



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 DOT6619C050D 4	Procurement Folder:	530139
Document Name:	CHANGE ORDER #3 WINTER GRADE BITUMINOUS PATCHING MIXTURE	Reason for Modification:	CHANGE ORDER #3 TO RENEW CONTRACT
Document Description:	ORIGINAL PROC FOLDER: 496559		
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:	000000203375	Requestor Name:	Dusty J Smith
KELLY PAVING INC PO BOX 366 WILLIAMSTOWN WV 26187 US		Requestor Phone:	(304) 558-9398
Vendor Contact Phone:	304-748-1450 Extension: 230	Requestor Email:	dusty.j.smith@wv.gov
Discount Details:			
	Discount Allowed	Discount Percentage	Discount Days
#1	No	0.0000	0
#2	No		
#3	No		
#4	No		

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FILE LOCATION _____

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

12-20-21
BAK

Purchasing Division's File Copy

Total Order Amount:	Open End
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ENTERED

PURCHASING DIVISION AUTHORIZATION
DATE: <i>T. W. [Signature]</i> 12/20/21
ELECTRONIC SIGNATURE ON FILE

ATTORNEY GENERAL APPROVAL AS TO FORM
DATE: <i>John D. Gray</i>
ELECTRONIC SIGNATURE ON FILE

ENCUMBRANCE CERTIFICATION
DATE: <i>Beverly Tolson</i> 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

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
	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

Kelly Paving Inc.
P.O. Box 366
Williamstown, WV
26187

**Subject: Contract Renewal: Winter Grade Bituminous Patching Mixture (DOT6619C050D)
Procurement Folder: 530139**

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.

Rita Lantz
Name/Signature

Rita Lantz, Assistant Vice-President
Title

November 4, 2021

Date

PROCUREMENT USE ONLY
Dusty Smith HDMU
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 §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: Kelly Paving, Inc.

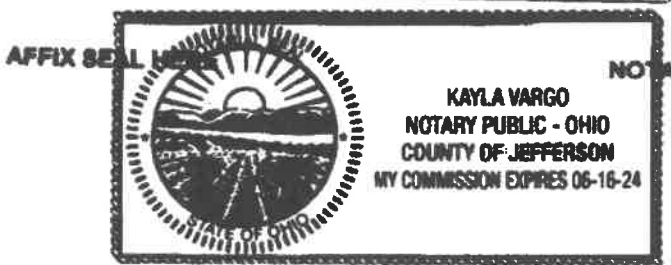
Authorized Signature: [Signature] Date: November 4, 2021

State of OHIO

County of JEFFERSON to-wit:

Taken, subscribed, and sworn to before me this 4 day of November, 2021

My Commission expires June 16, 2024



NOTARY PUBLIC [Signature]
Purchasing Affidavit (Revised 01/18/2018)