FAX NO. :16066389517 State of West Virginia Department of Administration

Quotation

FUELHD10

Mar. 19 2009 11:53AM P1

JO ANN ADKINS

1304-558-8802

RFO COPY TYPE NAME/ADDRESS HERE

Purchaelna Division

Post Office Box 50130

2019 Washington Street East

Charleston, WV 25305-0130

Wheeler Clevenger Oil P.O. Box 601 Fort Gay WV, 25514

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

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AGENCIES AND POLITICAL SUBDIVISIONS

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A PRE-BID MEETING WILL BE HELD ON MARCH 10. 2009 AT 110:30 AM IN THE PURCHASING DIVISION CONFERENCE ROOM ILOCATED AT 2019 WASHINGTON STREET, E. . CHARLESTON, WV 25305.

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THIS IS NOT A MANDATORY MEETING \*\*\*\*\*

QUESTIONS SHALL BE ACCEPTED THROUGH CLOSE OF BUSINESS 03/09/2009. QUESTIONS MAY BE SENT VIA USPS. FAX. ווד לאום נומל מביבינים THE ORDER TO ASSTRUMENT NO VENDOR NO SUBSUMNINE OURGALONG! ESCEIVES AN INFAIR ADVANTAGE WILL BE ANSWERED CHALLY. TE POSSIBLE ! B-MATE QUESTIONS ARE PREFERRED.

ADDRESS INQUIRIES TO: JO.A.ADKINS@WV.GOV

BEE HEVERSE SIDE FOR TERMS AND CONDITIONS

606-638-4423

03/19/09

610587912

ADDRESS CHANGES TO BE NOTED ABOVE

# 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 fee.
- 5. All services performed or goods delivered under State Purchase Order/Contracts are to be continued for the term of the Purchase Order/Contracts, 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 Cover Entity (45 CFR §160.103) and will be disclosing Protected Health Information (45 CFR §160.103) to the vendor.
- 15. WEST VIRGINIA ALCOHOL & DRUG-FREE WORKPLACE ACT: If this Contract constitutes a public improvement construction contract as set forth in Article 1D, Chapter 21 of the West Virginia Code ("The West Virginia Alcohol and Drug-Free Workplace Act"), then the following language shall hereby become part of this Contract: "The contractor and its subcontractors shall implement and maintain a written drug-free workplace policy in compliance with the West Virginia Alcohol and Drug-Free Workplace Act, as set forth in Article 1D, Chapter 21 of the West Virginia Code. The contractor and its subcontractors shall provide a sworn statement in writing, under the penalties of perjury, that they maintain a valid drug-free work place policy in compliance with the West Virginia and Drug-Free Workplace Act. It is understood and agreed that this Contract shall be cancelled by the awarding authority if the Contractor: 1) Fails to implement its drug-free workplace policy; 2) Fails to provide information regarding implementation of the contractor's drug-free workplace policy at the request of the public authority; or 3) Provides to the public authority false information regarding the contractor's drug-free workplace policy."

### **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 case 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: Department of Administration, Purchasing Division, 2019 Washington Street East, P.O. Box 50130, Charleston, WV 25305-0130

ADDRESS CHANGES TO BE NOTED ABOVE



RFQ COPY

State of West Virginia
Department of Administration
Purchasing Division
2019 Washington Street East
Post Office Box 50100
Charleston, WV 25305-0130

## Request for Quotation

FUELHD10

2 PAGE

TO ANN ADKINS
BO4-558-8802

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Wheeler Clevenger 0il P.O. Box 601 Fort Gay WV. 25514

TYPE NAME/ADDRESS HERE

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

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

# Request for

FUELHD10

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

RFQ COPY TYPE NAME/ADDRESS HERE

Wheeler Clevenger Oil P.O. Box 601 Fort Gay WV: 25514

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ADDRESS CHANGES TO BE NOTED ABOVE



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

## Request for Quotation

FUELHD10

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JO ANN ADKINS 304-558-8802

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

RFQ COPY TYPE NAME/ADDRESS HERE

Wheeler Clevenger Oil P.O. Box 601 Fort Gay WV. 25514

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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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JO ANN ADKINS 304-558-8802

ALL STATE AGENCIES AND POLITICAL SUBDIVISIONS 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

# Quotation

Request for FUELHD10

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Wheeler Clevenger Oil P.O. Box 601 Fort Gay WV. 25514

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

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

# Request for

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CONTROL OF THE PROPERTY OF THE JO ANN ADKINS 304-558-8802

RFQ COPY TYPE NAME/ADDRESS HERE

Wheeler Clevenger Oil P.O. Box 601 Fort Gay WV. 25514



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

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## PUELHD10 Pricing/information Pages

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ONE	#2 Diesei	170,000	\$	\$
ONE	#2 Diese/Winter Additive	O	<u>§</u>	
ONE	#1Healing/Kerosene	1,000	\$ \$	\$
ONE	#2 Heating	1,000	<u> </u>	¥
TWO	#1 Diesel/Kerosene	20,000	5	\$
	#2 Diesel	120,000	\$ 0.239 \$ 0,289	\$
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SIX	#1 Diesel/Kerosene	130,000	\$	\$
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## FUELHD10 Pricing/Information Pages

endor: Wheel	er Clevenger Oil			
	TYPE OF FUEL:	ESTIMATED Needs; - Gallons 5 mo.	FIRM MARKUP PRICE PER GALLON: TAV	FIRM MARKUP PRICE PE GALLON: T/T
DISTRICT		30,000	\$	8
NINE	#1 Diesel/Kerpsens	- III	<u>x</u>	*
NINE	#2 Diese	215,000	9	5
NINE	#2 Dissel/Winter Additive	0	\$	\$
NINE	#1Heating/Kerosene	1,000	\$	<u> </u>
NINE	#2 Heating	1,000	\$	\$
TEN	#1 Diggel/Kerngone	2,000	3	9
	#2 Diesei	170,000	§	3
TEN	Per Dicari			,
TEN	#2 Dissel/Winter Additive	0	3	<u> </u>
TEN	#1Heating/Kerosene	1,000	\$	
TEN	#2 Heating	1,000	\$	3
inimum Galionage	for T/T Diesel & Heating OII:			and the second s
	distillates on the same T/T Load?		Ye	B
	es batween multiple locations?		Ye	X
	elivery for 2 locations within 20 mile pro	ximity:		3) (gr) =
	alivery for 4 locations within 30 mile pro			31, 17-14
Ilnimum Qiy; I/T a	BILLABIA LOL 4 IOOGOOUS AUSTIN AS SURE IV.		\$295.00	
mergency Fee (Up		100	542 104 E1	d
ontract Coordinate	Rick Simpson		Fax Number: 562-286-52	94
	204 654 1209		rsimp0220@aol.c	dm
hone Number:	304-654-1208		Email Address:	
	9			
lignature:				
Date: 3/19/05				
	and the state of t	A STATE OF THE STA		
L. E.—If Chalaud oak	ntial Terminale where vendor will be o	otalning fuel:		. 2-1
uomic (outoer) pou			2m / de 19-144	
ALCONOMICS CONTRACTOR AND ALCONOMICS CONTRAC	The state of the s	·	4 = 4   1, 14   1   1   1   1   1   1   1   1   1	(f) , (i) +
	2 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1		1.0 1.0 1.0 1.0 1.0 1.0 1.0 1.0 1.0 1.0	ر ر المسلم المسلم المسلم المسلم المسلم المسلم المسلم المسلم المسلم المسلم المسلم المسلم المسلم المسلم المسلم ا
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				2 1 1 2 1 2 1 2 1 2 1 2 1 2 1 2 1 2 1 2

Rev. 09/08

# State of West Virginia

# **VENDOR PREFERENCE CERTIFICATE**

Certification and application\* is hereby made for Preference in accordance with West Virginia Code, §5A-3-37. (Does not apply to construction contracts). West Virginia Code, §5A-3-37, provides an opportunity for qualifying vendors to request (at the time of bid) preference for their residency status. Such preference is an evaluation method only and will be applied only to the cost bid in accordance with the West Virginia Code. This certificate for application is to be used to request such preference. The Purchasing Division will make the determination of the Resident Vendor Preference, if applicable.

Application is made for 2.5% resident vendor preference for the reason checked:  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,  Bidder is a partnership, association or corporation resident vendor and 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 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,  Bidder is a nonresident vendor which has an affiliate or subsidiary which employs a minimum of one hundred state resident 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; or,	of 18 18 ly
2. Application is made for 2.5% resident vendor preference for the reason checked:  Bidder is a resident vendor who certifies that, during the life of the contract, on average at least 75% of the employee working on the project being bid are residents of West Virginia who have resided in the state continuously for the two year immediately preceding submission of this bid; or,	18 18
Application is made for 2.5% resident vendor preference for the reason checked:  Bidder is a nonresident vendor employing a minimum of one hundred state residents or is a nonresident vendor with a affiliate or subsidiary which maintains its headquarters or principal place of business within West Virginia employing minimum of one hundred state residents who certifies that, during the life of the contract, on average at least 75% of the amployees or Bidder's 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; or,	8 18
4. Application is made for 5% resident vendor preference for the reason checked: Bidder meets either the requirement of both subdivisions (1) and (2) or subdivision (1) and (3) as stated above; or,	
5. Application is made for 3.5% resident vendor preference who is a veteran for the reason checked:  Bidder is an individual resident vendor who is a veteran of the United States armed forces, the reserves or the National Guerand has resided in West Virginia continuously for the four years immediately preceding the date on which the bid submitted; or,	rd is
Application is made for 3.5% resident vendor preference who is a veteran for the reason checked:  Bidder is a resident vendor who is a veteran of the United States armed forces, the reserves or the National Guard, if, for purposes of producing or distributing the commodities or completing the project which is the subject of the vendor's bid and continuously over the entire term of the project, on everage at least seventy-five percent of the vendor's employees at residents of West Virginia who have resided in the state continuously for the two immediately preceding years.	ıd
Bidder understands if the Secretary of 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) reject the bid; or (b) assess a penalt against such Bidder in an amount not to exceed 5% of the bid amount and that such penalty will be paid to the contracting agence or deducted from any unpaid balance on the contract or purchase order.	ty Sy
By submission of this certificate, Bidder agrees to disclose any reasonably requested information to the Purchasing Division an authorizes the Department of 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.	ia in
Under penalty of law for false swearing (West Virginia Code, §61-5-3), Bidder heraby 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 Rurchasing Division in writing immediately.	le le
Blodder: Wheeler Cleverger OIL Signed	
Check any combination of preference consideration(s) Indicated above, which you are omitted to receive.	

RFQNO, FUELHDIO

### STATE OF WEST VIRGINIA Purchasing Division

## **PURCHASING AFFIDAVIT**

### **VENDOR OWING A DEBT TO THE STATE:**

West Virginia Code §5A-3-10a provides that: 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.

#### PUBLIC IMPROVEMENT CONTRACTS & DRUG-FREE WORKPLACE ACT:

If this is a solicitation for a public improvement construction contract, the vendor, by its signature below, affirms that it has a written plan for a drug-free workplace policy in compliance with Article 1D, Chapter 21 of the West Virginia Code. The vendor must make said affirmation with its bid submission. Further, public improvement construction contract may not be awarded to a vendor who does not have a written plan for a drug-free workplace policy in compliance with Article 1D, Chapter 21 of the West Virginia Code and who has not submitted that plan to the appropriate contracting authority in timely fashion. For a vendor who is a subcontractor, compliance with Section 5, Article 1D, Chapter 21 of the West Virginia Code may take place before their work on the public improvement is begun.

#### ANTITRUST:

In submitting a bid to any agency for the state of West Virginia, the bidder offers and agrees that if the bid is accepted the bidder will convey, sell, assign or transfer to the state of West Virginia all rights, title and interest in and to all causes of action it may now or hereafter acquire under the antitrust laws of the United States and the state of West Virginia for price fixing and/or unreasonable restraints of trade relating to the particular commodities or services purchased or acquired by the state of West Virginia. Such assignment shall be made and become effective at the time the purchasing agency tenders the initial payment to the bidder.

I certify that this bid is made without prior understanding, agreement, or connection with any corporation, firm, limited liability company, partnership or person or entity submitting a bid for the same materials, supplies, equipment or services and is in all respects fair and without collusion or fraud. I further certify that I am authorized to sign the certification on behalf of the bidder or this bid.

#### 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. Vendor further agrees to comply with the Confidentiality Policies and Information Security Accountability Requirements, set forth in http://www.state.wv.us/admin/purchase/privacy/noticeConfidentiality.pdf.

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

Vendor's Name: Mhedler Clavenger OIL	·				
Authorized Signature	Date:	_ろ	181	09	
Purchasing Affidavit (Revised (VIXIVS)					
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