



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.

| | | | |
|------------------------------|--|--------------------------------------|------------|
| Order Number: | CMA 0803 0066 DOT6619C050B 4 | Procurement Folder: | 530116 |
| Document Name: | CHANGE ORDER #3 WINTER GRADE BITUMINOUS PATCHING MIXTURE | Reason for Modification: | |
| Document Description: | ORIGINAL PROC FOLDER: 496559 | CHANGE ORDER #3 TO RENEW CONTRACT | |
| Procurement Type: | Central Master Agreement | | |
| Buyer Name: | | | |
| Telephone: | | | |
| Email: | | | |
| Shipping Method: | Best Way | Effective Start Date: | 2019-01-01 |
| Free on Board: | FOB Dest, Freight Prepaid | Effective End Date: | 2022-12-31 |

| VENDOR | | DEPARTMENT CONTACT | | |
|--|----------------------------|--|----------------------|----------------------|
| Vendor Customer Code: | 000000204845 | Requestor Name: | Dusty J Smith | |
| GREENBRIER EXCAVATING & PAVING INC PO BOX 277 | | Requestor Phone: | (304) 558-9398 | |
| RONCEVERTE WV 249700227 US | | Requestor Email: | dusty.j.smith@wv.gov | |
| Vendor Contact Phone: | 304-647-4296 Extension: | <div style="font-size: 48px; font-weight: bold;">22</div> <div style="font-size: 24px; font-weight: bold;">FILE LOCATION _____</div> | | |
| Discount Details: | | | | |
| Discount Allowed | Discount Percentage | | | Discount Days |
| #1 No | 0.0000 | | | 0 |
| #2 No | | | | |
| #3 No | | | | |
| #4 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 US | No City WV 99999 US |

12-20-21 BAX

Purchasing Division's File Copy

| | |
|----------------------------|----------|
| Total Order Amount: | Open End |
|----------------------------|----------|

ENTERED

JE 12/17/21

PURCHASING DIVISION AUTHORIZATION
 DATE: *Tara K...* 12/20/21
 ELECTRONIC SIGNATURE ON FILE

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

ENCUMBRANCE CERTIFICATION
Beverly T...
 DATE: 1-6-22
 ELECTRONIC SIGNATURE ON FILE

1/5/2022

Extended Description:

CHANGE ORDER #3

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

EFFECTIVE: 01/01/2022 THROUGH 12/31/2022

RENEWAL 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 |
| | Service From | Service To | | | |
| | | | | | |

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

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

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

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

October 29, 2021

Greenbrier Excavating and Paving
PO Box 277
Ronceverte, WV
24970

Subject: Contract Renewal: Winter Grade Bituminous Patching Mixture (DOT6619C050B)
Procurement Folder: 530116

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

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.

W. Reed
Name/Signature

11-05-2021
Date

President
Title

PROCUREMENT USE ONLY
Ad Smith HDM
Signature/Title/Date
12/17/21

STATE OF WEST VIRGINIA
Purchasing Division
PURCHASING AFFIDAVIT

CONSTRUCTION CONTRACTS: Under W. Va. Code § 5-22-1(i), 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: Greenbrier Excavating & Paving Inc.

Authorized Signature: [Signature]

Date: 11/05/2021

State of West Virginia

County of Greenbrier, to-wit:

Taken, subscribed, and sworn to before me this 5th day of November, 2021.

My Commission expires October 4, 2026.

AFFIX SEAL HERE



NOTARY PUBLIC Tammy Tincher

Purchasing Affidavit (Revised 01/19/2018)