

**INVITATION TO BID
FOR THE SALE OF STATE SURPLUS PROPERTY**

Waters Smith Park Hay Cutting Rights (5 Years)

State of West Virginia
Dept. of Administration/Purchasing Division
Surplus Property
2700 Charles Avenue
Dunbar, WV 25064

Bid Opening Date: May 25, 2016
Bid Opening Time: 2:00 PM
Req. Number: SPB 16-02
Bids Received Until: 2:00 PM
www.state.wv.us/admin/purchase/surplus

Purpose: The West Virginia State Agency for Surplus Property (“WVSASP”) is soliciting bids from buyers interested in entering into a 5 year contract to pay for the privilege of cutting, raking, baling and complete removal of the hay on approximately 30 acres of grasslands at Watters Smith State Park.

Bid Form: All bids must be submitted on this form and signed in the space indicated below. **Buyer’s failure to sign and submit its bid on this form shall result in disqualification of bidder’s bid.** Bids must be returned to the WVSASP at the address listed above on or before the Bid Opening Date and Time listed above. Bids should be enclosed in a sealed envelope marked “Req. # SPB 16-02” to be OPENED MAY 25, 2016 at 2:00 PM, in the lower left hand corner of the envelope.

Requirements: The awarded buyer is required to perform two (2) cuttings per calendar year for a total of five years. The grass must be cut, baled and removed from the park in accordance with the Park Superintendent’s instructions. Immediately after each cutting, the buyer must clear the property of all debris and litter resulting from the cutting. Successful bidder is required to provide all equipment necessary to complete this contract. Any on-site storage of the successful bidder’s equipment is subject to approval by the Park Superintendent and will not be permitted unless the Park Superintendent determines that storage space is available. Any and all fertilizers, chemicals, etc., which successful bidder plans to use, must be:

1st cutting no later than June 30 approved, prior to use, by the Park Superintendent.

Cutting Schedule: Buyer must cut the hay each year in accordance with the following schedule
2nd cutting no later than September 15.

Deviations from this cutting schedule must be approved in advance by the WV State Agency for Surplus Property. Exact cutting dates and times must be coordinated with the Park Superintendent to avoid interference with recreational activities.

Location of Property to be Cut: Watters Smith State Park, Lost Creek, WV

Harvest Yield: Total estimated harvest yield is not known or guaranteed.

Payment: Payment from successful buyer for the entire season (two cuttings) will be due at the beginning of each season. Payment must be received by WVSASP prior to any cutting at the following address:

WV State Agency for Surplus Property
2700 Charles Avenue
Dunbar, WV 25064

Cancellation: The State reserves the right to cancel this contract upon providing the buyer with 30 days written notice of the cancellation.

Contact: Andy Bennett, Superintendent, 304-745-3081. Andy Bennett, or another assigned contact must be notified after each cutting and cleanup has been completed and will verify that all actions were in accordance with the terms of this agreement.

BID PER SEASON \$ _____

By signing below: (1) bidder agrees to pay the price specified above for the property described above, (2) bidder certifies that bidder had the opportunity to inspect the property and either performed a satisfactory inspection or declined the opportunity and assumed any risk associated with the failure to inspect, (3) understands and agrees that the property is being sold "AS IS, WHERE IS" without any express or implied warranties including the warranty of merchantability and the warranty of fitness for a particular purpose, and (4) that any sales transaction resulting from bidder submitting the highest bid will be subject to the terms and conditions contained on the reverse of this form or attached hereto.

PLEASE SIGN BELOW VERIFYING YOUR BID ON PROPERTY LISTED ABOVE.

SIGNATURE: _____ **DATE:** _____

Please see Sealed Bid Terms and Conditions and Instructions to Bidders on reverse side of, or attached to, this form.

SEALED BID TERMS AND CONDITIONS

1. The State of West Virginia takes no responsibility as to the condition of the property. Surplus property will be sold "AS IS, WHERE IS".
2. West Virginia State Agency for Surplus Property (WVSASP) employees are not permitted to bid on any items. West Virginia State Agency employees are not permitted to bid on items being held for sale at their respective agency's location.
3. Payment from the awarded bidder must be received prior to the start of each season. Payment must be made by business check, Visa, MasterCard, Discover or money order. Cash will not be accepted. Business checks must be made payable to the WVSASP.
4. Bidder's act of entering onto state-owned property, for any reason, is done at the bidder's own risk and bidder assumes all liability related to his or her entry, or the entry of anyone at the bidder's direction. Bidder agrees to indemnify, defend, and hold harmless WVSASP, and all other state agencies, their officers, and employees from and against any claims or losses resulting to any person or entity injured or damaged by the bidder, its officers, employees, or subcontractors.
5. All successful bids are subject to a West Virginia State Sales Tax unless bidder presents a bon-a-fide tax-exemption certificate to WVSASP as proof of bidder's tax exempt status. Sales tax will be added to the total bid amount. No bids will be accepted after the Bid Opening Date and Time.
6. WVSASP has the right to withdraw any or all items prior to, or after, the established bid opening. The State of West Virginia reserves the right to accept or reject any or all bids and to cancel any contract prior to the bidder picking up the property.
7. **Bidder is invited, urged, and cautioned to inspect the property prior to submitting a bid.** Any oral statement or representation by any representative of the State of West Virginia, changing or supplementing the stated condition, is not authorized and shall confer no right upon the bidder or purchaser. Please note that the West Virginia State Agency for Surplus Property does not guarantee the condition of any property sold through our sealed bid procedure. Deficiencies, when known, have been indicated. However, absence of any indicated deficiency does not mean the item(s) may not have deficiencies.

INSTRUCTIONS TO BIDDERS

Return this signature sheet together with your bid.

1. Print your Name, Address, and Telephone Number in the space provided below. Be sure your signature appears in the space marked "signature."
2. Bids should be enclosed in a sealed envelope with your name and complete return address. The Requisition Number and Bid Opening Date must be marked in the lower left-hand corner.
3. Bids may be withdrawn at any time. If, after bids have been opened, and awarded bidder withdraws his/her bid a fee of 10% of the bid price or \$25.00, whichever is greater, will be assessed against that bidder.
4. Bidder should include a copy of its tax exempt certificate with its bid.
5. No bid will be considered unless submitted on forms prescribed by, and available from, the West Virginia State Agency for Surplus Property, 2700 Charles Avenue, Dunbar, WV 25064.

I do hereby certify that I have read and understand the terms and conditions of this sealed bid **REQUISITION # SPB 16-02** and do solemnly swear to abide by them.

SIGNATURE: _____

PRINT NAME: _____

ADDRESS: _____ CITY: _____

STATE: _____ ZIP: _____ PHONE: _____