



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
CEREAL08

PAGE
1

ADDRESS CORRESPONDENCE TO ATTENTION OF
JO ANN ADKINS 304-558-8802

\*C16132728 01 800-624-8578  
 US FOODSERVICE WV  
 2575 VIRGINIA AVENUE  
 HURRICANE WV 25526

PROPERTY

SHIP TO

ALL STATE AGENCIES  
 AND POLITICAL SUBDIVISIONS  
 VARIOUS LOCALES AS INDICATED  
 BY ORDER

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
01/23/2008				
BID OPENING DATE: 02/13/2008		BID OPENING TIME 01:30PM		

LINE	QUANTITY	UOP	CAT NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
				REQUEST FOR QUOTATION		
				OPEN-END STATEWIDE CONTRACT TO FURNISH CEREAL TO WEST VIRGINIA STATE AGENCIES AND POLITICAL SUBDIVISIONS.		
0001	1	EA		393-36		
				VARIOUS CEREALS FOR ALL STATE AGENCIES		
				VENDORS SHALL ENTER THEIR PRICING AND OTHER REQUESTED INFORMATION ON THE ATTACHED PRICING/INFORMATION SHEETS. ELECTRONIC VERSION AVAILABLE CALL 304-558-8802. VENDORS ARE REQUESTED TO RETURN THE COMPLETED DISKETTE AS WELL AS THE REQUIRED PAPER COPIES. IN THE EVENT OF ANY DISCREPANCIES BETWEEN THE PAPER COPY AND THE ELECTRONIC COPY, THE PAPER COPY SHALL RULE.		
				THIS CONTRACT IS INTENDED TO COVER BREAKFAST CEREALS. ALL ITEMS SHALL MEET ALL EFFECTIVE		

SEE REVERSE SIDE FOR TERMS AND CONDITIONS			
SIGNATURE	TELEPHONE	DATE	
<i>Richard D. Harless</i>	800-624-8578	FEB 12, 2008	
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE	
BID COORDINATOR	36-3642294		

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

**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.
2. 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.
4. 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 Virginia 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.

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**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  
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<p>FEDERAL SPECIFICATIONS.</p> <p>EXPIRATIONS DATES: ALL ITEMS FURNISHED UNDER THIS CONTRACT MUST HAVE A MINIMUM SHELF LIFE OF SIX (6) MONTHS AFTER THE DATE THE SHIPMENT IS RECEIVED.</p> <p>DELIVERY: VENDOR SHALL COMPLETE DELIVERY WITHIN 15 CALENDAR DAYS FROM RECEIPT OF ORDER. DELIVERY TIMES SHALL BE COORDINATED WITH THE ORDERING AGENCY AND MUST ACCOMMODATE THE TIME/DAY OF WEEK AS REQUIRED BY EACH AGENCY.</p> <p>TRANSPORTATION CHARGES: ORDERS IN EXCESS OF \$300.00 SHALL BE DELIVERED FOB: DESTINATION. WHEN SHIPPED TO A SINGLE FACILITY LOCATION. ORDERS THAT TOTAL LESS THAN \$300.00 SHALL BE SHIPPED PREPAID, WITH TRANSPORTATION CHARGES ADDED TO THE INVOICE AS A SEPARATE ITEM.</p> <p>AGENCIES MAY USE A LOCAL VENDOR FOR ORDERS LESS THAN THE \$300.00, IF SHIPPING IS INCLUDED IN THE ORDER, AND THE PURCHASE RESULTS IN A COST SAVINGS.</p> <p>VENDOR HAS AGREED TO DELIVER A MINIMUM OF THREE CASES THROUGH THIS CONTRACT, WITH AGENCY PAYING SHIPPING.</p> <p>ANY PRODUCT THAT IS DELIVERED UNDER THIS CONTRACT AND DEEMED UNSUITABLE FOR THE AGENCY MUST BE REMOVED AND REPLACED AT NO COST TO THE AGENCY.</p> <p>EXHIBIT 3</p> <p>LIFE OF CONTRACT: THIS CONTRACT BECOMES EFFECTIVE ON</p>						

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<p>..... 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.</p> <p>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.</p> <p>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 (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>						

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<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> <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>EXHIBIT 6</p> <p>PRICE ADJUSTMENT PROVISION:          THE STATE OF WEST VIRGINIA WILL CONSIDER BIDS THAT CONTAIN PROVISIONS FOR PRICE ADJUSTMENTS PRIOR TO THE ORIGINAL EXPIRATION OF THE CONTRACT, PROVIDED THAT SUCH</p>						

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<p>PRICE ADJUSTMENT COVERS BOTH UPWARD AND DOWNWARD MOVEMENT OF THE COMMODITY PRICE, AND THAT ADJUSTMENT IS BASED ON THE "PASS THROUGH" INCREASE OR DECREASE OF RAW MATERIALS AND/OR LABOR, WHICH MAKE UP ALL OR A SUBSTANTIAL PART OF A PRODUCT. ADJUSTMENTS ARE TO BE BASED UPON AN ACTUAL DOLLAR FIGURE, NOT A PERCENTAGE. ALL PRICE ADJUSTMENT REQUESTS MUST BE SUBSTANTIATED IN A MANNER ACCEPTABLE TO THE DIRECTOR PURCHASING, E.G. GOVERNMENTAL BENCH MARKS, GENERAL MARKET INCREASE, PUBLISHED PRICE LISTS. SUCH REQUESTS FOR AND INCREASE SHOULD BE RECEIVED IN WRITING BY THE DIRECTOR OF PURCHASING AT LEAST 30 DAYS IN ADVANCE OF THE EFFECTIVE DATE OF THE INCREASE. ANY TIME THE VENDOR REQUESTS A PRICE ADJUSTMENT, THE PURCHASING DIVISION MAY EITHER ACCEPT THE PRICE ADJUSTMENT AND AMEND THE CONTRACT ACCORDINGLY OR REJECT THE ADJUSTMENT IN ITS ENTIRETY AND CANCEL THE CONTRACT.</p> <p>PREFERRED TERMS:            IT IS PREFERRED THAT THE PRICES ON THIS CONTRACT ARE FIRM FOR LIFE OF THE CONTRACT, AS INDICATED IN THE LIFE OF CONTRACT CLAUSE CONTAINED HEREIN, NOT TO EXCEED ONE (1) YEAR.</p> <p>IF THE VENDOR CANNOT GUARANTEE A FIRM PRICE FOR THE LIFE OF CONTRACT, HE MUST INDICATE ONE OF THE PARAGRAPHS LISTED BELOW. FAILURE TO QUALIFY THE PREFERRED TERMS WILL BIND THE VENDOR TO A FIRM PRICE FOR THE LIFE OF THE CONTRACT.</p> <p>ALTERNATE TERMS:            ( ) THE PRICES ON THIS CONTRACT WILL REMAIN FIRM FOR . . . DAYS AFTER THE EFFECTIVE DATE OF THE</p>						

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<p>CONTRACT. PRICES WILL REMAIN FIRM AFTER EACH PRICE ADJUSTMENT FOR A MINIMUM OF ..... DAYS.</p> <p>( ) THE VENDOR DOES NOT AGREE TO MAINTAIN A FIRM PRICE FOR THE LENGTH OF THE CONTRACT BUT OFFERS AN ALTERNATE PROPOSAL AS FOLLOWS:</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>NOTE:</p> <p>ALL PRICES SHALL BE FIRM FOR A MINIMUM OF 90 DAYS; VENDORS SHOULD STATE IF THEIR BID IS VALID LONGER. AT THREE-MONTH (90 DAY) INTERVALS THEREAFTER, WITH A 30-DAY NOTICE, PASS-THROUGH PRICE CHANGES (SUBSTANTIATED) MAY BE REQUESTED. PURCHASING MAY ACCEPT THE DOCUMENTED PRICE CHANGE OR REBID THE CONTRACT.</p> <p>THIS, IN EFFECT, SHALL LIMIT THE NUMBER OF PRICE CHANGES TO THREE PER YEAR - PRICES EFFECTIVE FOR 90 DAYS WITH A 30-DAY NOTICE.</p> <p>THE VENDOR SHALL BE REQUIRED TO RESUBMIT AN ELECTRONIC COPY (DISKETTE OR CD) OF THE ENTIRE PRICE LIST WITH ANY PRICE CHANGE REQUEST.</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</p>						

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REASON CHECKED:  <input type="checkbox"/> 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  <input type="checkbox"/> 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  <input checked="" type="checkbox"/> 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.  B. APPLICATION IS MADE FOR 2.5% PREFERENCE FOR THE REASON CHECKED:  <input 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;						

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<p>OR            (✓) 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> <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</p>						

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<p>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>U S FOODSERVICE WV</u></p> <p>DATE: <u>FEB. 12, 2008</u></p> <p>SIGNED: <u>Richard D Harlan</u></p> <p>TITLE: <u>BID COORDINATOR</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".</p> <p>NOTICE</p> <p>A SIGNED BID MUST BE SUBMITTED TO:</p> <p>DEPARTMENT OF ADMINISTRATION          PURCHASING DIVISION          BUILDING 15          2019 WASHINGTON STREET, EAST          CHARLESTON, WV 25305-0130</p>						

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**10**

ADDRESS CORRESPONDENCE TO ATTENTION OF  
**JO ANN ADKINS**  
**304-558-8802**

\*C16132728 01 800-624-8578  
 US FOODSERVICE WV  
 2575 VIRGINIA AVENUE  
 HURRICANE WV 25526

VENDOR

SHIP TO

ALL STATE AGENCIES  
 AND POLITICAL SUBDIVISIONS  
 VARIOUS LOCALES AS INDICATED  
 BY ORDER

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
01/23/2008				

BID OPENING DATE: **02/13/2008** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
THE BID SHOULD CONTAIN THIS INFORMATION ON THE FACE OF THE ENVELOPE OR THE BID MAY NOT BE CONSIDERED:  SEALED BID  BUYER: ----- FILE 42 ----- RFQ. NO.: ----- CEREAL08 ----- BID OPENING DATE: ----- 02/13/08 ----- BID OPENING TIME: ----- 1:30 PM -----  PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID: <i>(304) 562-3600</i> ----- CONTACT PERSON (PLEASE PRINT CLEARLY): <i>Pick HARLESS</i> -----  ***** THIS IS THE END OF RFQ CEREAL08 ***** TOTAL: _____						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE

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

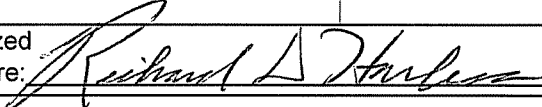
Vendor US Foodservice WV \_\_\_\_\_

CEREAL08 Pricing Pages						
Item #	Description	Packaged	Vendor's stock Number	Price Per Carton	Estimated Usage	Total
<b>General Mills - Large Size Cereal</b>						
1	French Toast Crunch				25	\$ -
2	Cinnamon Toast Crunch	4/45 oz	212746	\$ 38.81	25	\$ 970.25
3	Cheerios	4/29 oz	210122	\$ 24.24	40	\$ 969.60
4	Cocoa Puffs	4/35 oz	211031	\$ 31.08	25	\$ 777.00
5	Count Dracula				50	\$ -
6	Country Corn Flakes	4/32 oz	210716	\$ 15.97	50	\$ 798.50
7	Frosted Cheerios				25	\$ -
8	Golden Grahams	4/43.5 oz	210718	\$ 38.81	25	\$ 970.25
9	Frosted Wheaties				25	\$ -
10	Honey Nut Cheerios	4/39 oz	210717	\$ 36.51	25	\$ 912.75
11	Kix	4/25 oz	212711	\$ 26.15	25	\$ 653.75
12	Lucky Charms	4/35 oz	211319	\$ 31.90	25	\$ 797.50
13	Nature Valley 100% Nature Granola				25	\$ -
14	Low Fat Granola				25	\$ -
15	Rice Crunchies	4/32 oz	211181	\$ 23.64	25	\$ 591.00
16	Total				50	\$ -
17	Total Raisin Bran	4/56 oz	212187	\$ 37.43	50	\$ 1,871.50
18	Trix	4/32 oz	211097	\$ 27.07	25	\$ 676.75
19	Wheaties				35	\$ -
20	Rice Chex				25	\$ -
21	Corn Chex				25	\$ -
22	Wheat Chex				25	\$ -
23	Cookie Crisp				25	\$ -
<b>General Mills - Individual Size</b>						
24	Apple Cinnamon Cheerios	70 ct	212174	\$ 21.24	100	\$ 2,124.00
25	Cheerios	70 ct	211355	\$ 21.42	200	\$ 4,284.00
26	Country Corn Flakes	70 ct	211365	\$ 20.57	200	\$ 4,114.00
27	Golden Grahams				50	\$ -
28	Honey Nut Cheerios	70 ct	211366	\$ 21.42	50	\$ 1,071.00
29	Lucky Charms	70 ct	211367	\$ 20.57	50	\$ 1,028.50
30	Total	70 ct	211354	\$ 21.42	100	\$ 2,142.00
31	Total Raisin Bran	70 ct	212175	\$ 20.57	100	\$ 2,057.00
32	Wheaties	70 ct	211353	\$ 21.42	100	\$ 2,142.00
33	Single Pak Favorites	70 ct	214633	\$ 24.75	250	\$ 6,187.50
34	Family Assorted Single Pak	70 ct	211358	\$ 24.75	250	\$ 6,187.50
35	Rice Chex	70 ct	212917	\$ 21.42	25	\$ 535.50
36	Corn Chex				25	\$ -
37	Wheat Chex				25	\$ -
38	Frosted Wheaties				25	\$ -
<b>General Mills - Self Service Bowls</b>						
39	Apple Cinnamon Cheerios	96 ct	212692	\$ 21.24	100	\$ 2,124.00
40	Berry Berry Kix	96 ct	212918	\$ 21.24	25	\$ 531.00
41	Cheerios	96 ct	210723	\$ 21.24	75	\$ 1,593.00
42	Cinnamon Toast Crunch	96 ct	211293	\$ 21.24	25	\$ 531.00
43	Cocoa Puffs	96 ct	217898	\$ 21.24	25	\$ 531.00
44	Country Corn Flakes	96 ct	213265	\$ 21.24	100	\$ 2,124.00
45	French Toast Crunch	96 ct	031560	\$ 21.24	25	\$ 531.00
46	Frosted Cheerios	96 ct	212836	\$ 21.24	25	\$ 531.00
47	Frosted Corn Flakes	96 ct	212852	\$ 21.24	25	\$ 531.00
48	Golden Grahams	96 ct	210341	\$ 21.24	25	\$ 531.00
49	Honey Nut Cheerios	96 ct	210339	\$ 21.24	25	\$ 531.00

## Vendor US Foodservice WV

Item #	Description	Packaged	Vendor's stock Number	Price Per Carton	Estimated Usage	Total
<b>General Mills - Large Size Cereal</b>						
50	Kix	96 ct	212691	\$ 21.24	25	\$ 531.00
51	Lucky Charms	96 ct	211524	\$ 21.24	25	\$ 531.00
52	Multi-Grain Cheerios Plus	96 ct	215057	\$ 21.24	50	\$ 1,062.00
53	Rice Chex ( Honey Nut Chex)	96 ct	215265	\$ 21.24	25	\$ 531.00
54	Rice Crunchies	96 ct	212864	\$ 21.24	25	\$ 531.00
55	Team Cheerios discontinued by GM	96 ct			25	\$ -
56	Total	96 ct	211547	\$ 21.24	100	\$ 2,124.00
57	Trix	96 ct	217486	\$ 21.24	25	\$ 531.00
58	Wheaties	96 ct	210338	\$ 21.24	100	\$ 2,124.00
59	Wheaties Raisin Bran (Total R.B.)	96 ct	216637	\$ 21.24	50	\$ 1,062.00
<b>Kelloggs - Large Size Cereals</b>						
60	Corn Flakes	4/26 oz	210405	\$ 16.09	50	\$ 804.50
61	Rice Krispies	4/27 oz	210409	\$ 23.92	50	\$ 1,196.00
62	Complete Wheat Bran Flakes				25	\$ -
63	Raisin Bran	4/56 oz	211177	\$ 42.38	50	\$ 2,119.00
64	Corn Pops				25	\$ -
65	Cocoa Krispies				25	\$ -
66	Smacks				25	\$ -
67	Frosted Flakes	4/40 oz	210407	\$ 31.15	25	\$ 778.75
68	Special K				50	\$ -
69	Fruit Loops	4/31 oz	210240	\$ 30.49	25	\$ 762.25
70	Cruncheroos				25	\$ -
71	Apple Jacks	4/31 oz	210392	\$ 32.29	25	\$ 807.25
72	Crispix				25	\$ -
73	Cracklin Oat Bran				25	\$ -
74	Frosted Mini Wheats Bite Size	4/56 oz	212363	\$ 41.49	35	\$ 1,452.15
75	Low Fat Granola	4/50 oz	214041	\$ 41.49	25	\$ 1,037.25
76	Honey Crunch Corn Flakes				25	\$ -
77	Marshmallow Blasted Fruit Loops				25	\$ -
78	Raisin Bran Crunch				25	\$ -
<b>Kelloggs - Individual Size</b>						
79	Corn Flakes	70/.81 oz	217411	\$ 25.01	100	\$ 2,501.00
80	Rice Krispies	70/088 oz	217429	\$ 25.01	100	\$ 2,501.00
81	Complete Wheat Bran Flakes	70/1.13 oz	217410	\$ 27.58	50	\$ 1,379.00
82	Raisin Bran Crunch	70/1.52 oz	217416	\$ 26.73	50	\$ 1,336.50
83	Corn Pops				25	\$ -
84	Cocoa Krispies				25	\$ -
85	Smacks				25	\$ -
86	All Bran	70/1.76 oz	217420	\$ 27.00	35	\$ 945.00
87	Frosted Flakes	70/1.2 oz	217425	\$ 26.73	25	\$ 668.25
88	Special K	70/.81 oz	217419	\$ 27.58	50	\$ 1,379.00
89	Fruit Loops	70/.95 oz	217413	\$ 26.73	25	\$ 668.25
90	Product 19				50	\$ -
91	Puffed Wheat				25	\$ -
92	Puffed Rice				25	\$ -
93	Cruncheros				25	\$ -
94	Shredded Wheat Minatures	70/1.06 oz	217417	\$ 30.28	25	\$ 757.00
95	Apple Jacks				25	\$ -
96	Crispix				25	\$ -
97	Frosted Mini Wheats Bite Size	70/1.31 oz	217414	\$ 27.58	25	\$ 689.50
98	Assorted	72/1 oz	217421	\$ 32.25	100	\$ 3,225.00
99	Low Fat Granola with Raisins	70/2.22 oz	217415	\$ 31.86	25	\$ 796.50
100	Honey Crunch Corn Flakes				25	\$ -

Vendor US Foodservice WV \_\_\_\_\_

Item #	Description	Packaged	Vendor's stock Number	Price Per Carton	Estimated Usage	Total
<b>General Mills - Large Size Cereal</b>						
<b>Kelloggs - Cereal Bar</b>						
101	Apple Cinnamon Nutri-Grain	48/1.3 oz	243693	\$ 16.27	25	\$ 406.75
102	Blueberry Nutri-Grain	48/1.3 oz	243639	\$ 16.27	25	\$ 406.75
103	Raspberry Nutri-Grain				25	\$ -
104	Strawberry Nutri-Grain	48/1.3 oz	243481	\$ 16.27	25	\$ 406.75
105	Cherry Nutri-Grain				25	\$ -
<b>Kelloggs - Self Serve Bowls</b>						
106	Corn Flakes	96ct	210058	\$ 27.89	100	\$ 2,789.00
107	Rice Krispies	96ct	210077	\$ 27.89	100	\$ 2,789.00
108	Complete Wheat Bran Flakes	96ct	210049	\$ 27.89	50	\$ 1,394.50
109	Raisin Bran Crunch	96ct	210082	\$ 27.89	35	\$ 976.15
110	Corn Pops				25	\$ -
111	Cocoa Krispies	96ct	213264	\$ 27.89	25	\$ 697.25
112	Smacks	96ct	210195	\$ 27.89	25	\$ 697.25
113	Frosted Flakes	96ct	210097	\$ 27.89	25	\$ 697.25
114	Special K	96ct	210073	\$ 27.89	50	\$ 1,394.50
115	Fruit Loops	96ct	217483	\$ 27.89	25	\$ 697.25
116	Product 19				100	\$ -
117	Cruncheros				25	\$ -
118	Apple Jacks				25	\$ -
119	Crispix				25	\$ -
120	Frosted Mini Wheats Bite Size	96ct	215551	\$ 27.89	25	\$ 697.25
121	Honey Crunch Corn Flakes				25	\$ -
<b>MISC</b>						
122	Hospitality Bran Flakes	4/35 oz	212749	\$ 14.11	25	\$ 352.75
123	Hilltop Cream of Wheat (Farina)	12/28 oz	213017	\$ 23.34	25	\$ 583.50
<b>Minimum Shipment for free delivery (Must be at least \$300.00)</b> _____				\$ 300.00	(May include other items fr	
<b>Minimum Shipment accepted (Agency pays shipping)</b> _____				1 case		
<b>Contract Contact Information:</b>						
Contact: <u>Rick Harless</u>						
Telephone: <u>(304) 562-9925 x260</u>						
Toll Free: <u>800-624-8578 x260</u>						
Fax: <u>(304) 562-3600</u>						
Email: <u>Rick.Harless@usfood.com</u>						
Date: <u>FEB.13,2008</u>						
Authorized Signature: 				Date: <u>FEB 13, 2008</u>		

STATE OF WEST VIRGINIA  
Purchasing Division

## PURCHASING 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 owed 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: US FOODSERVICE WV

Authorized Signature: Richard A Harless Date: FEB. 12, 2008



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  
 CEREAL08

PAGE  
 1

ADDRESS CORRESPONDENCE TO ATTENTION OF  
 JO ANN ADKINS  
 304-558-8802

\*C16132728 01 800-624-8578  
 US FOODSERVICE WV  
 2575 VIRGINIA AVENUE  
 HURRICANE WV 25526

VENDOR

SHIP TO

ALL STATE AGENCIES  
 AND POLITICAL SUBDIVISIONS  
 VARIOUS LOCALES AS INDICATED  
 BY ORDER

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
02/01/2008				

BID OPENING DATE: 02/13/2008 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
*****ADDENDUM NO. 1*****						
1.				QUESTIONS AND ANSWERS		
				HOW MANY LOCATION SITES ARE INVOLVED WITH THE DELIVERY PROCESS? 30 COUNTIES		
				WHAT WOULD BE THE AMOUNT OF DELIVERIES NEEDED FOR ACCOUNT? STATE AGENCIES STOCKING ABILITIES VARY FOR EACH ACCOUNT AND DELIVERIES ARE MADE ON A WEEKLY, BI-WEEKLY AND MONTHLY.		
2.				EXHIBIT 10		
				REQUISITION NO. ....		
ADDENDUM ACKNOWLEDGEMENT						
I HEREBY ACKNOWLEDGE RECEIPT OF THE FOLLOWING CHECKED ADDENDUM(S) AND HAVE MADE THE NECESSARY REVISIONS TO MY PROPOSAL, PLANS AND/OR SPECIFICATION, ETC.						
ADDENDUM NO.'S:						
				NO. 1 ✓ .....		
				NO. 2 .....		
				NO. 3 .....		
				NO. 4 .....		
				NO. 5 .....		

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Richard D. Ambers</i>	TELEPHONE 800-624-8578	DATE FEB 12, 2008
TITLE BID COORDINATOR	FEIN 36-3642294	ADDRESS CHANGES TO BE NOTED ABOVE

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