



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

Solicitation

NUMBER
6613C015

PAGE
1

ADDRESS CORRESPONDENCE TO ATTENTION OF:
ALAN CUMMINGS 304-558-2402

VENDOR

*112110037 814-336-2404
 ERNST CONSERVATION SEEDS INC
~~9006 MERCER PIKE~~
 8584 Mercer Pike
 MEADVILLE PA 16335

SHIP TO

DIVISION OF HIGHWAYS
 VARIOUS LOCALES AS INDICATED
 BY ORDER

DATE PRINTED
11/01/2012

BID OPENING DATE: 11/21/2012 BID OPENING TIME 1:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
0001				790-20-00-000		\$72,327.00
WILDFLOWER SEED						
OPEN-END CONTRACT						
<p>THE WEST VIRGINIA STATE PURCHASING DIVISION FOR THE AGENCY, THE WEST VIRGINIA DIVISION OF HIGHWAYS, IS SOLICITING BIDS TO PROVIDE THE AGENCY WITH AN OPEN-END CONTRACT FOR WILDFLOWER SEEDS PER THE ATTACHED SPECIFICATIONS.</p>						
***** THIS IS THE END OF RFQ 6613C015 ***** TOTAL						\$72,327.00

RECEIVED
 2012 NOV 16 AM 11:08
 WV PURCHASING
 DIVISION

SIGNATURE <i>Nicole Hundle</i>		TELEPHONE 814-336-2404	DATE 11/14/12
TITLE <i>Sales</i>	FEIN 32-0224889	ADDRESS CHANGES TO BE NOTED ABOVE	

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

Wildflower
Minimum Purity 98%
Minimum Germination 80%

Unit of Measure cost must be inclusive of all associated costs including the cost of delivery.
Unit of Measure shall be per Pound of Pure Live Seed (PLS) .

ITEM	INDIVIDUAL SPECIES Description - Genus and Species	Purity %	Germination %	Unit Cost Per Pound	Estimated Quantity	Extended Cost
1	Red Straight Poppy/Flanders Poppy Papaver rhoeas (Papaveraceae)	—	—	—	300 lbs.	—
2	Dwarf Cornflower/Straight Blue Bachelor's Button Centaurea cyanus (Asteraceae)	—	—	—	400 lbs.	—
3	Plains Coreopsis/Calliopsis Coreopsis tinctoria (Asteraceae)	99.79	98.50	\$17.33	400 lbs.	\$6,932.00
4	Crest Red Cosmos Cosmos Sulphureus				200 lbs.	—
5	Wild Cosmos Cosmos bipinnatus (Asteraceae)				700 lbs.	—
6	Yellow Cosmos Cosmos sulphureus (Asteraceae)				100 lbs.	—
7	Blanket Flower Gaillardia Aristata (Asteraceae)				300 lbs.	—
8	Golden Lupine Lupinus densiflorus				200 lbs.	—
9	Rocket Lockspur Delphiniums Ajacis				700 lbs.	—
10	Tickseed/Lance-leaved Coreopsis Coreopsis Lanceolata (Asteraceae)	99.93	87.00	\$17.15	200 lbs.	\$3,430.00
11	Ox-Eyed Daisy Chrysanthemum Leucanthemum				200 lbs.	—
12	Butterfly Weed Asclepias Tuberosa (Asclepiadaceae)	96.43	81.00	\$410.74	100 lbs.	\$41,074.00
13	Black-Eyed Susan Rudbeckia hirta (Asteraceae)	99.94	95.50	\$26.19	300 lbs.	\$7,857.00
14	Beard - Tongue Penstemon digitalis	87.93	95.00	\$130.34	100 lbs.	\$13,034.00
15	Sunflower Dwarf Sunspot Helianthus Annuus				500 lbs.	—

Wildflower (continued)
Minimum Purity 98%
Minimum Germination 80%

Unit of Measure cost must be inclusive of all associated costs including the cost of delivery.
Unit of Measure shall be per Pound of Pure Live Seed (PLS) .

ITEM	Description - Genus and Species	Purity %	Germination %	Unit Cost Per Pound	Estimated Quantity	Extended Cost
16	Perennial Mix (packaged in 8.0 lb bags)	X	X		5000 lbs.	_____
	Maximum Shasta Daisy Chrysanthemum 20% by Weight, 25.3% by Seed			X	X	X
	Tickseed/Coreopsis, Lance Leaved Coreopsis lanceolata 32% by Weight, 26.2% by Seed			X	X	X
	Purple Coneflower Echinacea purpurea 40% by Weight, 22.9% by Seed			X	X	X
	Black-Eyed Susan Rudbeckia hirta 8% by Weight, 25.6% by Seed			X	X	X
17	Annual Mix (packaged in 8.0 lb bags)	X	X		5000 lbs.	_____
	Dwarf Cornflower Centaurea cyanus 25% by Weight, 8.4% by Seed			X	X	X
	Plains Coreopsis Coreopsis tinctoria 5% by Weight, 20.7% by Seed			X	X	X
	Wild Cosmos Cosmos bipinnatus 20% by Weight, 5.2% by Seed			X	X	X
	Yellow Cosmos Cosmos sulphureus 35% by Weight, 6.8% by Seed			X	X	X
	California Poppy Eschscholzia California 10% by Weight, 8.7% by Seed			X	X	X
	Red Poppy Papaver rhoeas 5% by Weight, 50.2% by Seed			X	X	X

ADDENDUM ACKNOWLEDGEMENT FORM

SOLICITATION NO.: 6613C015

Instructions: Please acknowledge receipt of all addenda issued with this solicitation by completing this addendum acknowledgment form. Check the box next to each addendum received and sign below. Failure to acknowledge addenda may result in bid disqualification.

Acknowledgment: I hereby acknowledge receipt of the following addenda and have made the necessary revisions to my proposal, plans and/or specification, etc.

Addendum Numbers Received:

N/A

(Check the box next to each addendum received)

- | | |
|---|--|
| <input type="checkbox"/> Addendum No. 1 | <input type="checkbox"/> Addendum No. 6 |
| <input type="checkbox"/> Addendum No. 2 | <input type="checkbox"/> Addendum No. 7 |
| <input type="checkbox"/> Addendum No. 3 | <input type="checkbox"/> Addendum No. 8 |
| <input type="checkbox"/> Addendum No. 4 | <input type="checkbox"/> Addendum No. 9 |
| <input type="checkbox"/> Addendum No. 5 | <input type="checkbox"/> Addendum No. 10 |

I understand that failure to confirm the receipt of addenda may be cause for rejection of this bid. I further understand that any verbal representation made or assumed to be made during any oral discussion held between Vendor's representatives and any state personnel is not binding. Only the information issued in writing and added to the specifications by an official addendum is binding.

Ernst Conservation Seed

Company

Nicole Hundle

Authorized Signature

11/14/12

Date

NOTE: This addendum acknowledgement should be submitted with the bid to expedite document processing.

REQUEST FOR QUOTATION
6613C015 Wildflowers

- 7.4 **Contract Manager:** During its performance of this Contract, Vendor must designate and maintain a primary contract manager responsible for overseeing Vendor's responsibilities under this Contract. The Contract manager must be available during normal business hours to address any customer service or other issues related to this Contract. Vendor should list its Contract Manager and his or her contact information below.

Contract Manager: Nikki Hindle
Telephone Number: 814-333-3821
Fax Number: 814-336-5191
Email Address: nikki@ernstseed.com

NA

Rev. 07/12

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.
7. Application is made for preference as a non-resident small, women- and minority-owned business, in accordance with West Virginia Code §5A-3-59 and West Virginia Code of State Rules. Bidder has been or expects to be approved prior to contract award by the Purchasing Division as a certified small, women- and minority-owned business.

Bidder understands if the Secretary of Revenue determines that a Bidder receiving preference has failed to continue to meet the requirements for such preference, the Secretary may order the Director of Purchasing to: (a) reject the bid; or (b) assess a penalty against such Bidder in an amount not to exceed 5% of the bid amount and that such penalty will be paid to the contracting agency or deducted from any unpaid balance on the contract or purchase order.

By submission of this certificate, Bidder agrees to disclose any reasonably requested information to the Purchasing Division and authorizes the Department of Revenue to disclose to the Director of Purchasing appropriate information verifying that Bidder has paid the required business taxes, provided that such information does not contain the amounts of taxes paid nor any other information deemed by the Tax Commissioner to be confidential.

Under penalty of law for false swearing (West Virginia Code, §61-5-3), Bidder hereby certifies that this certificate is true and accurate in all respects; and that if a contract is issued to Bidder and if anything contained within this certificate changes during the term of the contract, Bidder will notify the Purchasing Division in writing immediately.

Bidder: _____ Signed: _____
Date: _____ Title: _____

STATE OF WEST VIRGINIA
Purchasing Division

PURCHASING AFFIDAVIT

West Virginia Code §5A-3-10a states: No contract or renewal of any contract may be awarded by the state or any of its political subdivisions to any vendor or prospective vendor when the vendor or prospective vendor or a related party to the vendor or prospective vendor is a debtor and the debt owed is an amount greater than one thousand dollars in the aggregate.

DEFINITIONS:

"Debt" means any assessment, premium, penalty, fine, tax or other amount of money owed to the state or any of its political subdivisions because of a judgment, fine, permit violation, license assessment, defaulted workers' compensation premium, penalty or other assessment presently delinquent or due and required to be paid to the state or any of its political subdivisions, including any interest or additional penalties accrued thereon.

"Debtor" means any individual, corporation, partnership, association, limited liability company or any other form or business association owing a debt to the state or any of its political subdivisions. "Political subdivision" means any county commission; municipality; county board of education; any instrumentality established by a county or municipality; any separate corporation or instrumentality established by one or more counties or municipalities, as permitted by law; or any public body charged by law with the performance of a government function or whose jurisdiction is coextensive with one or more counties or municipalities. "Related party" means a party, whether an individual, corporation, partnership, association, limited liability company or any other form or business association or other entity whatsoever, related to any vendor by blood, marriage, ownership or contract through which the party has a relationship of ownership or other interest with the vendor so that the party will actually or by effect receive or control a portion of the benefit, profit or other consideration from performance of a vendor contract with the party receiving an amount that meets or exceeds five percent of the total contract amount.

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

Under penalty of law for false swearing (*West Virginia Code §61-5-3*), it is hereby certified that the vendor affirms and acknowledges the information in this affidavit and is in compliance with the requirements as stated.

WITNESS THE FOLLOWING SIGNATURE

Vendor's Name: Ernst Conservation Seeds, Inc.

Authorized Signature: *Nicole Hurdle* Date: 11/14/12

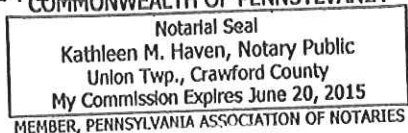
State of Pennsylvania

County of Crawford, to-wit:

Taken, subscribed, and sworn to before me this 14th day of November, 2012.

My Commission expires 6/20, 2015.

AFFIX SEAL HERE COMMONWEALTH OF PENNSYLVANIA



NOTARY PUBLIC *Kathleen M. Haven*