

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

# Request for

RFQ NUMBER DNR209061

ADDRESS CORRESPONDENCE TO ATTENTION OF

FRANK WHITTAKER 304-558-2316

304-366-4690 \*709043751 MIDDLETOWN TRACTOR SALES 2032 FAIRMONT AVE FAIRMONT WV 26554

DIVISION OF NATURAL RESOURCES **BLUESTONE WMA** ATTN: PARK SUPERINTENDENT HC65, BOX 91 INDIAN MILLS, WV 304-466-3398 24935-9204

DATE FRANCE  10/23/2008 Net 30 Days Our Truck Destination Fre-Paid  10/23/2008 Net 30 Days Our Truck Olisoph  OPENING TIME OLISOPH  INC. TRANSLAMBER UNITAGE  OUNTY USP CAR. John Deere 4520 Tractor  John Deere 400X Loader  John Loader  John Deere 400X Loader  John Loader  John Deere 400X Loader  John Loader  John Load					o==xxxxxxxxxxxxxxx	SHIP.VIA		1	FO.B		FREIGHTTERMS
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THLE Sales Consultant 55-054-7175	1/2	elle v			<u>v</u>		1	<u> </u>	ADDRES	S CHANG	ES TO BE NOTED ABOVE

# 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. All quotations are governed by the West Virginia Code and the Legislative Rules of the Purchasing Division.
- 4. Prior to any award, the apparent successful vendor must be properly registered with the Purchasing Division and have paid the required \$125 fee.
- 5. 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.
- 6. Payment may only be made after the delivery and acceptance of goods or services.
- 7. Interest may be paid for late payment in accordance with the West Virginia Code.
- 8. Vendor preference will be granted upon written request in accordance with the West Virginia Code.
- 9. The State of West Virginia is exempt from federal and state taxes and will not pay or reimburse such taxes.
- 10. The Director of Purchasing may cancel any Purchase Order/Contract upon 30 days written notice to the seller.
- 11. The laws of the State of West Virginia and the *Legislative Rules* of the Purchasing Division shall govern all rights and duties under the Contract, including without limitation the validity of this Purchase Order/Contract.
- 12. Any reference to automatic renewal is hereby deleted. The Contract may be renewed only upon mutual written agreement of the parties.
- 13. BANKRUPTCY: In the event the vendor/contractor files for bankruptcy protection, this Contract may be deemed null and void, and terminated without further order.
- 14. HIPAA BUSINESS ASSOCIATE ADDENDUM: The West Virginia State Government HIPAA Business Associate Addendum (BAA), approved by the Attorney General, and available online at the Purchasing Division's web site (http://www.state.wv.us/admin/purchase/vrc/hipaa.htm) 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.
- 15. WEST VIRGINIA ALCOHOL & DRUG-FREE WORKPLACE ACT: If this Contract constitutes a public improvement construction contract as set forth in Article 1D, Chapter 21 of the West Virginia Code ("The West Virginia Alcohol and Drug-Free Workplace Act"), then the following language shall hereby become part of this Contract: "The contractor and its subcontractors shall implement and maintain a written drug-free workplace policy in compliance with the West Virginia Alcohol and Drug-Free Workplace Act, as set forth in Article 1D, Chapter 21 of the West Virginia Code. The contractor and its subcontractors shall provide a sworn statement in writing, under the penalties of perjury, that they maintain a valid drug-free work place policy in compliance with the West Virginia and Drug-Free Workplace Act. It is understood and agreed that this Contract shall be cancelled by the awarding authority if the Contractor: 1) Fails to implement its drug-free workplace policy; 2) Fails to provide information regarding implementation of the contractor's drug-free workplace policy at the request of the public authority; or 3) Provides to the public authority false information regarding the contractor's drug-free workplace policy."

### **INSTRUCTIONS TO BIDDERS**

- 1. Use the quotation forms provided by the Purchasing Division.
- 2. SPECIFICATIONS: 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. Complete all sections of the quotation form.
- 4. Unit prices shall prevail in case of discrepancy.
- 5. All quotations are considered F.O.B. destination unless alternate shipping terms are clearly identified in the quotation.
- **6. BID SUBMISSION:** 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



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

# Request for

RFO NUMBER DNR209061

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FRANK WHITTAKER 304-558-2316

304-366-4690 ×709043751 MIDDLETOWN TRACTOR SALES 2032 FAIRMONT AVE FAIRMONT WV 26554

DIVISION OF NATURAL RESOURCES **BLUESTONE WMA** ATTN: PARK SUPERINTENDENT HC65, BOX 91 INDIAN MILLS, WV 304-466-3398 24935-9204

FREIGHT TERMS F.O.B. SHIP VIA TERMS OF SALE DATE PRINTED Pre-Paid Destination Our Truck Net 30 Days 10/23/2008 01:30PM BID OPENING TIME 11/19/2008 BID OPENING DATE: AMOUNT UNITPRICE ITEM NUMBER UOP QUANTITY LINE PURCHASING DIVISION BUILDING 15 2019 WASHINGTON STREET, EAST CHARLESTON, WV 25305-0130 THE BID SHOULD CONTAIN THIS INFORMATION ON THE FACE OF THE ENVELOPE OR THE BID MAY NOT BE CONSIDERED: SEALED BID 44 BUYER: DNR209061 RFQ. NO.: 11/19/2008 BID OPENING DATE: 1:30 PM BID OPENING TIME: PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID: CONTACT PERSON (PLEASE PRINT CLEARLY): Phillip A. Cottrille SEE REVERSE SIDE FOR TERMS AND CONDITIONS DATE 10 November 3008

304-366-4690

ADDRESS CHANGES TO BE NOTED ABOVE



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

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RFO NUMBER DNR209061

ADDRESS CORRESPONDENCE TO ATTENTION OF

FRANK WHITTAKER 304-558-2316

304-366-4690 **\*709043751** MIDDLETOWN TRACTOR SALES 2032 FAIRMONT AVE

26554 FAIRMONT WV

DIVISION OF NATURAL RESOURCES BLUESTONE WMA ATTN: PARK SUPERINTENDENT HC65, BOX 91 INDIAN MILLS, WV 304-466-3398 24935-9204

DATE PRINTED  10/23/2008  Net 30 Days Our Truck Destination II/19/2008  BID OPENING TI UNIE  CUANTITY  UOP CAT NO TEM NUMBER  UNIT PRI  ********  THIS IS THE END OF RFQ DNR209  061 ********	E 01:30PM  E AMOUNT
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***** THIS IS THE END OF RFQ DNR209061 *****	TOTAL: \$40,873.90
	TOTAL: \$40,873.90
	1
SEE REVERSE SIDE FOR TERMS AND CONDITIONS  TELEPHONES 04-366-4690	
SNATURE Millis W. Ottalle  RES. 100 Consultant (FEIN 55-054-7175)  ADD	DATE 10 November 2008

WV-36 Rev. 10/81

# STATE OF WEST VIRGINIA PURCHASING CONTINUATION SHEET

Buyer:	Page	Req. or PO No.  DNR209061

Vendor:

Spending Unit: WVDNR

Bluestone Wildlife Management Area

Item No.	Quantity	Description	Unit Price	Amount
		Specifications		
		Tractor, 4-wheel drive, utility with backhoe, loader, and mower attachments.	·	
		New Holland tractor model T2330 or equal.  Minimum of 50 hp liquid cooled engine with a minimum PTO hp of 43.  Transmission must be synchro shuttle shift.  Three-point hitch, Category II, with draft control sensing and flexible link ends.  Lifting capacity must be a minimum of 2,330 lbs.  Rear three-point hitch mount finish mower, minimum 78" cutting width. Four wheels, solid rubber tires, PTO driven.  Front grill guard, fixed external mirrors, enclosed cab with heat/air conditioning and operational lights.  Hydraulic filter protection kit, safety certified ROPS		
		Protection, and drawbar.  New Holland front-end type loader with heavy duty quick attach with a minimum 72" material bucket model 250TL or equal.  New Holland backhoe model 920GH or equal.		
	;	Minimum warranty on tractor bumper-to-bumper two (2) years parts and labor.		
		Minimum front-end and backhoe warranty one (1) year parts and labor.		
		Deliver to Bluestone Wildlife Management Area		

RFQ No	DNR209061
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#### STATE OF WEST VIRGINIA **Purchasing Division**

## **PURCHASING AFFIDAVIT**

### VENDOR OWING A DEBT TO THE STATE:

West Virginia Code §5A-3-10a provides that: 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.

### PUBLIC IMPROVEMENT CONTRACTS & DRUG-FREE WORKPLACE ACT:

West Virginia Code §21-1D-5 provides that: Any solicitation for a public improvement construction contract shall require each vendor that submits a bid for the work to submit at the same time an affidavit that the vendor has a written plan for a drug-free workplace policy in compliance with Article 1D, Chapter 21 of the West Virginia Code. A public improvement construction contract may not be awarded to a vendor who does not have a written plan for a drug-free workplace policy in compliance with Article 1D, Chapter 21 of the West Virginia Code and who has not submitted that plan to the appropriate contracting authority in timely fashion. For a vendor who is a subcontractor, compliance with Section 5, Article 1D, Chapter 21 of the West Virginia Code may take place before their work on the public improvement is begun.

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 materials, 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.

Vendors must be licensed and in good standing in accordance with any and all state and local laws and LICENSING: 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, West Virginia Insurance Commission, or any other state agencies or political subdivision. Furthermore, 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.

#### 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. Vendors should visit www.state.wv.us/admin/purchase/privacy for the Notice of Agency Confidentiality Policies.

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

Vendor's Name:	Middletown	Tractor	Sales				
vendors marrie.	A. W.	1.0	Allelle	Date:	10 November	2008	
Vendor's Name: Authorized Signature:	J. July	your	James				
Purchasing Affidavit (Revised	d 07/01/08)	_					

### MIDDLETOWN TRACTOR SALES

2345 Whitehall Boulevard EXIT 132 off of I-79 Fairmont, WV 26554 304-366-4690 EX 42

304-366-4698 (FAX)

11 November 2008

EXCEPTION LETTER REF: RFQ# DNR209061

Mr. Whittaker;

Please reference that this letter is intended to inform you of minor exceptions to your requested non-mandatory specification of the aforementioned RFQ.

Draft Sensing: Not offered by John Deere on quoted model Hydraulic Filter Protection Kit.: Not offered by John Deere on quoted model.

NOTE: Due to the location of the Hydraulic Filter on the John Deere Tractor we do not require a filter protection kit.

Most respectfully yours;

Phillip A. Cottrille Sales Consultant

phil@middletowntractor.com

304-366-4690 (EXT) 42

304-483-6770 (MOBILE)

- Large chassis, 43-58 hp
- Hydrostatic & gear transmissions

liteal for loader & backline work small hav tools and diblog:



### **4000 TWENTY Series Compact Tractors**

Nothing Runs Like A Deere™



### Real John Deere power. Real easy.

The 4000TWENTY Series offers the stunning power of full-fledged farm tractors, along with amazingly simple operation. And with their unique combination of genuine John Deere diesel engines, hydrostatic transmissions, and available electronic power management, they can help you do more, more easily than any competitor. For proof, stop by your John Deere dealer. Or, if you'd like to put your dream model together online, click the Build Your Own link at www.JohnDeere.com/4000

#### RECOMMENDED FOR:

Small farmers

Golf courses

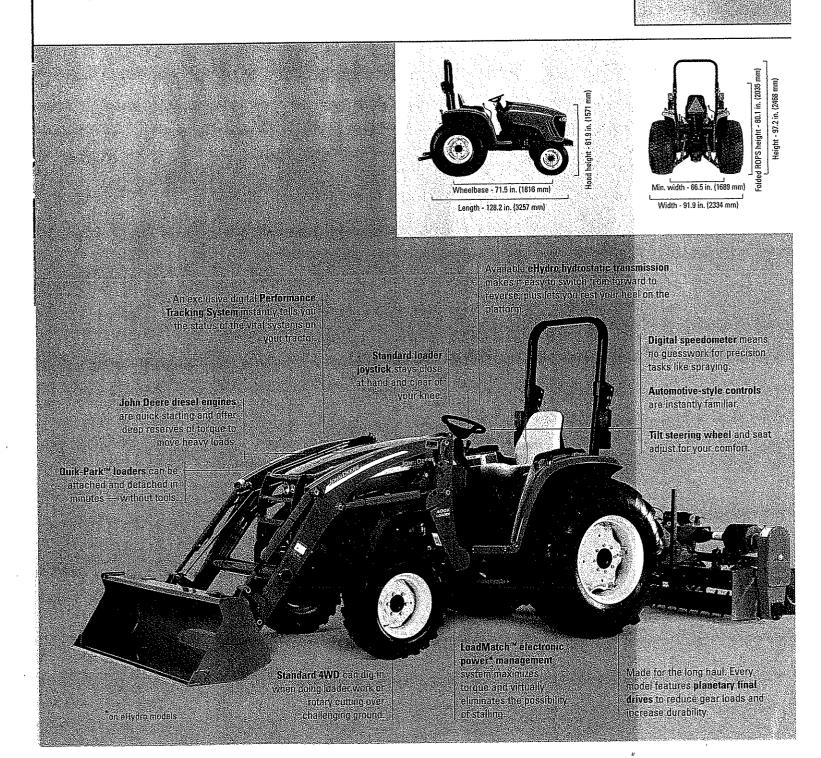
Parks departments

Other government agencies

#### ALSO CONSIDER:

5000 Series Tractors

4000 TWENTY Series ComfortGard™ Cab



### STANDARD FEATURES AND OPTIONS

#### **TRANSMISSION**

eHydro™

Effortless two-pedal hydrostatic transmission. With easy shifting from forward to reverse at the touch of a pedal, it's ideal for everything from loading to mowing.

#### PowrReverser™

Convenient dash-mounted lever makes this manual transmission easy to shift from forward to reverse without clutching - a noticeable benefit when loading.

#### **TIRE OPTIONS**

- ☐ Bar Tread/R1—Provides the best traction, not as gentle on turf.
- ☐ Turf Tires/R3—Less aggressive tread is perfect for mowing and landscape work.
- ☐ Turf Special/R3—Specialty highflotation tires typically used on fine turf like golf courses.
- ☐ Industrial/R4—Excellent traction and is softer on the grass than R1's. Often the preferred choice.

#### OTHER OPTIONS

- C 3rd SCV
- ☐ Air ride seat
- ☐ Automotive-style cruise (eHydro only)
- Canopy
- ☐ Electric diverter / 2 add'l rear hydraulic couplers
- ☐ Mid PT0
- ☐ Power beyond hydraulics
- ☐ Sunshade umbrella
- ☐ Seat armrests
- Vertical exhaust
- ☐ Top-and-Tilt kit



Integrated cab tractor models provide:

- superior climate control
- 360-degree view
- · reduced noise and vibration levels
- · pressurization for a dust- and pollen-free environment.

Ask your Dealer for more information.

SPECIFICATIONS	4120	4320	4520	4720
ENGINE Type  HP* PTO HP Engine totque Engine displacement Battery power Alternator	John Deere PowerTech** 4 cylinder turbocharged diesel 43 (32.1 kW) 35 5/35** (26.1/26.5 kW) 91 ftib (123.4 N-m) 148.9 cu. in (2.44.1) 500.0CA 75 A	John Deere PowerTech™ 4-cylinder turbocharged diesel 48 (35.8 kW) 40.5/40** (29.8/30.2 kW) 102/ftlb. (138.3 N-m) 148.9 cu. in: (2.44 L) 500 CGA 75 A	John Deere PowerTech™ 4-cylinder turbocharged diesel 53 (39.5 kW) 45.5/45** (33.4/33.6 kW) 113 ftlb. (153.2 N-m) 148.9 cu. m. (2.44.L) 500 CCA 75.A	John Deere Power le 51 2 4-cylinder turbocharged diesel 58 (43.3 kW) 50** (37.3 kW) / 124 ft.
HYDRAULICS Steering Implement Total capacity Lift capacity [24 in behind link arms	5.1 gpm (19.3 Umin) 12 gpm (45.3 L/min) 17.1 gpm (64.6 L/min) 1 2.500 lbs (1134 kg)	5.1 gpm (19.3 [/min) 12 gpm (45.3 [/min] 17.1 gpm (64.6 [/min]) 2,500 lbs: (1134 kg)	5.1 gem (19.3 L/min) 12 gpm (45.3 L/min) 17.1 gpm (64.6 L/min) 2,500 lbs (1134 kg)	5.1 gpm (19.3 t/min) t2 gpm (45.3 t/min) 17.1 gpm (64.6 t/min) 2,500 lbs (1134 kg)
TRANSMISSION Standard transmission Optional transmission	PowrReverser™ (I2 Forward/) 12 Reverse gears) eHydro™	PowrReverser™ (12 Forward/ 12 Reverse gears) eHydro™	PowrReverser <sup>M</sup> (12 Fotward / 12 Reverse goars) eHydro <sup>M</sup>	aHydro <sup>ra</sup> N/A
Final drive Brakes Steeting Clutch	Planetery Wet Disk Power Wet Disk RowrReverser Standard	Planetary Wet Disk Power Wet Disk PowrReverser** Standard	Planetary Wet Disk Power Wet Disk PowrReverser™ Standard	Planetary Wet Disk Power Wet Disk .r. PowrReverser™ Standard
PTO PTO type PTO options REAR HITCH Type Control type	Independent Rear standard, mid opnonal Category 1 Position	Independent Rear standard, mid optional Category 1 Position	Independent Rear standard, mid optional Category 1 Position	Independent Rear standard, mid optional  Category 1 Position
WEIGHT With all fluids  *Manufacturer's estimate	(.3,700 lbs-(1679 kg)	3.700 lbs. (1679.kg)	3,700 lbs: (1679 kg)	3.760 lbs. (1679 kg)



To profect you from injury if the tractor overturns, every John Deere Compact is equipped with a **Roll-Over** Protective Structure (ROPS) that complies with ASAE and OSHA standards. An operator presence system on the every model automatically shuts down PTO and engine if you leave the seat. And every John Deere Compact complies with American National Standards Institute 871.4 standard for safe slope operation.



#### LOADERS

Tough, long-lasting and easy on you. They offer up to 2,728 lbs. (1240 kg) of lift capacity, can be attached and detached in under three minutes; and the 400CX self-levelling loader maintains a constant bucket angle for maximum productivity.

#### **ROTARY TILLERS**

Make a great seedbed. Adjustable skid shoes keeps in the tiller working at a preset depth.

#### OPTIONAL IMATCH "QUICK-HITCH

Converts the 3-point rear hitch to fixed hooks and attaching points. All you need to do to attach most rear implements is backup and go. Try it once and you'll be hooked.

#### ROTARY CUTTERS

Industry-exclusive Double-Deck design on MX cutters and automotive electrostatic primer on LX cutters virtually eliminate the top-deck-rust so common on other rotary cutter brands

#### BACKHOES

True commercial grade backhoes mount and dismount easily. Bucket rotation of 180 degrees is perfect for trenching without leaving behind spillage. Both available backhoes swing 90 degrees left and right and are close coupled for added stability.

#### OMESHIOMATORS SAVANATERE

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MANURE SPREADERS		•	•	• 4	
MID-MOUNT MOWERS	À i	. •	. •	•	•
OVERSEEDERS	37			•	•
PENDULAR SPREADERS		0		•	•
POSTHOLE DIGGERS BY ROTOMEC		•	•	<b>0</b>	•
PULVERIZERS	3.1	• •	•	•	γ•
REAR BLADES		•	•		
ROTARY CUTTERS		•	3 <b>0</b>	•	•
ROTARY TILLERS		•		•	•
SICKLEBAR MOWERS			•		•
WHEEL RAKES		•	• •	•	_ •
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# Total support is standard equipment.

## No one builds or backs tractors better than John Deere:

#### 3-Year Warranty

It's the fine print, but a big story: Every John Deere CompactTractor comes with a 3-year/2000 hour limited warranty. See your dealer for details.

#### **Lower Maintenance Cost Than Competitors**

Over the first two years of ownership, a 4000 TWENTY Series tractor costs less to maintain than a comparable Kubota or New Holland tractor.† See how affordable these tractors are at www.JohnDeere.com/easy2maintain.

#### Optional John Deere Maintenance Plan Plus

Hassle-free ownership can be financed for just a few dollars a month with the purchase of your tractor. The John Deere Maintenance Plan Plus includes two at home annual maintenance services with genuine John Deere parts. And an additional year of extended service protection, the same type of coverage as your original warranty.

#### **Exceptional Parts Support**

Behind every John Deere is a parts support network to get you the high-quality part you need fast. If your dealer does not have a part in stock, in most cases you can order it by 5 p.m., and have it the next day. You can even order parts online at:

www.JDParts.JohnDeere.com.

#### Flexible Available Financing

John Deere Credit has convenient John Deere and flexible financing options designed for you. See your dealer for details.

This literature has been compiled for worldwide circulation. While general information, pictures and descriptions are provided, some illustrations and text may include finance, credit, insurance, product options and accessories NOT AVAILABLE in all regions. PLEASE CONTACT YOUR LOCAL DEALER FOR DETAILS. John Deere reserves the right to change specification, design and price of products described in this literature without notice. John Deere's green and yellow color scheme, the leaping deer symbol, and JOHN DEERE are trademarks of Deere & Company. For the total two-year service cost, a \$51/hour labor rate was used and time determined by a qualified technician to perform routine service tasks recommended by manufacturer's operator's manuals as of October 4, 2004, All parts were branded parts at Manufacturer's Suggested Retail Price.

DKE052301 (06-09) Litho in USA