

From:D.L.MORGAN JR

3042291849

11/19/2018 15:54

#157 P.001/011

Inwood Quarry

P.O. Box 65
Inwood, WV 25428-1140
Berkeley County
Phone Number (304) 229-1771
Fax Number (304) 229-1849

Fax**To:** Dept of Admin, Purchasing**From:** Taryn Morgan**Fax:** (304) 558-3970**Pages:** 11 Including cover sheet**Phone:** (304)558-9398**Date:** November 19, 2018**Re:****CC:**

☐ **Urgent** ☐ **For Review** ☐ **Please Comment** ☒ **Please Reply** ☐ **Please Recycle**

SEALED BID: Stone/Aggregate/Cinders 2019 Material & Pickup by WVDOH**BUYER: Crystal Rink****SOLICITATION NO.: CRFQ 0803 DOT1900000039****FAX NUMBER: 304-558-3970**

RECEIVED

2018 NOV 19 PM 3:01

WV PURCHASING
DIVISION

From:D.L.MORGAN JR

3042291849

11/19/2018 15:54

#157 P.002/011



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

State of West Virginia
Request for Quotation
19 - Highways

Proc Folder: 512930

Doc Description: STONE AGGREGATE CINDERS 2019 MATERIAL & PICKUP BY WVDOT

Proc Type: Central Master Agreement

Date Issued	Solicitation Closes	Solicitation No	Version
2018-11-07	2018-11-21 13:30:00	CRFQ 0803 DOT1900000039	1

BID CLERK

DEPARTMENT OF ADMINISTRATION

PURCHASING DIVISION

2019 WASHINGTON ST E

CHARLESTON

US

WV 25305

Vendor Name, Address and Telephone Number:

INWOOD QUARRY
PO Box 65
INWOOD W.V.
25428

304-229-1771

FOR INFORMATION CONTACT THE BUYER

Crystal Rink
(304) 568-2402
crystal.g.rink@wv.gov

Signature X

FEIN # 550456355

DATE 11-16-18

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

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#157 P.003/011

DESIGNATED CONTACT: Vendor appoints the individual identified in this Section as the Contract Administrator and the initial point of contact for matters relating to this Contract.

D.L. MORGAN JR PRESIDENT
(Name, Title)

(Printed Name and Title)

PO BOX 65 INWOOD WV 25428
(Address)

304-229-1771 304-229-1849

(Phone Number) / (Fax Number)

DLMORGAN@DLMORGANJR.COM
(email address)

CERTIFICATION AND SIGNATURE: By signing below, or submitting documentation through wvOASIS, 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contained herein; that this bid, offer or proposal constitutes an offer to the State that cannot be unilaterally withdrawn; that the product or service proposed meets the mandatory requirements contained in the Solicitation for that product or service, unless otherwise stated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.

Inwood Quarry Inc
(Company)

[Signature] PRESIDENT
(Authorized Signature) (Representative Name, Title)

D.L. Morgan Jr Pres
(Printed Name and Title of Authorized Representative)

11-16-18
(Date)

304-229-1771 304-229-1849
(Phone Number) (Fax Number)

ADDENDUM ACKNOWLEDGEMENT FORM**SOLICITATION NO.: CRFQ DOT1900000039**

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)

- ☒ Addendum No. 1
☐ Addendum No. 2
☐ Addendum No. 3
☐ Addendum No. 4
☐ Addendum No. 5

- ☐ Addendum No. 6
☐ Addendum No. 7
☐ Addendum No. 8
☐ Addendum No. 9
☐ 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.

INWOOD QUARRY INC
Company

[Signature]
Authorized Signature

11-16-18
Date

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

**REQUEST FOR QUOTATION
CRFQ DOT1900000039**

Stone, Aggregate and Cinders – Materials and Pickup by Agency ONLY (6619C021)

- 8.1.4 Failure to remedy deficient performance upon request.
- 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 release 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 to the RFQ 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: D.L. Morgan Jr
Telephone Numbers: 304-229-1771
Fax Number: 304-229-1849
Email Address: DL.MORGAN@DL.MORGAN.JR.COM

From:D.L.MORGAN JR

3042291849

11/19/2018 15:57

#157 P.006/011

STATE OF WEST VIRGINIA
Purchasing Division**PURCHASING AFFIDAVIT**

CONSTRUCTION CONTRACTS: Under W. Va. Code § 5-22-1(f), the contracting public entity shall not award a construction contract to any bidder that is known to be in default on any monetary obligation owed to the state or a political subdivision of the state, including, but not limited to, obligations related to payroll taxes, property taxes, sales and use taxes, fire service fees, or other fines or fees.

ALL CONTRACTS: 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 § 23-26-2, 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 §81-5-3) that: (1) for construction contracts, the vendor is not in default on any monetary obligation owed to the state or a political subdivision of the state, and (2) for all other contracts, 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: INWOOD QUARRY INCAuthorized Signature: [Signature]Date: 11-16-18State of West VirginiaCounty of Berkeley to-wit:Taken, subscribed, and sworn to before me this 16 day of November, 2018.My Commission expires August 2, 2020.

AFFIX SEAL HERE

NOTARY PUBLIC

[Signature]

Purchasing Affidavit (Revised 01/19/2018)



From: D.L. MORGAN JR

3042291849

11/19/2018 15:58

#157 P.007/011

West Virginia Ethics Commission Disclosure of Interested Parties to Contracts

(Required by W. Va. Code § 6D-1-2)

Name of Contracting Business Entity: Inwood Quarry Address: PO Box 65
Inwood W.V. 25428
 Name of Authorized Agent: D.L. Morgan, Jr. Address: PO Box 1140 Inwood W.V.
25428
 Contract Number: CLFQ 0803 DOT Contract Description: STONE AGGREG. PICKUP
DOT 1900000039
 Governmental agency awarding contract: WUDOH

☐ Check here if this is a Supplemental Disclosure

List the Names of Interested Parties to the contract which are known or reasonably anticipated by the contracting business entity for each category below (attach additional pages if necessary):

1. Subcontractors or other entities performing work or service under the Contract
☒ Check here if none, otherwise list entity/individual names below.
2. Any person or entity who owns 25% or more of contracting entity (not applicable to publicly traded entities)
☒ Check here if none, otherwise list entity/individual names below.
3. Any person or entity that facilitated, or negotiated the terms of, the applicable contract (excluding legal services related to the negotiation or drafting of the applicable contract)
☒ Check here if none, otherwise list entity/individual names below.

Signature: [Signature]Date Signed: 11-16-18

Notary Verification

State of West Virginia, County of Berkeley:

I, D.L. Morgan, Jr., the authorized agent of the contracting business entity listed above, being duly sworn, acknowledge that the Disclosure herein is being made under oath and under the penalty of perjury.

Taken, sworn to and subscribed before me this 16 day of November, 2018.

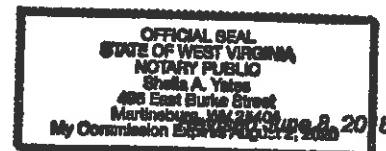
[Signature]
 Notary Public's Signature

To be completed by State Agency:

Date Received by State Agency: _____

Date submitted to Ethics Commission: _____

Governmental agency submitting Disclosure: _____



From:D.L.MORGAN JR

3042291849

11/19/2018 15:59

#157 P.008/011

Pricing Page, Exhibit A

VENDOR NAME INWOOD QUARRY Inc

Material and pick up by WVDOH forces from the Vendor's Storage Site, 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	10.90		
B	Class 2 Aggregate	11.00		
C	Class 10 Aggregate	11.00		
D	AASHTO #1 Aggregate	11.85		
E	AASHTO #3 Aggregate	11.85		
F	AASHTO #4 Aggregate	11.85		
G	AASHTO #467 Aggregate	—		
H	AASHTO #57 Aggregate	13.40		
I	AASHTO #67 Aggregate	—		
J	AASHTO #7 Aggregate	13.40		
K	AASHTO #8 Aggregate	13.40		
L	AASHTO #9 Aggregate	—		
M	Stone for Gabions	13.50		
N	Fine Aggregate	14.00		
OA	Limestone Standard Abrasives	13.50		
OB	Sandstone Standard Abrasives	—		
PA	Limestone Modified Abrasives	13.50		
PB	Sandstone Modified Abrasives	—		
Q	Rip Rap	25.00		
R	Shot Rock	15.00		
S	AASHTO #8 Modified	13.50		
T	AASHTO #9 Modified	—		
U	Pea Gravel	—		
V	#11 Limestone Abrasives			
W	Quarry Waste	8.00		
	IMBELLICATED	25.00		
AA	Cinders			

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11/19/2018 15:59

#157 P.009/011

INFORMATION ATTACHMENT FORM

Vendor's Storage Sites - **REQUIRED TO BE SUBMITTED WITH BID**
2019 Stone and Aggregate - Material and Pickup by WVDOH ONLY

VENDOR NAME INWOOD QUARRY INC

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. 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 (<u>all</u> 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>INWOOD QUARRY</u>
<u>9171 WINCHESTER AVE</u>
<u>INWOOD, WV 25428</u>
b) EXACT LOCATION OF VENDOR'S STORAGE SITE(S): A separate bid schedule <u>must</u> be submitted when bid price varies between Vendors' storage sites.
<u>9171 WINCHESTER AVE</u>
<u>INWOOD W.V. 25428</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 <u>must</u> be submitted when bid price varies between Vendors' storage sites.

West Virginia Ethics Commission



Disclosure of Interested Parties to Contracts

Pursuant to *W. Va. Code § 6D-1-2*, a state agency may not enter into a contract, or a series of related contracts, that has/have an actual or estimated value of \$1 million or more until the business entity submits to the contracting state agency a Disclosure of Interested Parties to the applicable contract. In addition, the business entity awarded a contract is obligated to submit a supplemental Disclosure of Interested Parties reflecting any new or differing interested parties to the contract within 30 days following the completion or termination of the applicable contract.

For purposes of complying with these requirements, the following definitions apply:

"Business entity" means any entity recognized by law through which business is conducted, including a sole proprietorship, partnership or corporation, but does not include publicly traded companies listed on a national or international stock exchange.

"Interested party" or "Interested parties" means:

- (1) A business entity performing work or service pursuant to, or in furtherance of, the applicable contract, including specifically sub-contractors;
- (2) the person(s) who have an ownership interest equal to or greater than 25% in the business entity performing work or service pursuant to, or in furtherance of, the applicable contract. (This subdivision does not apply to a publicly traded company); and
- (3) the person or business entity, if any, that served as a compensated broker or intermediary to actively facilitate the applicable contract or negotiated the terms of the applicable contract with the state agency. (This subdivision does not apply to persons or business entities performing legal services related to the negotiation or drafting of the applicable contract.)

"State agency" means a board, commission, office, department or other agency in the executive, judicial or legislative branch of state government, including publicly funded institutions of higher education; Provided, that for purposes of *W. Va. Code § 6D-1-2*, the West Virginia Investment Management Board shall not be deemed a state agency nor subject to the requirements of that provision.

The contracting business entity must complete this form and submit it to the contracting state agency prior to contract award and to complete another form within 30 days of contract completion or termination.

This form was created by the State of West Virginia Ethics Commission, 210 Brooks Street, Suite 300, Charleston, WV 25301-1804. Telephone: (304)558-0664; fax: (304)558-2169; e-mail: ethics@wv.gov; website: www.ethics.wv.gov.

From:D.L.MORGAN JR

3042291849

11/19/2018 16:01

#157 P.011/011

WV-10

Approved / Revised
06/08/18State 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, 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,

☒ 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.

8. **Application is made for reciprocal preference.**

☐ Bidder is a West Virginia resident and is requesting reciprocal preference to the extent that it applies.

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: INWOOD Quarry IncSigned: [Signature]Date: 11-16-18Title: PAUL S. DEAT

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