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

Request for Quotation

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MICHAEL AUSTIN

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DIVISION OF HIGHWAYS.
VARIOUS LOCALES AS INDICATED
BY ORDER

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CAUDILL SEED COMPANY 1064 E. MAIN ST MOREHEAD, KY 40351

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

Request for Quotation

8F0 NUMBER 668C0025

PAGE:

ADDRESS CORRESPONDENCE TO ATTENTION OF MICHAEL AUSTIN 304-558-2402

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DIVISION OF HIGHWAYS
VARIOUS LOCALES AS INDICATED
BY ORDER

ADDRESS CHANGES TO BE NOTED ABOVE

DATE PRINTED TERMS OF SALE SHIP VIA FREIGHT TERMS 04/02/2008 BID OPENING DATE: <u>04/23/2008</u> OPENING TIME 01:30PM CAT. LINE QUANTITY 11050 ATEM NUMBER UNITPRICE TINJOMA DRIGINAL CONTRACT AND SHALL BE LIMITED TO TWO (2) ONE (1) YEAR PERIODS. CANCELLATION: THE DIRECTOR OF PURCHASING RESERVES THE RIGHT TO CANCEL THIS CONTRACT IMMEDIATELY UPON WRITTEN NOTICE TO THE VENDOR IF THE COMMODITIES AND/OR SERVICE SUPPLIED ARE OF AN INFERIOR QUALITY OR DO NOT CONFORM TO THE SPECIFICATIONS OF THE BID AND CONTRACT HEREIN. 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 INNEDIATE DELIVERY IN EMERGENCIES DUE TO UNFORESEEN CAUSES (INCLUDING BUT NOT LIMITED TO DELAYS IN TRANS-PORTATION OR AN UNANTICIPATED INCREASE IN THE VOLUME OF WORK.) 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 DRDERED FOR DELIVERY DURING THE TERM OF THE CONTRACT, WHETHER MORE OR LESS THAN THE QUANTITIES SHOWN. DRDERING 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. BANKRUPTCY: | IN THE EVENT THE VENDOR/CONTRACTOR FILES FOR BANKRUPTICY PROTECTION, THIS CONTRACT IS AUTOMATI-CALLY NULL AND VOID, AND IS TERMINATED WITHOUT FURTHER SEE REVERSE SIDE FOR TERMS AND CONDITIONS

TELEPHONE

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

MAJNARD PHACKER

610 489227



VENDOR

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

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VARIOUS LOCALES AS INDICATED
BY ORDER

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

Request for Quotation

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ADDRESS CORRESPONDENCE TO ATTENTION OF MICHAEL AUSTIN 304-558-2402

AFQ NUMBER

DIVISION OF HIGHWAYS
VARIOUS LOCALES AS INDICATED
BY ORDER

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

Request for Quotation

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MICHAEL AUSTIN

DIVISION OF HIGHWAYS
VARIOUS LOCALES AS INDICATED
BY ORDER

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

Request for Quotation

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ADDRESS CORRESPONDENCE TO ATTENTION OF

MICHAEL AUSTIN

DIVISION OF HIGHWAYS
VARIOUS LOCALES AS INDICATED
BY ORDER

ADDRESS CHANGES TO BE NOTED ABOVE

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SPECIFICATIONS: THE FOLLOWING SECTIONS OF THE WEST VIRGINIA DEPARTMENT OF TRANSPORTATION, DIVISION OF HIGHWAYS STANDARD SPECIFICATION ROADS AND BRIDGES ADOPTED 2000, AS AMENDED BY THE CURRENT SUPPLEMENTAL SPECIFICATIONS AT THE TIME OF BID OPENING SHALL APPLY TO THE ADMINISTRATION OF THIS CONTRACT: SECTIONS 715.23.1, 715.23.2, 715.23.4, 715.23.4.1, 715.23.5.7, 715.23.5.1, AND 715.23.5.2.

THE TERMS "CONTRACTOR" AND "VENDOR" USED IN THE ABOVE SPECIFICATIONS OF THIS CONTRACT ARE INTERCHANGEABLE. CONTRACTOR SHALL MEAN VENDOR AND VENDOR SHALL MEAN CONTRACTOR.

WEST VIRGINIA DEPARTMENT OF TRANSPORTATION, DIVISION OF HIGHWAYS STANDARD SPECIFICATION ROADS AND BRIDGES, ADOPTED 2000, AND THE CURRENT SUPPLEMENTAL SPECIFICATIONS AT TIME OF BID OPENING MAY BE OBTAINED FROM:

WEST VIRGINIA DIVISION OF HIGHWAYS STATE CAPITOL COMPLEX ENGINEERING DIVISION, TECHNICAL SECTION ROOM A-650, BUILDING 5 1900 KANAWHA BOULEVARD, EAST CHARLESTON, WEST VIRGINIA 25305-0430

ELECTRONIC COPIES MAY BE OBTAINED VIA THE INTERNET AT WWW.WVDOT.COM

<u>DELIVERY:</u> VENDOR WILL DELIVER ORDERS OF 100 GABIONS OR MORE FOBTO SPECIFIED DELIVERY SITES STATEWIDE. THE VENDOR MAY ADD SHIPPING CHARGES FOR ORDERS OF LESS THAN 100 GABIONS PER DELIVERY SITE.

VENDOR SHALL COMPLETE DELIVERY OF GABIONS TO THE SPECIFIED DELIVERY SITES WITHIN 60 CALENDAR DAYS OF RECEIPT OF THE STATE CONTRACT ORDER (SCO).

GABIONS FURNISHED BY THE VENDOR SHALL BE OF A UNIFORM SIZE AND DELIYERED FLAT.

A DELIVERY DOCUMENT SHOWING ITEMS DELIVERED AND THE ACTUAL OR CALCULATED GROSS VEHICULAR WEIGHT OF THE DELIVERY VEHICLE SHALL ACCOMPANY EACH LOAD. THE TOTAL NUMBER OF DELIVERY VEHICLE AXLES SHALL BE RECORDED ON THE DELIVERY DOCUMENT.



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

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ADDRESS: CORRESEONDENCE (C/ATRICATION OF

MICHAEL AUSTIN 304-558-2402

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DIVISION OF HIGHWAYS VARIOUS LOCALES AS INDICATED BY ORDER

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GENERAL TERMS & CONDITIONS REQUEST FOR QUOTATION (RFQ) AND REQUEST FOR PROPOSAL (RFP)

- 1. Awards will be made in the best interest of the State of West Virginia.
- The State may accept or reject in part, or in whole, any bid.
- 3. All quotations are governed by the West Virginia Code and the Legislative Rules of the Purchasing Division.
- Prior to any award, the apparent successful vendor must be properly registered with the Purchasing Division and have paid the required \$125,00 registration fee.
- 5. All services performed or goods delivered under State Purchase Orders/Contracts are to be continued for the term of the Purchase Order/Contract, contingent upon funds being appropriated by the Legislature or otherwise being made available. In the event funds are not appropriated or otherwise available for these services or goods, this Purchase Order/Contract becomes void and of no effect after June 30.
- 6. Payment may only be made after the delivery and acceptance of goods or services.
- 7. Interest may be paid for late payment in accordance with the West Virginia Code.
- 8. Vendor preference will be granted upon written request in accordance with the West Virginia Code.
- 9. The State of West Virginia is exempt from federal and state taxes and will not pay or reimburse such taxes.
- 10. The Director of Purchasing may cancel any Purchase Order/Contract upon 30 days written notice to the seller.
- 11. The laws of the State of West Virginia and the *Legislative Rules* of the Purchasing Division shall govern all rights and duties under the Contract, including without limitation the validity of this Purchase Order/Contract.
- 12. Any reference to automatic renewal is hereby deleted. The Contract may be renewed only upon mutual written agreement of the parties.
- 13. BANKRUPTCY: In the event the vendor/contractor files for bankruptcy protection, this Contract may be deemed null and void, and terminated without further order.
- 14. ,HIPAA Business Associate Addendum The West Viginia State Government HIPAA Business Associate Addendum (BAA), approved by the Attorney General, and available online at the Purchasing Division's web site (http://www.state.wv.us/admin/purchase/vrc/hipaa.htm) is hereby made part of the agreement. Provided that, the Agency meets the definition of a Covered Entity (45 CFR §160.103) and will be disclosing Protected Health Information (45 CFR §160.103) to the vendor.

INSTRUCTIONS TO BIDDERS

- 1. Use the quotation forms provided by the Purchasing Division.
- 2. SPECIFICATIONS: Items offered must be in compliance with the specifications. Any deviation from the specifications must be clearly indicated by the bidder. Alternates offered by the bidder as EQUAL to the specifications must be clearly defined. A bidder offering an alternate should attach complete specifications and literature to the bid. The Purchasing Division may waive minor deviations to specifications.
- 3. Complete all sections of the quotation form.
- 4. Unit prices shall prevail in cases of discrepancy.
- 5. All quotations are considered F.O.B. destination unless alternate shipping terms are clearly identified in the quotation.
- 6. BID SUBMISSION: All quotations must be delivered by the bidder to the office listed below prior to the date and time of the bid opening. Failure of the bidder to deliver the quotations on time will result in bid disqualifications.

SIGNED BID TO:

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



VENDOR

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

Request for Quotation

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DIVISION OF HIGHWAYS VARIOUS LOCALES AS INDICATED BY ORDER

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