



The following documentation is an electronically-submitted vendor response to an advertised solicitation from the *West Virginia Purchasing Bulletin* within the Vendor Self-Service portal at ***wvOASIS.gov***. As part of the State of West Virginia's procurement process, and to maintain the transparency of the bid-opening process, this documentation submitted online is publicly posted by the West Virginia Purchasing Division at ***WVPurchasing.gov*** with any other vendor responses to this solicitation submitted to the Purchasing Division in hard copy format.

## Header

List View

### General Information

Contact

Default Values

Discount

Document Information

Procurement Folder: 117031

Procurement Type: Central Purchase Order

Vendor ID: 000000202582

Legal Name: MIDDLETOWN TRACTOR SALES

Alias/DBA:

Total Bid: \$45,289.53

Response Date: 10/20/2015

Response Time: 11:41

SO Doc Code: CRFQ

SO Dept: 0310

SO Doc ID: DNR1600000014

Published Date: 9/17/15

Close Date: 10/20/15

Close Time: 13:30

Status: Closed

Solicitation Description: Tygart Lake State Park utility tractor and attachments

Total of Header Attachments: 0

Total of All Attachments: 0



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

State of West Virginia  
Solicitation Response

Proc Folder : 117031

Solicitation Description : Tygart Lake State Park utility tractor and attachments

Proc Type : Central Purchase Order

Date issued	Solicitation Closes	Solicitation No	Version
	2015-10-20 13:30:00	SR      0310   ESR10201500000001641	1

VENDOR

000000202582

MIDDLETOWN TRACTOR SALES

FOR INFORMATION CONTACT THE BUYER

Guy Nisbet  
(304) 558-2596  
guy.l.nisbet@wv.gov

Signature X

FEIN #

DATE

All offers subject to all terms and conditions contained in this solicitation

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Ln Total Or Contract Amount
1	Utility Tractor, John Deere 5505, or Equal, per section 3.1.	1.00000	EA	\$24,041.420000	\$24,041.42

Comm Code	Manufacturer	Specification	Model #
25101901			

Extended Description : Per Section 3.1.1. of the Specifications

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Ln Total Or Contract Amount
2	Loader, John Deere H240, or equal, per section 3.1.2	1.00000	EA	\$5,308.310000	\$5,308.31

Comm Code	Manufacturer	Specification	Model #
25101901			

Extended Description : Per Section 3.1.2. of the Specifications

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Ln Total Or Contract Amount
3	Backhoe, John Deere 485, or equal, per section 3.1.3	1.00000	EA	\$10,087.150000	\$10,087.15

Comm Code	Manufacturer	Specification	Model #
25101901			

Extended Description : Per Section 3.1.3. of the Specifications

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Ln Total Or Contract Amount
4	Snowblower, Frontier SB1174, or equal, per section 3.1.4	1.00000	EA	\$3,141.780000	\$3,141.78

Comm Code	Manufacturer	Specification	Model #
25101901			

Extended Description : Per Section 3.1.4. of the Specifications

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Ln Total Or Contract Amount
5	Rotary Cutter, John Deere MX6, or Equal, per section 3.1.5	1.00000	EA	\$2,710.870000	\$2,710.87

Comm Code	Manufacturer	Specification	Model #
25101901			

Extended Description :	Per Section 3.1.5. of the Specifications



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

State of West Virginia  
Request for Quotation  
13 - Equipment

Proc Folder: 117031

Doc Description: Tygart Lake State Park utility tractor and attachments

Proc Type: Central Purchase Order

Date Issued	Solicitation Closes	Solicitation No	Version
2015-09-17	2015-10-20 13:30:00	CRFQ 0310 DNR1600000014	1

**BID RECEIVING LOCATION**

BID CLERK

DEPARTMENT OF ADMINISTRATION

PURCHASING DIVISION

2019 WASHINGTON ST E

CHARLESTON

WV 25305

US

**VENDOR**

Vendor Name, Address and Telephone Number:

Middletown Tractor Sales  
2050 Boyers Drive  
Fairmont, WV 26554

**FOR INFORMATION CONTACT THE BUYER**

Guy Nisbet  
(304) 558-2596  
guy.l.nisbet@wv.gov

Signature X

FEIN # 55-054-7175

DATE 20 October 2015

All offers subject to all terms and conditions contained in this solicitation



**ADDITIONAL INFORMATION:**

CRFQ

The West Virginia Purchasing Division is soliciting bids on behalf of the West Virginia Division of Natural Resources, Parks and Recreation Section to establish a contract for the One-Time purchase of a Utility Tractor, Loader Attachment, Backhoe Attachment, Snow-blower Attachment and Rotary Cutter for the Tygart Lake State Park, Grafton, WV. 26354. per the bid requirements, and terms & conditions as attached.

INVOICE TO		SHIP TO	
SUPERINTENDENT DIVISION OF NATURAL RESOURCES TYGART LAKE STATE PARK 1240 PAUL E MALONE RD GRAFTON WV26354-9741 US		SUPERINTENDENT DIVISION OF NATURAL RESOURCES TYGART LAKE STATE PARK 1240 PAUL E MALONE RD GRAFTON WV 26354-9741 US	

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
1	Utility Tractor, John Deere 5505, or Equal, per section 3.1.	1.00000	EA		

Comm Code	Manufacturer	Specification	Model #
25101901			

**Extended Description :**

Per Section 3.1.1. of the Specifications

INVOICE TO		SHIP TO	
SUPERINTENDENT DIVISION OF NATURAL RESOURCES TYGART LAKE STATE PARK 1240 PAUL E MALONE RD GRAFTON WV26354-9741 US		SUPERINTENDENT DIVISION OF NATURAL RESOURCES TYGART LAKE STATE PARK 1240 PAUL E MALONE RD GRAFTON WV 26354-9741 US	

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
2	Loader, John Deere H240, or equal, per section 3.1.2	1.00000	EA		

Comm Code	Manufacturer	Specification	Model #
25101901			

**Extended Description :**

Per Section 3.1.2. of the Specifications

INVOICE TO		SHIP TO	
SUPERINTENDENT DIVISION OF NATURAL RESOURCES TYGART LAKE STATE PARK 1240 PAUL E MALONE RD GRAFTON WV26354-9741 US		SUPERINTENDENT DIVISION OF NATURAL RESOURCES TYGART LAKE STATE PARK 1240 PAUL E MALONE RD GRAFTON WV 26354-9741 US	

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
3	Backhoe, John Deere 485, or equal, per section 3.1.3	1.00000	EA		

Comm Code	Manufacturer	Specification	Model #
25101901			

**Extended Description :**

Per Section 3.1.3. of the Specifications

INVOICE TO		SHIP TO	
SUPERINTENDENT DIVISION OF NATURAL RESOURCES TYGART LAKE STATE PARK 1240 PAUL E MALONE RD GRAFTON WV26354-9741 US		SUPERINTENDENT DIVISION OF NATURAL RESOURCES TYGART LAKE STATE PARK 1240 PAUL E MALONE RD GRAFTON WV 26354-9741 US	

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
4	Snowblower, Frontier SB1174, or equal, per section 3.1.4	1.00000	EA		

Comm Code	Manufacturer	Specification	Model #
25101901			

**Extended Description :**

Per Section 3.1.4. of the Specifications

INVOICE TO		SHIP TO	
SUPERINTENDENT DIVISION OF NATURAL RESOURCES TYGART LAKE STATE PARK 1240 PAUL E MALONE RD GRAFTON WV26354-9741 US		SUPERINTENDENT DIVISION OF NATURAL RESOURCES TYGART LAKE STATE PARK 1240 PAUL E MALONE RD GRAFTON WV 26354-9741 US	

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
5	Rotary Cutter, John Deere MX6, or Equal, per section 3.1.5	1.00000	EA		



Exhibit "A" Pricing Page  
for  
Tygart Lake State Park Misc. Equipment

Item	Section	Description	Manufacturer and Model for "or Equal" bids	Unit of Measure	Unit Price	Qty.	Extended Price
1	3.1.1	John Deere 5055E Utility Tractor, or Equal	Per Bid Specifications 2015 Production	Each	\$24,041.42	1	\$24,041.42 0.00
2	3.1.2	John Deere H240 Loader, or Equal		Each	5,308.31	1	5,308.31 0.00
3	3.1.3	John Deere 485 Backhoe, or Equal		Each	10,087.15	1	10,087.15 0.00
4	3.1.4	Frontier SB1174 – 74 in. 3-Point Medium Snowblower, or Equal		Each	3,141.78	1	3,141.78 0.00
5	3.1.5	John Deere MX6 Lift-Type Rotary Cutter, or Equal		Each	2,710.87	1	2,710.87 0.00
TOTAL BID AMOUNT (Includes Shipping Costs)							\$45,289.53 0.00



WV-10  
Approved / Revised  
08/01/15

## 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 Vendor Preference, if applicable.

**1. Application is made for 2.5% 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% 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% 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% 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% 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% 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: Middletown Tractor Sales

Date: 20 October 2015

Signed: 

Title: Sales Consultant



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 exceeds 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: Middletown Tractor Sales

Authorized Signature: [Signature] Date: 20 October 2015

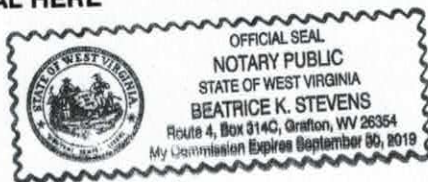
State of WV

County of Taylor, to-wit:

Taken, subscribed, and sworn to before me this 20 day of October, 2015.

My Commission expires 9-30, 2019.

**AFFIX SEAL HERE**



**NOTARY PUBLIC**

[Signature]

Purchasing Affidavit (Revised 08/01/2015)

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

**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 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.

Middletown Tractor Sales

Company

Authorized Signature

20 October 2015

Date

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



**CERTIFICATION AND SIGNATURE PAGE**

By signing below, or submitting documentation through wvOASIS, I certify that I have reviewed this Solicitation in its entirety; understand the requirements, terms and conditions, and other information contained herein; that I am submitting this bid, offer or proposal for review and consideration; that I am authorized by the vendor to execute and submit this bid, offer, or proposal, or any documents related thereto on vendor's behalf; that I am authorized to bind the vendor in a contractual relationship; and that to the best of my knowledge, the vendor has properly registered with any State agency that may require registration.

Middletown Tractor Sales

(Company)



Phillip A. Cottrille Sales consultant

(Authorized Signature) (Representative Name, Title)

304-366-4690 (304-366-4698 FAX) 20 October 2015

(Phone Number) (Fax Number) (Date)