



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
7011EC28

PAGE
1

ADDRESS CORRESPONDENCE TO ATTENTION OF:
BUYER 33 304-558-2402

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

SHIP TO
 DIVISION OF HIGHWAYS
 VARIOUS LOCALES AS INDICATED
 BY ORDER

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B	FREIGHT TERMS
06/28/2011	Net 30 Days	Truck	Buckhannon	Prepaid

BID OPENING DATE: 07/27/2011 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
0001		EA		025-50		
COMPRESSORS, AIR, PORTABLE, ELECTRIC, OVER 25 C.F.M.						
OPEN END CONTRACT						
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 185 CPM AIR COMPRESSOR/PORTABLE AS DESCRIBED IN THE ATTACHED SPECIFICATIONS.						
MANDATORY PRE-BID						
A MANDATORY PRE-BID WILL BE HELD ON 07/14/2011 AT 10:00 AM, 2019 WASHINGTON ST. E., CHARLESTON, 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						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	<i>Paul Tracy</i>	TELEPHONE	346-5301	DATE	8/15/11
TITLE	President	FEIN	550621655	ADDRESS CHANGES TO BE NOTED ABOVE	

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



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BUYER 33 804-558-2402

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

SHIP TO	DIVISION OF HIGHWAYS
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LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>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 INCLUDE 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>EXHIBIT 3</p> <p>LIFE OF CONTRACT: THIS CONTRACT BECOMES EFFECTIVE ON 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) DAYS PRIOR TO THE EXPIRATION DATE. SUCH RENEWAL SHALL BE IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE</p>						

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TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE

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 BY ORDER

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06/28/2011				

BID OPENING DATE: 07/27/2011 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>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 SERVICE 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 FOR BANKRUPTCY PROTECTION, THE STATE MAY DEEM THE CONTRACT NULL AND VOID, AND TERMINATE SUCH CONTRACT</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

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DIVISION OF HIGHWAYS
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 BY ORDER

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B	FREIGHT TERMS
06/28/2011				

BID OPENING DATE: 07/27/2011 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>WITHOUT FURTHER ORDER.</p> <p>THE TERMS AND CONDITIONS CONTAINED IN THIS CONTRACT SHALL SUPERSEDE ANY AND ALL SUBSEQUENT TERMS AND CONDITIONS WHICH MAY APPEAR ON ANY ATTACHED PRINTED DOCUMENTS SUCH AS PRICE LISTS, ORDER FORMS, SALES AGREEMENTS OR MAINTENANCE AGREEMENTS, INCLUDING ANY ELECTRONIC MEDIUM SUCH AS CD-ROM.</p> <p>REV. 05/26/2009</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 EXTEND 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>PURCHASING CARD ACCEPTANCE: THE STATE OF WEST VIRGINIA CURRENTLY UTILIZES A VISA PURCHASING CARD PROGRAM WHICH IS ISSUED THROUGH A BANK. THE SUCCESSFUL VENDOR MUST ACCEPT THE STATE OF WEST VIRGINIA VISA PURCHASING CARD FOR PAYMENT OF ALL ORDERS PLACED BY ANY STATE</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
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TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE
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SHIP TO

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 BY ORDER

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
06/28/2011				

BID OPENING DATE: 07/27/2011 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>AGENCY AS A CONDITION OF AWARD.</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> <p>BUYER: PAUL REYNOLDS FILE 33</p> <p>RFQ. NO.: 7011EC28</p> <p>BID OPENING DATE:</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 style="text-align: center;">SEE REVERSE SIDE FOR TERMS AND CONDITIONS</p>						

SIGNATURE	TELEPHONE	DATE
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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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	BY ORDER

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
06/28/2011				

BID OPENING DATE: 07/27/2011 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
				346-5305		
CONTACT PERSON (PLEASE PRINT CLEARLY):				Gary W. Grady		
***** THIS IS THE END OF RFQ 7011EC28 ***** TOTAL:						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

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TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE

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 WV TRACTOR COMPANY
 PO BOX 473
 CHARLESTON WV 25322

SHIP TO

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 VARIOUS LOCALES AS INDICATED
 BY ORDER

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
07/11/2011	Net 30 Days	Truck	Buckhannon	Prepaid

BID OPENING DATE: 08/10/2011 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
ADDENDUM NO. 1						
MANDATORY PRE-BID MEETING CHANGED						
FROM: 07/14/11 @10:00 A.M.						
TO: 07/27/11 @11:30 A.M.						
BID OPENING DATE AND TIME CHANGED						
FROM: 07/27/11 @1:30 P.M.						
TO: 08/10/11 @1:30 P.M.						
LOCATION: 2019 WASHINGTON ST. EAST, CHARLESTON, WV.						
NO OTHER CHANGES						
0001		EA		025-50		
COMPRESSORS, AIR, PORTABLE, ELECTRIC, OVER 25 C.F.M.						
***** THIS IS THE END OF RFQ 7011EC28 ***** TOTAL: _____						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
<i>Gayle Gray</i>	346-5301	8/15/11
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE
President	550621655	

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



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ADDRESS CORRESPONDENCE TO ATTENTION OF:
 BUYER 33
 304 558 2402

VENDOR

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

SHIP TO

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 BY ORDER

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
07/12/2011	Net 30 Days	Truck	Buckhannon	Prepaid

LINE	QUANTITY	UOP	CAT NO.	ITEM NUMBER	BID OPENING TIME	UNIT PRICE	AMOUNT
ADDENDUM NO. 2 ADDENDUM #1 INADVERTENTLY ISSUED 07/12/11 MANDATORY PRE-BID MEETING REMAINS 07/14/11 @10:00 A.M. BID OPENING DATE AND TIME REMAINS 07/27/11 @1:30 P.M. LOCATION: 2019 WASHINGTON ST. EAST, CHARLESTON, WV. NO OTHER CHANGES							
0001		EA		025-50			
COMPRESSORS, AIR, PORTABLE, ELECTRIC, OVER 25 C.F.M.							
***** THIS IS THE END OF RFQ 7011EC28 ***** TOTAL:							

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>[Signature]</i>	TELEPHONE 346-5301	DATE 8/15/11
TITLE President	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
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 2019 Washington Street East
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ADDRESS CORRESPONDENCE TO ATTENTION OF:
BUYER 33
304-558-2402

RFQ COPY
 TYPE NAME/ADDRESS HERE

West Virginia Tractor Company
 P.O. Box 473
 Charleston, WV 25322

DIVISION OF HIGHWAYS
 VARIOUS LOCALES AS INDICATED
 BY ORDER

VENDOR

SHIP TO

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
07/21/2011	Net 30 Days	Truck	Buckhannon	Prepaid

BID OPENING DATE: **08/03/2011** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
ADDENDUM NO. 3						
<p>A SECOND MANDATORY PRE-BID MEETING WILL BE HELD ON JULY 27, @11:30 A.M. AT 2019 WASHINGTON STREET EAST, CHARLESTON, WV 25311. ALL INTERESTED PARTIES ARE REQUIRED TO ATTEND THIS MEETING. FAILURE TO ATTEND THE MANDATORY PRE-BID MEETING SHALL RESULT IN THE DISQUALIFICATION OF THE BID. NO ONE PERSON MAY REPRESENT MORE THAN ONE BIDDER.</p> <p>BID OPENING DATE AND TIME CHANGED</p> <p>FROM: 07/27/11 @1:30 P.M</p> <p>TO: 08/03/11 @1:30 PM.</p> <p>NO OTHER CHANGES.</p>						
0001		EA		025-50		
		COMPRESSORS, AIR, PORTABLE, ELECTRIC,		OVER 25 C.F.M.		
***** THIS IS THE END OF RFQ 7011EC28 ***** TOTAL: _____						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Gayle Knox</i>	TELEPHONE 346-5301	DATE 8/15/11
TITLE President	FEIN 550621655	ADDRESS CHANGES TO BE NOTED ABOVE

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SHIP TO

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DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
08/02/2011	Net 30 Days	Truck	Buckhannon	Prepaid

BID OPENING DATE: 08/17/2011 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
ADDENDUM NO. 4						
ADD: EXHIBIT 10						
DELETE: PURCHASING CARD ACCEPTANCE						
BID OPENING DATE AND TIME CHANGED						
FROM: 08/03/11 @1:30 P.M.						
TO: 08/17/11 @1:30 P.M.						
NO OTHER CHANGES						
0001		EA		025-50		
COMPRESSORS, AIR, PORTABLE, ELECTRIC, OVER 25 C.F.M.						
***** THIS IS THE END OF RFQ 7011EC28 ***** TOTAL:						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS			
SIGNATURE	TELEPHONE	DATE	
<i>Paul Gray</i>	346-5301	8/15/11	
TITLE	FEDIN	ADDRESS CHANGES TO BE NOTED ABOVE	
President	550621655		

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EXHIBIT 10

REQUISITION NO.: 7011EC28

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

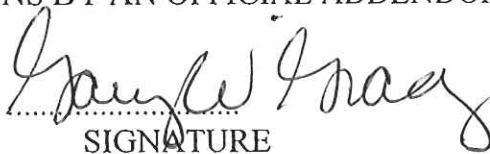
NO. 2 x

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
COMPANY

8/15/11
.....
DATE



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

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

V E N D O R	*709051756	304-346-5301
	WV TRACTOR COMPANY	
	PO BOX 473	
	CHARLESTON WV 25322	

S H I P T O	DIVISION OF HIGHWAYS
	VARIOUS LOCALES AS INDICATED
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08/08/2011	Net 30 Days	Truck	Buckhannon	Prepaid

BID OPENING DATE: 08/17/2011 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
				ADDENDUM NO. 5		
				ANSWERS TO QUESTIONS PER THE ATTACHED.		
				BID OPENING DATE AND TIME REMAINS 08/17/11 @1:30 P.M.		
				NO OTHER CHANGES.		
0001		EA		025-50		
				COMPRESSORS, AIR, PORTABLE, ELECTRIC, OVER 25 C.F.M.		
				***** THIS IS THE END OF RFQ 7011EC28 ***** TOTAL:		

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<i>Paul W. Gray</i>	346-5301	8/15/11	
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE	
President	550621655		

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WEST VIRGINIA DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS
EQUIPMENT DIVISION

BIDDER'S EVALUATION REPORT

PROCUREMENT SPECIFICATIONS FOR OPEN END CONTRACT
NO. 612-1-L

185 CFM AIR COMPRESSOR/PORTABLE

NOTE TO BIDDER: Procurement Specification No. 612-1-L, 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.: 7011EC28

Bidder's Name: West Virginia Tractor Company

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

Telephone Number: 304-346-5301

Years Bidder has been registered to do business with the State of West Virginia: 29 YRS.

Years Company has been an authorized dealer for proposed unit: -3 YRS.

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

X4.2 DELIVERY:

X4.2.1 Delivery date of completed representative unit: 60 Calendar Days After
Receipt of Purchase Agreement

X4.2.2 Delivery date of balance of completed units: 90 Calendar Days After Receipt of
Purchase Agreement

X5.0 AWARD CRITERIA;

\$14,690.00

X5.1 Price per unit:

_____ per unit

X6.0 SPECIFICATIONS - GENERAL

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

___ MMD Equipment Airman Model PDS185S-6C2 ___ 2011 or 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 bumper to bumper parts and labor _____

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)

Standard warranty form attached. WVDOH two years parts and labor warranty included.

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 repair work under warranty can be performed at West Virginia Tractor Company in Charleston.

Some engine repairs can be performed at authorized engine dealers.

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

West Virginia Tractor Company in Charleston can provide parts.

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: ___ - ___ % discount
B. Terms: Net 60 Manufacturer's published list price less: ___ - ___ % discount
C. Terms: Net 90 Manufacturer's published list price less: ___ - ___ % discount

5. During the term of warranty, will all manufacturers or engineering improvements be submitted to Division of Highways? 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

C. Mileage Charge \$ _2.00_ per vehicle mile
(Specify if one-way) _____; port to port

D. Field Mechanic Rate \$ _75.00_ per mechanic hour

E. Specify period of time that prices are in effect: During warranty period _____

F. Surcharge for miscellaneous items: _overtime and holidays 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 specification.

Manufacturer: MMD Equipment Airman_____

Model: PDS1185S-6C2_____

X7.1 Compressor:

X7.1.1 Type: Rotary twin screw, single stage_____

X7.1.1.1 Is unit self-contained, fully enclosed HD portable air compressor? YES NO

X7.1.2 Free Air Capacity: 185_____CFM

X7.1.3 Type of lubrication for sealing and cooling of pump? flooded oil_____

X7.1.4 Is oil filter the replaceable element_____or spin-on full flow type

X7.1.5 Is air intake filter dry type with maintenance signal? YES NO

X7.1.6 Are bearings anti-friction type and heaviest duty offered? YES NO

X7.2 Is air receiver ASME code construction? YES NO
Working pressure 100 PSIG

X7.2.1 Air receiver capacity 1.06 cubic feet with safety valve and two (2) 3/4" service valves (universal type) YES NO

X7.2.2 Is discharge line fitted with an automatic discharge moisture trap and located between air receiver and service valve? YES NO

X7.2.3 Does unit have two (2) discharge line lubricators of one (1) quart each to each outlet, fitted and easily accessible? YES NO

X7.3 Engine:

X7.3.1 Type: Diesel

How is engine cooled? water cooled

X7.3.1.1 Unit BHP 49 at continuous rated speed of 3000 RPM

X7.3.2 Electrical system equipped with 12 volt and heaviest duty offered? YES NO

X7.3.3 Fuel tank capacity 25 US gallons

X7.3.4 Is rain cap provided to protect engine and muffler? YES NO

X7.4 Is cooling system of sufficient capacity to allow engine and compressor to operate at rated air delivery and pressure continuously? YES NO

X7.4.1 Engine coolant rated at -20 degrees F

X7.5 Safety Devices and Instrumentation:

X7.5.1 Does unit have automatic blow-down valve? YES NO

X7.5.2 Does engine shut down by high discharge air temperature, low engine oil pressure and high engine temperature? YES NO

X7.5.3 Does unit have excess air flow safety valve and minimum pressure valve? YES NO

X7.5.4 Are the following gauges located in units instrument panel:

X7.5.4.1 Tachometer, engine RPM YES NO

X7.5.4.2 Ammeter or Voltmeter – warning light YES NO

X7.5.4.3 Engine temperature gauge YES NO

- X7.5.4.4 Engine oil pressure gauge YES NO
- X7.5.4.5 Discharge air pressure gauge YES NO
- X7.5.4.6 Fuel gauge YES NO
- X7.5.4.7 Hour meter YES NO
- X7.6 Are start and stop controls located on control panel? YES NO
- X7.7 Are all operation, maintenance and instruction decals located in a conspicuous place near controls?
 YES NO
- X7.8 Are controls the 0-100% demand type/controlling engine speed/intake of air compressor?
 YES NO
- X7.9 Accessories:
- X7.9.1 Does unit have service drain valve? YES NO
- X7.9.2 Is vandalism protection kit included? YES NO
- X7.9.3 Are lockable tool boxes included? YES NO
- X7.9.4 Does each unit have one (1) set of replacement filters for compressor air and lube oil and engine air, fuel and lube oil included with delivery?
 YES NO
- X7.9.5 Lifting bail, single point? YES NO
- X7.9.6 Are twin hose reels capable of holding 50 foot' x 1 inch O.D. hose? YES NO
- X7.10 Is compressor mounted on a two (2) wheeled type towing trailer? YES NO**
- X7.10.1 Is engine/compressor frame mounted in a manner to minimize vibration? YES NO
- X7.10.2 Is suspension sufficient strength/handling of unit at top speed of 55 MPH?
 YES NO**
- X7.10.3 Does trailer have retractable, swivel type third wheel? YES NO
- X7.10.4 Tire size 215/75D14 Tread Type highway Load Range C
Is wheel drop center, 7" wide? YES NO
- X7.10.5 Does hub have trailer wheel bearing protector? YES NO
Manufacturer: Croft
- X7.10.6 Does unit have draw bar with pintle eye and safety chains? YES NO

X7.10.7 Does trailer have stop lights, tail lights, directional indicators, (LED type) license plate light and license plate bracket? YES NO

X7.10.8 Male plug for towing vehicle specify: standard 4-wire

X7.10.9 Does trailer meet or exceed all applicable West Virginia Department of Motor Vehicles Codes, and is towable at speeds up to 55 MPH? YES NO

X7.11 Paint: Will paint be manufacturers standard YES NO

X7.12 Does unit meet or exceed the OSHA of 1970" and/or subsequent changes? YES NO

X7.13 Does unit conform to the advertising guidelines? YES NO

PREBID ADDENDUM #5
7011EC28

185 CFM AIR COMPRESSOR/PORTABLE

CHANGES TO BIDDER'S EVALUATION REPORT:

NO CHANGE REQUIRED:

X4.2 DELIVERY:

X4.2.1 Delivery date of completed representative unit: 60 Calendar Days
After Receipt of Purchase Agreement

X4.2.2 Delivery date of balance of completed units: 90 Calendar Days After
Receipt of Purchase Agreement

NO CHANGE REQUIRED:

X7.2.1 Air receiver capacity 1.06 cubic feet with safety valve and two (2) ¼" service valves (universal type) x YES _____ NO

NO CHANGE REQUIRED:

X7.2.3 Does unit have two (2) discharge line lubricators of one (1) quart each to each outlet, fitted and easily accessible? x YES _____ NO

FROM:

X7.9.1 Does unit have service drain valve? _Y_ _N_

TO:

X7.9.1 Does unit have service drain valve for air reservoir x YES _____ NO

FROM:

X7.9.2 Is vandalism protection kit included?)_Y _N

TO:

X7.9.2 Is manufacturers standard vandalism protection kit included?
 YES NO

FROM:

X7.9.6 Are twin hose reels capable of holding 50 foot x 1 inch O.D. Hose? _Y_N

TO:

X7.9.6 Are twin hose reels capable of holding 50 foot x 1 inch O.D. hose (hose supplied by DOH)
 YES NO



WEST VIRGINIA TRACTOR COMPANY

CONSTRUCTION, MINING, MUNICIPAL & INDUSTRIAL EQUIPMENT

P.O. BOX 473, 214 VIRGINIA ST. W., CHARLESTON, WEST VIRGINIA 25322/25302 • (304) 346-5301

WEST VIRGINIA TRACTOR COMPANY

7011EC28 Portable Air Compressor Exceptions to Specifications

- 7.4.1 The coolant level is rated at -20 degrees F instead of -32.
- 7.5.4.2 This unit has an electrical warning light instead of a gauge.
- 7.9.6 Dual hose reels are optional equipment that can be added but are not included in our price for this bid.
- 7.10.4 The tires are 215/75D14-C instead of P205/75R15-C.

ALTERNATE BID



MMD
EQUIPMENT

Air Compressor

PDS185S-6C2 Portable

NO REGISTRATION REQUIRED WITH LOCAL/STATE AIR RESOURCES BOARD



Features

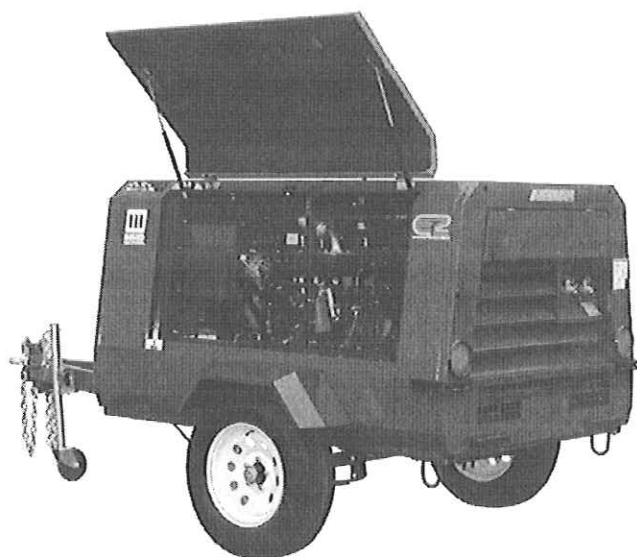
- Equipped with a YANMAR 49HP engine
- True 185 CFM.
- 4 Cylinder, In-line, 4cycle, water cooled, diesel engine.
- EPA Interim Tier 4 + CARB compliant.
- Engine idles as low as 1300 RPM to increase fuel efficiency and reduce component wear.
- EFPA fuel system
- Low-fuel shut down system helps eliminate service calls.
- Easy to read fuel gauge (LED)
- Analog air pressure gauge
- Quiet 62 dBA

Easy Maintenance

- Compressor oil, radiator coolant, fuel, receiver oil and engine oil drain externally. Includes an external oil/air separator filter and a spin-on fuel filter.
- Dual air cleaners provide better dust protection for the air-end.

Durable and Efficient Design

- Fuel economy is maximized with a unique Auto-Idle feature which provides some of the best fuel economy in its class!
- Monitor Panel: RPM, Air Discharge Temp, Water Temp, Hour Meter.
- Warning & Shutdown: Discharge Temp, Water Temp, Oil Pressure.
- Protected behind a keyed alike, lockable steel door is an intelligent diagnostic panel that monitors: low fuel level, battery, water temperature, engine oil pressure, discharge temperature and both the engine and compressor air filters.
- A single-point lifting bail.
- Tool & hose storage.
- DOT approved lighting.
- 14", Wide stance tires.

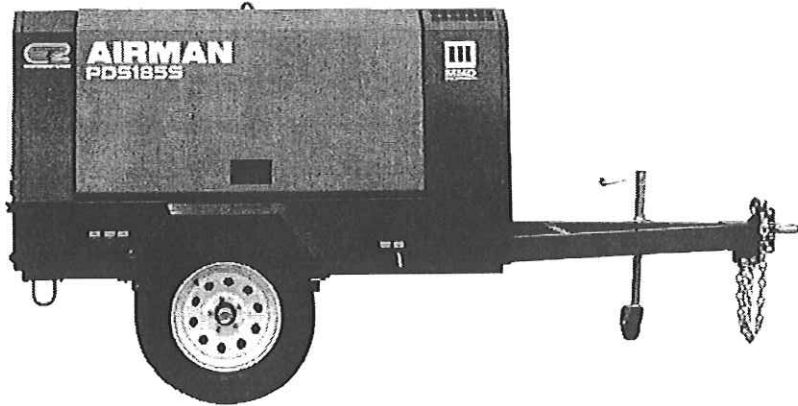


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AIRMAN Specifications

PDS185S-6C2 Portable Air Compressor

COMPRESSOR	Free Air Delivery Working Pressure Air Outlets	185 CFM (5.2 m ³ / min) 100 PSI (0.69 MPa) 3/4" x 2
ENGINE	Engine Model Engine Type Displacement Horsepower (NET) Horsepower (GROSS) Low Idle High Idle Electrical	YANMAR 4TNV88-B Interim Tier 4 133.6 cu. in. (2,189 L) 46.8 HP (34.9 kW) 49.5 HP (36.4 kW) 1,300 RPM 3,000 RPM 12 Volt
CAPACITY	Compressor Oil Fuel Tank Radiator Coolant Engine Oil	4.0 gal. (15 L) 24 gal. (91 L) 1.5 gal. (5.8 L) 2 gal. (7.6 L)
OPERATING PARAMETERS	Max. Altitude Max. Ambient Temp. Min. Ambient Temp. Max. Incline Sound Level	4,921 ft. (1,500 m) 104 degrees F (40 degrees C) 5 degrees F (-15 degrees C) 15 degrees 62 dBA @ 23 ft. when idling
WEIGHTS & DIMENSIONS	Length Width Height Shipping Weight Working Weight	128.7 in. (3,217.5 mm) 66.9 in. (1,700 mm) 59.8 in. (1,520 mm) 1,962 lbs. (890 kgs) - no fuel 2,183 lbs. (990 kgs) - with fuel

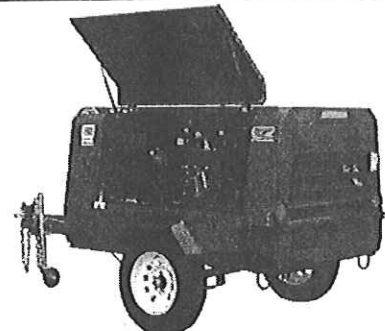
*specifications subject to change without notice



3 Hawk Court
Swedesboro, NJ 08085

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7700 Densmore Avenue
Van Nuys, CA 91406



www.mmdequipment.com

AIRMAN LIMITED WARRANTY CERTIFICATE

Airman® ("Manufacturer") guarantees the **6C2 Air Compressor** ("Product"), to be free from defects in material and workmanship, subject to the limitations set forth below.

The original purchaser shall be entitled to the rights and claims expressly stipulated herein. This limited warranty shall become effective on the original purchase date of the Product. The extent of the Manufacturer's liability under this limited warranty is, to repair defects arising from materials and workmanship or to replace defective parts according to the Manufacturer's discretion.

This limited warranty shall apply to defects that become apparent within the following respective time periods:

- * **The complete machine within 1 year of the original purchase date or 1000 hours.**
- * **The air-end within 2 years or 2000 hours from the original purchase date.** A 5-year air-end warranty is available at no additional charge, based on exclusive use of Airman oil and filters.
- * **Major Internal Components* of the Yanmar engine within 5 yrs. or 5,000 hours of the original purchase date whichever occurs first.**
 - o ***Internal components are: Cylinder Head, Cylinder Block, Liners, Camshaft, Crankshaft, Pistons, Rods, Rod Bearings, Main Bearings and oil pump.**

This limited warranty does not apply to:

1. Consumable, expendable and normal maintenance items, such as, but not limited to: batteries, bulbs, fan belts, lenses, lubricants, etc.
2. Defects that cannot be proven to have their origin in inferior material, faulty design or poor workmanship.
3. Wear and tear, misuse or abuse, damage caused by accident, or unusual physical stress.
4. Transportation or cleaning necessary in order to perform warranty repairs.

The following actions will terminate and render this warranty void:

1. Failure to observe the Manufacturer's operating instructions.
2. Noncompliance with the Manufacturer's recommended specifications.
3. Incomplete or non-performance of the Manufacturer's recommended maintenance requirements.
4. The influence of chemical or electrolytic action, exposure to hazardous or corrosive substances.
5. Acts of nature, such as floods or lightning, etc.

In the event a defect covered by this limited warranty is discovered and the purchaser does not immediately take appropriate action to mitigate the damage, notify the Manufacturer, provide the Manufacturer with adequate time and opportunity to repair the Product or remedy the defect, and comply with the Manufacturer's instructions with respect to the return of defective Product or parts, this limited warranty is void. Warranty is solely through a Manufacturer-authorized service representative. Repairs of this Product by anyone other than a Manufacturer-authorized service representative voids this limited warranty.

The Manufacturer's liability shall, under no circumstance exceed reimbursement; to the extent the Manufacturer has received payment, of the purchase price of the Product for which the warranty claim is made. The Manufacturer shall not be responsible for any type of incidental, consequential, or special damages such as, but not limited to: lost profits, downtime expenses, or injury to property or person. Other than as expressly set forth in this limited warranty, the Manufacturer shall not be responsible for the use and service of this Product. This limited warranty is exclusive and expressly in lieu of all other warranties, expressed or implied. All implied warranties, including but not limited to those implied warranties of fitness and merchantability and all other obligations and liabilities on the part of the Manufacturer, are excluded.

Serial Number: _____	Hr. Meter: _____	Date of Sale: ___/___/___
Customer:		Airman Representative:
_____		_____
_____		_____

Effective: Jan 1, 2011

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.

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: 8/15/11 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: *Gayle Tracy* Date: 8/16/2011

State of West Virginia

County of Kanawha, to-wit:

Taken, subscribed, and sworn to before me this 16 day of August, 2011.

My Commission expires August 12, 2012

AFFIX SEAL HERE

NOTARY PUBLIC *Steven B. Basham*

