

VENDOR

State of West Virginia
Department of Administration
Purchasing Division
2019 Washington Street East
Post Office Box 50130
Charleston WW 25205 0460 Charleston, WV 25305-0130

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RFQ NUMBER MHC12109

ADDRESS CORRESPONDENCE TO ATTENHONO

ROBERTA WAGNER 304-558-0067

RFQ COPY TYPE NAME/ADDRESS HERE US Foods 2575 Virginia Avenue Hurricane, WV 25526

HEALTH AND HUMAN RESOURCES JOHN MANCHIN, SR. HEALTH CARE

401 GUFFEY STREET FAIRMONT, WV 26554

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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).



VENDOR

State of West Virginia
Department of Administration

Request for
Quotation Purchasing Division 2019 Washington Street East Post Office Box 50130 Charleston, WV 25305-0130

Request for p

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ROBERTA WAGNER 304-558-0067

RFQ COPY TYPE NAME/ADDRESS HERE USFoods

2575 Virginia Avenue

HEALTH AND HUMAN RESOURCES JOHN MANCHIN, SR. HEALTH CARE

401 GUFFEY STREET FAIRMONT, WV 26554

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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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ROBERTA WAGNER

304-558-0067

HEALTH AND HUMAN RESOURCES JOHN MANCHIN, SR. HEALTH CARE

401 GUFFEY STREET FAIRMONT, WV 26554

304-363-2500

RFQ COPY
TYPE NAME/ADDRESS HERE
US Foods
2575 Virginia Avenue
Hurricone, WV 25526

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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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ROBERTA WAGNER 304-558-0067

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US Foods

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

Virginia Avenue

Request for |

MHC12109

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ROBERTA WAGNER

304-558-0067 ر-a

HEALTH AND HUMAN RESOURCES JOHN MANCHIN, SR. HEALTH CARE

401 GUFFEY STREET FAIRMONT, WV 26554

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

Request for

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HEALTH AND HUMAN RESOURCES JOHN MANCHIN, SR. HEALTH CARE

401 GUFFEY STREET FAIRMONT, WV 26554

304-363-2500

RFQ COPY TYPE NAME/ADDRESS HERE US Foods 2575 Virginia Avenue Hurricane, WV 25526

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

Request for Quotation

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MHC12109

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ROBERTA WAGNER

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RFQ COPY TYPE NAME/ADDRESS HERE USFoods 2575 virginia Hurricane, WV 2552Z

HEALTH AND HUMAN RESOURCES JOHN MANCHIN, SR. HEALTH CARE

401 GUFFEY STREET FAIRMONT, WV 26554

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VENDOR

RFQ COPY

US Foods

TYPE NAME/ADDRESS HERE

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

2515 Virginia Avenue

Request for

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REQ NUMBER MHC12109

ADDRESS CORRESPONDENCE TO ATTENTION OF

ROBERTA WAGNER

304-558-0067

HEALTH AND HUMAN RESOURCES JOHN MANCHIN, SR. HEALTH CARE

401 GUFFEY STREET FAIRMONT, WV

Hurricane, WV 25526 26554 304-363-2500 DATE PRINTED TERMS OF SALE SHIP VIA FO.B. FREIGHTTERMS 02/01/2012 BID OPENING DATE: BID OPENING TIME 01:30PM 03/01/2012 ITEM NUMBER UNIT PRICE AMOUNT LINE QUANTITY UOP E-MAIL: ROBERTA.A.WAGNEROWV.GOV EXHIBIT 4 UNLESS THE VENDOR INDICATES LOCAL GOVERNMENT BODIES: 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 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. REV. 3/88 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 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.

SEE REVERSE SIDE FOR TERMS AND CONDITIONS SIGNATURE ADDRESS CHANGES TO BE NOTED ABOVE 3642294

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



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

Request for

ROBERTA WAGNER 304-558-0067

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HEALTH AND HUMAN RESOURCES JOHN MANCHIN, SR. HEALTH CARE

401 GUFFEY STREET FAIRMONT, WV 26554

DATE PRINT	TED	TER	MS OF SAL	F	SHIP VI	A		F.O.B.	FREIGHT TERMS	
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HEALTH AND HUMAN RESDURCES JOHN MANCHIN, SR. HEALTH CARE

401 GUFFEY STREET FAIRMONT, WV 26554

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WV-36A (Rev. 01/01/07)

STATE OF WEST VIRGINIA

PURCHASE CONTINUATION SHEET

Vendor: US Foods - WU

Buyer: Page: Requisition or P.O. No.: RW22 MHC12109

Spending Unit:

JOHN MANCHIN SR. HEALTH CARE CENTER

EVALUATION AWARD WILL RIGHT TO SP	: BE MADE TO THE LOWEST BID MEETING SPECIFICATIONS WITH THE STATE RESERVING THE LIT THE AWARD IF NEED BE.
ORDERING P SPENDING U	ROCEDURE: NIT(S) SHALL BE PHONED IN BY DIETARY DEPARTMENT TWICE A WEEK.
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WV-36 (Rev. 01/01/07)

STATE OF WEST VIRGINIA

PURCHASE CONTINUATION SHEET

Page	of	Pages	MHC12109
File: RW22			
Spendin JOHN M.	-	SR. HEALTI	H CARE CENTER

Vendor:			Spending Unit: JOHN MANCHIN SR. HEALTH CARE CENTER				
Item No.	Quantity	Description	Unit Price	Amount			
0001	24,960 EACH	Pricing Sheet MILK, HOMOGENIZED ½ PINT	12630	6,564.48			
0002	24,960 EACH	MILK, SKIM ½ PINT	22443	<i>6</i> , 097.73			
0003	100 EA.	BUTTERMILK, ½ GAL.	3. 2. 0281	18.208			
0004	350 EA.	MILK, HOMOGENIZED, BULK 5 GAL.	4. 18.8410	6,894.35			
0005	410 EA.	COTTAGE CHEESE, 5# CONT.	5. 6.7 860	2,182-26			
0006	1,152 EACH	ORANGE JUICE, ½ GAL.	6. 2.4790	<u>a,885.8</u> 3			
0007	100 EA.	SOUR CREAM, 5#	7. 7.2360	723.60			
8000	40 EA.	VANILLA ICE CREAM, BULK 3 GAL.	8. 17. 7360	709.44			
0009	72 DZ.	4 OZ. INSULATED ICE CREAM CUP, VANILLA, CHOCOL AND STRAWBERRY-PACK 24, SIZE 4 OZ.	ATE 9. 3.89	280.08			
0010	40 DZ.	4 OZ. INSULATED SHERBERT CUPS, ASSORTED FLAV (ORANGE, LIME, RASBERRY AND LEMON) PACK 24-4 (115,50			
0011	12 EA.	EGGNOG, QUART	11.1.7988	21.59			
0012	3 EA.	CREAM CHEESE, 8 OZ.	12.1.0542	3.16			
0013	12 EA.	YOGURT, 6 OZ. VARIOUS FLAVORS	1372	8.64			
0014	5800 EACH	2% LOW FAT MILK, ½ PINTS	14 2543	1,474.94			
0015	25 EA.	CHOCOLATE ICE CREAM, BULK 3 GAL.	15. 17.136	443.40			
0016	25 EA.	STRAWBERRY ICE CREAM, BULK 3 GAL.	16. 17.736	443.40			
0017	1,200 EACH	CHOCOLATE MILK, ½ PINTS, LOW FAT	17. , 2553	306.36			
0018	40 DZ.	SUGAR FREE ICE CREAM 4 OZ. CUPS – 24 PER CASE CHOCOLATE AND VANILLA	18. 4.9140	196.56			
0019	90 EA.	LACTOSE FREE MILK, QUART SIZE	19. 4.076	366.84			
0020	20 LB.	RICOTTA CHEESE, 1 LB. CONTAINER	20.1,4079	28.16			
0021	1000 EACH	PINTS CHOCOLATE MILK, WHOLE MILK	21. <u>.7653</u>	765.30			
		TOTAL:		\$ 30,984,4			

RFQ No. _ MHC 12109

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 exceed five percent of the total contract amount.

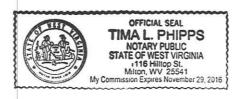
EXCEPTION: The prohibition of this section does not apply where a vendor has contested any tax administered pursuant to chapter eleven of this code, workers' compensation premium, permit fee or environmental fee or assessment and the matter has not become final or where the vendor has entered into a 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.

Authorized Signature State of Taken, subscribed, and sworn to before me this 29 day of Februar My Commission expires November

AFFIX SEAL HERE

WITNESS THE FOLLOWING SIGNATURE



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.
requ aga or d	der understands if the Secretary of Revenue determines that a Bidder receiving preference has failed to continue to meet the uirements for such preference, the Secretary may order the Director of Purchasing to: (a) reject the bid; or (b) assess a penalty iinst such Bidder in an amount not to exceed 5% of the bid amount and that such penalty will be paid to the contracting agency leducted from any unpaid balance on the contract or purchase order.
auth the dee	submission of this certificate, Bidder agrees to disclose any reasonably requested information to the Purchasing Division and horizes the Department of Revenue to disclose to the Director of Purchasing appropriate information verifying that Bidder has paid required business taxes, provided that such information does not contain the amounts of taxes paid nor any other information emed by the Tax Commissioner to be confidential.
and	der penalty of law for false swearing (West Virginia Code, §61-5-3), Bidder hereby certifies that this certificate is true diaccurate in all respects; and that if a contract is issued to Bidder and if anything contained within this certificate anges during the term of the contract, Bidder will notify the Purchasing Division in writing immediately.
	Signed: And A graph

Title:

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



>ENDOR

Department of Administration
Purchasing Division
2019 Washington Street East
Post Office Box 50130
Charleston, WV 25305 0466

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ROBERTA WAGNER 304-558-0067

RFQ COPY TYPE NAME/ADDRESS HERE US Foods 2575 Virginia Avenue Hurricane, WV 25526

HEALTH AND HUMAN RESOURCES JOHN MANCHIN, SR. HEALTH CARE

SH-P **401 GUFFEY STREET** FAIRMONT, WV 26554

DATEPRIN	ITED	TER	MS OF SAL	£	S⊦	RIP VIA	FOB.	FREIGHTTERMS
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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.
- 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 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 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).



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

Request for Quotation

MHC12109

PAGE 2

ADDRESS CORRESPONDENCE TO ATTENTION OF OBERTA WAGNER

ROBERTA WAGNER 304-558-0067

RFQ COPY
TYPE NAME/ADDRESS HERE

US FOODS

2575 Virginto Avenue
Hurchcone, WV 25526

HEALTH AND HUMAN RESOURCES
JOHN MANCHIN, SR. HEALTH CARE

401 GUFFEY STREET FAIRMONT, WV 26554 3

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0006	ORANGE	1,152 JUICE	EA , 1/2		380-75 ON	2.4790	2, 8 SS. 83
0007	SOUR C	100 CREAM,	EA 5# COI		380-75 ERS	7.2360	123.60
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State of West Virginia Request for Department of Administration Quotation Purchasing Division 2019 Washington Street East Post Office Box 50130 Charleston, WV 25305-0130

Request for p

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ROBERTA WAGNER 304-558-0067

RFQ COPY TYPE NAME/ADDRESS HERE US Foods 2575 Virginia Avenue Hurricane, WV 25526

HEALTH AND HUMAN RESOURCES JOHN MANCHIN, SR. HEALTH CARE

401 GUFFEY STREET FAIRMONT, WV 26554

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

ROBERTA WAGNER 304-558-0067

RFQ COPY TYPE NAME/ADDRESS HERE us Foods 2575 Virginia Avenue Hurricane, WU 25526

HEALTH AND HUMAN RESOURCES JOHN MANCHIN, SR. HEALTH CARE

401 GUFFEY STREET FAIRMONT, WV 26554

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

Request for

ROBERTA WAGNER 304-558-0067

RFQ COPY TYPE NAME/ADDRESS HERE US Foods 2575 Viginia Avenue

HEALTH AND HUMAN RESOURCES JOHN MANCHIN, SR. HEALTH CARE

401 GUFFEY STREET FAIRMONT, WV 26554

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

Request for

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MHC12109

ADDRESS CORRESPONDENCE TO ATTENTION O

ROBERTA WAGNER 304-558-0067

RFQ NUMBER

RFQ COPY TYPE NAME/ADDRESS HERE US Foods 2575 Vinginia Avenue Hurricane, WV 25526

HEALTH AND HUMAN RESOURCES JOHN MANCHIN, SR. HEALTH CARE

401 GUFFEY STREET FAIRMONT, WV 26554

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VENDOR

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 MHC12109

PAGE

WADDRESSICORISES CONDENCE TO A MENTION OF

ROBERTA WAGNER 304-558-0067

RFO COPY
TYPE NAME/ADDRESS HERE
US Foods
2575 Virginia
Hurricane, WV 25522

HEALTH AND HUMAN RESOURCES JOHN MANCHIN, SR. HEALTH CARE

401 GUFFEY STREET FAIRMONT, WV 26554 304

02/01/2012 BID OPENING TIME	
UNIC CHANTER MAD CAT TELLIFORM UNITED STATE OF THE COLORS	
LINE QUANTITY UOP CAT. ITEM NUMBER UNIT PRICE AMOUNT	
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.	ĺ
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.	1
THE TERMS AND CONDITIONS CONTAINED IN THIS CONTRACT SHALL SUPERSEDE ANY AND ALL SUBSEQUENT TERMS AND	1
CONDITIONS WHICH MAY APPEAR ON ANY ATTACHED PRINTED	
DOCUMENTS SUCH AS PRICE LISTS, ORDER FORMS, SALES	1
AGREEMENTS OR MAINTENANCE AGREEMENTS, INCLUDING ANY	
ELECTRONIC MEDIUM SUCH AS CD-ROM.	
REV. 01/17/2012	
INQUIRIES:	1
WRITTEN QUESTIONS SHALL BE ACCEPTED THROUGH CLOSE OF	
BUSINESS ON 2/14/2012. 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 DRALLY. IF POSSIBLE, E-MAIL	
QUESTIONS ARE PREFERRED. ADDRESS INQUIRIES TO: ROBERTA WAGNER	i
DEPARTMENT OF ADMINISTRATION	
PURCHASING DIVISION	
2019 WASHINGTON STREET, EAST	
CHARLESTON, WV 25311	
EAV. 206 EE9 611E	
FAX: 304-558-4115	
SEE REVERSE SIDE FOR TERMS AND CONDITIONS	
SIGNATURE SIGNATURE SOY-562-9925 DATE 2/29/12	
B. L Aut Manger FEIN 36-3642294 ADDRESS CHANGES TO BE NOTED ABOVE	



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

Request for

ROBERTA WAGNER 304-558-0067

RFQ COPY TYPE NAME/ADDRESS HERE US Foods Hurricane, WV 25524

HEALTH AND HUMAN RESOURCES JOHN MANCHIN, SR. HEALTH CARE

401 GUFFEY STREET FAIRMONT, WV 26554

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

ROBERTA WAGNER 304-558-0067

RFQ COPY TYPE NAME/ADDRESS HERE

Hurricane, W

HEALTH AND HUMAN RESOURCES JOHN MANCHIN, SR. HEALTH CARE

401 GUFFEY STREET FAIRMONT, WV 26554

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

Request for Quotation

MHC12109

PAGE 10

ADDRESS CORRESPONDENCE TO ATTENTION OF

ROBERTA WAGNER

REQ COPY TYPE NAME/ADDRESS HERE US Fords 2575 Virginia Avenue Hurricane, WV 25526

HEALTH AND HUMAN RESOURCES JOHN MANCHIN, SR. HEALTH CARE

401 GUFFEY STREET FAIRMONT, WV 26554 3

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WV-36A (Rev. 01/01/07)

STATE OF WEST VIRGINIA

PURCHASE CONTINUATION SHEET

Vendor: US	Foods	- wU	

Requisition or P.O. No.: Buyer: Page: MHC12109 RW22 Spending Unit:

Vendor:	05	Foods - WU	JOHN MANCHIN SR. HEALTH CARE CENTE
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WV-36 (Rev.01/01/07)
STATE OF WEST VIRGIN!A

PURCHASE CONTINUATION SHEET

Page	of	Pages	Requisition / P.O. No.: MHC12109
File: RW22			
Spendin JOHN MA	_	SR. HEALTI	H CARE CENTER

Vendor:			ling Unit: MANCHIN SR. HEALTH CARE	CENTER
Item No.	Quantity	Description	Unit Price	Amount
0001	24,960 EACH	Pricing Sheet MILK, HOMOGENIZED ½ PINT	12630	6,564.48
0002	24,960 EACH	MILK, SKIM ½ PINT	2 2443	6,097.73
0003	100 EA.	BUTTERMILK, ½ GAL.	3. 2. 0281	18.50€
0004	350 EA.	MILK, HOMOGENIZED, BULK 5 GAL.	4. 18.8410	6,894.35
0005	410 EA.	COTTAGE CHEESE, 5# CONT.	5. 6.7 860	2,182-26
0006	1,152 EACH	ORANGE JUICE, ½ GAL.	6. 2.4790	<u>a,855.8</u> 3
0007	100 EA.	SOUR CREAM, 5#	7. 7.236 0	723.60
8000	40 EA.	VANILLA ICE CREAM, BULK 3 GAL.	8. 17. 7 360	709.44
0009	72 DZ.	4 OZ. INSULATED ICE CREAM CUP, VANILLA, CHOCOLA AND STRAWBERRY-PACK 24, SIZE 4 OZ.	ATE 9. 3.89	280.08
0010	40 DZ.	4 OZ. INSULATED SHERBERT CUPS, ASSORTED FLAVO (ORANGE, LIME, RASBERRY AND LEMON) PACK 24-4 O		115.50
0011	12 EA.	EGGNOG, QUART	11.1.7988	21.59
0012	3 EA.	CREAM CHEESE, 8 OZ.	12.1.0542	3.16
0013	12 EA.	YOGURT, 6 OZ. VARIOUS FLAVORS	1372	8.64
0014	5800 EACH	2% LOW FAT MILK, ½ PINTS	14 2543	1, 474. 94
0015	25 EA.	CHOCOLATE ICE CREAM, BULK 3 GAL.	15. 17.136	443.40
0016	25 EA.	STRAWBERRY ICE CREAM, BULK 3 GAL.	16. 17.736	443.40
0017	1,200 EACH	CHOCOLATE MILK, ½ PINTS, LOW FAT	17. <u>. 2553</u>	306.36
0018	40 DZ.	SUGAR FREE ICE CREAM 4 OZ. CUPS – 24 PER CASE CHOCOLATE AND VANILLA	18. 4.9140	196.56
0019	90 EA.	LACTOSE FREE MILK, QUART SIZE	19. 4.076	366.84
0020	20 LB.	RICOTTA CHEESE, 1 LB. CONTAINER	20.1,4079	28.16
0021	1000 EACH	PINTS CHOCOLATE MILK, WHOLE MILK	21. <u>.7653</u>	765.30
		TOTAL:		\$ 30,984,42

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,
-). 	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.
3	equir agains or ded	r understands if the Secretary of Revenue determines that a Bidder receiving preference has failed to continue to meet the ements for such preference, the Secretary may order the Director of Purchasing to: (a) reject the bid; or (b) assess a penalty st such Bidder in an amount not to exceed 5% of the bid amount and that such penalty will be paid to the contracting agency lucted from any unpaid balance on the contract or purchase order.
t	author the re- deem	omission of this certificate, Bidder agrees to disclose any reasonably requested information to the Purchasing Division and rizes the Department of Revenue to disclose to the Director of Purchasing appropriate information verifying that Bidder has paid quired business taxes, provided that such information does not contain the amounts of taxes paid nor any other information ed by the Tax Commissioner to be confidential.
į	and a chan	r penalty of law for false swearing (West Virginia Code, §61-5-3), Bidder hereby certifies that this certificate is true accurate in all respects; and that if a contract is issued to Bidder and if anything contained within this certificate ges during the term of the contract, Bidder will notify the Purchasing Division in writing immediately.
	Ridde	er: US. Foods-WV Signed: Ned- Narasa

Title:

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