



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
DPS1202

PAGE
1

ADDRESS CORRESPONDENCE TO ATTENTION OF:
TARA LYLE 304-558-2544

VENDOR

*709022137 800-283-2479
 BROUGHTON FOODS LLC

 1701 GREENE ST PO BOX 656
 MARIETTA OH 45750

SHIP TO

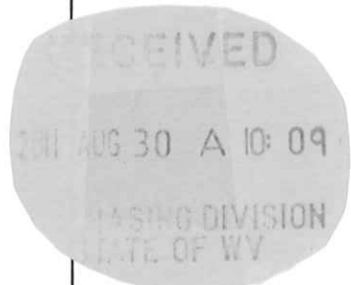
WEST VIRGINIA STATE POLICE

 4124 KANAWHA TURNPIKE
 SOUTH CHARLESTON, WV
 25309 304-746-2141

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
07/28/2011				

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

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	LS		380-75		
MILK AND DAIRY PRODUCTS						
OPEN-END CONTRACT						
THE WEST VIRGINIA PURCHASING DIVISION FOR THE AGENCY, WV STATE POLICE, IS SOLICITING BIDS TO PROVIDE DAIRY PRODUCTS TO THE WEST VIRGINIA STATE POLICE ACADEMY, PER THE ATTACHED SPECIFICATIONS.						
INQUIRIES:						
WRITTEN QUESTIONS WILL BE ACCEPTED UNTIL CLOSE OF BUSINESS ON 08/12/2011. QUESTIONS MAY BE SENT VIA USPS, FAX, COURIER OR E-MAIL. IN ORDER TO ASSURE NO VENDOR RECEIVES AN UNFAIR ADVANTAGE, NO SUBSTANTIVE QUESTIONS WILL BE ANSWERED ORALLY. IF POSSIBLE, E-MAIL QUESTIONS ARE PREFERRED. ADDRESS INQUIRIES TO:						
TARA LYLE DEPARTMENT OF ADMINISTRATION PURCHASING DIVISION 2019 WASHINGTON STREET, EAST CHARLESTON, WV 25305						
FAX: 304-558-4115 EMAIL: TARA.L.LYLE@WV.GOV						



SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
<i>David J. Broughton</i> David J. Broughton	800-283-2479	August 29, 2011
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE
General Manager	04-3742039	

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



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	EXHIBIT 3					
<p>LIFE OF CONTRACT: THIS CONTRACT BECOMES EFFECTIVE ON 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 ORIGINAL CONTRACT AND SHALL BE LIMITED TO TWO (2) ONE (1) YEAR PERIODS.</p> <p>CANCELLATION: THE DIRECTOR OF PURCHASING RESERVES THE RIGHT TO CANCEL THIS CONTRACT IMMEDIATELY UPON WRITTEN NOTICE TO THE VENDOR IF THE COMMODITIES AND/OR SERVICES SUPPLIED ARE OF AN INFERIOR QUALITY OR DO NOT CONFORM TO THE SPECIFICATIONS OF THE BID AND CONTRACT HEREIN.</p> <p>OPEN MARKET CLAUSE: THE DIRECTOR OF PURCHASING MAY AUTHORIZE A SPENDING UNIT TO PURCHASE ON THE OPEN MARKET, WITHOUT THE FILING OF A REQUISITION OR COST ESTIMATE, ITEMS SPECIFIED ON THIS CONTRACT FOR IMMEDIATE DELIVERY IN EMERGENCIES DUE TO UNFORESEEN</p>						

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SIGNATURE	David J. Broughton	TELEPHONE	800-283-2479	DATE	August 29, 2011
TITLE	General Manager	FEIN	04-3742039	ADDRESS CHANGES TO BE NOTED ABOVE	

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<p>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 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>THE MODEL/BRAND/SPECIFICATIONS NAMED HEREIN ESTABLISH THE ACCEPTABLE LEVEL OF QUALITY ONLY AND ARE NOT</p>						

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TITLE General Manager	FEIN 04-3742039	ADDRESS CHANGES TO BE NOTED ABOVE	

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<p>INTENDED TO REFLECT A PREFERENCE OR FAVOR ANY PARTICULAR BRAND OR VENDOR. VENDORS WHO ARE BIDDING ALTERNATES SHOULD SO STATE AND INCLUDE PERTINENT LITERATURE AND SPECIFICATIONS. FAILURE TO PROVIDE INFORMATION FOR ANY ALTERNATES MAY BE GROUNDS FOR REJECTION OF THE BID. THE STATE RESERVES THE RIGHT TO WAIVE MINOR IRREGULARITIES IN BIDS OR SPECIFICATIONS IN ACCORDANCE WITH SECTION 148-1-4(F) OF THE WEST VIRGINIA LEGISLATIVE RULES AND REGULATIONS.</p> <p>WORKERS' COMPENSATION: VENDOR IS REQUIRED TO PROVIDE A CERTIFICATE FROM WORKERS' COMPENSATION IF SUCCESSFUL</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 AGENCY AS A CONDITION OF AWARD.</p> <p>VENDOR PREFERENCE CERTIFICATE</p> <p>THIS TEAM EXHIBIT HAS BEEN REPLACED BY THE ONLINE VERSION WHICH IS AVAILABLE HERE: HTTP://WWW.STATE.WV.US/ADMIN/PURCHASE/VRC/VENPREF.PDF</p> <p>NOTICE</p> <p>A SIGNED BID MUST BE SUBMITTED TO:</p> <p>DEPARTMENT OF ADMINISTRATION PURCHASING DIVISION BUILDING 15 2019 WASHINGTON STREET, EAST CHARLESTON, WV 25305-0130</p>						

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<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:-----TL/32-----</p> <p>RFQ. NO.:-----DPS1202-----</p> <p>BID OPENING DATE:-----08/30/2011-----</p> <p>BID OPENING TIME:-----1:30 PM-----</p> <p>PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID:</p> <p>-----740-376-1763-----</p> <p>CONTACT PERSON (PLEASE PRINT CLEARLY):</p> <p>-----David J. Broughton-----</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS			
SIGNATURE <i>David J. Broughton</i> David J. Broughton	TELEPHONE 800-283-2479	DATE August 29, 2011	
TITLE General Manager	FEIN 04-3742039	ADDRESS CHANGES TO BE NOTED ABOVE	

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Bid Form DPS 1202

DPS 1202		BID OPENING:		
Item #	Description	*Estimated Annual Quantity	Unit Price	Extended Price
1.	Pints, Homogenized Grade A Milk, Vitamin D added. Minimum butter fat 3.25%	6300	\$.6600	\$ 4,158.00
2.	Pints, Skim Milk, Grade D	2600	\$ N/A	\$ ----
3.	Quarts, Half & Half, Grade A, Minimum butter fat 10.5%	50	\$ 1.9000	\$ 95.00
4.	Lbs. Cottage Cheese, 5# tubs, 4% milkfat minimum	520	\$ 8.3100	\$ 4,321.20
5.	Lbs. Sour Cream	520	\$ 1.1200	\$ 582.40
6.	Quarts, Buttermilk, Grade A	1040	\$ 1.2300	\$ 1,279.20
7.	Gallons, Bulk Ice cream, various flavors including but not limited to: cherry vanilla, moose tracks, peanut butter & chocolate	100	\$ 7.3300*	\$ 733.00
8.	Dozen, Ice cream bars, including but not limited to: fudge bars, nutty buddy cones, orange push ups, snickers type ice cream bars	50	\$ 3.0700*	\$ 153.50
9.	Cups, Yogurt, low fat (not frozen) 8 oz. cups, Assorted flavors	6300	\$.5600	\$ 3,528.00
10.	Lbs. Ricotta Cheese, 5# Tub	80	\$ N/A	\$ ----
11.	Pints, 2% milk	12,500	\$.6000	\$ 7,500.00
12.	Cases, Non dairy creamer, 1/2 oz. 400 per case	52	\$ 7.6300	\$ 396.76
13.	Pints, Chocolate Milk, homogenized, minimum butter fat 3.25%	7300	\$.7000	\$ 5,110.00
Failure to use this form may result in disqualification.			Total	\$ 27,857.06
<p>Bidder / Vendor Information:</p> <p>Name: <u>Broughton Foods, LLC</u></p> <p>Address: <u>1701 Greene Street, PO Box 656</u> <u>Marietta, OH 45750</u></p> <p>Phone #: <u>740-373-4121</u></p> <p>Email Address: <u>dave_broughton@deanfoods.com</u></p>				
<p>Contact Coordinator Information:</p> <p>Name: <u>David J. Broughton</u></p> <p>Address: <u>1701 Greene Street, PO Box 656</u> <u>Marietta, OH 45750</u></p> <p>Phone #: <u>800-283-2479 Ext. 822</u></p> <p>Email Address: <u>dave_broughton@deanfoods.com</u></p>				
*Quantities are estimated annual usage for bidding purposes and bidder's information.				

*Please see attached list of items available at bid prices.
 Also attached, additional list of available novelties and flavored ice cream

Broughton Foods Co.
 Marietta, Ohio
 DSD 440 Price List- Effective August 2011
 Order Dept. 1-888-303-2479

Marietta 1-800-283-2479
 Ashland 1-800-598-7545
 Charleston 1-800-287-8579

Product Code No.	DSD 440 Description	Case Pack	Del'vd Case Cost	Del'vd Unit Cost	UPC Number
*These items only at Bid price.					
Pet Novelties 10 Pack					
431-100	Pet Ice Cream Sandwich	8/10's	\$24.56	\$3.07	87932-60110
431-300	Pet Neo Sandwich	8/10's	\$24.56	\$3.07	87932-60309
432-500	Pet Light Sandwich	8/10's	\$24.56	\$3.07	87932-60121
Pet Novelties 12 Pack					
434-200	Pet Sundae cups 3oz	9/12's	\$27.63	\$3.07	87932-60308
435-200	Pet Vanilla cups 3oz	9/12's	\$27.63	\$3.07	87932-60307
441-300	Pet Brown Mule	8/12's	\$27.63	\$3.07	87932-60112
Mayfield Premium Ice Cream Bulk					
301-000	Vanilla	Bulk	\$21.99		
302-001	Vanilla Bean	Bulk	\$21.99		
302-005	Chocolate	Bulk	\$21.99		
302-006	Chocolate Chip	Bulk	\$21.99		
302-029	Mint Chip	Bulk	\$21.99		
302-033	Strawberry	Bulk	\$21.99		
302-038	Superman	Bulk	\$21.99		

Additional list of Ice Cream Available

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 Marietta, Ohio
 DSD 440 Price List- Effective August 2011
 Order Dept. 1-888-303-2479

Marietta 1-800-283-2479
 Ashland 1-800-598-7545
 Charleston 1-800-287-8579

Product Code No.	DSD 440 Description	Case Pack	Del'vd Case Cost	Del'vd Unit Cost	UPC Number
480-100	Pet Novelties 4 Pack Pet Nutty Royale	12/4's	\$31.80	\$2.65	87932-60116
471-100	Pet Novelties 6 Pack Pet Ice Cream Sandwich	12/6's	\$22.08	\$1.84	87932-00033
472-100	Pet Tom-Tom's	12/6's	\$25.92	\$2.16	87932-60119
488-205	Dean Crunch Chocolate	12/6's	\$28.32	\$2.36	76197-00370
488-233	Dean Crunch Strawberry	12/6's	\$28.32	\$2.36	76197-00365
443-300	Pet Novelties 12 Pack Pet Fudge Bar	8/12's	\$21.76	\$2.72	87932-60115
444-300	Pet Junior Assorted Pops	9/12's	\$13.05	\$1.45	87932-60305
449-300	Pet Junior Banana Pops	9/12's	\$13.05	\$1.45	87932-60306
450-200	Pet Orange Cream Bar	8/12's	\$21.76	\$2.72	87932-60129
423-100	Pet Novelties 12 Pack Pet Mini-Sandwiches	8/16's	\$24.56	\$3.07	87932-00162
412-100	Pet Novelties 24 Pack Pet Jr. Pops	6/24's	\$16.74	\$2.79	87932-60133
466-010	Mayfield 6 Pack Brown Cow	6/6's	\$10.02	\$1.67	75243-20410
466-020	Cream Bar	6/6's	\$9.12	\$1.52	75243-20411
466-030	Fudge Bar	6/6's	\$9.12	\$1.52	75243-20412
466-040	Toffee Bar	6/6's	\$11.68	\$1.93	75243-20413
466-050	Sundae Cone	8/6's	\$21.76	\$2.72	75243-20430
466-060	Van Ice Cream Sandwich	12/6's	\$22.32	\$1.86	75243-20439
446-020	Mayfield 12 Pack Brown Cow	6/12's	\$15.96	\$2.66	75243-20445
446-030	Lt Brown Cow	6/12's	\$16.38	\$2.73	75243-20446
446-060	BCG SF Stix	6/12's	\$14.04	\$2.34	75243-20478
446-070	Vanilla Mini Sandwich	8/12's	\$21.28	\$2.66	75243-20442
495-200	4 Pack Klondike 4pk	12/4's	\$34.20	\$2.85	75856-00107
495-201	Klondike Heath 4 pk	12/4's	\$34.20	\$2.85	75856-01150
495-300	G. H. King Cone	6/4's	\$20.10	\$3.35	41000-07102
469-005	5 Pack Snickers Bars	12/5's	\$40.20	\$3.35	47677-15724
474-000	6 Pack G.H. Strawberry Shortcake	12/6's	\$45.00	\$3.75	41000-05315
474-500	Klondike Vanilla Sandwich	12/6's	\$45.00	\$3.75	75856-03114
339-001	8 Pack Nestle Drumstick Vanilla	8/8's	\$45.92	\$5.69	72554-00154
339-053	Nestle Drumstick Variety	8/8's	\$45.52	\$5.69	72554-00153
433-064	9 Pack Flintstone Push up Fruit Mania	12/9's	\$43.56	\$3.63	72554-00221
433-094	Flintstone Push up Rainbow	12/9's	\$43.56	\$3.63	72554-00260
441-400	12 pack Good Humor Ice Cream Bar Van/Choc	12/12's	\$45.37	\$3.78	41000-05093
442-000	Good Humor Sugar Free Pops	12/12's	\$37.68	\$3.14	77567-12121
446-000	Budget Saver SF Pops	15/12's	\$37.50	\$2.50	74534-75642
454-000	Good Humor Sugar Free Fudge	12/12's	\$40.20	\$3.35	77567-20121
421-000	18 Pack Budget Saver Asst. Pops	10/18's	\$25.00	\$2.50	74534-90164

Product Code No.	DSD 440 Description	Case Pack	Del'vd Case Cost	Del'vd Unit Cost	UPC Number
	Ben & Jerry's	8 pts	\$30.48	\$3.81	
497-003	Twisted Half Baked				76840-10132
497-010	Peanut Butter Cup				76840-10081
497-015	Cherry's Garcia				76840-10015
497-018	Dave Matthews Magic Brownie				76840-10152
497-021	Coffee Heath Bar Crunch				76840-10011
497-024	NY Super Fudge				76840-10014
497-027	Americone Dream				76840-10207
497-029	Baked Yogurt				76840-10153
497-030	Boston Cream Pie				76840-08132
497-031	Dulce de Leche				76840-09167
497-032	Milk & Cookies				76840-07657
497-033	Mud Pie				76840-09166
497-035	Chunky Monkey				76840-10035
497-047	Chocolate Fudge Brownie				76840-10047
497-058	Cookie Dough				76840-10058
497-098	Phish Food				76840-10098
	Ben & Jerry Bar	12 pk	\$17.76	\$1.48	76840-08130
497-147	Fudge Brownie Bar				
	Pet Bulk 24 Pack				
406-100	Nutty Buddy Cone	1/24 pk	\$11.04	\$0.46	87932-00150
412-200	Pops Bulk	1/24 pk	\$6.24	\$0.26	87932-60323
	Pet Bulk 36 Pack				
401-200	Sandwich Vanilla	1/36 pk	\$11.88	\$0.33	87932-60317
	Good Humor Breyers 12 & 24 Pack				
402-300	Mrs. Fields Cookie Sand 7 oz.	1/12 pk	\$21.96	\$1.83	77567-00489
403-100	GH Oreo Cookie Sandwich King 4.5 oz.	1/24 pk	\$31.92	\$1.33	77567-01809
403-500	Oreo Cookie Bar 4 oz.	1/24 pk	\$24.72	\$1.03	77567-02874
404-000	Pop ups Orange Sherbet 2.75 oz	1/24 pk	\$14.40	\$0.60	77567-00312
407-600	Holanda Straw Frluit Bar	1/24 pk	\$17.52	\$0.73	77567-06061
424-100	Reeses Peanut Butter Stick 4.0 oz.	1/24 pk	\$24.72	\$1.03	77567-02875
427-000	Giant Neapolitan Sandwich 6 oz.	1/24 pk	\$17.76	\$0.74	77567-00453
427-100	Giant Vanilla Sandwich 6.0 oz.	1/24 pk	\$17.76	\$0.74	77567-00393
436-400	Triple Chocolate Brownie Giant Cone 8 oz.	1/12 pk	\$24.00	\$2.00	77567-00111
436-600	GH Giant King Cone Van/Choc 8 oz.	1/12pk	\$24.00	\$2.00	77567-00822
436-900	GH Nick Toons Sponge Bob 4.0 oz.	2/12 pk	\$18.00	\$0.75	77567-00285
436-910	Dora the Explorer	2/12's	\$18.00	\$0.75	77567-00280
436-930	GH Iron Man Face	2/12 pk	\$18.00	\$0.75	77567-08521
437-002	Klondike Bar Vanilla King	1/24 pk	\$22.56	\$0.94	75856-00180
438-100	Rainbow 5 Flavors Pop	1/12's	\$7.08	\$0.69	77567-08519
438-500	Sponge Bob Pop-up	1/24's	\$14.64	\$0.61	77567-08520
442-300	Mega Missile R.W. Bars	1/12's	\$5.76	\$0.48	77567-01861
460-005	GH Chocolate Eclairs 4 oz	1/24 pk	\$20.64	\$0.86	41000-05415
460-033	GH Strawberry Shortcake 4.5 oz	1/24 pk	\$20.64	\$0.86	41000-05414
463-000	Choco Taco 4 oz	1/24 pk	\$28.80	\$1.20	70547-01498
464-000	GH King Cone Vanilla 4.6 oz	1/24 pk	\$27.84	\$1.16	41000-05473
	M. M. Mars				
401-500	M. M. Mars Cookie Sandwich	1/24 pk	\$28.32	\$1.18	47677-10232
436-101	Snicker King	1/24 pk	\$28.32	\$1.18	47677-22961
436-201	Twix Bar King	1/24 pk	\$28.32	\$1.18	47677-22960
436-500	Snicker Cones Big One	1/12pk	\$18.72	\$1.56	47677-57115