



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
DNR212072

PAGE
1

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

VENDOR

\*709043751      304-366-4690  
 MIDDLETOWN TRACTOR SALES  
 2050 BOYERS DR  
  
 FAIRMONT WV 26554

SHIP TO

DIVISION OF NATURAL RESOURCES  
  
 219/250 WARD ROAD  
 ELKINS, WV  
 26241      304-637-0245

DATE PRINTED <b>01/05/2012</b>	TERMS OF SALE Net 30 Days	SHIP VIA Our Truck	F.O.B. Destination	FREIGHT TERMS Pre-Paid
BID OPENING DATE: <b>02/08/2012</b>		BID OPENING TIME <b>01:30PM</b>		

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	LS		020-13		
<p>EQUIPMENT, FARM</p> <p>THE WEST VIRGINIA PURCHASING DIVISION, FOR THE AGENCY, THE SEST VIRGINIA DIVISION OF NATURAL RESOURCES IS SOLICITING BIDS FOR VARIOUS PIECES OF FARM EQUIPMENT 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 ALL TECHNICAL QUESTIONS IS 01/18/2012 AT 4:00 PM. ALL TECHNICAL QUESTIONS WILL BE ADDRESSED BY ADDENDUM AFTER THE DEADLINE.</p> <p>ANY INDIVIDUAL SIGNING THIS BID IS CERTIFYING THAT: (1) HE OR SHE IS AUTHORIZED BY THE BIDDER TO EXECUTE THE BID OR ANY DOCUMENTS RELATED THERETO ON BEHALF OF THE BIDDER, (2) THAT HE OR SHE IS AUTHORIZED TO BIND THE BIDDER IN A CONTRACTUAL RELATIONSHIP, AND (3) THAT THE BIDDER HAS PROPERLY REGISTERED WITH ANY STATE AGENCIES THAT MAY REQUIRE REGISTRATION.</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> <p>THE MODEL/BRAND/SPECIFICATIONS NAMED HEREIN ESTABLISH THE ACCEPTABLE LEVEL OF QUALITY ONLY AND ARE NOT INTENDED TO REFLECT A PREFERENCE OR FAVOR ANY PARTICULAR BRAND OR VENDOR. VENDORS WHO ARE BIDDING</p>						



SEE REVERSE SIDE FOR TERMS AND CONDITIONS			
SIGNATURE <i>[Signature]</i>	TELEPHONE 304-366-4690	DATE 23 January 2012	
TITLE Sales Consultant	FEIN 55-054-7175	ADDRESS CHANGES TO BE NOTED ABOVE	

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





**WEST VIRGINIA DIVISION OF NATURAL RESOURCES  
BID REQUEST SPECIFICATIONS -**

**ITEM 1**

The West Virginia Division of Natural Resources is requesting bids for the purchase of a six-foot tandem disk.

**Specifications:**

TufLine Model TL43-91620 or equal. All items must be new (2011 or 2012 model year). Disks must meet the following specifications:

- must be tractor rated for 40 to 70 HP.
- must have a minimum 6 foot and maximum 6 ½ foot cutting width.
- must have a minimum 4 inch by 3 inch square inch heavy wall frame.
- must have a category 1 or 2 three point hitch and be quick hitch compatible.
- must have minimum square gang axles of 1 1/8 inch inches with heavy tube gang hangers.
- must have an adjustable gang axle.
- must have sealed bearings.
- must have a minimum weight of 1,150 lbs.
- must have a minimum blade size of 20 inches.

**Information for Bidders:** The award may be split if it is in the best interest of the West Virginia Division of Natural Resources.

**Damaged Items:** Damaged or defective items must be replaced at no additional expense to The West Virginia Division of Natural Resources.

**Warranty:** The equipment must be guaranteed to be free of defects in workmanship and material for a minimum of one (1) year from date of acceptance. However, if manufacturer warranty periods are longer than the required minimum one year warranty, those warranties shall apply.

**Delivery:** All items are to be F.O.B. Destination. Freight or delivery charges must be included in the price of the goods. Delivery must be made within thirty (30) days of purchase order award.

Must be delivered to the Division of Natural Resources at the address stated below:

WV Division of Natural Resources  
Palestine Fish Hatchery  
Route 1, Box 128 Fish Hatchery Road  
Elizabeth, WV 26143  
Contact Rodney Null (304-275-4426) for delivery information

**WEST VIRGINIA DIVISION OF NATURAL RESOURCES  
BID REQUEST SPECIFICATIONS**

**ITEM 2**

The West Virginia Division of Natural Resources is requesting bids for the purchase of an eight-foot tandem disk.

**Specifications:**

New Frontier Model DH1508 or equal. All items must be new (2011 or 2012 model year). Disk must meet the following specifications:

- must be tractor rated for 35 to 55 HP.
- must have a minimum 8 foot working width.
- must have a minimum 3 inch square and 5 x 3 inch frame.
- must have a drawn hitch with clovis and jack and safety chains.
- must have an adjustable depth control with front to rear leveling.
- must have adjustable front and rear gang axle.
- must have sealed bearings.
- must have a minimum 3 x 3 inch gang tube with minimum thickness of 3/16 inch.
- must be equipped with hydraulic cylinder and hoses.
- must have a minimum weight of 1,800 lbs.
- must have a minimum blade size of 20 inches.

**Information for Bidders:** The award may be split if it is in the best interest of the West Virginia Division of Natural Resources.

**Damaged Items:** Damaged or defective items must be replaced at no additional expense to The West Virginia Division of Natural Resources.

**Warranty:** The equipment must be guaranteed to be free of defects in workmanship and material for a minimum of one (1) year from date of acceptance. However, if manufacturer warranty periods are longer than the required minimum one year warranty, those warranties shall apply.

**Delivery:** All items are to be F.O.B. Destination. Freight or delivery charges must be included in the price of the goods. Delivery must be made within thirty (30) days of purchase order award.

Must be delivered to the Division of Natural Resources at the address stated below:

South Branch WMA  
South Branch River Road/Trough Road  
Romney, WV 26757  
Contact Allan Niederberger (304-822-3551) for delivery information

**WEST VIRGINIA DIVISION OF NATURAL RESOURCES  
BID REQUEST SPECIFICATIONS**

**ITEM 3**

The West Virginia Division of Natural Resources is requesting bids for the purchase of a five-foot rotary cutter.

**Specifications:**

Bush Hog Model 325 or equivalent 5-foot heavy-duty rotary cutter. All items must be new (2011 or 2012 model year).

- must have a minimum cutting width of 5 ft.
- must have a three-point lift Category 2 type hitch
- must have a minimum deck thickness of 7 gauge.
- must have a ASAE (American Society of Agricultural Engineers) Category 5 driveshaft
- must have a gearbox rated for a minimum 540 RPM
- must have a heavy-duty slip clutch driveline protection
- must have extra heavy duty blades – minimum of ½-inch thick and 4 inches wide
- must have laminated or caster wheel tires
- must have front and rear deflectors and front and rear chains
- must have a stump jumper or equivalent protection

**Information for Bidders:** The award may be split if it is in the best interest of the West Virginia Division of Natural Resources.

**Damaged Items:** Damaged or defective items must be replaced at no additional expense to The West Virginia Division of Natural Resources.

**Warranty:** The equipment must be guaranteed to be free of defects in workmanship and material for a minimum of one (1) year from date of acceptance. However, if manufacturer warranty periods are longer than the required minimum one year warranty, those warranties shall apply.

**Delivery:** All items are to be F.O.B. Destination. Freight or delivery charges must be included in the price of the goods. Delivery must be made within thirty (30) days of purchase order award.

Must be delivered to the Division of Natural Resources at the address stated below:

WV Division of Natural Resources  
Palestine Fish Hatchery  
Route 1, Box 128 Fish Hatchery Road  
Elizabeth, WV 26143  
Contact Rodney Null (304-275-4426) for delivery information

**WEST VIRGINIA DIVISION OF NATURAL RESOURCES  
BID REQUEST SPECIFICATIONS**

**ITEMS 4, 5, and 6**

The West Virginia Division of Natural Resources is requesting bids for the purchase of three, six-foot rotary cutters.

**Specifications:**

John Deere Model 609 or equivalent six-foot heavy-duty rotary cutter. All items must be new (2011 or 2012 model year).

- must have a minimum cutting width of 6 ft.
- must have a three-point lift Category 2 type hitch
- must have a minimum deck thickness of ¼ inch
- must have a ASAE (American Society of Agricultural Engineers) Category 5 driveshaft
- must have a gearbox rated for a minimum 540 RPM
- must have a heavy-duty slip clutch driveline protection
- must have extra heavy duty blades – minimum of ½-inch thick and 4 inches wide
- must have laminated or caster wheel tires
- must have front and rear deflectors and front and rear chains
- must have a stump jumper or equivalent protection

**Information for Bidders:** The award may be split if it is in the best interest of the West Virginia Division of Natural Resources.

**Damaged Items:** Damaged or defective items must be replaced at no additional expense to The West Virginia Division of Natural Resources.

**Warranty:** The equipment must be guaranteed to be free of defects in workmanship and material for a minimum of one (1) year from date of acceptance. However, if manufacturer warranty periods are longer than the required minimum one year warranty, those warranties shall apply.

**Delivery:** All items are to be F.O.B. Destination. Freight or delivery charges must be included in the price of the goods. Delivery must be made within thirty (30) days of purchase order award.

Must be delivered to the Division of Natural Resources at the address stated below:

**Item 4**

WV Division of Natural Resources District II  
1 Depot Street  
Romney, WV 26757  
Contact Allan Niederberger (304-822-3551) for delivery information

WEST VIRGINIA DIVISION OF NATURAL RESOURCES  
BID REQUEST SPECIFICATIONS

ITEMS 4, 5, and 6

Item 5

WV Division of Natural Resources  
1110 Railroad Street  
Farmington, WV 26571  
Contact Steve Rauch (304-825-6787) for delivery information

Item 6

WV Division of Natural Resources  
Coopers Rock State Forest  
61 County Line Drive  
Bruceton Mills, WV 26525  
Contact Steve Rauch (304-825-6787) for delivery information



**WEST VIRGINIA DIVISION OF NATURAL RESOURCES  
BID REQUEST SPECIFICATIONS**

**ITEM 7**

The West Virginia Division of Natural Resources is requesting bids for the purchase of an eight-foot medium-duty offset rotary cutter.

**Specifications:**

Bush Hog 3008SH or equivalent medium duty 8-foot offset rotary cutter. All items must be new, 2011 or 2012 model year.

- Must have a minimum width of 94 inches and maximum width of 98 inches
- Must have a lift-type mount for category 2, three-point hitch.
- Must have the capability to offset a minimum of 12 inches to a maximum of 14 inches.
- Must not exceed a maximum cutting capacity of 2.0 inch diameter for woody vegetation.
- Must have a 540 rpm driveline, minimum 100 hp center gearbox and minimum 90 hp spindle gear boxes.
- Must have minimum deck thickness of 10 gauge and minimum side skirt thickness of 7 gauge.
- Must have stump jumper installed on rotary blades.
- Must have dual, laminated rear wheels.
- Must not have a total weight exceeding 1900 pounds.

**Information for Bidders:** The award may be split if it is in the best interest of the West Virginia Division of Natural Resources.

**Damaged Items:** Damaged or defective items must be replaced at no additional expense to The West Virginia Division of Natural Resources.

**Warranty:** The equipment must be guaranteed to be free of defects in workmanship and material for a minimum of one (1) year from date of acceptance. However, if manufacturer warranty periods are longer than the required minimum one year warranty, those warranties shall apply.

**Delivery:** All items are to be F.O.B. Destination. Freight or delivery charges must be included in the price of the goods. Delivery must be made within thirty (30) days of purchase order award.

Must be delivered to the Division of Natural Resources at the address stated below:

Burnsville Wildlife Management Area  
Falls Mill, WV

Please contact Bob Knight (304-924-6211) for delivery information.

**WEST VIRGINIA DIVISION OF NATURAL RESOURCES  
BID REQUEST SPECIFICATIONS**

**ITEM 8**

The West Virginia Division of Natural Resources is requesting bids for the purchase of a rear-mounted 8-foot heavy duty blade.

**Specifications:**

Woods Model RB850 or equal. All items must be new (2011 or 2012 model year). Blade must meet the following specifications:

- must have a Category II hitch.
- must have a minimum moldboard height of 17 inches.
- must have a minimum moldboard length of 95 inches, and include moldboard end plates.
- must have a parking stand.
- must have a minimum weight of 850 lbs.
- must have an angle/tilt adjustment with hydraulic cylinder.
- must be ASAE quick hitch compatible.

**Information for Bidders:** The award may be split if it is in the best interest of the West Virginia Division of Natural Resources.

**Damaged Items:** Damaged or defective items must be replaced at no additional expense to The West Virginia Division of Natural Resources.

**Warranty:** The equipment must be guaranteed to be free of defects in workmanship and material for a minimum of one (1) year from date of acceptance. However, if manufacturer warranty periods are longer than the required minimum one year warranty, those warranties shall apply.

**Delivery:** All items are to be F.O.B. Destination. Freight or delivery charges must be included in the price of the goods. Delivery must be made within thirty (30) days of purchase order award.

Must be delivered to the Division of Natural Resources at the address stated below:

Panther Wildlife Management Area  
233 Austenaco Road  
Panther, WV 24872  
Contact Todd Dowdy (304-256-6947) for delivery information

**WEST VIRGINIA DIVISION OF NATURAL RESOURCES  
EQUIPMENT SPECIFICATIONS**

**ITEM 9**

The West Virginia Division of Natural Resources is requesting bids for the purchase of one lime spreader.

**General Specifications:**

Lanco 540 or equivalent lime spreader. All items must be new (2011 or 2012 model year).

- Must have a minimum capacity of two ton to a maximum capacity of four ton.
- Must have heavy-duty single axle.
- Must have minimum of a 16 inch to a maximum of 24 inch conveyor.
- Must have a minimum of twin 24-inch fan assembly.
- Must have a 540 rpm PTO-driven hydraulic drive, self-contained hydraulic system.
- Must have shut off capabilities from tractor.
- Must have 11L-15 X 8 ply tires or equivalent.
- Must have a minimum 5,000-pound capacity jack stand

**Information for Bidders:** The award may be split if it is in the best interest of the West Virginia Division of Natural Resources.

**Damaged Items:** Damaged or defective items must be replaced at no additional expense to The West Virginia Division of Natural Resources.

**Warranty:** The equipment must be guaranteed to be free of defects in workmanship and material for a minimum of one (1) year from date of acceptance. However, if manufacturer warranty periods are longer than the required minimum one year warranty, those warranties shall apply.

**Delivery:** All items are to be F.O.B. Destination. Freight or delivery charges must be included in the price of the goods. Delivery must be made within thirty (30) days of purchase order award.

Must be delivered to the Division of Natural Resources at the address stated below:

WVDNR District III  
French Creek, WV  
Contact Bob Knight (304-924-6211) for delivery information

**WEST VIRGINIA DIVISION OF NATURAL RESOURCES  
BID REQUEST SPECIFICATIONS**

**ITEM 10**

The West Virginia Division of Natural Resources is requesting bids for the purchase of pallet forks.

**Specifications:**

All items must be new (2011 or 2012 model year). Pallet Forks must meet the following specifications:

- Heavy duty construction
- Universal skid steer quick attach
- Minimum 38" and maximum 42" tine length
- Minimum 4,000 lb lift capacity

**Information for Bidders:** The award may be split if it is in the best interest of the West Virginia Division of Natural Resources.

**Damaged Items:** Damaged or defective items must be replaced at no additional expense to The West Virginia Division of Natural Resources.

**Warranty:** The equipment must be guaranteed to be free of defects in workmanship and material for a minimum of one (1) year from date of acceptance. However, if manufacturer warranty periods are longer than the required minimum one year warranty, those warranties shall apply.

**Delivery:** All items are to be F.O.B. Destination. Freight or delivery charges must be included in the price of the goods. Delivery must be made within thirty (30) days of purchase order award.

Must be delivered to the Division of Natural Resources at the address stated below:

WV Division of Natural Resources District I  
1110 Railroad Street  
Farmington, WV 26571  
Contact Steve Rauch (304-825-6787) for delivery information

**WEST VIRGINIA DIVISION OF NATURAL RESOURCES  
BID REQUEST SPECIFICATIONS**

**ITEM 11**

The West Virginia Division of Natural Resources is requesting bids for the purchase of a backhoe attachment.

**Specifications:**

Bush Hog Model CBH 80 Backhoe or equal. All items must be new, 2011 or 2012 model year.

Backhoe attachment must meet the following specifications:

- Must attach to three-point hitch system of tractor.
- Must attach to Power Beyond hydraulic couplings on tractor.
- Must have a digging depth of at least 8 feet.
- Must have a bucket cylinder digging force of at least 3800 pounds.
- Must have a dipperstick cylinder digging force of at least 2500 pounds.
- Must have cast flip over stabilizer pads.
- Must have an 18 inch commercial duty bucket with bolt on teeth with replaceable tips.
- Must have a fully adjustable operator's seat.
- Must have an operator's manual.

**Information for Bidders:** The award may be split if it is in the best interest of the West Virginia Division of Natural Resources.

**Damaged Items:** Damaged or defective items must be replaced at no additional expense to The West Virginia Division of Natural Resources.

**Warranty:** The equipment must be guaranteed to be free of defects in workmanship and material for a minimum of one (1) year from date of acceptance. However, if manufacturer warranty periods are longer than the required minimum one year warranty, those warranties shall apply.

**Delivery:** All items are to be F.O.B. Destination. Freight or delivery charges must be included in the price of the goods. Delivery must be made within thirty (30) days of purchase order award.

Must be delivered to the Division of Natural Resources at the address stated below:

WV Division of Natural Resources District V  
1163 Wildlife Road  
Pt. Pleasant, WV 25550  
Contact Randy Kelley (304-675-0871) for delivery information.

**WV DIVISION OF NATURAL RESOURCES  
MANUFACTURER'S LIST**

Please complete the below information concerning the brand(s) of equipment being bid in relation to this project. If bidding "or equal" brands, please attach manufacturer's literature documenting that it meets the mandatory requirements stated in the specifications. Vendors should note the areas of the provided manufacturer's literature that adheres to the mandatory requirements outlined in the Request for Quotation.

ITEM NO.	EQUIPMENT	MANUFACTURER	MODEL
1	TI43-91620 Disk	Tufline	TI43-91620
2	Disk	Frontier	DH1508
3	Rotary Cutter	Kodiak	HD60
4	Rotary Cutter	John Deere	609
5	Rotary Cutter	John Deere	609
6	Rotary Cutter	John Deere	609
7	Rotary Cutter, Offset	John Deere	MX8
8	Blade, Grader	Frontier	RB2308
9	Lime Spreader		NO BID
10	Pallet Forks	HIA	HD5542B500
11	Backhoe	Wallenstein	GX920

**WEST VIRGINIA DIVISION OF NATURAL RESOURCES  
PRICING SHEET**

Item Number	Quantity	Description	Unit Price	Amount
1	1	6-foot tandem disk	\$3,804.74	\$3,804.74
2	1	8-foot tandem disk	6,256.83	6,256.83
3	1	5-foot brush hog	2,412.80	2,412.80
4	1	6-foot brush hog	3,882.13	3,882.12
5	1	6-foot brush hog	3,882.13	3,882.13
6	1	6-foot brush hog	3,882.13	3,882.13
7	1	8-foot brush hog	5,508.13	5,508.13
8	1	8-foot rear-mounted heavy duty blade	3,533.69	3,533.69
9	1	Lime spreader	NO BID	NO BID
10	1	Pallet forks	1,033.37	1,033.37
11	1	Backhoe attachment	8,513.41	8,513.41
			<b>Total Cost</b>	\$42,709.37

Note: Delivery must be made within thirty (30) days of purchase order award.

Delivered to the following locations:

**Item 1**

West Virginia Division of Natural Resources  
Palestine Fish Hatchery  
Route 1, Box 128 Fish Hatchery Road  
Elizabeth, WV 26143  
Contact Rodney Null (304-275-4426) for delivery information

**Item 2**

South Branch WMA  
South Branch River Road/Trough Road  
Contact Allan Niederberger (304-822-3551) for delivery information

## WEST VIRGINIA DIVISION OF NATURAL RESOURCES PRICING SHEET

### Item 3

West Virginia Division of Natural Resources  
Palestine Fish Hatchery  
Route 1, Box 128 Fish Hatchery Road  
Elizabeth, WV 26143  
Contact Rodney Null (304-275-4426) for delivery information

### Item 4

WV Division of Natural Resources District II  
1 Depot Street  
Romney, WV 26757  
Contact Allan Niederberger (304-822-3551) for delivery information

### Item 5

WV Division of Natural Resources  
1110 Railroad Street  
Farmington, WV 26571  
Contact Steve Rauch (304-825-6787) for delivery information

### Item 6

WV Division of Natural Resources  
Coopers Rock State Forest  
61 County Line Drive  
Bruceeton Mills, WV 26525  
Contact Steve Rauch (304-825-6787) for delivery information

### Item 7

Burnsville Wildlife Management Area  
Falls Mill, WV  
Please contact Bob Knight (304-924-6211) for delivery information.

### Item 8

Panther SF WMA  
233 Austenaco Road  
Panther, WV 24872  
Contact Todd Dowdy (256-6947) for delivery information



## WEST VIRGINIA DIVISION OF NATURAL RESOURCES PRICING SHEET

### Item 9

WV Division of Natural Resources District III  
French Creek, WV  
Contact Bob Knight (304-924-6211) for delivery information

### Item 10

WV Division of Natural Resources  
1110 Railroad Street  
Farmington, WV 26571  
Contact Steve Rauch (304-825-6787) for delivery information

### Item 11

WV Division of Natural Resources District V  
1163 Wildlife Road  
Pt. Pleasant, WV 25550  
Contact Randy Kelley (304-675-0871) for delivery information

# 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**,  
 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: Middletown TRactor Sales

Signed: 

Date: 23 January 2012

Title: Sales Consultant

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

RFQ No. DNR212072

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 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: Middletown TRactor Sales

Authorized Signature: *[Signature]* Date: 23 January 2012

State of WV

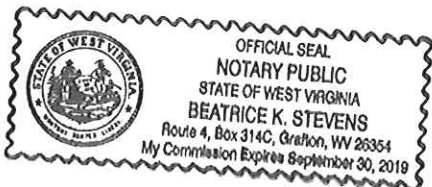
County of TAYLOR, to-wit:

Taken, subscribed, and sworn to before me this 6 day of FEB., 2012

My Commission expires 9-30, 2019

AFFIX SEAL HERE

NOTARY PUBLIC *Beatrice K. Stevens*



## LETTER OF EXCEPTION TO SPECIFICATIONS:

RFQ# DNR212072

Item # 4, 5 & 6: John Deere 609 Rotary Cutter:

Must have stump jumper or equivalent protection:

EXCEPTION: John Deere no longer provides a Stump Jumper for the 609 Rotary Cutter.

Item # 9: Lanco 540 or equivalent lime spreader:

EXCEPTION: (No Bid)

Item # 11: Bush Hog CBH 80 Backhoe: Must have 18" commercial grade bucket with teeth

And replaceable caps

EXCEPTION: We offer replaceable teeth but not replaceable caps.

Must have cast flip over stabilizer pads.

EXCEPTION: We offer flip over pads in steel but not cast.