



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
RMA11018

PAGE
1

ADDRESS CORRESPONDENCE TO ATTENTION OF:
FRANK WHITTAKER 304-558-2316

VENDOR

Attn: Charron Benjamin
 Delta Manufacturing
 3707 19th Avenue North
 Escanaba MI 49829

SHIP TO

WV STATE RAIL AUTHORITY
 (DBA) SOUTH BRANCH VALLEY
 RAILROAD
 120 WATER PLANT DRIVE
 MOOREFIELD, WV
 26836 304-538-2305

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
02/16/2011	NET 30		ESCANABA, MI	
BID OPENING DATE: 03/10/2011		BID OPENING TIME 01:30PM		

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	EA		075-43	53,207.00	53,207.00
<p>LOW PROFILE PORTABLE WHEEL LATHE</p> <p>THE WEST VIRGINIA PURCHASING DIVISION, FOR THE AGENCY, THE WEST VIRGINIA STATE RAIL AUTHORITY, IS SOLICITING BIDS FOR A LOW PROFILE CNC CONTROLLED PORTABLE WHEEL LATHE PER THE ATTACHED SPECIFICATIONS.</p> <p>ALL TECHNICAL QUESTIONS MUST BE SUBMITTED IN WRITING TO FRANK WHITTAKER IN THE WV PURCHASING DIVISION VIA EMAIL AT FRANK.M.WHITTAKER@WV.GOV OR VIA FAX AT 304-558-4115, DEADLINE FOR TECHNICAL QUESTIONS IS 02/28/2011 AT 4:00 PM. ALL TECHNICAL QUESTIONS WILL BE ADDRESSED BY ADDENDUM AFTER THE DEADLINE.</p> <p>EXHIBIT 10</p> <p>REQUISITION NO.: RMA11018..</p> <p>ADDENDUM ACKNOWLEDGEMENT</p> <p>I HEREBY ACKNOWLEDGE RECEIPT OF THE FOLLOWING CHECKED ADDENDUM(S) AND HAVE MADE THE NECESSARY REVISIONS TO MY PROPOSAL, PLANS AND/OR SPECIFICATION, ETC.</p> <p>ADDENDUM NO.'S:</p> <p>NO. 1</p> <p>NO. 2</p> <p>NO. 3</p>						

RECEIVED

2011 FEB 28 A 10:10

PURCHASING DIVISION
STATE OF WV

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
Charron Benjamin	906-233-1500	2-25-2011
TITLE	ADDRESS CHANGES TO BE NOTED ABOVE	
Sales Mgr. 2522		

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



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ADDRESS CORRESPONDENCE TO ATTENTION OF
FRANK WHITTAKER 304-558-2316

VENDOR

RFQ COPY
 TYPE NAME/ADDRESS HERE

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02/16/2011				

BID OPENING DATE: 03/10/2011 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
	NO. 4					
	NO. 5					
<p>I UNDERSTAND THAT FAILURE TO CONFIRM THE RECEIPT OF THE ADDENDUM(S) MAY BE CAUSE FOR REJECTION OF BIDS.</p> <p>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.</p> <p style="text-align: center;"> <i>Charron Benjamin</i> SIGNATURE <i>H9 Manufacturing</i> <i>DBA Delta Manufacturing</i> COMPANY 2-25-2011 DATE </p> <p>NOTE: THIS ADDENDUM ACKNOWLEDGEMENT SHOULD BE SUBMITTED WITH THE BID.</p> <p>REV. 09/21/2009</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 FURTHER ORDER.</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Charron Benjamin</i>	TELEPHONE 906-233-1500	DATE 2-25-2011
TITLE <i>Sales Mgr.</i>	FEN [REDACTED] 2522	ADDRESS CHANGES TO BE NOTED ABOVE

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



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VENDOR

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 (DBA) SOUTH BRANCH VALLEY
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 26836 304-538-2305

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
02/16/2011				

BID OPENING DATE: **03/10/2011** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
<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> <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> <p>BUYER: 44</p> <p>RFQ. NO.: RMA11018</p> <p>BID OPENING DATE: 03/10/2011</p> <p>BID OPENING TIME: 1:30 PM</p> <p>PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID:</p> <p>-----</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE: *Charon Benjamin* TELEPHONE: **906-233-1500** DATE: **2-25-2011**
 TITLE: *Sales Mgr.* FEIN: **2522** ADDRESS CHANGES TO BE NOTED ABOVE

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



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ADDRESS CORRESPONDENCE TO ATTENTION OF
**FRANK WHITTAKER
 304-558-2316**

RFQ COPY
 TYPE NAME/ADDRESS HERE

PROZERR

SHIP TO

**WV STATE RAIL AUTHORITY
 (DBA) SOUTH BRANCH VALLEY
 RAILROAD
 120 WATER PLANT DRIVE
 MOOREFIELD, WV
 26836 304-538-2305**

DATE PRINTED 02/16/2011	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
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BID OPENING DATE: **03/10/2011** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
CONTACT PERSON (PLEASE PRINT CLEARLY): <i>CHARROW BENJAMIN</i>						
***** THIS IS THE END OF RFQ RMA11018 ***** TOTAL:						<u>53,207.00</u>

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Charrow Benjamin</i>	TELEPHONE 906-233-1500	DATE 2-25-2011
TITLE <i>Sales Mgr.</i>	FEIN 2522	ADDRESS CHANGES TO BE NOTED ABOVE

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

REQUEST FOR QUOTE

The West Virginia Purchasing Division, for the West Virginia State Rail Authority (SRA), is soliciting bids for the purchase of a Low Profile Portable Wheel Lathe.

DESCRIPTION

Low Profile CNC Portable Wheel Lathe. (with all standard equipment for operation)

- Lathe is to be CNC Controlled for an accurate profile
- This lathe should be operational without the need for an operator to be under the locomotive during operation
- Wheels must be able to be profiled while still on the locomotive
- Lathe should be able to set up and run the opposite wheel ~~without dismantling the lathe~~
- Lathe should turn wheels symmetrical within FRA tolerances

Additional Items:

TRAINING

Lump sum price is to include an all inclusive price (onsite labor and all travel costs) for two (8 hour days) of training onsite by one trainer. Training should include:

- Attachment and Lathe set up
- Lathe Operation
- Maintenance and trouble shooting

Successful vendor will provide information to the SRA prior to the trainer's arrival describing how the locomotive should be prepared for a demonstration. Per the vendor's instructions, the SRA will have the brake rigging removed and a unit ready to be turned when the trainer arrives.

WARRANTY

Lathe must come with a warranty that states machine is free of manufacturing defects for a period of one (1) year. This warranty is to include all parts and labor necessary to correct any manufacturing defects.

Line Item	Description	Unit Cost	Unit of Measure	Quantity	Extended Cost
	LOW Profile CNC Portable Wheel Lathe				
1	Complete Lathe w/standard equipment	\$	each	1	\$
	TRAINING				
2	All inclusive rate for one trainer to give	\$ 1205.00	each	1	\$ 2410.00
	2 - 8 hour day training courses				\$
			TOTAL BID		\$ 2410.00

Notes:

- 1) Vendors should complete this form in its entirety in lieu of submitting other quote forms. Submitted form should be provided in a legible form. (Typewritten form preferred.)
- 2) Vendors must submit unit prices for all items. Failure to provide unit prices may result in the disqualification of the vendor's bid.

Quote

Delta Manufacturing, Inc

3707 19th Ave N
Escanaba, MI 49829

Ph: 906-233-1500 Fax: 906-233-1555
Website: www.deltamfg.net

Date: 1/12/2011
Quote #: 642

Name / Address		Ship To				
State Of West Virginia Department Of Administration Purchasing Division P. O. Box 50130 Charleston, WV 25305-0130		WV State Rail Authority DBA South Branch Valley Railroad Attn: Frank Whittaker 120 Water Plant Drive Moorefield, WV 26836 USA				
Terms	Net 30	Rep	CB	FOB	Escanaba, MI	
Item	Qty	Description	Reference	U/M	Rate	Total
WTL8000	1	Low Profile CNC Portable Wheel Lathe With Standard Equipment including 5 inserts, L & R Toolholder, shims, rail clamps, push pole, sm & lg bottle jacks, all power cables Hyatt Axle Stabilizer, chip puller, Control cabinet, cart, wheel set for lathe and pendent		ea	45,500.00	45,500.00
WTL8000-74 LH	1	Left Hand Tool Holder			250.00	250.00
WTL8000-75 RH	1	Right Hand Toolholder			250.00	250.00
DM6205	60	Carbide Inserts for cutting wheels			28.75	1,725.00
WTL8000-92	10	Molly Kote Lathe Grease G4500/10 tubes per case			12.85	128.50
WTL240L050-8000	2	DMWTL-8000 Timing Belts 2 per Lathe-Jason Brand for X & Y			16.75	33.50
Air Fare	1	Field Kit not needed			500.00	500.00
WTL3000-128	4	Air Fare Lathe Training Wheel Truing training, meals, hotel and vehicle expenses, this is per day (usually 2 days for transportation time and 2 days of training after brake rigging is removed if needed & Delta's requirements are met in advance of our trainer arriving). **Note airfare is additional charge** FOB: Escanaba, MI Shipping Time: 4-6 Weeks ARO Terms: Net 30			1,205.00	4,820.00

\$53,207.00

Total

ISO 9001:2008 & MI003 CERTIFIED

Delta Manufacturing commits to quality, delivery, & customer service!!

PAST DUE INVOICES SUBJECT TO 1-1/2% PER MONTH ON ALL INVOICES!!!

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,
 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:**
 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:**
 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: _____ Signed: _____

Date: _____ Title: _____

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

RFQ No. RMA 11018

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 exceed five percent of the total contract amount.

EXCEPTION: The prohibition of this section does not apply where a vendor has contested any tax administered pursuant to chapter eleven of this code, workers' compensation premium, permit fee or environmental fee or assessment and the matter has not become final or where the vendor has entered into a payment plan or agreement and the vendor is not in default of any of the provisions of such plan or agreement.

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: HJ MANUFACTURING / DBA DELTA MANUFACTURING

Authorized Signature: [Signature] Date: 02-28-11

State of Michigan

County of Delta, to-wit:

Taken, subscribed, and sworn to before me this 28 day of February, 2011.

My Commission expires 7-31, 2014.

AFFIX SEAL HERE

NOTARY PUBLIC [Signature]

Kathy Huffman
Notary Public
Delta County, Michigan
My Commission Expires 7-31-2014