



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
6612C013

PAGE
1

ADDRESS CORRESPONDENCE TO ATTENTION OF:
PAUL REYNOLDS 304-558-0468

VENDOR

*424153422 303-431-7333
 APPLEWOOD SEED COMPANY
 5380 VIVIAN STREET

 ARVADA CO 80002

SHIP TO

DIVISION OF HIGHWAYS
 VARIOUS LOCALES AS INDICATED
 BY ORDER

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
11/10/2011				

BID OPENING DATE: **12/07/2011** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
0001		EA		790-20-00-000		
<p>WILDFLOWER SEED</p> <p>REQUEST FOR QUOTATION</p> <p>OPEN END CONTRACT</p> <p>THE WEST VIRGINIA STATE PURCHASING DIVISION FOR THE AGENCY, THE WEST VIRGINIA DIVISION OF HIGHWAYS IS SOLICITING BIDS FOR AN OPEN END CONTRACT TO PROVIDE WILDFLOWER SEEDS PER THE ATTACHED SPECIFICATIONS.</p> <p>EXHIBIT 3</p> <p>LIFE OF CONTRACT: THIS CONTRACT BECOMES EFFECTIVE UPON AWARD 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)</p>						

RECEIVED
 2011 DEC -2 A 9:54
 PURCHASING DIVISION
 STATE OF WV

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Diane Wilcox</i>	TELEPHONE (303) 431-7333	DATE Nov. 21, 2011
TITLE Bid Manager	FEIN 84-0671900	ADDRESS CHANGES TO BE NOTED ABOVE

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



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<p>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> <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</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Oran Wilson</i>	TELEPHONE (303) 431-7333	DATE Nov. 21, 2011
TITLE Bid Manager	FEIN 84-0671900	ADDRESS CHANGES TO BE NOTED ABOVE

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LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
<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: PAUL REYNOLDS FILE 33</p> <p>RFQ. NO.: 6612C013</p> <p>BID OPENING DATE: 12/07/2011</p> <p>BID OPENING TIME: 01:30 P.M.</p> <p>PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID:</p> <p>----- Diane Wilson ----- FAX (303)467-7886</p> <p>CONTACT PERSON (PLEASE PRINT CLEARLY):</p> <p>-----</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Diane Wilson</i>	TELEPHONE (303) 431-7333	DATE Nov. 21, 2011
TITLE Bid Manager	FEIN 84-0671900	ADDRESS CHANGES TO BE NOTED ABOVE

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

1. SPECIFICATIONS

Seed must be United States origin. Successful vendor(s) must provide documentation with each delivery that seed is grown in North America for a period of three growing seasons prior to seed harvest.

Seed must be Pure Live Seed (PLS).

No substitutions of species will be accepted.

Pricing must be inclusive of all associated costs including the cost of delivery.

2. QUALITY REQUIREMENT

Minimum purity percentage must be no less than 98%. Minimum germination percentage must be no less than 80%. Vendors that do not provide purity and germination percentages on the Bid Schedule, for each item bid, will be disqualified for that item.

After an Agency Release is issued to the awarded vendor, proof of purity and germination must be attached to each bag of seed when delivered.

All seed shipped must meet West Virginia Chapter 19, Article 16, Section 2, labeling requirements. All seed shall be tested by a certified seed laboratory with certified results submitted to the Division of Highways in writing at the time of delivery.

The state of West Virginia will randomly test seed for purity and germination.

Material failing to comply with these quality requirements will not be accepted.

3. QUANTITIES

Quantities listed on the Bid Schedule are for pure live seed (PLS). Vendors are cautioned that the quantities on the Bid Schedule are estimates only and are intended for bid evaluation purposes only. An Agency Release will be issued to the awarded vendor for actual quantities as the need arises.

4. CONTRACT AWARD

It is the intent to award a contract for each item listed herein. Qualified vendors who submit a valid low bid will be awarded a contract for those items for which their bid is low, provided that the vendor has listed the purity and germination percentage on the Bid Schedule for each item bid. Failure to list this information will result in the disqualification of the vendor's bid on that item.

The award for each item will be based on the bid price per unit of measure as requested on the Bid Schedule. The unit of measure shall be per pound on the Bid Schedule. Vendors are cautioned that the quantities on the Bid Schedule are estimates only.

The State of West Virginia reserves the right to make multiple awards on this contract when it is in the best interest of the State to do so.

5. DELIVERY

At the time of need, an Agency Release will be issued to the awarded Vendor. Delivery shall be no later than thirty (30) calendar days from the date of the Agency Release unless an alternative delivery date has been established between the awarded Vendor and the Division of Highways issuing the Agency Release. The delivery date shall be added to the Agency Release.

If after the thirty (30) calendar days the items have not been received and an alternative delivery date was not established, the Division of Highways may, at their option, cancel the Agency Release and proceed to obtain the required quantity of items from an alternate economical source.

Justification must be provided by the awarded Vendor to the Division of Highways issuing the Agency Release for not being able to meet the required delivery date.

6. VENDOR'S INVOICES

Vendor's invoices must be submitted in original and four copies and contain the following:

- a. Division of Highways Agency Release Number and Contract Number.
- b. Total quantity and unit price with the total cost of each type of item furnished.

Note: Under no circumstance will the Division of Highways accept, or pay for, quantities of material in excess of the quantity stated on the Agency Release.

7. PURCHASING CARD ACCEPTANCE

The State of West Virginia currently utilizes a VISA Purchasing Card Program which is issued through a bank. The successful vendors must accept the State of West Virginia VISA Purchasing Card for payment of all orders placed by any State Agency as a condition of award.

8. Wildflower See Bid Schedule

Requisition #6612C013

Minimum Purity 98%

Minimum Germination 85%

Unit of Measure cost must be inclusive of all associated costs including the cost of delivery.

Unit of Measure shall be per Pound of Pure Live Seed (PLS).

ITEM	INDIVIDUAL SPECIES Description - Genus and Species	Purity %	Germination %	Unit Cost Per Pound	Estimated Quantity	Extended Cost
1	Red Straight Poppy/Flanders Poppy Papaver rhoeas (Papaveraceae)	98	85	\$17.88	300 lbs.	\$5,364.00
2	Dwarf Cornflower/Straight Blue Bachelor's Button Centaurea cyanus (Asteraceae)	99	85	\$5.96	400 lbs.	\$2,384.00
3	Plains Coreopsis/Calliopsis Coreopsis tinctoria (Asteraceae)	95	80	\$14.96	400 lbs.	\$5,984.00
4	Crest Red Cosmos Cosmos Sulphureus			no bid	200 lbs.	
5	Wild Cosmos Cosmos bipinnatus (Asteraceae)	99	90	\$11.26	700 lbs.	\$7,882.00
6	Yellow Cosmos Cosmos sulphureus (Asteraceae)	99	85	\$14.85	100 lbs.	\$1,485.00
7	Blanket Flower Gaillardia Aristata (Asteraceae)			no bid	300 lbs.	
8	Golden Lupine Lupinus densiflorus			no bid	200 lbs.	
9	Rocket Lockspur Delphiniums Ajacis	98	85	\$14.64	700 lbs.	\$10,248.00
10	Tickseed/Lance-leaved Coreopsis Coreopsis Lanceolata (Asteraceae)			no bid	200 lbs.	
11	Ox-Eyed Daisy Chrysanthemum Leucanthemum	99	85	\$21.46	200 lbs.	\$4,292.00
12	Butterfly Weed Asclepias Tuberosa (Asclepiadaceae)			no bid	100 lbs.	
13	Black-Eyed Susan Rudbeckia hirta (Asteraceae)	98	85	\$16.16	300 lbs.	\$4,848.00

8. Wildflower Seed Bid Schedule (continued)

Requisition #6612C013

Minimum Purity 98%

Minimum Germination 85%

Unit of Measure cost must be inclusive of all associated costs including the cost of delivery.

Unit of Measure shall be per Pound of Pure Live Seed (PLS).

ITEM	INDIVIDUAL SPECIES Description - Genus and Species	Purity %	Germination %	Unit Cost Per Pound	Estimated Quantity	Extended Cost
14	Beard - Tongue Penstemon digitalis			no bid	100 lbs.	
15	Sunflower Dwarf Sunspot Helianthus Annuus	99	90	\$14.50	500 lbs.	\$7,250.00

TOTAL \$ 49,737.00

8. Wildflower Seed Bid Schedule (continued) Requisition #6612C013

Minimum Purity 98%
 Minimum Germination 85%

Unit of Measure cost must be inclusive of all associated costs including the cost of delivery.
 Unit of Measure shall be per Pound of Pure Live Seed (PLS).

ITEM	Description - Genus and Species	Purity %	Germination %	Unit Cost Per Pound	Estimated Quantity	Extended Cost
16	Perennial Mix (packaged in 8.0 lb bags)	X	X	\$16.24	5000 lbs.	\$81,200.00
	Maximum Shasta Daisy Chrysanthemum 20% by Weight, 25.3% by Seed	99	85	X	X	X
	Tickseed/Coreopsis, Lance Leaved Coreopsis lanceolata 32% by Weight, 26.2% by Seed	98	80	X	X	X
	Purple Coneflower Echinacea purpurea 40% by Weight, 22.9% by Seed	98	90	X	X	X
	Black-Eyed Susan Rudbeckia hirta 8% by Weight, 25.6% by Seed	98	80	X	X	X

Minimum Purity 98%
 Minimum Germination 85%

Unit of Measure cost must be inclusive of all associated costs including the cost of delivery.
 Unit of Measure shall be per Pound of Pure Live Seed (PLS).

ITEM	Description - Genus and Species	Purity %	Germination %	Unit Cost Per Pound	Estimated Quantity	Extended Cost
	Annual Mix (packaged in 8.0 lb bags)	X	X	\$15.22	5000 lbs.	\$76,100.00
	Dwarf Cornflower Centaurea cyanus 25% by Weight, 8.4% by Seed	99	85	X	X	X
	Plains Coreopsis Coreopsis tinctoria 5% by Weight, 20.7% by Seed	95	80	X	X	X
	Wild Cosmos Cosmos bipinnatus 20% by Weight, 5.2% by Seed	99	85	X	X	X
	Yellow Cosmos Cosmos sulphureus 35% by Weight, 6.8% by Seed	99	85	X	X	X
	California Poppy Eschscholzia California 10% by Weight, 8.7% by Seed	98	85	X	X	X
	Red Poppy Papaver rhoeas 5% by Weight, 50.2% by Seed	98	85	X	X	X

RFQ No. 6612C013

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 owned 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: APPLEWOOD SEED COMPANY

Authorized Signature: *Diane Wilson* Date: Nov. 21, 2011

State of Colorado

County of Jefferson, to-wit:

Taken, subscribed, and sworn to before me this 21st day of November 2011

My Commission expires _____, 20 _____

My Commission Expires 05/20/2013
AFFIX SEAL HERE

NOTARY PUBLIC *Linda A. Hilde*



Diane Wilson
5380 Vivian Street
Arvada, CO 80002 USA
Phone 303-431-7333 Fax 303-467-7886
e-mail: dwilson@applewoodseed.com

Fax

To: West Virginia Purchasing Div. From: Diane Wilson
Attn: Paul Reynolds Pages: 5 (including this page)
Fax Number: (304)558-3970 Date: December 28, 2011

Per our telephone conversation this morning, I am faxing over Addendum 2 and 3 for the RFQ 6612C013.

If you have any questions, please let me know.

Best Regards,

Applewood Seed Company

Diane Wilson
Bid Manager

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STATE DIVISION
STATE OF WV
2011 DEC 28 P 12:01



State of West Virginia
 Department of Administration
 Purchasing Division
 2019 Washington Street East
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PAUL REYNOLDS
304-558-0468

VENDOR

*424153422 303-431-7333
 APPLEWOOD SEED COMPANY
 5380 VIVIAN STREET

 ARVADA CO 80002

SHIP TO

DIVISION OF HIGHWAYS
 VARIOUS LOCALES AS INDICATED
 BY ORDER

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
12/13/2011				

BID OPENING DATE: **01/11/2012** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
				ADDENDUM NO. 2		
				ANSWER TO TECHNICAL QUESTIONS ATTACHED.		
				ADD: WILDFLOWER SEEDS TO BE PROVIDED TO ALL TEN DISTRICTS SEE ATTACHED.		
				BID OPENING DATE CHANGED		
				FROM: 12/21/2011 @ 1:30 P.M.		
				TO: 01/11/2012 @ 1:30 P.M.		
				NO OTHER CHANGES		
0001		LS		790-20-00-000		
				WILDFLOWER SEED		
				***** THIS IS THE END OF RFQ 6612C013 ***** TOTAL:		

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Diane Wilson</i>	TELEPHONE <i>(303) 431-7333</i>	DATE <i>12/28/11</i>
TITLE <i>Bid Mgr.</i>	FEIN <i>84-0671900</i>	ADDRESS CHANGES TO BE NOTED ABOVE

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

Addendum # 2 6612C013 Tehnical Questions

Question 1: There are 2 addresses listed for quote delivery. Can it be delivered to the PO Box 50130 via postal service as well as the street address via courier?

Response: **Quote Delivery may be delivered to either address. The quote must be delivered prior to the bid opening date and time.**

Question 2: Do you have an approximate delivery date for the seed?

Response: Preferably, weather permittng, April 1 through April 15.

Question 3: Can we bid on less than the estimated need?

Response: No, these are estimates only used for evaluation purposes. Purchased quantities may be more than or less than the estimated quantities.

Question 4: What constitutes proof of a variety being grown in the US for 3 years?

Response: A "statement of fact" or "company affirmation" in writing.

Question 5: Is the minimum germination 80% for both the single varieties and the mixes?

Response: Yes.

Question 6: Are the mixes made by % of weight then packed in PLS pounds?

Response: Yes.

WVDOT/Division of Highways
D-1
1340 Smith St.
Charleston, WV 25301
Attn: Melissa Mullens

WVDOT/Division of Highways
D-2
Po. Box 880
Huntington, WV 25712
Attn: Keith Chapman

WVDOT/Division of Highways
D-3
626 Depot St.
Parkersburg, WV 26101
Attn: Mark Kimes

WVDOT/Division of Highways
D-4
P.O. BOX 2570
Clarksburg, WV 26301
Attn: John Bartlett

WVDOT/Division of Highways
D-5
PO BOX 99
BURLINGTON, WV 26710
Attn: Pat Broadhurst

WVDOT/Division of Highways
D-6
1 DOT Drive.
Moundsville, WV 26041-2353
Attn: Carol Ryan

WVDOT/Division Highways
D-7
Drawer 1228
Weston, WV 26452
Attn: Melissa Jordan

WVDOT/Division of Highways
D-8
PO Box 1516
Elkins, WV 26241
Attn: Debbie Barnett

WVDOT/Division of Highways
D-9
103 1/2 Church Street
Lewisburg, WV 24901
Attn: Keith Brown

WVDOT/Division of Highways
D-10
270 Hardwood Lane
Princeton, WV 24740
Attn: Tommy Camden



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ROOZY

SHIP TO

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FAX
 (304)558-13970

DATE PRINTED 12/16/2011	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS
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NO OTHER CHANGES						
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				TO: 12/21/11 @1:30 P.M.		
				NO OTHER CHANGES		
0001		LS		790-20-00-000		
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				***** THIS IS THE END OF RFQ 6612C013 ***** TOTAL:		

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TITLE Bid mgr.	FEIN 840671900	ADDRESS CHANGES TO BE NOTED ABOVE	

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