavy duty material bucket, lift capacity: 2500 lbs. minimum, minimum breakout force: 3400 lbs.                      Category 2 three point hitch                      R1 agricultural tires, rear: R2 agricultural tires, front                      Grill guard                      Seat armrests                      Service manual                      Demonstration to be provided by Dealer Representative upon delivery                      Deliver to: Hillcrest Wildlife Management Area, Hancock County                      Contact: Steve Rauch (304-825-6787) for additional information and directions</p>		
4	1	<p>Minimum engine horsepower 67                      Minimum PTO horsepower 55                      Synchronized transmission                      Open center hydraulic system with two valve open center loader control valve, joystick controlled and two rear remote control valves, lever controlled; midmount and rear controls must be fully functional in tandem                      Front End Loader: installed and fully compatible with tractor to include a quick detachable 72" heavy duty material bucket, lift capacity: 2500 lbs. minimum, minimum breakout force: 3400 lbs.                      Category 2 three point hitch                      R1 agricultural tires                      Grill guard                      ROPS canopy                      Seat armrests                      Service manual                      Demonstration to be provided by Dealer Representative upon delivery                      Deliver to: Nathaniel Mountain Wildlife Management Area, Hampshire Co.                      Contact: Allan Niederberger (304-822-3551) for additional information and directions</p>		

STATE OF WEST VIRGINIA  
**PURCHASING CONTINUATION SHEET**

BUYER:	PAGE 10	Req. or PO# 7
Spending Unit: DNR - Wildlife Resources		

VENDOR

Item No:	Quantity	Description	Unit Price	Amount
5	1	<p><b>SPECIFICATIONS:</b></p> <p>Minimum engine horsepower 67                      Minimum PTO horsepower 55                      Synchronized transmission                      Open center hydraulic system with three valve open center loader control valve, joystick controlled and three rear remote control valves, lever controlled; midmount and rear controls must be fully functional in tandem. Midmount controls must be capable of operating a grapple attachment                      Minimum 16.9 gpm hydraulic pump flow                      Front End Loader: installed and fully compatible with tractor to include quick detachable 72" heavy duty material bucket, lift capacity: 2500 lbs. minimum, minimum breakout force: 3400 lbs.                      Category 2 three point hitch                      R1 agricultural tires                      Grill guard                      Seat armrests                      Service manual                      Demonstration to be provided by Dealer Representative upon delivery                      Deliver to: Elk River Wildlife Management Area, Braxton County                      Contact: Lou Smith (304-924-6211) for additional information and directions</p>		
6	1	<p>Minimum engine horsepower 53                      Minimum PTO horsepower 45                      Synchronized transmission                      Open center hydraulic system with two valve open center loader control valve, joystick controlled and three rear remote control valves, lever controlled; midmount and rear control must be fully functional in tandem                      Front End Loader: installed and fully compatible with tractor to include a quick detachable 72" heavy duty material bucket, lift capacity: 2500 lbs. minimum, minimum breakout force: 3400 lbs.                      Category 2 three point hitch                      R1 agricultural tires                      Grill guard                      ROPS canopy                      Seat armrests                      Service manual                      Demonstration to be provided by Dealer Representative upon delivery                      Deliver to: Wallback Wildlife Management Area, Roane County                      Contact: Lou Smith (304-924-6211) for additional information and directions</p>		

STATE OF WEST VIRGINIA  
**PURCHASING CONTINUATION SHEET**

BUYER:	PAGE 11	Req. or PO#
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VENDOR

Spending Unit: DNR - Wildlife Resources
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Item No:	Quantity	Description	Unit Price	Amount
7	1	<p><b>SPECIFICATIONS:</b></p> <p>Minimum engine horsepower 40                      Minimum PTO horsepower 35                      Synchronized transmission                      Open center hydraulic system with two valve open center loader control valve, joystick controlled and one rear remote control valve, lever controlled                      Front End Loader: installed and fully compatible with tractor to include 72" heavy duty material bucket                      Category 2 three point hitch                      R1 agricultural tires                      Service manual                      Demonstration to be provided by Dealer Representative upon delivery                      Deliver to: Conaway Run Wildlife Management Area, Tyler County                      Contact: Mark Shock (304-420-4550) for additional information and directions</p> <p><b>PLEASE NOTE:</b> This requisition is drawn on expiring funds. Delivery of items requisitioned herein must be received and invoiced by July 16, 2007. Vendors should bid only on those items for which they can meet delivery requirements.</p>		



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DIVISION OF NATURAL RESOURCES  
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AUCTIONEER

SHIP TO

DATE PRINTED	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS
04/19/2007				
BID OPENING DATE: 04/25/2007		BID OPENING TIME		

LINE	QUANTITY	UQP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
ADDENDUM #1						
ANSWERS TO QUESTIONS AS PER THE ATTACHED.						
BID OPENING DATE AND TIME REMAIN THE SAME.						
NO OTHER CHANGES						
0001	1	EA		020-89		
FOUR WHEEL DRIVE, DIESEL FARM TRACTOR						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Carroll J. Fisher</i>	TELEPHONE 304-372-9875	DATE
TITLE President	FEIN 55-0540441	ADDRESS CHANGES TO BE NOTED ABOVE

WHEN RESPONDING TO REQ. INSERT NAME AND ADDRESS IN SPACE ABOVE LABELLED VENDORS!

Question

The John Deere warranty mileage and pickup is not included. We want to know if you have a way of getting the tractors to our facilities or if you're willing to pay the mileage. We want to be up front with everyone and make sure there are no surprises. The answer could reflect on which tractors from the different counties we bid on. Thank you for your attention to this question.

Answer

The standard factory warranty should be in effect for the tractors and if they need warranty service the DNR will deliver tractor to the dealer and pick it up when service is complete.

# A F F I D A V I T

**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 exceed 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: Fairplain Tractor Sales Inc

Authorized Signature: Conrad M Foster Date: 4/9/07