



State of West Virginia
Request For Quotation
Highways

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Procurement Folder : 238522

Document Description : STONE, AGGREGATE, CINDERS - MAT.&DEL. TO NON-ESTAB. LOCATION

Procurement Type : Agency Master Agreement

Date Issued	Solicitation Closes	Solicitation No		Version	Phase
2016-10-24	2016-11-09 13:00:00	ARFQ 0803	DOT1700000009	2	Final

SUBMIT RESPONSES TO:	VENDOR
FINANCE & ADMINISTRATION DIVISION OF HIGHWAYS BLDG 5, RM A-220 1900 KANAWHA BLVD E CHARLESTON US	Vendor Name, Address and Telephone <i>MILBURN AVERAGE INC</i> <i>P.O. Box 127</i> <i>Chamberlayne MD 21502</i> <i>301-777-1777</i>
WV 25302	

FOR INFORMATION CONTACT THE

Angela Moorman
(304) 558-9427
angie.j.moorman@wv.gov

Signature *[Handwritten Signature]*

FEIN # *52-1641964*

DATE *11-4-16*

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

INVOICE TO		SHIP TO	
VARIOUS AGENCY LOCATIONS AS INDICATED BY ORDER		STATE OF WEST VIRGINIA VARIOUS LOCATIONS AS INDICATED BY ORDER	
No City	WV99999	No City	WV 99999
US		US	

Line	Commodity Line Description	Qty	Unit Issue	Unit Price	Total Price
1	STONE, AGGREGATE, CINDERS - MAT.&DEL. TO NON-ESTAB.	0.00000	TON		

Commodity Code	Manufacturer	Model #	Specification
11111600			

Extended Description
STONE, AGGREGATE, CINDERS - MAT.&DEL. TO NON-ESTAB. LOCATION

SCHEDULE OF EVENTS		
Line	Event	Event Date
1	Technical Question ending date	2016-10-21

DOT1700000009	Document Phase Final	Document Description STONE, AGGREGATE, CINDERS - MAT.&DEL. TO NON-ESTAB. LOCATION	Page 3 of 3
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ADDITIONAL TERMS AND CONDITIONS

See attached document(s) for additional Terms and Conditions

ADDENDUM ACKNOWLEDGEMENT FORM

SOLICITATION NO.: ARF 0803 DOT 1700100009

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 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.

ALLEGANY AGGREGATES, Inc.
Full Company Name

[Signature]
Authorized Signature

11-4-16
Date

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



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Document Description : STONE, AGGREGATE, CINDERS - MAT.&DEL. TO NON-ESTAB. LOCATION

Procurement Type : Agency Master Agreement

Date Issued	Solicitation Closes	Solicitation No	Version	Phase
2016-10-18	2016-11-09 13:00:00	ARFQ 0803 DOT1700000009	1	Final

SUBMIT RESPONSES TO:	VENDOR
FINANCE & ADMINISTRATION DIVISION OF HIGHWAYS BLDG 5, RM A-220 1900 KANAWHA BLVD E CHARLESTON WV 25302 US	Vendor Name, Address and Telephone

FOR INFORMATION CONTACT THE

Angela Moorman

(304) 558-9427

angie.j.moorman@wv.gov

Signature X

FEIN # 52-1641964

DATE 11-4-16

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Extended Description

STONE, AGGREGATE, CINDERS - MAT.&DEL. TO NON-ESTAB. LOCATION

SCHEDULE OF EVENTS

Line	Event	Event Date
1	Technical Question ending date	2016-10-21

DOT1700000009	Document Phase Final	Document Description STONE, AGGREGATE, CINDERS - MAT.&DEL. TO NON-ESTAB. LOCATION	Page 3 of 3
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ADDITIONAL TERMS AND CONDITIONS

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AGENCY SOLICITATION NUMBER – ARFQ DOT17*09
Addendum Number:1

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

Applicable Addendum Category:

- Modify bid opening date and time
- Modify specification of product or service being sought
- Attachment of pre-bid sign-in sheet
- Correction of error
- Other

Description of Modification to Solicitation:

To Add: Purchasing Affidavit

To Add: Vendor Preference Sheet

No Other Change

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 provision of the Agency 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 Agency Solicitation by completing an Addendum Acknowledgement, 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



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SUBMIT RESPONSES TO:	VENDOR
FINANCE & ADMINISTRATION DIVISION OF HIGHWAYS BLDG 5, RM A-220 1900 KANAWHA BLVD E CHARLESTON WV 25302 US	Vendor Name, Address and Telephone

FOR INFORMATION CONTACT THE

Angela Moorman

(304) 558-9427

angie.j.moorman@wv.gov

Signature X

FEIN # 52-1641964

DATE 11-4-16

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ADDITIONAL TERMS AND CONDITIONS

See attached document(s) for additional Terms and Conditions

AGENCY SOLICITATION NUMBER – ARFQ DOT1700000009
Addendum Number: 2

The Purpose of this addendum is to modify the solicitation identified as (“Agency Solicitation”) to reflect the change(s) identified and described below.

Applicable Addendum Category:

- Modify bid opening date and time
- Modify specification of product or service being sought
- Attachment of pre-bid sign-in sheet
- Correction of error
- Other

Description of Modification to Solicitation:

To answer Vendor posed questions.
Please see attached.

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 provision of the Agency 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 Agency Solicitation by completing an Addendum Acknowledgement, 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.

Stone, Aggregate, Cinders – Material and Delivery to Non-Established Locations
Addendum #2 ARFQ DOT1700000009

To answer Vendor posed questions:

Question #1 Wondering if this bid includes ice control sand for winter roads?

Response #1 Please refer to the Pricing Page for materials included in this request.

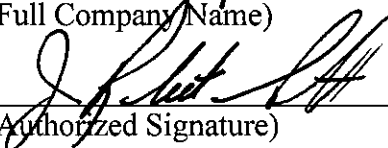
Question #2 Is this bid by districts or statewide?

Response #2 This request is statewide. The Pricing Page provides items X1, X2, Y1 and Y2 for the vendor to add their cost for hauling. You may also reference Section 5 of the Contract Specifications.

CERTIFICATION AND SIGNATURE PAGE

By signing below, or submitting documentation through the West Virginia Vendor Self Service Portal website, I certify that I have reviewed this Solicitation in its entirety; that I understand the requirements, terms and conditions, and other information contained herein; that this bid, offer or proposal constitutes an offer to the State that cannot be unilaterally withdrawn; that the product or service proposed meets the mandatory requirements contained in the Solicitation for that product or service, unless otherwise stated herein; that the Vendor accepts the terms and conditions contained in the Solicitation, unless otherwise stated 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.

ALLEGANY AGGREGATES, INC.
(Full Company Name)


(Authorized Signature)

J. ROBERT SMITH, VICE PRESIDENT
(Print or Type Name and Title
of Signatory)

301-777-1777
(Phone Number)

301-478-3008
(Fax Number)

ROX.BUSSMITH@YAHOO.COM
(Email address)

NOVEMBER 4, 2016
(Date)

**Form pre-approved by DOH legal division on July 12, 2016.
Attorney signature not required.**

REQUEST FOR QUOTATION
Stone, Aggregate and Cinders
Materials and Delivery by the Vendor to Non-Established WVDOT Locations

- 8.2 The following remedies shall be available to Agency upon default.
- 8.2.1 Immediate cancellation of the Contract.
 - 8.2.2 Immediate cancellation of one or more delivery orders issued under this Contract.
 - 8.2.3 Any other remedies available in law or equity.

9. MISCELLANEOUS:

- 9.1 **No Substitutions:** Vendor shall supply only Contract Items submitted in response ion unless a contract modification is approved in accordance with the provisions contained in this Contract.
- 9.2 **Vendor Supply:** Vendor must carry sufficient inventory of the Contract Items being offered to fulfill its obligations under this Contract. By signing its bid, Vendor certifies that it can supply the Contract Items contained in its bid response.
- 9.3 **Reports:** Vendor shall provide quarterly reports and annual summaries to the Agency showing the Agency's items purchased, quantities of items purchased and total dollar value of the items purchased. Vendor shall also provide reports, upon request, showing the items purchased during the term of this Contract, the quantity purchased for each of those items and the total value of purchases for each of those items. Failure to supply such reports may be grounds for cancellation of this contract.
- 9.4 **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: J. ROBERT SMITH
Telephone Number: 301-777-1777
Fax Number: 301-478-3008
Email Address: BOB.RUSSMITH@YANCO.COM

INFORMATION ATTACHMENT

Vendor's Storage Sites

2016/2017 Stone and Aggregate - Materials and Delivery by Vendor to Non-Established WVDOH Locations

VENDOR NAME ALLEGANY AGGREGATES, LLC

Mandatory - Vendor shall complete this form and return with bid submission.

A Vendor may submit more than one Vendor's Storage Sites information on one Information Attachment form ONLY if bid pricing is the SAME for all Storage Sites and all WVDOH locations bid. A separate bid submission and Information Attachment form MUST be submitted when bid price varies between Vendor's Storage Sites.

Limestone, Sandstone, Gravel, Sand, Blast Furnance Slag and Steel Slag

a) SOURCE OF MATERIAL (all sources for which bid prices apply (e.g., Quarry location if Sandstone or Limestone; dredging or pit location if Gravel; production plant name and location if Slag)

<u>SHORT GAP QUARRY - SHORT GAP, WV.</u>	
<u>BEDROCK QUARRY - FLINTSTONE, MD</u>	

b) EXACT LOCATION OF VENDOR'S STORAGE SITE(S): A separate bid schedule must be submitted when bid price varies between Vendors' storage sites.

<u>SHORT GAP QUARRY</u>	<u>BEDROCK QUARRY</u>
<u>WAXLER FOND</u>	<u>NATURAL PIKE NO</u>
<u>SHORT GAP, WV.</u>	<u>FLINTSTONE, MD.</u>

Cinders

c) SOURCE OF MATERIAL: Name and Location of plant which produces Cinder material.

d) EXACT LOCATION OF VENDOR'S STORAGE SITE(S) A separate bid schedule must be submitted when bid price varies between Vendors' storage sites.

Material and delivery by the Vendor to Non-Established WVDOH locations, ONLY.

		Bid Price per Ton Items A-W and AA F.O.B. Vendor's Storage Site		
Contract Item	Description of Material	Limestone, Sandstone, Gravel, Sand	Blast Furnace Slag	Steel Slag
A	Class 1 Aggregate	11.35		
B	Class 2 Aggregate	11.35		
C	Class 10 Aggregate	11.85		
D	AASHTO #1 Aggregate	15.85		
E	AASHTO #3 Aggregate	15.85		
F	AASHTO #4 Aggregate	15.85		
G	AASHTO #467 Aggregate	15.85		
H	AASHTO #57 Aggregate	15.85		
I	AASHTO #67 Aggregate	15.85		
J	AASHTO #7 Aggregate	15.85		
K	AASHTO #8 Aggregate	15.85		
L	AASHTO #9 Aggregate	16.35		
M	Stone for Gabions	16.85		
N	Fine Aggregate	11.35		
OA	Limestone Standard Abrasives	13.35		
OB	Sandstone Standard Abrasives			
PA	Limestone Modified Abrasives	15.85		
PB	Sandstone Modified Abrasives			
Q	Rip Rap	17.35		
R	Shot Rock	12.85		
S	AASHTO #8 Modified	16.35		
T	AASHTO #9 Modified	16.35		
U	Pea Gravel			
V	#11 Limestone Abrasives			
W	Quarry Waste	8.00		
AA	Cinders			
Items A-W and AA (Except for Q and R):				
X1	Haul by Vendor - First Ton-Mile	2.00		
X2	Haul by Vendor - Additional Ton-Mile	.95		
Items Q and R ONLY:				
Y1	Haul by Vendor - First Ton-Mile	2.75		
Y2	Haul by Vendor - Additional Ton-Mile	1.25		

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;
- Bidder is a resident vendor partnership, association, or corporation with at least eighty percent of ownership interest of bidder held by another entity that meets the applicable four year residency requirement; **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 that employs a minimum of one hundred state residents, or a nonresident vendor which has an affiliate or subsidiary which maintains its headquarters or principal place of business within West Virginia and employs a minimum of one hundred state residents, and for purposes of producing or distributing the commodities or completing the project which is the subject of the bidder's bid and continuously over the entire term of the project, on average at least seventy-five percent of the bidder's employees or the bidder's affiliate's or subsidiary's employees are residents of West Virginia who have resided in the state continuously for the two immediately preceding years and the vendor's 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) rescind the contract or purchase order; 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.

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: _____

*Check any combination of preference consideration(s) indicated above, which you are entitled to receive.

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: ALLEGANY AGGREGATES, INC.

Authorized Signature: [Signature] Date: 11/4/16

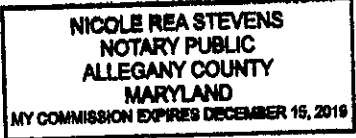
State of Maryland

County of Allegany, to-wit:

Taken, subscribed, and sworn to before me this 4 day of November, 2016.

My Commission expires December 15, 2019.

AFFIX SEAL HERE



NOTARY PUBLIC [Signature]

RECEIVED

16 NOV -7 AM 11:09

FINANCE FAC SUPPLEMENT

ARFQ 0803 DOT170000009

LINDA DUNN
3017771777
ALLEGANY AGGREGATES
21235 NATIONAL PIKE NE
PLINTSTONE MD 21530

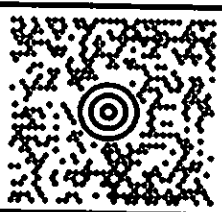
1 LBS

1 OF 1

DWT: 13,10,1

SHIP TO:

ANGELA MOORMAN
304-558-9427
FINANCE & ADMINISTRATION
1900 KANAWHA BLVD E
BLDG 5, RM A-220
DIVISION OF HIGHWAYS
CHARLESTON WV 25302



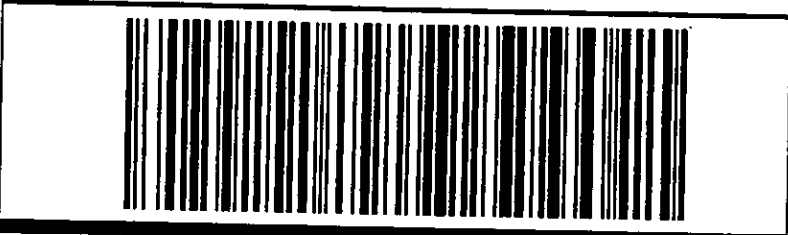
WV 253 9-30



UPS NEXT DAY AIR

TRACKING #: 1Z 842 A0E 01 9426 9862

1



BILLING: P/P

LBS 18.5.50 WNTNV50 81.0A 10/2016



BUILDING 5
1900 KANAWHA BLVD E
CHARLESTON WV 25305-8750
P: YELLOW S: R009
CAPT - RDL
1Z842A0E018426
NOV 16 2009
1: 9862
X