

AENDOR

SIGNATURE

Sales Consultant

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

### Request for Quotation

. AFO NUMBER DNR212090

ADDRESS CORRESPONDENCE TO ATTENTION OF: TRANK WHITTAKER

04-558-2316

DIVISION OF NATURAL RESOURCES JOBSITE SEE SPECIFICATIONS

TYPE NAME/ADDRESS HERE MIddletown TRactor Sales 2050 Boyers DRive

Fairmont, WV 26554

RFO COPY

FREIGHT TERMS SHIP VIA F.O.B. DATE PRINTED TERMS OF SALE Pre-Paid 12/29/2011 Destination Net 30 Days Our Truck BID OPENING DATE: BID OPENING TIME 01:30PM 01/31/2012 CAT. UNIT PRICE AMOUNT QUANTITY UOP ITEM NUMBER LINE d001 65-85 BA \$83,842.00 1 \$83,842.00 FORESTRY GRADE TRACK LOADER THE WEST VIRGINIA PURCHASING DIVISION, FOR THE AGENCY, THE WEST VIRGINIA DIVISION OF NATURAL RESOURCES IS SOLICITING BILDS FOR A FORESTRY GRADE COMPACT TRACK LOADER WITH ROTART MULCHER ATTACHEMENT ALL TECHNICAL QUESTIONS MUST BE SUBMITTED IN WRITING TO FRANK WHITTAKER IN THE WV PURCHASING DIVISION EMAIL AT FRANK.M.WHITTAKER@WV.GQV OR VIA FAX AT 304-558-4114. DEADLINE FOR ALL TECHNICAL QUESTIONS IS 01/11/2012 AT 4:00 PM. ALL TECHNICAL QUESTIONS WILL BE ADDRESSED BY ADDENDUM AFTER THE DEADLINE. IN THE EVENT THE VENDOR/CONTRACTOR FILES BANKRUPTCY: FOR BANKRUPTCY PROTECTION, THE STATE MAY DEEM THE CONTRACT NULL AND VOID, AND TERMINATE SUCH CONTRACT WITHOUT FURTHER ORDER. EXHIBIT 10 REQUISITION NO.: DNR212090.... ADDENDUM ACKNOWLEDGEMENT I HEREBY ACKNOWLEDGE RECEIPT OF THE FOLLOWING CHECKED ADDENDUM(S) AND HAVE MADE THE NECESSARY REVISIONS TO 2012 JAH 31 AH 9: 53 MY PROPOSAL, PLANS AND/OR SPECIFICATION, ETC. ADDENDUM NO. 'S:

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

alle

55-054-7175

TELEPHONE

304-366-4690

30 January 2012

ADDRESS CHANGES TO BE NOTED ABOVE

# GENERAL TERMS & CONDITIONS REQUEST FOR QUOTATION (RFQ) AND REQUEST FOR PROPOSAL (RFP)

- 1. Awards will be made in the best interest of the State of West Virginia.
- 2. The State may accept or reject in part, or in whole, any bid.

3. Prior to any award, the apparent successful vendor must be properly registered with the Purchasing Division

and have paid the required \$125 fee.

- 4. All services performed or goods delivered under State Purchase Order/Contracts are to be continued for the term of the Purchase Order/Contracts, contingent upon funds being appropriated by the Legislature or otherwise being made available. In the event funds are not appropriated or otherwise available for these services or goods this Purchase Order/Contract becomes void and of no effect after June 30.
- 5. Payment may only be made after the delivery and acceptance of goods or services.
- 6. Interest may be paid for late payment in accordance with the West Virginia Code.
- 7. Vendor preference will be granted upon written request in accordance with the West Virginia Code.
- 8. The State of West Virginia is exempt from federal and state taxes and will not pay or reimburse such taxes.
- 9. The Director of Purchasing may cancel any Purchase Order/Contract upon 30 days written notice to the seller.
- 10. The laws of the State of West Virginia and the Legislative Rules of the Purchasing Division shall govern the purchasing process.
- 11. Any reference to automatic renewal is hereby deleted. The Contract may be renewed only upon mutual written agreement of the parties.
- 12. BANKRUPTCY: In the event the vendor/contractor files for bankruptcy protection, the State may deem this contract null and void, and terminate such contract without further order.
- 13. HIPAA BUSINESS ASSOCIATE ADDENDUM: The West Virginia State Government HIPAA Business Associate Addendum (BAA), approved by the Attorney General, is available online at www.state.wv.us/admin/purchase/vrc/hipaa.html and is hereby made part of the agreement provided that the Agency meets the definition of a Cover Entity (45 CFR §160.103) and will be disclosing Protected Health Information (45 CFR §160.103) to the vendor.
- 14. CONFIDENTIALITY: The vendor agrees that he or she will not disclose to anyone, directly or indirectly, any such personally identifiable information or other confidential information gained from the agency, unless the individual who is the subject of the information consents to the disclosure in writing or the disclosure is made pursuant to the agency's policies, procedures, and rules. Vendor further agrees to comply with the Confidentiality Policies and Information Security Accountability Requirements, set forth in http://www.state.wv.us/admin/purchase/privacy/noticeConfidentiality.pdf.
- 15. LICENSING: Vendors must be licensed and in good standing in accordance with any and all state and local laws and requirements by any state or local agency of West Virginia, including, but not limited to, the West Virginia Secretary of State's Office, the West Virginia Tax Department, and the West Virginia Insurance Commission. The vendor must provide all necessary releases to obtain information to enable the director or spending unit to verify that the vendor is licensed and in good standing with the above entities.
- 16. ANTITRUST: In submitting a bid to any agency for the State of West Virginia, the bidder offers and agrees that if the bid is accepted the bidder will convey, sell, assign or transfer to the State of West Virginia all rights, title and interest in and to all causes of action it may now or hereafter acquire under the antitrust laws of the United States and the State of West Virginia for price fixing and/or unreasonable restraints of trade relating to the particular commodities or services purchased or acquired by the State of West Virginia. Such assignment shall be made and become effective at the time the purchasing agency tenders the initial payment to the bidder.

I certify that this bid is made without prior understanding, agreement, or connection with any corporation, firm, limited liability company, partnership, or person or entity submitting a bid for the same material, supplies, equipment or services and is in all respects fair and without collusion or Fraud. I further certify that I am authorized to sign the certification on behalf of the bidder or this bid.

#### INSTRUCTIONS TO BIDDERS

- 1. Use the quotation forms provided by the Purchasing Division. Complete all sections of the quotation form.
- 2. Items offered must be in compliance with the specifications. Any deviation from the specifications must be clearly indicated by the bidder. Alternates offered by the bidder as EQUAL to the specifications must be clearly defined. A bidder offering an alternate should attach complete specifications and literature to the bid. The Purchasing Division may waive minor deviations to specifications.

3. Unit prices shall prevail in case of discrepancy. All quotations are considered F.O.B. destination unless alternate shipping terms are clearly identified in the quotation.

- 4. All quotations must be delivered by the bidder to the office listed below prior to the date and time of the bid opening. Failure of the bidder to deliver the quotations on time will result in bid disqualifications: Department of Administration, Purchasing Division, 2019 Washington Street East, P.O. Box 50130, Charleston, WV 25305-0130
- 5. Communication during the solicitation, bid, evaluation or award periods, except through the Purchasing Division, is strictly prohibited (W.Va. C.S.R. §148-1-6.6).



VEZDOR

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

TERMS OF SALE

# Request for Quotation

SHIP VIA

RFQ NUMBER DNR212090

FREIGHT TERMS

|   | ADDRESS CORRESPONDENCE TO ATTENTION OF:                              |
|---|--|
| ŀ | ADDRESS CORRESPONDENCE TO ATTENTION OF: PRANK WHITTAKER 104-558-2316 |
|   | 04-558-2316  |

RFQ COPY TYPE NAME/ADDRESS HERE

DIVISION OF NATURAL RESOURCES JOBSITE SEE SPECIFICATIONS 7

F.O.B.

| DATE PI   |   | TERMS                        | OF SALE                          | SHIP   | /IA                              | F,O.B,   |             | FREIGHT TERMS  |
|-----------|---|------------------------------|----------------------------------|--|----------------------------------|--|-------------|--|
| 12/29     | /2011   | <br> <br> 1/31/201           | 2                                |  | BTD O                            | PENING TIME  | 01:30P      | M  |
|           | 31.   |                              | DAT                              | UTCMANU  | . 275                            |  |             |  |
| LINE      | NO. 1 . NO. 2 . NO. 3 . NO. 4 . NO. 5 . I UNDER THE ADI | RSTAND THOENDUM (S) MUST CLE | IAT FAII MAY BI EARLY UI MADE OI | LURE TO COI<br>E CAUSE FOI<br>NDERSTAND T<br>R ASSUMED T | R REJECT<br>THAT ANY<br>TO BE MA | E RECEIPT OF ION OF BIDS.  VERBAL  DE DURING AN EPRESENTATIV | Y           | AMOUNT   |
|           | AND ANY   | Y STATE E                    | ERSONN                           | EL IS NOT N<br>WRITING AN<br>OFFICIAL AN                 | BINDING. ND ADDED DDENDUM SIG    | ONLY THE   | ES          |  |
|           |   |                              |                                  |  | January 201                      |  |             |  |
|           | NOTE: 7   |                              | A MUDNE                          | CKNOWLEDGE   | MENT SHO                         | ULD BE SUBMI   | TTED        |  |
|           | REV. 09   | 9/21/2009                    | )                                |  |                                  |  |             |  |
|           |   |                              | SEE                              | REVERSE SIDE FOR   |                                  | ONDITIONS  |             |  |
| SIGNATURE |   |                              |                                  |  | TELEPHONE                        |  | DATE        |  |
| TITLE     |   | FEIN                         |                                  |  |                                  | ADDRESS C  | HANGES TO I | BE NOTED ABOVE   |
|           |   |                              |                                  |  |                                  |  |             | Comment Contract of Contract C |



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

# Request for Quotation

70

RFQ NUMBER DNR212090

| , AL   | DHESS CORRESPOND |
|--------|------------------|
| RANK   | WHITTAKER        |
| 304-55 | 58-2316          |

ORRESPONDENCE TO ATTENTION OF:

RFQ COPY TYPE NAME/ADDRESS HERE

DIVISION OF NATURAL RESOURCES JOBSITE SEE SPECIFICATIONS

| DEPARTMENT OF ADMINISTRATION PURCHASING DIVISION BUILDING 15 2019 WASHINGTON STREET, EAST CHARLESTON, WV 25305-0130  THE BID SHOULD CONTAIN THIS INFORMATION ON THE FACE OF THE ENVELOPE OR THE BID MAY NOT BE CONSIDERED:  EUYER: 44  RFQ. NO.: DNR212090 EID OPENING LATE: 01/31/2012 EID OPENING TIME: 1:30 PM  FLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID: 304-366-4698  CONTACT PERSON (PLEASE PRINT CLEARLY):  SEE REVERSE SIDE FOR TERMS AND CONDITIONS [DATE]  DATE    DATE | DATE PRINTED      | TERMS OF S   | ALE :       | SHIP VIA                                |      | F.O.B.     |        | FREIGHT TERMS |
|---|-------------------|--|-------------|---|------|------------|--------|---------------|
| UNIT PRICE AMOUNT  LINE QUANTITY UOP CAT HEMNUMBER UNIT PRICE AMOUNT  NOTICE  A SIGNED BID MUST BE SUBMITTED TO:  DEPARTMENT OF ADMINISTRATION PURCHASING DIVISION BUILDING 15 2019 WASHINGTON STREET, EAST CHARLESTON, WV 25305-0130  THE BID SHOULD CONTAIN THIS INFORMATION ON THE FACE OF THE ENVELOPE OR THE BID MAY NOT BE CONSIDERED:  SEALED BID  EUYER: 44  RFQ. NO.: DNR212090 EID OPENING LATE: 01/31/2012 EID OPENING TIME: 1:30 PM  FLEASE PROVIDE A FAX NUMBER IN CASE IT TO CONTACT YOU RECARDING YOUR BID: 304-366-4698  CONTACT PERSON (PLEASE PRINT CLEARLY):  SEE REVERSE SIDE FOR TETMER AND CONDITIONS   | 12/29/2011        |  |             |   |      |            |        |               |
| NOTICE  A SIGNED BID MUST BE SUBMITTED TO:  DEPARTMENT OF ADMINISTRATION PURCHASING DIVISION BUILDING 15 2019 WASHINGTON STREET, EAST CHARLESTON, WV 2\$305-0130  THE BID SHOULD CONTAIN THIS INFORMATION ON THE FACE OF THE ENVELOPE OR THE BID MAY NOT BE CONSIDERED:  SEALED BID  EUYER: 44  RFQ. NO.: DNR212090 EID OPENING DATE: 01/31/2012 EID OPENING TIME: 1:30 PM  FLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU RECARDING YOUR BID: 304-366-4698  CONTACT PERSON (PLEASE PRINT CLEARLY): SEE REVERSE SIDE FOR TETMES AND CONDITIONS  | BID OPENING DATE: | 01/31/2012   |             | BID                                     | OPEN | ING TIME   | 01:    |               |
| DEPARTMENT OF ADMINISTRATION PURCHASING DIVISION BUILDING 15 2019 WASHINGTON STREET, EAST CHARLESTON, WV 23305-0130  THE BID SHOULD CONTAIN THIS INFORMATION ON THE FACE OF THE ENVELOPE OR THE BID MAY NOT BE CONSIDERED:  SEALED BID  EUYER:  44  RFQ. NO.: DNR212090 EID OPENING DATE: 01/31/2012 EID OPENING TIME: 1:30 PM  PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID: 304-366-4698  CONTACT PERSON (PLEASE PRINT CLEARLY):   | LINE              | QUANTITY UOP   | CAT.<br>NO. | ITEM NUMBER                             |      | UNIT PRICE |        | AMOUNT        |
| THE ENVELOPE OR THE BID MAY NOT BE CONSIDERED:  SEALED BID  BUYER:  44  RFQ. NO.:  DNR212090  EID OPENING DATE:  01/31/2012  EID OPENING TIME:  1:30 PM  FLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID: 304-366-4698  CONTACT PERSON (PLEASE PRINT CLEARLY):  SEE REVERSE SIDE FOR TERMS AND CONDITIONS.  | A SI              | DEPARTMENT ( PURCHASING I BUILDING 15 2019 WASHING   | BE SOF ADM  | UBMITTED TO: INISTRATION ON TREET, EAST |      |            |        |               |
| EID OPENING DATE:  01/31/2012  EID OPENING TIME:  1:30 PM  PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID: 304-366-4698  CONTACT PERSON (PLEASE PRINT CLEARLY):  SEE REVERSE SIDE FOR TERMS AND CONDITIONS   | тне               | ENVELOPE OR  |             |   |      |            | OF     |               |
| BID OPENING DATE:  01/31/2012  BID OPENING TIME:  1:30 PM  PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID: 304-366-4698  CONTACT PERSON (PLEASE PRINT CLEARLY):  SEE REVERSE SIDE FOR TERMS AND CONDITIONS   | виче              | GR:  |             | 44                                      |      |            |        |               |
| PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID: 304-366-4698  CONTACT PERSON (PLEASE PRINT CLEARLY):  SEE REVERSE SIDE FOR TERMS AND CONDITIONS  | RFQ.              | NO.:   |             | DNR212090                               |      |            |        |               |
| PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID: 304-366-4698  CONTACT PERSON (PLEASE PRINT CLEARLY):  SEE REVERSE SIDE FOR TERMS AND CONDITIONS  | BID               | OPENING DATE   | :           | 01/31/201                               | .2   |            |        | *             |
| TO CONTACT YOU REGARDING YOUR BID: 304-366-4698  CONTACT PERSON (PLEASE PRINT CLEARLY):  SEE REVERSE SIDE FOR TERMS AND CONDITIONS  | BID               | OPENING TIME   | :           | 1:30 PM                                 |      |            |        |               |
| SEE REVERSE SIDE FOR TERMS AND CONDITIONS   |                   |  |             | NG YOUR BID:                            | T IS | NECESSARY  |        |               |
| TELEPHONE DATE  | гиоэ              | ACT PERSON (   |             |   |      |            |        |               |
| SIGNATURE TELEPHONE DATE  | 64,0000 1970,000  | The state of the s | SEEF        |   |      | N\$        | losse. |               |
| SOMINE  | SIGNATURE         |  |             | TELEPHON                                | E    |            | DATE   |               |
| ADDRESS CHANGES TO BE NOTED ABOV  | TITLE             |  |             |   |      |            |        |               |



NENDOR

RFQ COPY

TYPE NAME/ADDRESS HERE

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 DNR212090

|   | AU     | DHESS CONNESPON     |
|---|--------|---------------------|
| ) | FRANK  | WHITTAKER<br>8-2316 |
|   | 804-55 | 8-2316              |

CORRESPONDENCE TO ATTENTION OF:

70

DIVISION OF NATURAL RESOURCES JOBSITE SEE SPECIFICATIONS

FREIGHT TERMS F.O.B. SHIP VIA DATE PRINTED TERMS OF SALE 12/29/2011 BID OPENING TIME 01:30PM 01/31/2012 BID OPENING DATE: AMOUNT CAT. UNIT PRICE ITEM NUMBER QUANTITY UOP LINE Phillip A. Cottrille DNR212090 \*\*\*\*\* TOTAL: THIS IS THE END OF RFQ \$83,842.00 SEE REVERSE SIDE FOR TERMS AND CONDITIONS TELEPHONE SIGNATURE ADDRESS CHANGES TO BE NOTED ABOVE TITLE

The West Virginia Purchasing Division for the West Virginia Division of Natural Resources is requesting bids for the purchase of one (1) Forestry Grade Compact Track Loader with Rotary Mulcher Attachment

#### General Specifications:

The Forestry Grade Compact Track Loader with Rotary Mulcher Attachment must be manufactured for commercial use. All items must be new (2011 or 2012 model).

### Forestry Grade Compact Track Loader with Rotary Mulcher Attachment

Forestry grade loader/rotary mulcher must meet the following specifications:

- Must have a diesel engine with a minimum gross horsepower of 95 HP
- Must have general purpose tracks with minimum track width of 17 inches
- Must have a hydrostatic powertrain
- Must have a heavy duty independent suspension of undercarriage
- Must have pilot joystick controls
- Must have a suspension seat with lap and shoulder seat belts
- Must have auxiliary hydraulics (quick connect fittings) with low flow maximum of 25 gpm and high flow maximum of 40 gpm
- Must have an engine block heater
- Must be ROPS/FOPS/OPS (certified)
- Must have indicator warning lights for engine oil pressure, hot hydraulic oil and low battery voltage and a tachometer gauge, engine temperature gauge, and a fuel level gauge
- Must have front and rear emergency exits and a heavy duty polycarbonate door (severe duty) and wiper
- Must have light, hood, window, hose and cylinder, and condenser guards and skid plates and heavy duty grill
- Must have a climate control system with high output with a/c, heat and service access
- Must not exceed 14,500 lbs. (total weight) for entire package (track loader and mulcher attachment)
- Must have a heavy duty rotary drum (quick attach) mulcher attachment with steel
  push bar which has a minimum cutting width of 60 inches and maximum outside
  width of 75 inches. Rotary drum must have a hydraulic brake
- Must have a horn and back-up alarm

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.

Forestry Loader/Mulcher to be delivered to the following location:

McClinitic Wildlife Management Area Mason County Route 1, Box 484, Pt. Pleasant, WV 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        | 333D CTL w/60" Mulcher | John Deere   | 333D CTL w/60" Mulcher |

# WEST VIRGINIA DIVISION OF NATURAL RESOURCES PRICING SHEET

| Item<br>Number | Quantity | Description  | Unit<br>Price | Amount      |
|----------------|----------|--|---------------|-------------|
| 1              | 1        | Forestry Grade Compact Track Loader with Rotary Mulcher Attachment | \$83,842.00   | \$83,842.00 |
|                |          |  | Total Cost    | \$83,842.00 |

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

Forestry Loader/Mulcher to be delivered to the following location:

McClinitic Wildlife Management Area Mason County Route 1, Box 484, Pt. Pleasant, WV

Route 1, Box 484, Pt. Pleasant, WV Contact: Randy Kelley (304-675-0871) for delivery information Rev. 09/08

## 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.<br>X                      | ing the date of this certification; or, Bidder is a partnership, association or corporation res business continuously in West Virginia for four (4) ye ownership interest of Bidder is held by another indivic maintained its headquarters or principal place of bu preceding the date of this certification; or, | ed continue<br>ident vend<br>ears imme<br>dual, partr<br>usiness co<br>or subsidia<br>pal place d | for the reason checked: busly in West Virginia for four (4) years immediately preceddor and has maintained its headquarters or principal place of diately preceding the date of this certification; or 80% of the hership, association or corporation resident vendor who has ontinuously in West Virginia for four (4) years immediately my which employs a minimum of one hundred state residents of business within West Virginia continuously for the four (4) |
|------------------------------|---|---|--|
| 2.<br>_X_                    | Application is made for 2.5% resident vendor provider is a resident vendor who certifies that, during   | reference   | for the reason checked:<br>of the contract, on average at least 75% of the employees<br>who have resided in the state continuously for the two years   |
| 3.                           | affiliate or subsidiary which maintains its headquare   | ım of one<br>ters or pr<br>ies that, d<br>ployees a   | hundred state residents or is a nonresident vehicly with all incipal place of business within West Virginia employing a uring the life of the contract, on average at least 75% of the re residents of West Virginia who have resided in the state   |
| 4.<br>_X_                    | Application is made for 5% resident vendor pre<br>Bidder meets either the requirement of both subdivi   | ference f<br>sions (1) a  | or the reason checked:<br>and (2) or subdivision (1) and (3) as stated above; or,  |
| 5.                           | Application is made for 3.5% resident vendor p<br>Bidder is an individual resident vendor who is a vetera<br>and has resided in West Virginia continuously for<br>submitted; or,  | reference<br>an of the U<br>the four  | e who is a veteran for the reason checked:<br>nited States armed forces, the reserves or the National Guard<br>years immediately preceding the date on which the bid is  |
| 6.                           |   | United States<br>es or com  | pleting the project which is the subject of the vendor's bid and at least seventy-five percent of the vendor's employees are   |
| require<br>agains<br>or dedu | understands if the Secretary of Revenue determine<br>ments for such preference, the Secretary may order<br>t such Bidder in an amount not to exceed 5% of the b<br>acted from any unpaid balance on the contract or pure  | s that a Bi<br>the Direct<br>id amoun<br>chase ord  | dder receiving preference has failed to continue to mee' or of Purchasing to: (a) reject the bid; or (b) assess a penalty tand that such penalty will be paid to the contracting agency er.  |
| authori<br>the req           | zes the Department of Revenue to disclose to the Dire<br>uired business taxes, provided that such informatior<br>d by the Tax Commissioner to be confidential.  | does not  | nably requested information to the Purchasing Division and rehasing appropriate information verifying that Bidder has paid contain the amounts of taxes paid nor any other information.  |
|                              | penalty of law for false swearing (West Virginia<br>ccurate in all respects; and that if a contract is i<br>es during the term of the contract, Bidder will n   | ssuen to  | 1-5-3), Bidder hereby certifies that this certificate is true<br>Bidder and if anything contained within this certificate<br>Purchasing Division in writing immediately.   |
| Bidde                        | :Middletown Tractor Sales   | Signed;   | folly de see   |
| Date:                        | 30 January 2012   | Title:  | Sales Consultant   |
| *Check                       | any combination of preference consideration(s) indicated abo  | ove, which  | you are entitled to receive.   |

| RFQ No.    | DNR212090   |
|------------|-------------|
| MF (2 140. | DIVINZIZUOU |

#### 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:**

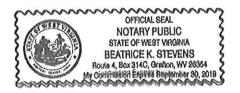
"Debt" means any assessment, premium, penalty, fine, tax or other amount of money owed to the state or any of its political subdivisions because of a judgment, fine, permit violation, license assessment, defaulted workers' compensation premium, penalty or other assessment presently delinquent or due 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



## MIDDLETOWN TRACTOR SALES

### FAX FORM

2050 Boyers Drive Fairmont, WV 26554 304-366-4690 304-366-4698 (FAX)

22 February 2012

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

REF: Sealed Bid RFQ# DNR212090

SUBJECT: Addendum #1 & 2 ATTN: Frank Whittaker

Frank;

In response to the aforementioned RFQ's, I am submitting via US Mail and FAX, a copy of the Addendum's that addressed several issues from various vendors.

Our bid package was submitted for the original BOD and will not change due to said addendum.

Please include this memo into our bid package.

Respectfully yours;

Phillip A. Cottrille Sales Consultant.

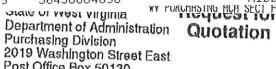
304-366-4690 (EX-242)

phil@middletowntractor.com

Post Office Box 50130 Charleston, WV 25305-0130

MIDDLETOWN TRACTOR
WY PUKUNGANA HUH SECI FAX 304-558-4115
WHENDMER

PAGE Feb 14 2012 12:04pm P001/002



DNR212090

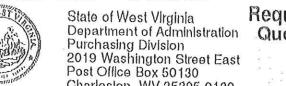
RFQ COPY TYPE NAME/ADDRESS HERE

> Middletown TRactor Sales 2050 Boyers Drive Fairmont, WV 26554

ADDRESS CORRESPONDENCE TO A LIENTION OF FRANK WHITTAKER \$04-558-<u>2</u>316

DIVISION OF NATURAL RESOURCES JOBSITE SEE SPECIFICATIONS

|              | 14/20      |                      | MSCFSALE<br>30 Days  | AIV VIH2                                 |            | F.O.B.   | <i>*************************************</i>   | FREIGHET    | ERMS               |
|--------------|------------|----------------------|--|--|------------|--|--|-------------|--------------------|
| BID OPENING  | DATE:      | 02/23/               | 2012   | Our Truc                                 |            | Destinat   |  | Pre-Paid    |                    |
| LINE         |            | QUANTITY             | UGP CAT  | ПЕМИЦИВЕ                                 |            | OPENING TI   | STATE OF THE PARTY | 1:30PM      |                    |
|              |            |                      | Acceptation of the Street Street, Stre | 27.500 may 2000 - Neoning to 27.         |            | UNITARK  |  | AMOL        | INT                |
|              | *          | ****                 | ******* A  | DDENDUM NO.                              | 2 **       | *****  | *****  |             |                    |
|              |            |                      |  |  |            | H. Section 3   |  |             |                    |
|              | 11.        | IS ADDENDU           | A TR TREOF   | p TO:                                    |            |  |  | 1.          |                    |
|              | 1)         | EXTEND THE           | BTD OPEN   | ING DATE AND                             | ) Mirror   |  |  |             |                    |
|              | 5. 100     | 02/23/2012           | AT 1:30  | PM DAIE AN                               | ) J.TWI    | TO:  | 100 to 300   |             |                    |
|              |            |                      | · ·  | 1  |            |  | 1777 - 27  |             |                    |
| 2)<br>(K. 7) | 2)         | PROVIDE TH           | E ATTACHE  | TECHNICAL                                | OUEST      | DIA 2 DIANT  |  | . P         |                    |
| 1 1<br>1 1   |            |                      |  |  | 2020       | TOME & MIND  | WERS,  |             |                    |
| 9 8          | .5 *       |                      |  |  | 1          |  |  |             | ent i              |
|              |            | e <sup>ji</sup> so s |  |  | 502.7      |  |  |             |                    |
|              |            |                      |  |  |            | es and the e   |  |             |                    |
|              |            | man x x x x x        |  |  | 200        | in the second  | 22 T 444   |             |                    |
| # #<br>#     | 34 N       |                      |  |  |            | 2 5 5<br>25 5 5 5 5  |  |             |                    |
|              | 200        |                      | 1  | , T                                      | * 120      | 8 8 W W  |  |             |                    |
|              | -33        |                      |  | * * * * * * * * * * * * * * * * * * *    | . 2        |  |  | 1           | n garanta          |
| 69           |            | , and                |  | 835 V 1 234                              |            | 90° 4 50°  |  | 27 300      | 2 <sup>16</sup> 10 |
| * .          |            |                      |  | V 10 5 58°                               |            | #  |  |             |                    |
|              |            |                      |  | 20 00 00 00 00 00 00 00 00 00 00 00 00 0 |            |  | and the are  |             |                    |
|              |            | 12000                |  |  |            | en de la composition della com | PET 00 - 5752  | , and it is | , p. 1.            |
|              |            | and the second       | *  |  |            | en 1   |  |             | er ar              |
| 24.0         |            |                      | , j  |  |            |  |  | Waste to    |                    |
| d es         |            | 8                    |  | e to gr                                  |            |  |  | # #<br>#    | av -               |
|              |            |                      |  |  |            |  |  | * 2 gar     |                    |
|              |            |                      |  | ALC: 40                                  | 750 8 8    |  |  |             |                    |
|              | 200        |                      |  |  |            | est of I   |  | 100 t F     |                    |
| +2)          |            |                      |  | and the same of                          | 9 20       |  |  | 8 7 98      |                    |
| 189          |            |                      |  | j për en et                              | 8 8        |  | 0 10 10 0 1<br>10 10 0 0 1   | e ji z "i"  |                    |
| 001          |            | HZ                   | 1  | 65-85                                    |            |  |  |             |                    |
|              | FORM       | 1                    |  | 9" 4"                                    |            |  |  |             |                    |
| 92.7         | HORE       | STRY GRADE           | TRACK LO   | ADER                                     |            | <del></del>  |  |             |                    |
| * * * * *    | - 1        | 1                    |  | 120° 120° 110°                           |            |  |  | , ±)        |                    |
|              |            | Ti.                  |  | 4  | 238.4      | ,#R  | .  | j           | * * *              |
|              |            | L                    | SEEREVI  | ARESIDE FOR YERMS                        | AVACO HIMA | manas  |  |             |                    |
| SNATURE      | Kill.      |                      | Atith)   | TELEP                                    | ONE<br>ONE | MONS   | DATE   |             | 4.,                |
| TE C.        | - The same | FEIN                 | grally   |  | 304-36     | 6-4690   | 22   | February 20 | 12                 |
| Sales        | Consu      | Itant                | 55-054-717.  | 5  |            | ADDRESS  |  |             | OVE                |
| V            | AUCIN KI   | ESPONDING TO         | HFQ, INSERT  | NAME AND ADDR                            | RESSIN     | SPACE ABOVE  | LABÉLE   | ) 'VENDOR'  |                    |



Charleston, WV 25305-0130

RFQ COPY TYPE NAME/ADDRESS HERE

> Middletown Tractor Sales 2050 Boyers Drive Fairmont, WV 26554

Request for FONUMBER Quotation

DNR212090

PAGE

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

DIVISION OF NATURAL RESOURCES JOBSITE SEE SPECIFICATIONS

| 01/27/20<br>OPENING DATE:   | 02/15/2                | Days     |                  | Our Truck BID O             | Destination<br>PENING TIME  | Pre-Paid<br>01:30PM  |
|---|------------------------|----------|------------------|-----------------------------|-----------------------------|--|
| LÍNÉ  | QUANTITY               | UOP C/   | λŤ, :            | ITEM NUMBER                 | north and a second          | 35 1 00  |
| ing participal  |                        | N AND AN | 9.:              | TEMHOMOEN                   | UNIT PRICE                  | AMOUNT   |
| **  | *****                  | *****    | AIDD             | ENDUM NO. 1 ***             | ****                        |  |
| l l   |                        | 1 1      | 1                | 1                           |                             |  |
| J.H.  | IS ADDENDUM<br>D TIME, | IS IS    | UED              | TO EXTEND THE B             | ID OPENING DAT              | E  |
| 7114  | D Talini,              |          |                  |                             |                             |  |
| BI  | D OPENING I            | ATE IS   | EXTE             | NDED TO 02/15/20            | ງ1ວ ກ.ຕະ                    |  |
| 1:  | 30 PM                  |          |                  | 10 02/15/20                 | JIZ AI                      |  |
| DAY   | D MEGANTAN             |          |                  |                             |                             |  |
| 7 H   | E TECHNICAL            | QUESTI   | ONS .            | AND ANSWERS WILL            | BE PROVIDED :               | IN   |
|   | SUBSEQUENT             | ADDENDU  | n.               |                             |                             |  |
|   |                        |          |                  |                             | 7                           |  |
| , 10<br>10<br>10<br>10<br>10<br>10<br>10<br>10<br>10<br>10<br>10<br>10<br>10<br>1 |                        |          |                  |                             |                             |  |
| N 2   |                        |          |                  |                             | a grade a of                |  |
|   | of earlies and a       | 84       | 8484             |                             |                             | and the second of the  |
| * ****  |                        |          |                  |                             |                             |  |
| S et ux mi  |                        |          |                  |                             |                             |  |
| , a   |                        | W 1      |                  |                             |                             |  |
|   |                        |          |                  |                             |                             |  |
|   |                        |          |                  |                             |                             |  |
|   |                        |          |                  |                             |                             | 2 May 25 A 4 1 May |
| 3 4 2   |                        | 8.8      |                  |                             | to the second of the second |  |
|   |                        | , i      |                  |                             |                             |  |
| 2   |                        |          |                  |                             |                             |  |
|   |                        | 3        |                  |                             |                             |  |
| 2 2 2 2 2 2   |                        | vi 1     | 2                |                             |                             |  |
| t we w  |                        | 31. E    | 100              |                             | e content                   |  |
|   |                        |          |                  |                             |                             |  |
|   |                        | 8        |                  |                             |                             |  |
|   |                        |          |                  |                             |                             |  |
| **************************************  |                        |          |                  |                             |                             |  |
|   |                        |          | 18. <sup>1</sup> |                             |                             |  |
|   |                        |          | 12.              |                             |                             |  |
| URS A PAGE  |                        | SEE      | REVERS           | SE SIDE FOR TERMS AND CONDI |                             | A STATE OF THE STA |
| Melly   | 1. / 1                 | ant      |                  | TELEPHONE<br>304-366-       | 4690 DAT                    | 22 February 2012   |
| Sales Con   | FEIN                   | 55-054-  | 7175             | L                           | ADDECO CUANO                | ES TO BE NOTED ABOVE   |

## MIDDLETOWN TRACTOR SALES

## FAX FORM

2050 Boyers Drive Fairmont, WV 26554 304-366-4690 304-366-4698 (FAX)

31 January 2012

Department of Administration Purchasing Division 2019 Washington Street East Post Office Box 50130 Charleston, WV 25305-0130 REF: RFQ# DNR212090 ATTN: Frank Whittaker

Frank;

This is my copy of the RFQ that opens today at 1:30PM.

Respectfully yours;

Phillip A. Cottrille Sales Consultant.

304-366-4690 (EX-242)

phil@middletowntractor.com

6.2 JEN 31 A 10: 51