



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
7010EC02

PAGE
1

ADDRESS CORRESPONDENCE TO ATTENTION OF
MICHAEL AUSTIN 804-558-2402

VENDOR

\*709051756      304-346-5301  
 WV TRACTOR COMPANY  
 PO BOX 473  
  
 CHARLESTON WV 25322

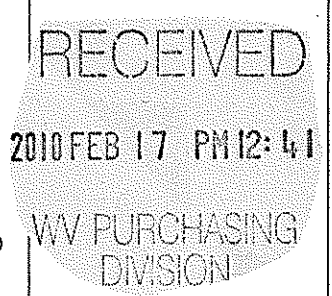
SHIP TO

DIVISION OF HIGHWAYS  
 EQUIPMENT DIVISION  
 ROUTE 33  
 BRUSHY FORK ROAD  
 BUCKHANNON, WV  
 26201      304-472-1750

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
12/10/2009	Net 30	Drive-away	Buckhannon	Prepaid

BID OPENING DATE: 12/29/2009      BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
0001		EA		810-85		
SPRAY EQUIPMENT, PESTICIDE (MACHINE POWERED) COMMERC McGregor Skid Mount Herbicide Sprayer  OPEN END CONTRACT  TO PROVIDE HERBICIDE SPRAYER, SKID MOUNTED FOR THE WEST VIRGINIA DIVISION OF HIGHWAYS PER THE ATTACHED SPECIFICATIONS.  MANDATORY PRE-BID  A MANDATORY PRE-BID WILL BE HELD ON DECEMBER 21, 2009 AT 10 AM IN BLDG. 15, 2019 WASH. ST. E. CHAS. WV. ALL INTERESTED PARTIES ARE REQUIRED TO ATTEND THIS MEETING. FAILURE TO ATTEND THE MANDATORY PRE-BID SHALL RESULT IN DISQUALIFICATION OF THE BID. NO ONE PERSON MAY REPRESENT MORE THAN ONE BIDDER.  AN ATTENDANCE SHEET WILL BE MADE AVAILABLE FOR ALL POTENTIAL BIDDERS TO COMPLETE. THIS WILL SERVE AS THE OFFICIAL DOCUMENT VERIFYING ATTENDANCE AT THE MANDATORY PRE-BID. FAILURE TO PROVIDE YOUR COMPANY AND REPRESENTATIVE NAME ON THE ATTENDANCE SHEET WILL RESULT IN DISQUALIFICATION OF THE BID. THE STATE WILL NOT ACCEPT ANY OTHER DOCUMENTATION TO VERIFY ATTENDANCE. THE BIDDER IS RESPONSIBLE FOR ENSURING THEY HAVE COMPLETED THE INFORMATION REQUIRED ON THE ATTENDANCE SHEET. THE PURCHASING DIVISION AND THE STATE AGENCY WILL NOT ASSUME ANY RESPONSIBILITY FOR A BIDDER-S FAILURE TO COMPLETE THE PRE-BID ATTENDANCE SHEET. IN ADDITION, WE REQUEST THAT ALL POTENTIAL BIDDERS INCLUD						



SEE REVERSE SIDE FOR TERMS AND CONDITIONS			
SIGNATURE	TELEPHONE	DATE	
<i>[Signature]</i>	346-5301	2/16/10	
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE	
President	550621655		

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 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, the State may deem this contract null and void, and terminate such contract 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."

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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 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



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LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>THEIR E-MAIL ADDRESS AND FAX NUMBER.</p> <p>ALL POTENTIAL BIDDERS ARE REQUESTED TO ARRIVE PRIOR TO THE STARTING TIME FOR THE PRE-BID. BIDDERS WHO ARRIVE LATE, BUT PRIOR TO THE DISMISSAL OF THE TECHNICAL PORTION OF THE PRE-BID WILL BE PERMITTED TO SIGN IN. BIDDERS WHO ARRIVE AFTER CONCLUSION OF THE TECHNICAL PORTION OF THE PRE-BID, BUT DURING ANY SUBSEQUENT PART OF THE PRE-BID WILL NOT BE PERMITTED TO SIGN THE ATTENDANCE SHEET.</p> <p>QUESTIONS: WRITTEN QUESTIONS WILL BE ACCEPTED THROUGH CLOSE OF BUSINESS (5:00 EST) ON THURSDAY, 12/17/2009.</p> <p>SEND YOUR QUESTIONS TO: PURCHASING DIVISION            ATTENTION: MICHAEL AUSTIN            2019 WASHINGTON ST. E.            CHARLESTON, WV 25305</p> <p>QUESTIONS MAY BE SENT VIA FAX, EMAIL, OR REGULAR MAIL.            EMAIL: MICHAEL.D.AUSTIN@WV.GOV            FAX: 304-558-4115</p> <p>IT IS THE VENDORS RESPONSIBILITY TO VERIFY THAT THEIR QUESTIONS HAVE BEEN RECEIVED BY CALLING 304-558-2402.</p> <p>EXHIBIT 2</p> <p>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</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

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<p>THIRTY (30) DAYS WRITTEN NOTICE.</p> <p>UNLESS SPECIFIC PROVISIONS ARE STIPULATED 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 WITH 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 SUPPLIES BY TH STATE SPENDING UNIT. IT IS UNDERSTOOD AND AGREED THAT THE CONTRACT SHALL COVER THE QUANTITIES ACTUALLY ORDERED FOR DELIVERY DURING THE TERM OF CONTRACT, WHETHER MORE OR LESS THAN THE QUANTITIES SHOWN.</p> <p>ORDERING PROCEDURE: SPENDING UNIT(S) SHALL ISSUE A</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

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VENDOR	*709051756	304-346-5301
	WV TRACTOR COMPANY	
	PO BOX 473	
	CHARLESTON WV 25322	

SHIP TO	DIVISION OF HIGHWAYS	
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	26201	304-472-1750

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<p>WRITTEN EQUIPMENT CONTRACT ORDER (FORM NUMBER WV-35) FOR COMMODITIES COVERED BY THIS CONTRACT. THE ORIGINAL WV-35 MUST BE SENT TO THE PURCHASING DIVISION OF THE DEPARTMENT OF ADMINISTRATION. AFTER APPROVAL AND ENCUMBRANCE, ONE COPY OF THE PURCHASE ORDER WILL BE RETURNED TO THE SPENDING UNIT AND ONE COPY FORWARDED TO THE VENDOR AS AUTHORIZATION FOR SHIPMENT. NO ORDER IS VALID UNLESS APPROVED AND ENCUMBERED BY THE PURCHASING DIVISION.</p> <p>BANKRUPTCY: IN THE EVENT THE VENDOR/CONTRACTOR FILES FOR BANKRUPTCY PROTECTION, THE STATE MAY DEEM THE CONTRACT NULL AND VOID, AND TERMINATE SUCH CONTRACT WITHOUT FUTHER ORDER.</p> <p>REV. 5/2009</p> <p>EXHIBIT 4</p> <p>LOCAL GOVERNMENT BODIES: UNLESS THE VENDOR INDICATES IN THE BID HIS REFUSAL TO EXTEND THE PRICES, TERMS, AND CONDITIONS OF THE BID TO COUNTY, SCHOOL, MUNICIPAL AND OTHER LOCAL GOVERNMENT BODIES, THE BID SHALL EXTEN TO POLITICAL SUBDIVISIONS OF THE STATE OF WEST VIRGINIA. IF THE VENDOR DOES NOT WISH TO EXTEND THE PRICES, TERMS, AND CONDITIONS OF THE BID TO ALL POLITICAL SUBDIVISIONS OF THE STATE, THE VENDOR MUST CLEARLY INDICATE SUCH REFUSAL IN HIS BID. SUCH REFUSAL SHALL NOT PREJUDICE THE AWARD OF THIS CONTRACT IN ANY MANNER.</p> <p>REV. 3/88</p> <p>EXHIBIT 10</p>						

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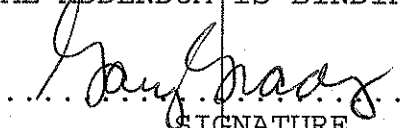
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LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
					7010EC02	
REQUISITION NO.: .....						
ADDENDUM ACKNOWLEDGEMENT						
I HEREBY ACKNOWLEDGE RECEIPT OF THE FOLLOWING CHECKED ADDENDUM(S) AND HAVE MADE THE NECESSARY REVISIONS TO MY PROPOSAL, PLANS AND/OR SPECIFICATION, ETC.						
ADDENDUM NO. 'S:						
	NO. 1	.....			X	
	NO. 2	.....			X	
	NO. 3	.....			X	
	NO. 4	.....			X	
	NO. 5	.....			X	
I UNDERSTAND THAT FAILURE TO CONFIRM THE RECEIPT OF THE ADDENDUM(S) MAY BE CAUSE FOR REJECTION OF BIDS.						
VENDOR MUST CLEARLY UNDERSTAND THAT ANY VERBAL REPRESENTATION MADE OR ASSUMED TO BE MADE DURING ANY ORAL DISCUSSION HELD BETWEEN VENDOR'S REPRESENTATIVES AND ANY STATE PERSONNEL IS NOT BINDING. ONLY THE INFORMATION ISSUED IN WRITING AND ADDED TO THE SPECIFICATIONS BY AN OFFICIAL ADDENDUM IS BINDING.						
 ..... SIGNATURE West Virginia Tractor Company						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
	346-5301	2/16/10

TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE
Pres.	550521655	

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DATE PRINTED:	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS
12/10/2009	Net 30	Drive-away	Buckhannon	Prepaid

BID OPENING DATE: 12/29/2009                                BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>COMPANY</p> <p>February 16, 2010</p> <p>.....</p> <p>DATE</p>						
<p>NOTE: THIS ADDENDUM ACKNOWLEDGEMENT SHOULD BE SUBMITTED WITH THE BID.</p> <p>REV. 09/21/2009</p> <p style="text-align: center;">NOTICE</p> <p>A SIGNED BID MUST BE SUBMITTED TO:</p> <p style="padding-left: 40px;">DEPARTMENT OF ADMINISTRATION            PURCHASING DIVISION            BUILDING 15            2019 WASHINGTON STREET, EAST            CHARLESTON, WV 25305-0130</p> <p>THE BID SHOULD CONTAIN THIS INFORMATION ON THE FACE OF THE ENVELOPE OR THE BID MAY NOT BE CONSIDERED:</p> <p>SEALED BID</p>						
BUYER:		33				
RFQ. NO.:		7010EC02				
BID OPENING DATE:		2/17/2010				
BID OPENING TIME:		1:30 PM				

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE		TELEPHONE 346-5301		DATE 2/16/10
TITLE	Pres.	FEIN 550621655	ADDRESS CHANGES TO BE NOTED ABOVE	

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PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID: ----- 346-5305 ----- CONTACT PERSON (PLEASE PRINT CLEARLY): ----- Gary Grady -----						
***** THIS IS THE END OF RFQ 7010EC02 ***** TOTAL: _____						

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SIGNATURE	TELEPHONE 346-5301	DATE 2/16/10
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BID OPENING DATE: 01/08/2010      BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
ADDENDUM NO. 1						
MANDATORY PRE-BID MEETING CHANGED						
FROM: 12/21/2009						
TO: 01/08/2010						
BID OPENING DATE AND TIME CHANGED						
FROM: 12/29/2009						
TO: 01/27/2010						
NO OTHER CHANGES						
0001		EA		810-85		
SPRAY EQUIPMENT, PESTICIDE (MACHINE POWERED) COMMERC						
***** THIS IS THE END OF RFQ 7010EC02 ***** TOTAL:						

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LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
NO OTHER CHANGES						
ADDENDUM NO. 2						
BID OPENING DATE AND TIME CHANGE						
FROM: 01/08/2010						
TO: 01/27/2010 @ 1:30 PM						
NO OTHER CHANGES						
0001		EA		810-85		
SPRAY EQUIPMENT, PESTICIDE (MACHINE POWERED) COMMERC						
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S H I P T O

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01/07/2010	Net 30	Drive-away	Buckhannon	Prepaid
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LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
ADDENDUM NO. 3						
MANDATORY PRE-BID MEETING DATE AND TIME CHANGED						
FROM: 01/08/2010 AT 10:00 A.M.						
TO: 01/15/2010 AT 10:00 A.M.						
BID OPENING DATE AND TIME CHANGED						
FROM: 01/27/2010 AT 1:30 P.M.						
TO: 02/03/2010 T 1:30 P.M.						
LOCATION OF MEETING: 2019 WASHINGTON STREET, EAST CHARLESTON, WV 25311						
NO OTHER CHANGES.						
0001		EA		810-85		
SPRAY EQUIPMENT, PESTICIDE (MACHINE POWERED) COMMERC						
***** THIS IS THE END OF RFQ 7010EC02 ***** TOTAL:						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS						
SIGNATURE			TELEPHONE 346-5301		DATE 2/16/10	
TITLE Pres.		FEIN 550621655		ADDRESS CHANGES TO BE NOTED ABOVE		

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

RFQ NUMBER
7010EC02

PAGE
1

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

VENDOR

\*709051756      304-346-5301  
 WV TRACTOR COMPANY  
 PO BOX 473  
  
 CHARLESTON WV 25322

SHIP TO

DIVISION OF HIGHWAYS  
 EQUIPMENT DIVISION  
 ROUTE 33  
 BRUSHY FORK ROAD  
 BUCKHANNON, WV  
 26201      304-472-1750

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
02/02/2010	Net 30	Drive-away	Buckhannon	Prepaid

BID OPENING DATE: 02/17/2010      BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
				ADDENDUM NO. 4		
				BID OPENING DATE AND TIME CHANGED		
				FROM: 02/03/10 @1:30 P.M.		
				TO: 02/17/10 @1:30 P.M.		
				NO OTHER CHANGES		
0001		EA		810-85		
				SPRAY EQUIPMENT, PESTICIDE (MACHINE POWERED) COMMERC		
***** THIS IS THE END OF RFQ 7010EC02 ***** TOTAL:						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE 346-5301	DATE 2/16/10
TITLE Pres.	FEIN 550621655	ADDRESS CHANGES TO BE NOTED ABOVE

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

RFQ NUMBER
7010EC02

PAGE
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ADDRESS: CORRESPONDENCE TO ATTENTION OF:
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VENDOR

\*709051756      304-346-5301  
 WV TRACTOR COMPANY  
 PO BOX 473  
  
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 26201      304-472-1750

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
02/03/2010	Net 30	Drive-away	Buckhannon	Prepaid

BID OPENING DATE: 02/17/2010      BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
ADDENDUM NO. 5						
CHANGES TO THE SPECIFICATIONS ATTACHED.						
REVISED PURCHASING AFFIDAVIT DATED 12/15/09 ATTACHED. PURCHASING AFFIDAVIT SHOULD BE RETURNED WITH BID.						
BID OPENING DATE AND TIME REMAINS 02/17/10 @1:30 P.M.						
NO OTHER CHANGES.						
0001		EA		810-85		
SPRAY EQUIPMENT, PESTICIDE (MACHINE POWERED) COMMERC						
***** THIS IS THE END OF RFQ 7010EC02 ***** TOTAL: _____						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS		
SIGNATURE	TELEPHONE	DATE
Pres.	346-5301	2/16/10
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE
	550621655	

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

WEST VIRGINIA DEPARTMENT OF TRANSPORTATION  
DIVISION OF HIGHWAYS  
EQUIPMENT DIVISION

BIDDER'S EVALUATION REPORT

PROCUREMENT SPECIFICATIONS FOR OPEN END CONTRACT  
NO. 105-1-C

HERBICIDE SPRAYER, SKID MOUNTED

NOTE TO BIDDER: Procurement Specification No. 105-1-C, Paragraph 2.0 recommends the completion and submittal of this Report with your bid. Purpose of this Report is to enable the West Virginia Division of Highways Evaluation Committee to make full and fair evaluation of the bid. Addendums in order, along with a summary of exception as a separate attachment, should be with Bidder's Evaluation Report.  
FAILURE TO SUBMIT THIS REPORT, COMPLETE IN ITS ENTIRETY, MAY SUBJECT THE BIDDER TO DISQUALIFICATION.

Reference Requisition No.: 7010EC02

Bidder's Name: West Virginia Tractor Company

Address: P.O. Box 473 Charleston, WV 25322

Telephone Number: 346-5301

Years Bidder has been registered to do business with the State of West Virginia: 28 YRS.

Years Company has been an authorized dealer for proposed unit: 8 YRS.

X3.2 Have you complied with all mandatory specifications?  YES  NO

X4.2 DELIVERY: 45 Calendar Days After  
X4.2.1 Delivery date of completed representative unit: 45 Calendar Days After  
Receipt of Purchase Agreement

X4.2.2 Delivery date of balance of completed units: 45-90 Calendar Days After Receipt of  
Purchase Agreement  
Total time depends upon number ordered

The Bidder's Evaluation Reports are ready for download on Purchasing's Web site at  
[www.state.wv.us/admin/purchase](http://www.state.wv.us/admin/purchase)

## X5.0 AWARD CRITERIA;

## X5.1 Price per unit:

\$16,500.00 per unit

## X6.0 SPECIFICATIONS - GENERAL

## X6.1 Manufacturer, model, series, and date of manufacture of proposed unit:

McGregor Skid Mount Herbicide Sprayer 2010 and later as ordered.  
 Is descriptive literature, fully describing proposed unit attached to your bid?  YES  NO

If not, why? \_\_\_\_\_

X6.2 Will the required number of service manuals, and complete parts list be delivered to the Equipment Division at Buckhannon upon completion of delivery of total units?

YES  NO

Will the required Equipment Preventive Maintenance Form (Section X6.2 of Bidders Evaluation Report) be provided upon inspection of the pilot unit?

YES  NO

X6.2  
2-10-00

**EQUIPMENT PREVENTATIVE MAINTENANCE QUESTIONNAIRE**

THIS FORM MUST BE COMPLETED IN ITS ENTIRETY BY SUCCESSFUL BIDDER OR MANUFACTURER'S TECHNICAL REPRESENTATIVE PRIOR TO DELIVERY OF PILOT MODEL TO THE WVDOH.

DESCRIPTION: \_\_\_\_\_ MAKE: \_\_\_\_\_

MODEL: \_\_\_\_\_ YEAR: \_\_\_\_\_ PURCHASE AMOUNT: \_\_\_\_\_

ENGINE: MAKE: \_\_\_\_\_ MODEL: \_\_\_\_\_ FUEL TYPE: \_\_\_\_\_

HORSEPOWER: \_\_\_\_\_ CYLINDER: \_\_\_\_\_ ENGINE SERIAL: \_\_\_\_\_

COOLING SYSTEM CAPACITY: \_\_\_\_\_

BELTS: DESCRIPTION: \_\_\_\_\_ PART NUMBERS: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

GVW: \_\_\_\_\_ AXLE CAPACITY: FRONT: \_\_\_\_\_ REAR: \_\_\_\_\_

TIRES: FRONT MAKE & SIZE: \_\_\_\_\_

REAR MAKE & SIZE: \_\_\_\_\_

DIMENSIONS OF UNIT: LENGTH: \_\_\_\_\_ WIDTH: \_\_\_\_\_ LENGTH: \_\_\_\_\_

VENDOR CONTACT PERSON: \_\_\_\_\_ PHONE: \_\_\_\_\_

**PARTS:**

BATTERY MAKE: \_\_\_\_\_ MODEL: \_\_\_\_\_ CCA: \_\_\_\_\_

TOP OR SIDE POST: \_\_\_\_\_ DIMENSIONS: LENGTH \_\_\_\_\_ WIDTH \_\_\_\_\_ HEIGHT \_\_\_\_\_

SPARK PLUGS OR FUEL INJECTORS MAKE: \_\_\_\_\_ PART #: \_\_\_\_\_

FUEL PUMP OR INJECTION PUMP MAKE: \_\_\_\_\_ MODEL: \_\_\_\_\_

ALTERNATOR MAKE: \_\_\_\_\_ PART #: \_\_\_\_\_

STARTER MAKE: \_\_\_\_\_ PART #: \_\_\_\_\_

TURBO CHARGER MAKE: \_\_\_\_\_ PART #: \_\_\_\_\_

TRANS. MAKE: \_\_\_\_\_ MODEL: \_\_\_\_\_ AUTO/MANUAL: \_\_\_\_\_

HYDRAULIC PUMP MAKE: \_\_\_\_\_ MODEL: \_\_\_\_\_

FILTERS	MAKE	PART NO.	LUBRICANT	MANUFACTURER TYPE
---------	------	----------	-----------	-------------------

OIL	_____	ENGINE	_____
-----	-------	--------	-------

AIR INNER	_____	TRANSMISSION	_____
-----------	-------	--------------	-------

AIR OUTER	_____	POWER STEERING	_____
-----------	-------	----------------	-------

FUEL PRIMARY	_____	HYDRAULIC	_____
--------------	-------	-----------	-------

FUEL SECONDARY	_____	DIFFERENTIALS	_____
----------------	-------	---------------	-------

COOLANT	_____	BRAKE FLUID	_____
---------	-------	-------------	-------

HYDRAULIC	_____	COOLANT	_____
-----------	-------	---------	-------

OTHER	_____	OTHER	_____
-------	-------	-------	-------



## X6.3 TRAINING:

Will training seminar be conducted on Preventive Maintenance, Operator and Mechanic Training  
 YES  NO

Will you conduct training with each purchase order against this open end contract?  
 YES  NO

Will training be conducted within 2 working days from the delivery of the pilot unit on the individual purchase order?  
 YES  NO

If NO, explain time frame \_\_\_\_\_

Will an Operator's Manual be furnished directly to Training Academy prior to the delivery of the pilot?  
 YES  NO

X6.4 If you are the successful vendor, will you furnish all training aids, i.e., videos, projectors, required in conducting the training?  
 YES  NO

X6.4.1 Will all manuals, booklets, etc. explaining preventive maintenance, operator procedures, and service schedule be delivered with each unit?  
 YES  NO  
 If NO, explain \_\_\_\_\_

## X6.5 WARRANTY AND SERVICE POLICY

Will the warranty and service you provide comply with all areas as stated in Section 6.5 of specifications  
 YES  NO

Is warranty literature attached?  
 YES  NO

Is a minimum two (2) year bumper to bumper basic parts and labor warranty excluding abuse and normal wear items included?  
 YES  NO

Describe:

Two years parts and service bumper to bumper

---

## X6.5 WARRANTY AND SERVICE POLICY QUESTIONNAIRE

### THIS FORM MUST BE COMPLETED IN ITS ENTIRETY AND SUBMITTED WITH YOUR BID.

(If additional lines are needed, make copies of form.)

1. Define the terms of the standard warranty. If not offered, so state. (Attach copy)

Two years parts and service bumper to bumper

2. Define warranty service to be performed at DOH facilities and warranty service to be performed at manufacturer's representative facility. List name and location of manufacturer's representative.

Most work under warranty to be performed at West Virginia  
Tractor in Charleston

3. List locations for parts inventories that are within the State of West Virginia. Also, list availability levels, if known.

Parts to be supplied by West Virginia Tractor in Charleston

4. During the term of warranty, list the guarantee discount to manufacturer's published list price for parts that bidder will sell the parts to owner.

A.	Terms: Net 30	Manufacturer's published list price less: <u> - </u> % discount
B.	Terms: Net 60	Manufacturer's published list price less: <u> - </u> % discount
C.	Terms: Net 90	Manufacturer's published list price less: <u> - </u> % discount

5. During the term of warranty, will all manufacturers or engineering improvements be submitted to Division of Highways?  x  YES   NO

6. During the term of warranty, list the guaranteed rates charged for repair to the unit.

A. Shop Rate \$  75.00  per mechanic hour

B. Travel Time Charge \$  75.00  per mechanic hour  
(Specify if one-way) \_\_\_\_\_; port to port  x

C. Mileage Charge \$  2.00  per vehicle mile  
(Specify if one-way) \_\_\_\_\_; port to port  x

D. Field Mechanic Rate \$  75.00  per mechanic hour

E. Specify period of time that prices are in effect:  One year

F. Surcharge for miscellaneous items:  holidays and overtime 150%

## X6.6 EVALUATION COMMITTEE REQUIREMENTS

Is all component specifications, product literature, component models provided for Evaluation Committee bid determination?  YES  NO

X6.7 Will all parts, equipment, accessories, material, design and performance characteristics not specified herein, but which are necessary to provide a complete unit, be furnished with the unit and conform in strength, quality of material, and quality of workmanship to those which are advertised and provided to the market in general by the unit industry?

YES  NO

X6.7.1 Are all parts and accessories adequate and regularly supplied as standard to be included except those which may be duplications of specifications herein, and except these by specification are not to be furnished?

YES  NO

X6.7.2 Are all standard safety features that are required by Federal and State statutes of law included?

YES  NO

## X7.0 SPECIFICATIONS OF THE QUOTED UNIT

The bidder should complete the following schedule in order for the Division to compare the actual bid unit to the specifications. Should the bidder except a requirement, then such exception may be only on the basis that such feature is not offered by the manufacturer. **The Division will have the sole discretion as to whether the bidder's substitution meets the requirements of the specifications.**

Manufacturer: McGregor

Model: Skid Mount Herbicide Sprayer

X7.1 Will sprayer be mounted and operable from existing Division of Highways dump truck 12,000 - 17,500 GVW?  YES  NO

X7.2 Will unit be skid mounted with isolated mounts?  YES  NO

X7.3 Will tank be 500 gallon low profile type?  YES  NO

X7.4 Engine: Gasoline fueled and 13 HP with pressurized oil system and electric start  YES  NO

X7.5 Does unit provide in-cab engine and spray controls fully installed by successful vendor in existing DOH dump truck?  YES  NO

X7.6 Will sprayer have a swivel mounted hose reel, electric operated w/300 ft of hose?  YES  NO

X7.7 Does unit have diaphragm type pump producing 30.1 GPM minimum?  YES  NO

**X7.8 Pump PSI:** 290

- X7.9 Will be provided with a one-inch filter on intake side of pump?  YES  NO
- X7.10 Will unit have an air brake filling system?  YES  NO
- X7.11 Will unit be equipped with vertical actuator/jet agitation features?  YES  NO
- X7.12 Will unit be Poly type with chemical resistance fittings/valves?  YES  NO
- X7.13 Will nozzles be boom jet type with one-inch plumbing?  YES  NO
- X7.14 Will front boom be reversible from left to right side?  YES  NO
- X7.15 Will all necessary shut off valves and gauges be provided?  YES  NO
- X7.16 Will unit have a flow control system  YES  NO Manufacturer and Part No.: Teejet 844
- X7.17 Will hose reel have an SS43H or equal hand gun?  YES  NO
- X7.18 Will two (2) LED type strobe lights be mounted on back of unit?  YES  NO
- X7.19 Will unit have a re-circulatory by-pass system?  YES  NO
- X7.20 Will unit be provided with front tie-downs?  YES  NO
- X7.21 Will 1/4inch x 2inch x 2inch angle iron be provided with unit 8 foot long with 1inch round shafting 6 inches long to construct a tailgate latch safety bar?  YES  NO
- X7.22 Will successful vendor install unit on DOH vehicles at pre-determined DOH location or dealer facility?  YES  NO
- X7.23 Will unit be painted manufacturers standard color?  YES  NO
- X7.24 Will vendor meet OSHA specification as described in section 7.24 of Specification?  YES  NO
- X7.25 Will all features considered manufacturers standard equipment not specifically addressed be provided?  YES  NO
- X7.26 Will vendor meet advertising as described in section 7.26 of Specifications?  YES  NO
- X7.27 Will vendor provide training as specified in section 7.27 of the Specifications?  YES  NO

PREBID ADDENDUM  
OPEN END CONTRACT  
7010EC02

HERBICIDE SPRAYER, SKID MOUNTED

CHANGES TO BIDDER'S EVALUATION REPORT:

NO CHANGE REQUIRED:

X4.2 DELIVERY:

X4.2.1 Delivery date of completed representative unit: 45 Calendar Days After  
Receipt of Purchase Agreement

FROM:

X7.1 Will sprayer be mounted and operable from existing Division of Highways dump  
truck 12,000 – 17,500 GVW?        YES        NO

TO:

X7.1 Will sprayer be mounted and operable from existing Division of Highways dump  
truck 17,500 GVW minimum?   x   YES        NO

NO CHANGE REQUIRED:

X7.2 Will unit be skid mounted with isolated mounts?   x   YES        NO

NO CHANGE REQUIRED:

X7.3 Will tank be 500 gallon low profile type?   x   YES        NO

FROM:

X7.4 Engine: Gasoline fueled and        HP with pressurized oil system and electric start  
       YES        NO

TO:

X7.4 Engine: Gasoline fueled and   13   HP with pressurized oil system and electric start  
  x   YES        NO  
Is battery included   x   YES        NO

LEAVE AS WRITTEN:

X7.7 Does unit have diaphragm type pump producing   30.1   GMP minimum  
  x   YES        NO

LEAVE AS WRITTEN:

X7.8 Pump PSI: 290

LEAVE AS WRITTEN:

X7.13 Will nozzles be boom jet type with one-inch plumbing?  YES  NO

FROM:

X7.14 Will front boom be reversible from left to right side?  YES  NO

TO:

X7.14 Will front boom be reversible from left to right side?  YES  NO

Mounted on front bumper  YES  NO

FROM:

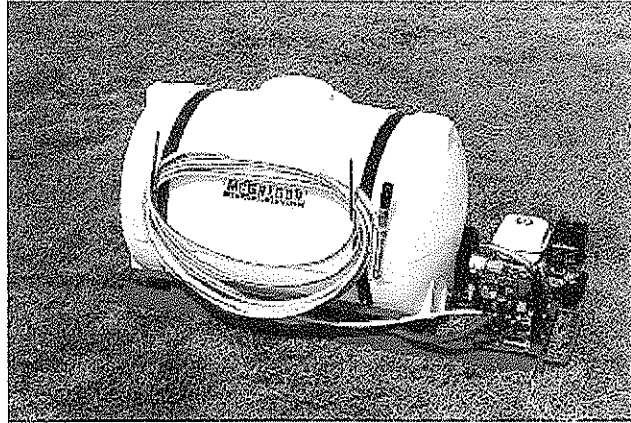
X7.18 Will two (2) LED type strobe lights be mounted on back of unit?  YES  NO

TO:

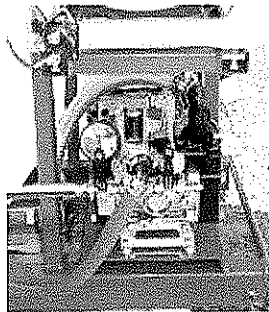
X7.18 Will two (2) Class 1 LED type strobe lights be mounted on back of unit?  YES  NO



# Skid Sprayer

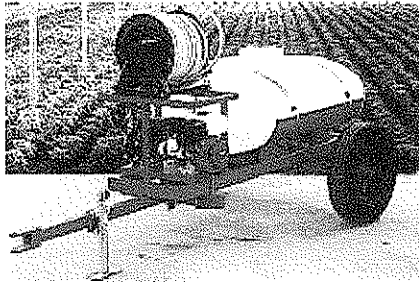


The McGregor Skid Sprayers are as versatile as they are rugged. They have been designed and built to provide many years of trouble-free spraying with a minimum amount of maintenance. The McGregor Skid Sprayer can be loaded on or hauled in any type or size of 2 or 4-wheel drive pickup, truck, or service vehicle. The McGregor Slip Sprayer can be used as a pressure washer, to spray fencerows, around buildings, grain bins, lawns, and shrubs. The Slip Sprayer can also be used to spray pastures, ditches, road right-of-ways, small acreage, and all kinds of spot spraying and fire protection. The versatility of the McGregor Slip Sprayer makes it an ideal unit for use around the farm, industrial sites, airports, golf courses, cemeteries, and many other areas. The McGregor Skid Sprayer is handy as a fire fighter in the hot, dry season. Minimum employee training required before operating The McGregor Skid Sprayers.



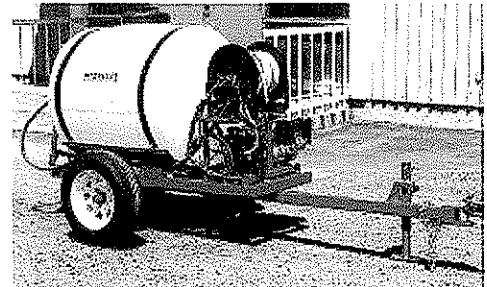
### "Standard Features"

- Honda 5.5-HP engine
- Hypro D-30 diaphragm pump will deliver 9.5-GPM @ 550-P.S.I
- 150-gal polypropylene tank – mounted on skid frame
- Non-corrosive fittings, valves, and strainer
- 25-ft hand line and spray gun
- Frame coated with high quality, long lasting finish
- By-pass agitation



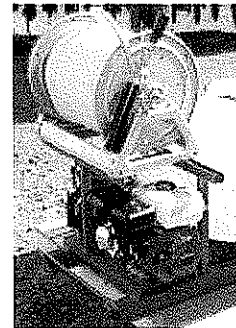
### "Available Options"

- 55 – 525 gallon polypropylene tank
- Elliptical tanks
- Stainless steel tanks
- Tank fill strainer
- Hypro Pump Options:
  - D-100 will deliver 27-GPM @ 280-P.S.I
  - 1500 will deliver 62-GPM @ 150-P.S.I
  - 1700 will deliver 45-GPM @ 200-P.S.I
  - 6500 will deliver 22-GPM @ 300-P.S.I
- Self cleaning tank strainer
- Mount on trailer with jack
- Transport brackets for McGregor Eagle Walking Boom
- Jet or Mechanical Agitator for tank
- Manual or electric hose reel accommodate 3/8" – 1/2" – 3/4" or 1" hose
- Draft Hose Assembly



### "Spray Boom Options"

- 3-section, wet boom with self centering, breakaway hinges
- 20-ft or 30-ft booms
- Adjustable height
- Spray tips – your choice of different types and sizes
- Electric boom control valves, and in-cab console
- Foam Marker
- *Spraying Systems* computer control monitor system
- Sonar system
- Electric boom fold-up



*If McGregor does not stock a standard sprayer or the options to provide the sprayer you need - McGregor will build to your specifications!*

## McGregor Advantage Integrity • Innovation • Expertise

The McGregor Company  
Equipment Manufacturing Division  
P.O. Box 740  
28232 Endicott RD  
Colfax, WA 99111

Phone: 509-397-4360  
800-727-9160  
Fax: 509-397-6306  
Email: sales@mcgregoreq.com  
Web: www.mcgregoreq.com

WARRANTY STATEMENT - Two years parts and labor for WVD0H.

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.

1. 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,
X 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 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; or,

2. Application is made for 2.5% resident vendor preference for the reason checked:

- X 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; or,

3. 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 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 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,

4. Application is made for 5% resident vendor preference for the reason checked:

- X 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 Guard and has resided in West Virginia continuously for the four years immediately preceding the date on which the bid is submitted; or,

6. 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 average at least seventy-five percent of the vendor's employees are residents of West Virginia who have resided in the state continuously for the two immediately preceding years.

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 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.

By submission of this certificate, Bidder agrees to disclose any reasonably requested information to the Purchasing Division and 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.

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.

Bidder: West Virginia Tractor Company Signed: [Signature]

Date: 2/16/10 Title: PResident

\*Check any combination of preference consideration(s) indicated above, which you are entitled to receive.



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.

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.

**WITNESS THE FOLLOWING SIGNATURE**

Vendor's Name: West Virginia Tractor Company

Authorized Signature: *Gray Grady* Date: 2/16/10

State of West Virginia

County of Kanawha, to-wit:

Taken, subscribed, and sworn to before me this 16 day of February, 2010.

My Commission expires August 12, 2012

AFFIX SEAL HERE

NOTARY PUBLIC *Steven B. Basham*

