



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

# Solicitation

NUMBER
6614C014

PAGE
1

ADDRESS CORRESPONDENCE TO ATTENTION OF
CRYSTAL RINK 304-558-2306

VENDOR

\*B19133424      802-951-5812  
 AMERICAN MEADOWS INC  
 223 AVE D STE 30  
 WILLISTON VT 05495

SHIP TO

DIVISION OF HIGHWAYS  
 VARIOUS LOCALES AS INDICATED  
 BY ORDER

DATE PRINTED
12/30/2013

BID OPENING DATE: 01/10/2014      BID OPENING TIME 1:30PM

LINE	QUANTITY	UOP	CAT NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
ADDENDUM NO. 04						
THIS ADDENDUM HAS BEEN ISSUED TO MODIFY THE ORIGINAL SOLICITATION PER THE ATTACHED DOCUMENTATION.						
0001	1	EA		790-20-00-000		
				WILDFLOWER SEED		
***** THIS IS THE END OF RFQ 6614C014 ***** TOTAL:						
01/10/14 09:46:49AM West Virginia Purchasing Division						

SIGNATURE <i>MM</i>	TELEPHONE 802-383-3850	DATE 1/9/14
TITLE MANAGING PARTNER	FEIN 26-3910781	ADDRESS CHANGES TO BE NOTED ABOVE

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

SOLICITATION NUMBER: 6614C014

Addendum Number: 4

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The purpose of this addendum is to modify the solicitation identified as ("Solicitation") to reflect the change(s) identified and described below.

**Applicable Addendum Category:**

- | Modify bid opening date and time
- | Modify specifications of product or service being sought
- | Attachment of vendor questions and responses
- | Attachment of pre-bid sign-in sheet
- | Correction of error
- | Other

**Description of Modification to Solicitation:**

To attach the answers to vendor questions  
To provide an updated pricing sheet

**Additional Documentation:** Documentation related to this Addendum (if any) has been included herewith as Attachment A and is specifically incorporated herein by reference.

**Terms and Conditions:**

1. All provisions of the Solicitation and other addenda not modified herein shall remain in full force and effect.
2. Vendor should acknowledge receipt of all addenda issued for this Solicitation by completing an Addendum Acknowledgment, a copy of which is included herewith. Failure to acknowledge addenda may result in bid disqualification. The addendum acknowledgement should be submitted with the bid to expedite document processing.

## ATTACHMENT A

- PRICING REFLECTS NEW QUANTITIES FOR BID. THEY HAVE GONE DOWN FROM INITIAL QUANTITIES BID ON 12/17/13.

## RFQ#6614C014 Wildflower Seeds

To answer Vendor posed questions.

- Question #1            In looking at the newly added (which we do commend you for adding a pollinator mix) I find no percentages required by species in the seed mixture. Are the percentages by weight or seed count available somewhere?
- Response #1            Yes, please see attached revised Exhibit A, Pricing Page for item #14, Honey Bee Seed Mix adding weight/seed count formula.
- Question #2            To the best of my seedsman's knowledge there is no Strawberry clover – trifolium fragiferum produced for seed in the United States.
- Response #2            Although Strawberry Clover is now present in 19 US states; since it is not of United States origin, as required by Section 3.1.2 of the specification, WVDOH will remove this item from the Honey Bee Seed Mix, Item 14. Please see attached revised pricing page for item #14, Honey Bee Seed Mix.
- Question #3            Can we bid for quantities less than the solicitation states? Especially for mixes, the quantities of seed requested are larger (15,000 lbs total) and risk of committing and not selling is greater. For instance, could we bid a maximum of 1500 lbs of each of the mixes? In order to cap risk as well as being more in line with actual demand.
- Response #3            No, Vendors may not bid less than the quantities requested on the Pricing Pages. Section 4.2 states that the estimated purchase volume for each item represents the approximate volume of anticipated purchases only. No future use of the Contract or any individual item is guaranteed or implied. Vendors are cautioned that the quantities on Exhibit A, Pricing Pages are estimates only and are intended for bid evaluation purposes only.
- To further explain the estimated quantities requested, with new Wildflower Plots established each year, it is not known what individual species and/or mixes will work best for certain areas until after we have tested/etc. Also, dependent on how the previous years' growing season of certain Wildflower Plots will determine the quantity required.
- Taking the question into consideration, the WVDOH has replaced Exhibit A. Pricing Pages with the attached, adjusting the estimated quantities requested.
- Question #4            Could you share percent by weight for each specie of the bee mix?
- Response #4            Please see Response #2.
- Comment #5            I have asked whether we can cap our risk by bidding lesser quantities more in line with experienced actual demand, but I would also suggest that West Virginia would be doing bidders and itself a service if it matched the solicitation quantities closely to demand.
- Response #5            Please see Response #3; however, the WVDOH can only request estimated quantities as the RFQ and contract are issued as an Open-End contract purchasing more than or less than the estimated bid quantities.

Exhibit A Wildflower

Pricing Pages Minimum Purity 98%

RFQ#6614C014 Minimum Germination 80%

12/16/2013

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	Estimated Quantity	INDIVIDUAL SPECIES Description - Genus and Species	Purity %	Germination %	Unit Cost Per Pound	Extended Cost
1	100 lbs.	Red Straight Poppy/Flanders Poppy Papaver rhoeas (Papaveraceae)	98.0	80.90	\$ 19.78	\$ 1,978.00
2	200 lbs.	Dwarf Cornflower/Straight Blue Bachelor's Button Centaurea cyanus (Asteraceae)	98.0	85.90	\$ 7.10	\$ 1,420.00
3	200 lbs.	Plains Coreopsis/Calliopsis Coreopsis tinctoria (Asteraceae)	98.0	80.90	\$ 17.56	\$ 3,512.00
4	300 lbs.	Wild Cosmos Cosmos bipinnatus (Asteraceae)	98.0	80.90	\$ 10.23	\$ 3,069.00
5	100 lbs.	Yellow Cosmos Cosmos sulphureus (Asteraceae)		NO	BID	
6	300 lbs.	Rocket Lockspur Delphiniums Ajacis	98.0	80.90	\$ 19.32	\$ 5,796.00
7	100 lbs.	Tickseed/Lance-leaved Coreopsis Coreopsis lanceolata (Asteraceae)	98.0	91.90	\$ 13.65	\$ 1,365.00
8	100 lbs.	Ox-Eyed Daisy Chrysanthemum Leucanthemum	98.0	85.90	\$ 21.32	\$ 2,132.00
9	100 lbs.	Butterfly Weed Asclepias tuberosa (Asclepiadaceae)		NO	BID	
10	200 lbs.	Black-Eyed Susan Rudbeckia hirta (Asteraceae)	98.0	89.90	\$ 14.65	\$ 2,930.00
11	200 lbs.	Sunflower Dwarf Sunspot Helianthus annuus		NO	BID	

Exhibit A Wildflower ADDENDUM #3 - revising quantities

Pricing Pages Minimum Purity 98%

RFQ#6614C014 Minimum Germination 80%

12/16/2013

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	Estimated Quantity	Description - Genus and Species	Purity %	Germination %	Unit Cost Per Pound	Extended Cost
12	2000 lbs.	<b>Perennial Mix (packaged in 8.0 lb bags)</b>	X	X	<b>\$ 16.10</b>	<b>\$32,200-</b>
	X	<b>Maximum Shasta Daisy</b> Chrysanthemum 20% by Weight, 25.3% by Seed			X	X
	X	<b>Tickseed/Coreopsis, Lance Leaved</b> Coreopsis lanceolata 32% by Weight, 26.2% by Seed			X	X
	X	<b>Purple Coneflower</b> Echinacea purpurea 40% by Weight, 22.9% by Seed			X	X
	X	<b>Black-Eyed Susan</b> Rudbeckia hirta 8% by Weight, 25.6% by Seed			X	X
13	2000 lbs.	<b>Annual Mix (packaged in 8.0 lb bags)</b>	X	X	<b>\$ 12.26</b>	<b>\$24,520-</b>
	X	<b>Dwarf Cornflower</b> Centaurea cyanus 25% by Weight, 8.4% by Seed			X	X
	X	<b>Plains Coreopsis</b> Coreopsis tinctoria 5% by Weight, 20.7% by Seed			X	X
	X	<b>Wild Cosmos</b> Cosmos bipinnatus 20% by Weight, 5.2% by Seed			X	X
	X	<b>Yellow Cosmos</b> Cosmos sulphureus 35% by Weight, 6.8% by Seed			X	X
	X	<b>California Poppy</b> Eschscholzia California 10% by Weight, 8.7% by Seed			X	X
	X	<b>Red Poppy</b> Papaver rhoeas 5% by Weight, 50.2% by Seed			X	X

Exhibit A Wildflower  
Pricing Pages Minimum Purity 98%  
RFQ#6614C014 Minimum Germination 80%

12/9/2013 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	Estimated Quantity	BEE FRIENDLY Description - Genus and Species	Purity %	Germination %	Unit Cost Per Pound	Extended Cost
	2000 lbs.	Honey Bee Seed Mix (packaged in 8.0 lb bags)	X	X	\$27.32	\$54,640
	X	Maximum Shasta Daisy, Chrysanthemum maximum 4% by Weight, 7.46% by Seed			X	X
	X	Lance Leaved Coreopsis, Coreopsis lanceolata 6% by Weight, 7.27% by Seed			X	X
	X	Plains Coreopsis, Coreopsis tinctoria 1% by Weight, 7.68% by Seed			X	X
	X	Wild Cosmos, Cosmos bipinnatus 5% by Weight, 2.44% by Seed			X	X
	X	Sulphur Cosmos, Cosmos sulphureus 10.5% by Weight, 3.79% by Seed			X	X
	X	Purple Coneflower, Echinacea purpurea 8% by Weight, 6.77% by Seed			X	X
	X	Wild Annual Sunflower, Helianthus annuus 10% by Weight, 1.12% by Seed			X	X
	X	Dwarf Sunspot, Helianthus annuus 8% by Weight, 0.40% by Seed			X	X
14	X	Sweet Alyssum, Lobularia maritima 1% by Weight, 9.20% by Seed			X	X
	X	Baby Blue Eyes, Nemophila menziesii 6% by Weight, 7.24% by Seed			X	X
	X	Lacy Phacelia, Phacelia tanacetifolia 5% by Weight, 6.44% by Seed			X	X
	X	Yellow Prairie Coneflower, Ratibida clumnaris 1% by Weight, 6.75% by Seed			X	X
	X	Mexican Hat, Ratbida columnaris 1% by Weight, 6.75% by Seed			X	X
	X	Black-Eyed Susan, Rudbeckia hirta 1.50% by Weight, 7.09% by Seed			X	X
	X	African Marigold, Tagetes erecta 8% by Weight, 5.97% by Seed			X	X
	X	Crimson Clover, Triflium incarnatum 3% by Weight, 3.72% by Seed			X	X
	X	White Dutch Clover, Trifolium repens 1% by Weight, 4.66% by Seed			X	X
	X	Zinnia, Zinnia elegans 20% by Weight, 5.27% by Seed			X	X

**ADDENDUM ACKNOWLEDGEMENT FORM**  
**SOLICITATION NO.: 6614C014**

**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:**

(Check the box next to each addendum received)

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

AMERICAN MEADOWS INC

Company

MM

Authorized Signature

1/9/14

Date

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

Revised 6/8/2012



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: AMERICAN MEADOWS inc

Signed: [Signature]

Date: 12/17/13

Title: MANAGING PARTNER

STATE OF WEST VIRGINIA  
Purchasing Division

**PURCHASING AFFIDAVIT**

**MANDATE:** Under W. Va. Code §5A-3-10a, 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: (1) the debt owed is an amount greater than one thousand dollars in the aggregate; or (2) the debtor is in employer default.

**EXCEPTION:** The prohibition listed above does not apply where a vendor has contested any tax administered pursuant to chapter eleven of the W. Va. 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.

**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.


**"Employer default"** means having an outstanding balance or liability to the old fund or to the uninsured employers' fund or being in policy default, as defined in W. Va. Code § 23-2c-2, failure to maintain mandatory workers' compensation coverage, or failure to fully meet its obligations as a workers' compensation self-insured employer. An employer is not in employer default if it has entered into a repayment agreement with the Insurance Commissioner and remains in compliance with the obligations under the repayment agreement.

**"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.

**AFFIRMATION:** By signing this form, the vendor's authorized signer affirms and acknowledges under penalty of law for false swearing (W. Va. Code §61-5-3) that neither vendor nor any related party owe a debt as defined above and that neither vendor nor any related party are in employer default as defined above, unless the debt or employer default is permitted under the exception above.

**WITNESS THE FOLLOWING SIGNATURE:**

Vendor's Name: AMERICAN MEADOWS INC.

Authorized Signature:  Date: 12/17/13

State of Vermont

County of Chittenden, to-wit:

Taken, subscribed, and sworn to before me this 17 day of December, 2013

My Commission expires February, 2015.

**AFFIX SEAL HERE**

**NOTARY PUBLIC** 