



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

State of West Virginia  
**Master Agreement**

Order Date: 12-17-2021

CORRECT ORDER NUMBER MUST  
 APPEAR ON ALL PACKAGES, INVOICES,  
 AND SHIPPING PAPERS. QUESTIONS  
 CONCERNING THIS ORDER SHOULD BE  
 DIRECTED TO THE DEPARTMENT  
 CONTACT.

<b>Order Number:</b>	CMA 0803 0066 DOT6619C050A 5	<b>Procurement Folder:</b>	530115
<b>Document Name:</b>	CHANGE ORDER 4 WINTER GRADE BITUMINOUS MIX (COLD MIX)	<b>Reason for Modification:</b>	CHANGE ORDER #4 TO RENEW CONTRACT
<b>Document Description:</b>	ORIGINAL PROC FOLDER: 496559		
<b>Procurement Type:</b>	Central Master Agreement		
<b>Buyer Name:</b>			
<b>Telephone:</b>			
<b>Email:</b>			
<b>Shipping Method:</b>	Best Way	<b>Effective Start Date:</b>	2019-01-01
<b>Free on Board:</b>	FOB Dest, Freight Prepaid	<b>Effective End Date:</b>	2022-12-31

VENDOR		DEPARTMENT CONTACT	
<b>Vendor Customer Code:</b>	00000198492	<b>Requestor Name:</b>	Dusty J Smith
BARDON INC 6401 GOLDEN TRIANGLE DR STE 400		<b>Requestor Phone:</b>	(304) 558-9398
GREENBELT MD 20770 US		<b>Requestor Email:</b>	dusty.j.smith@wv.gov
<b>Vendor Contact Phone:</b>	999-999-9999	<div style="font-size: 48pt; font-weight: bold;">22</div> <b>FILE LOCATION</b> _____	
<b>Extension:</b>			
<b>Discount Details:</b>			
<b>#1</b>	No 0.0000 0		
<b>#2</b>	No		
<b>#3</b>	No		
<b>#4</b>	No		

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

12-20-21  
 205

Purchasing Division's File Copy

Total Order Amount: Open End

ENTERED

JE 12/17/21

**PURCHASING DIVISION AUTHORIZATION**  
 DATE: *T. Wang* 12/20/21  
 ELECTRONIC SIGNATURE ON FILE

**ATTORNEY GENERAL APPROVAL AS TO FORM**  
 DATE: *John S. Gray*  
 ELECTRONIC SIGNATURE ON FILE

**ENCUMBRANCE CERTIFICATION**  
*Beverly Tolson*  
 DATE: 1-6-22  
 ELECTRONIC SIGNATURE ON FILE

1/5/2022

**Extended Description:**

CHANGE ORDER #4

TO RENEW THE ORIGINAL CONTRACT ACCORDING TO ALL TERMS, CONDITIONS, PRICES AND SPECIFICATIONS CONTAINED IN THE ORIGINAL CONTRACT INCLUDING ALL AUTHORIZED CHANGE ORDERS.

EFFECTIVE DATE OF RENEWAL: 01/01/2022 THROUGH 12/31/2022

RENEWALS REMAINING: 0

ALL PROVISIONS OF THE ORIGINAL CONTRACT AND SUBSEQUENT CHANGE ORDERS NOT MODIFIED HEREIN SHALL REMAIN IN FULL FORCE AND EFFECT

NO OTHER CHANGES

Line	Commodity Code	Manufacturer	Model No	Unit	Unit Price
1	30121601			TON	0.000000
	<b>Service From</b>	<b>Service To</b>			

**Commodity Line Description:** WINTER GRADE BITUMINOUS PATCHING MIXTURE - COLD MIX

**Extended Description:**

WINTER GRADE BITUMINOUS PATCHING MIXTURE - COLD MIX



**WEST VIRGINIA DEPARTMENT OF TRANSPORTATION**  
**Division of Highways**

**D. Alan Reed, P.E.**  
State Highway Engineer

1900 Kanawha Boulevard East • Building Five • Room 110  
Charleston, West Virginia 25305-0430 • (304) 558-3505

**Jimmy Wriston, P. E.**  
Secretary of Transportation  
Commissioner of Highways

October 29, 2021

**Bardon Inc.**  
6401 Golden Triangle Drive  
STE 400  
Greenbelt, MD 20770

**Subject: Contract Renewal: Winter Grade Bituminous Patching Mixture (DOT6619C050A)**  
**Procurement Folder: 530115**

The West Virginia Department of Transportation is offering to renew the original contract according to all terms, conditions, prices, and specifications contained in the original contract, including all authorized change orders.

The renewal dates are 01/01/2022 through 12/31/2022. If your company agrees to this renewal, please sign below, and return as soon as possible. You may return all renewal documents via email to: [Edward.L.Raines@wv.gov](mailto:Edward.L.Raines@wv.gov)

Also attached is an Affidavit that is to be part of the renewal change order and is required to be signed and notarized.

Please contact the email listed above if you have any questions.

Thank you,

*Edward Raines*  
Edward Raines

**Attachment**

We agree to renew the contract for the period as stated above under the same terms, conditions, prices, and specifications in the original purchase order and any change orders thereto.

*[Signature]*  
Name/Signature  
VP GM  
Title

11/4/2021  
Date  
**PROCUREMENT USE ONLY**  
*[Signature]* HDM1  
Signature/Title/Date  
12/17/21

STATE OF WEST VIRGINIA  
Purchasing Division

**PURCHASING AFFIDAVIT**

**CONSTRUCTION CONTRACTS:** Under W. Va. Code § 5-22-1(l), 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 § 23-2c-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: (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: BARDON, IAC

Authorized Signature: \_\_\_\_\_ Date: 11/4/2021

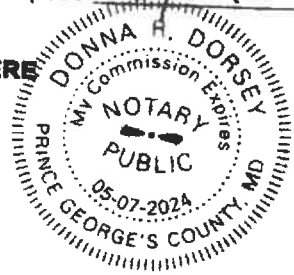
State of MARYLAND

County of PRINCE GEORGES to-wit:

Taken, subscribed, and sworn to before me this 4<sup>th</sup> day of NOVEMBER, 2021.

My Commission expires 5/07, 2024

AFFIX SEAL HERE



NOTARY PUBLIC

\_\_\_\_\_  
Purchasing Affidavit (Revised 01/12/2018)