



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

Request for Quotation

RFQ NUMBER
668C0021

PAGE
1

ADDRESS CORRESPONDENCE TO ATTENTION OF
MICHAEL AUSTIN
304-558-2402

***709050359** **304-845-2545**
KLUG BROTHERS INC
RD 2 BOX 394
MOUNDSVILLE WV 26041

DIVISION OF HIGHWAYS
VARIOUS LOCALES AS INDICATED
BY ORDER

DATE PRINTED 03/05/2008	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
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BID OPENING DATE: **03/26/2008 4-2-08** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	TN		745-21		
<p>ASPHALTIC CONCRETE, HOT LAID</p> <p>PROVIDE MATERIALS, EQUIPMENT AND LABOR TO SUPPLY AT THE VENDORS PLANT, HOT-MIX ASPHALT TO THE WEST VIRGINIA DIVISION OF HIGHWAYS FOR THE USE UNDER THE CONDITIONS OF THE ATTACHED SPECIFICATIONS.</p> <p>AND/OR</p> <p>TO FURNISH MATERIALS, EQUIPMENT AND LABOR NECESSARY TO LAY DOWN HOT-MIX ASPHALT FOR THE WEST VIRGINIA DIVISION OF HIGHWAYS PER THE ATTACHED SPECIFICATIONS.</p> <p>NOTE: VENDORS SHOULD SUBMIT A COPY OF CONTRACTORS LICENSE, INSURANCE CERTIFICATE, AND WORKERS COMPENSATION CERTIFICATION IF BIDDING ITEM "H" LAY DOWN OF MATERIALS.</p> <p>EXHIBIT 3</p> <p>LIFE OF CONTRACT: THIS CONTRACT BECOMES EFFECTIVE ON AND EXTENDS FOR A PERIOD OF ONE (1) YEAR OR UNTIL SUCH "REASONABLE TIME" THEREAFTER AS IS NECESSARY TO OBTAIN A NEW CONTRACT OR RENEW THE ORIGINAL CONTRACT. THE "REASONABLE TIME" PERIOD SHALL NOT EXCEED TWELVE (12) MONTHS. DURING THIS "REASONABLE TIME" THE VENDOR MAY TERMINATE THIS CONTRACT FOR ANY REASON UPON GIVING THE DIRECTOR OF PURCHASING 30 DAYS WRITTEN NOTICE.</p>						

RECEIVED
 2008 APR -2 A 9 42
 PURCHASING DIVISION
 STATE OF WV

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Michael Klug</i>	TELEPHONE 304-845-2545	DATE 3-28-08
TITLE <i>President</i>	FEIN 556601828	ADDRESS CHANGES TO BE NOTED ABOVE

WHEN RESPONDING TO RFQ, INSERT NAME AND ADDRESS IN SPACE ABOVE LABELED 'VENDOR'



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<p>UNLESS SPECIFIC PROVISIONS ARE STIPULATED ELSEWHERE IN THIS CONTRACT DOCUMENT, THE TERMS, CONDITIONS AND PRICING SET HEREIN ARE FIRM FOR THE LIFE OF THE CONTRACT.</p> <p>RENEWAL: THIS CONTRACT MAY BE RENEWED UPON THE MUTUAL WRITTEN CONSENT OF THE SPENDING UNIT AND VENDOR, SUBMITTED TO THE DIRECTOR OF PURCHASING THIRTY (30) DAYS PRIOR TO THE EXPIRATION DATE. SUCH RENEWAL SHALL BE IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE ORIGINAL CONTRACT AND SHALL BE LIMITED TO TWO (2) ONE (1) YEAR PERIODS.</p> <p>CANCELLATION: THE DIRECTOR OF PURCHASING RESERVES THE RIGHT TO CANCEL THIS CONTRACT IMMEDIATELY UPON WRITTEN NOTICE TO THE VENDOR IF THE COMMODITIES AND/OR SERVICES SUPPLIED ARE OF AN INFERIOR QUALITY OR DO NOT CONFORM TO THE SPECIFICATIONS OF THE BID AND CONTRACT HEREIN.</p> <p>OPEN MARKET CLAUSE: THE DIRECTOR OF PURCHASING MAY AUTHORIZE A SPENDING UNIT TO PURCHASE ON THE OPEN MARKET, WITHOUT THE FILING OF A REQUISITION OR COST ESTIMATE, ITEMS SPECIFIED ON THIS CONTRACT FOR IMMEDIATE DELIVERY IN EMERGENCIES DUE TO UNFORESEEN CAUSES (INCLUDING BUT NOT LIMITED TO DELAYS IN TRANSPORTATION OR AN UNANTICIPATED INCREASE IN THE VOLUME OF WORK.)</p> <p>QUANTITIES: QUANTITIES LISTED IN THE REQUISITION ARE APPROXIMATIONS ONLY, BASED ON ESTIMATES SUPPLIED BY THE STATE SPENDING UNIT. IT IS UNDERSTOOD AND AGREED THAT THE CONTRACT SHALL COVER THE QUANTITIES ACTUALLY ORDERED FOR DELIVERY DURING THE TERM OF THE CONTRACT, WHETHER MORE OR LESS THAN THE QUANTITIES SHOWN.</p> <p>ORDERING PROCEDURE: SPENDING UNIT(S) SHALL ISSUE A</p>						

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SIGNATURE <i>Mark J. Klug</i>	TELEPHONE 304-845-2545	DATE 3-28-08
TITLE President	FEIN 550601828	ADDRESS CHANGES TO BE NOTED ABOVE

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<p>WRITTEN STATE CONTRACT ORDER (FORM NUMBER WV-39) TO THE VENDOR FOR COMMODITIES COVERED BY THIS CONTRACT. THE ORIGINAL COPY OF THE WV-39 SHALL BE MAILED TO THE VENDOR AS AUTHORIZATION FOR SHIPMENT, A SECOND COPY MAILED TO THE PURCHASING DIVISION, AND A THIRD COPY RETAINED BY THE SPENDING UNIT.</p> <p>BANKRUPTCY: IN THE EVENT THE VENDOR/CONTRACTOR FILES FOR BANKRUPTCY PROTECTION, THIS CONTRACT IS AUTOMATICALLY NULL AND VOID, AND IS TERMINATED WITHOUT FURTHER ORDER.</p> <p>THE TERMS AND CONDITIONS CONTAINED IN THIS CONTRACT SHALL SUPERSEDE ANY AND ALL SUBSEQUENT TERMS AND CONDITIONS WHICH MAY APPEAR ON ANY ATTACHED PRINTED DOCUMENTS SUCH AS PRICE LISTS, ORDER FORMS, SALES AGREEMENTS OR MAINTENANCE AGREEMENTS, INCLUDING ANY ELECTRONIC MEDIUM SUCH AS CD-ROM.</p> <p>REV. 04/11/2001</p> <p>PURCHASING CARD ACCEPTANCE: THE STATE OF WEST VIRGINIA CURRENTLY UTILIZES A VISA PURCHASING CARD PROGRAM WHICH IS ISSUED THROUGH A BANK. THE SUCCESSFUL VENDOR MUST ACCEPT THE STATE OF WEST VIRGINIA VISA PURCHASING CARD FOR PAYMENT OF ALL ORDERS PLACED BY ANY STATE AGENCY AS A CONDITION OF AWARD.</p> <p>EXHIBIT 10</p> <p>REQUISITION NO.:</p> <p>ADDENDUM ACKNOWLEDGEMENT</p>						

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SIGNATURE <i>Manj Klug</i>	TELEPHONE 304-845-2545	DATE 3-28-08
TITLE <i>President</i>	FEIN 550601828	ADDRESS CHANGES TO BE NOTED ABOVE

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<p>I HEREBY ACKNOWLEDGE RECEIPT OF THE FOLLOWING CHECKED ADDENDUM(S) AND HAVE MADE THE NECESSARY REVISIONS TO MY PROPOSAL, PLANS AND/OR SPECIFICATION, ETC.</p> <p>ADDENDUM NO.'S:</p> <p>NO. 1 <i>V. P.M.J.K. OPENING DATE: 4-2-08</i></p> <p>NO. 2</p> <p>NO. 3</p> <p>NO. 4</p> <p>NO. 5</p> <p>I UNDERSTAND THAT FAILURE TO CONFIRM THE RECEIPT OF TH ADDENDUM(S) MAY BE CAUSE FOR REJECTION OF BIDS.</p> <p>VENDOR MUST CLEARLY 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.</p> <p style="text-align: right;"> <i>Maury Klug</i> SIGNATURE <i>Klug Bros. Inc.</i> COMPANY <i>3-28-08</i> DATE </p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS			
SIGNATURE <i>Maury Klug</i>	TELEPHONE <i>304-845-2545</i>	DATE <i>3-28-08</i>	
TITLE <i>President</i>	FEIN <i>550601828</i>	ADDRESS CHANGES TO BE NOTED ABOVE	

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REV. 11/96						
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).						
A. APPLICATION IS MADE FOR 2.5% 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						
(X) BIDDER IS A PARTNERSHIP, ASSOCIATION OR CORPORATION RESIDENT VENDOR AND HAS MAINTAINED ITS HEAD-QUARTERS OR PRINCIPAL PLACE OF BUSINESS CONTINUOUSLY IN WEST VIRGINIA FOR FOUR (4) YEARS IMMEDIATELY PRECEDING THE DATE OF THIS CERTIFICATION; OR 80% OF THE OWNERSHIP INTEREST OF BIDDER IS HELD BY ANOTHER INDIVIDUAL, PARTNERSHIP, ASSOCIATION OR CORPORATION RESIDENT VENDOR WHO 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 CORPORATION 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.						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
<i>Maury Klug</i>	304-845-2545	3-28-08
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE
President	550601828	

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<p>B. APPLICATION IS MADE FOR 2.5% PREFERENCE FOR THE REASON CHECKED:</p> <p>(X) 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;</p> <p>OR</p> <p>() BIDDER IS A NONRESIDENT VENDOR EMPLOYING A MINIMUM OF ONE HUNDRED STATE RESIDENTS OR IS A NONRESIDENT VENDOR WITH AN AFFILIATE OR SUBSIDIARY WHICH MAINTAINS ITS HEADQUARTERS OR PRINCIPAL PLACE OF BUSINESS WITHIN WEST VIRGINIA EMPLOYING A MINIMUM OF ONE HUNDRED STATE RESIDENTS WHO CERTIFIES THAT, DURING THE LIFE OF THE CONTRACT, ON AVERAGE AT LEAST 75% OF THE EMPLOYEES OR BIDDERS' AFFILIATE'S OR SUBSIDIARY'S EMPLOYEES ARE RESIDENTS OF WEST VIRGINIA WHO HAVE RESIDED IN THE STATE CONTINUOUSLY FOR THE TWO YEARS IMMEDIATELY PRECEDING SUBMISSION OF THIS BID.</p> <p>BIDDER UNDERSTANDS IF THE SECRETARY OF TAX & 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 ISSUED; 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.</p> <p>BY SUBMISSION OF THIS CERTIFICATE, BIDDER AGREES TO DISCLOSE ANY REASONABLY REQUESTED INFORMATION TO THE</p>						

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SIGNATURE <i>Mary Klug</i>	TELEPHONE 304-845-2545	DATE 3-28-08
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<p>PURCHASING DIVISION AND AUTHORIZES THE DEPARTMENT OF TAX AND 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.</p> <p>UNDER PENALTY OF LAW FOR FALSE SWEARING (WEST VIRGINIA CODE 61-5-3), 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.</p> <p>BIDDER: <u>KLUG BROS., INC.</u></p> <p>DATE: <u>3-28-08</u></p> <p>SIGNED: <u>Mary Klug</u></p> <p>TITLE: <u>President</u></p> <p>* CHECK ANY COMBINATION OF PREFERENCE CONSIDERATION(S) IN EITHER "A" OR "B", OR BOTH "A" AND "B" WHICH YOU ARE ENTITLED TO RECEIVE. YOU MAY REQUEST UP TO THE MAXIMUM 5% PREFERENCE FOR BOTH "A" AND "B". (REV. 12/00)</p> <p>NOTICE</p>						

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<p>A SIGNED BID MUST BE SUBMITTED TO:</p> <p>DEPARTMENT OF ADMINISTRATION PURCHASING DIVISION BUILDING 15 2019 WASHINGTON STREET, EAST CHARLESTON, WV 25305-0130</p> <p>THE BID SHOULD CONTAIN THIS INFORMATION ON THE FACE OF THE ENVELOPE OR THE BID MAY NOT BE CONSIDERED:</p> <p>SEALED BID</p> <p>BUYER: 33</p> <p>RFQ. NO.: 668C0021</p> <p>BID OPENING DATE: 03/26/2008 ^{CO} 4-2-08</p> <p>BID OPENING TIME: 1:30 PM</p> <p>PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID:</p> <p>----- 304-845-7982 -----</p> <p>CONTACT PERSON (PLEASE PRINT CLEARLY):</p> <p>MARK J. KLUG OR JULIE C. KLUG</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Mark J. Klug</i>	TELEPHONE 304-845-2545	DATE 3-28-08
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<p>***** THIS IS THE END OF RFQ 668C0021 ***** TOTAL: _____</p> <p><i>FOLLOWING IS A PRICE SHEET FOR EACH OF TWO PLANT LOCATIONS SEPARATELY: PLANT #1 AT MOUNDSVILLE, WV PLANT #2 AT NEW MARTINSVILLE, WV.</i></p>						

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DISTRICT SIX

12. BID SCHEDULE (Continued)

<u>Item A</u>	- Hot-Mix Asphalt Base I F.O.B. Vendor Plant per ton	@	<u>47.00</u>
<u>Item B</u>	- Hot-Mix Asphalt Base II (Patch & Level), or Wearing IV F.O.B. Vendor Plant per ton	@	<u>47.00</u>
<u>Item C</u>	- Hot-Mix Asphalt Wearing I (Scratch) F.O.B. Vendor Plant per ton	@	<u>52.50</u>
<u>Item D</u>	- Hot-Mix Asphalt Wearing III F.O.B. Vendor Plant per ton	@	<u>59.50</u>

All of the above items shall be in accordance with The West Virginia Department of Transportation, Division of Highways, Standard Specifications Roads and Bridges, Adopted 2000 as modified by the current Supplemental Specifications, Section 401 as specified in the SCO.

<u>Item E</u>	- Hot-Mix Asphalt Skid Resistant Pavement F.O.B. Vendor Plant per ton	@	<u>53.50</u>
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The above item shall be in accordance with The West Virginia Department of Transportation, Division of Highways, Standard Specifications Roads and Bridges, Adopted 2000 as modified by the current Supplemental Specifications, Section 402.

<u>Item F</u>	- Hot-Mix Asphalt Plant Run F.O.B. Vendor Plant per ton	@	<u>51.25</u>
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<u>Item G</u>	- Haul by Vendor		
	@ <u>1.25</u>		for first ton mile and
	@ <u>.25</u>		for each additional mile

<u>Item H</u>	- Lay down of Materials Items A thru E, Each Site		
	0 to 100 tons	@	<u>65.00</u> per ton
	101 to 200 tons	@	<u>43.00</u> per ton
	201 to 500 tons	@	<u>21.00</u> per ton
	501 and up	@	<u>9.75</u> per ton

DISTRICT SIX

12. BID SCHEDULE (Continued)

Material placed under Item H shall be constructed in accordance with the Requirements of The West Virginia Department of Transportation, Division of Highways, Standard Specifications Roads and Bridges, Adopted 2000 as modified by the current Supplemental Specifications, Section 401 or 402 as specified in the SCO.

Item I - Cleaning & Sweeping
@ .11 per sq. yd.

Item J - Bituminous Material for Tack Coat
or Prime

All Types @ 2.50 per gallon

Material furnished and applied under Item J to be in accordance with Section 408 of the referenced specifications, as directed by the District Engineer/Manager.

Item K - Daytime Paving Mobilization - A Mobilization for Paving Charge of \$ 600.00 may be made when the purchase order quantity per paving location is less than 500 tons of Hot-Mix Asphalt and nighttime paving is not specified.

Item L - Nighttime Paving Mobilization - A Mobilization for Paving Charge of \$ 1,000.00 may be made when the purchase order quantity per paving location is less than 500 tons of Hot-Mix Asphalt and nighttime paving is specified.

Item M - Off Season Plant Opening
@ 1,000.00 for first day
@ 700.00 for each additional day

Item N - Additional Heel-In Joints
@ 10.75 per lineal foot

Item O - Skip Paving Surcharge
@ 2.25 per ton

Item P - Mobilization for Profiling
@ 1,100.00 per SCO

Item Q - Pavement Profiling (Milling), square yards per SCO

Less than 250	@	<u>15.00</u>	per Sq. Yd.
250 less than 500	@	<u>10.00</u>	per Sq. Yd.
500 less than 1000	@	<u>7.75</u>	per Sq. Yd.
1000 less than 2500	@	<u>4.75</u>	per Sq. Yd.
2500 less than 5000	@	<u>3.75</u>	per Sq. Yd.
5000 and greater	@	<u>2.00</u>	per Sq. Yd.

Item R - Pilot Truck and Driver
@ 475.00 per day

DISTRICT SIX12. BID SCHEDULE (Continued)

Item S - Traffic Control Devices
@ 1.20 per Unit

Item T - Flagger
@ 50.00 per Hour

Item U - Arrow Board
@ 19.00 per Day

Item V - Rumble Strips
@ 4.00 per LF

Vendor's Plant Location PLANT # 1 MOUNDSVILLE, WV

SEPARATE PRICE SHEET ATTACHED FOR PLANT #2 AT NEW MARTINSVILLE, WV.

DISTRICT SIX

12. BID SCHEDULE (Continued)

<u>Item A</u> -	Hot-Mix Asphalt Base I F.O.B. Vendor Plant per ton	@ <u>47.00</u>
<u>Item B</u> -	Hot-Mix Asphalt Base II (Patch & Level), or Wearing IV F.O.B. Vendor Plant per ton	@ <u>47.00</u>
<u>Item C</u> -	Hot-Mix Asphalt Wearing I (Scratch) F.O.B. Vendor Plant per ton	@ <u>52.50</u>
<u>Item D</u> -	Hot-Mix Asphalt Wearing III F.O.B. Vendor Plant per ton	@ <u>59.50</u>

All of the above items shall be in accordance with The West Virginia Department of Transportation, Division of Highways, Standard Specifications Roads and Bridges, Adopted 2000 as modified by the current Supplemental Specifications, Section 401 as specified in the SCO.

<u>Item E</u> -	Hot-Mix Asphalt Skid Resistant Pavement F.O.B. Vendor Plant per ton	@ <u>53.50</u>
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The above item shall be in accordance with The West Virginia Department of Transportation, Division of Highways, Standard Specifications Roads and Bridges, Adopted 2000 as modified by the current Supplemental Specifications, Section 402.

<u>Item F</u> -	Hot-Mix Asphalt Plant Run F.O.B. Vendor Plant per ton	@ <u>51.25</u>
<u>Item G</u> -	Haul by Vendor @ <u>1.25</u> for first ton mile and @ <u>.25</u> for each additional mile	
<u>Item H</u> -	Lay down of Materials Items A thru E, Each Site	
	0 to 100 tons @ <u>65.00</u> per ton	
	101 to 200 tons @ <u>43.00</u> per ton	
	201 to 500 tons @ <u>21.00</u> per ton	
	501 and up @ <u>9.75</u> per ton	

DISTRICT SIX

12. BID SCHEDULE (Continued)

Material placed under Item H shall be constructed in accordance with the Requirements of The West Virginia Department of Transportation, Division of Highways, Standard Specifications Roads and Bridges, Adopted 2000 as modified by the current Supplemental Specifications, Section 401 or 402 as specified in the SCO.

Item I - Cleaning & Sweeping
@ .11 per sq. yd.

Item J - Bituminous Material for Tack Coat
or Prime

All Types @ 2.50 per gallon

Material furnished and applied under Item J to be in accordance with Section 408 of the referenced specifications, as directed by the District Engineer/Manager.

Item K - Daytime Paving Mobilization - A Mobilization for Paving Charge of \$ 600.00 may be made when the purchase order quantity per paving location is less than 500 tons of Hot-Mix Asphalt and nighttime paving is not specified.

Item L - Nighttime Paving Mobilization - A Mobilization for Paving Charge of \$ 1,000.00 may be made when the purchase order quantity per paving location is less than 500 tons of Hot-Mix Asphalt and nighttime paving is specified.

Item M - Off Season Plant Opening
@ 1,000.00 for first day
@ 700.00 for each additional day

Item N - Additional Heel-In Joints
@ 10.75 per lineal foot

Item O - Skip Paving Surcharge
@ 2.25 per ton

Item P - Mobilization for Profiling
@ 1100.00 per SCO

Item Q - Pavement Profiling (Milling), square yards per SCO

Less than 250	@	<u>15.00</u>	per Sq. Yd.
250 less than 500	@	<u>10.00</u>	per Sq. Yd.
500 less than 1000	@	<u>7.75</u>	per Sq. Yd.
1000 less than 2500	@	<u>4.75</u>	per Sq. Yd.
2500 less than 5000	@	<u>3.75</u>	per Sq. Yd.
5000 and greater	@	<u>2.00</u>	per Sq. Yd.

Item R - Pilot Truck and Driver
@ 475.00 per day

DISTRICT SIX

12. BID SCHEDULE (Continued)

Item S - Traffic Control Devices
@ 1.20 per Unit

Item T - Flagger
@ 50.00 per Hour

Item U - Arrow Board
@ 19.00 per Day

Item V - Rumble Strips
@ 4.00 per LF

Vendor's Plant Location PLANT #2 NEW MARTINSVILLE, WV.

SEPARATE PRICE SHEET ATTACHED FOR PLANT #1 AT MOUNDSVILLE, WV.

Klug Bros., Inc.

RD #2 Box 394D Moundsville, West Virginia 26041
Phone 304-845-2545 or 845-7982
An Equal Opportunity Employer

April 3, 2008

Department of Administration
Purchasing Division
2019 Washington Street East
Charleston, West Virginia 25305-0130

Attention: Michael Austin

Re: RFQ 668C0021 (Hot Laid Bituminous Concrete)
Addendum No. 2

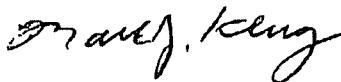
Dear Mr. Austin,

As per our telephone conversation earlier today regarding the above mentioned Addendum No. 2 for RFQ 668C0021, I am writing to acknowledge receipt of the addendum extending the bid opening date to April 9, 2008 as per your instruction.

Since our quotation had been sent to you prior to receiving the addendum, we were unable to confirm it in the space provided on the bid document as directed by the specifications. I would request that this letter be attached with our quotation which has already been delivered.

Thank you for your assistance in the matter. If you should need any additional information, or if I can be of any further assistance, please let me know.

Best regards,



Mark J. Klug
Klug Bros., Inc.

PURCHASING DIVISION
STATE OF WV

2008 APR -4 P 3:43

RECEIVED

STATE OF WEST VIRGINIA
Purchasing Division

PURCHASING AFFIDAVIT

West Virginia Code §5A-3-10a states: 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 the debt owed is an amount greater than one thousand dollars in the aggregate

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.

"Debtor" means any individual, corporation, partnership, association, limited liability company or any other form or business association owing a debt to the state or any of its political subdivisions. "Political subdivision" means any county commission; municipality; county board of education; any instrumentality established by a county or municipality; any separate corporation or instrumentality established by one or more counties or municipalities, as permitted by law; or any public body charged by law with the performance of a government function or whose jurisdiction is coextensive with one or more counties or municipalities. "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 exceed five percent of the total contract amount.

EXCEPTION: The prohibition of this section does not apply where a vendor has contested any tax administered pursuant to chapter eleven of this 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.

LICENSING: Vendors must be licensed and in good standing in accordance with any and all state and local laws and requirements by any state or local agency of West Virginia, including, but not limited to, the West Virginia Secretary of State's Office, the West Virginia Tax Department, West Virginia Insurance Commission, or any other state agencies or political subdivision. Furthermore, the vendor must provide all necessary releases to obtain information to enable the Director or spending unit to verify that the vendor is licensed and in good standing with the above entities.

CONFIDENTIALITY: The vendor agrees that he or she will not disclose to anyone, directly or indirectly, any such personally identifiable information or other confidential information gained from the agency, unless the individual who is the subject of the information consents to the disclosure in writing or the disclosure is made pursuant to the agency's policies, procedures and rules. Vendors should visit www.state.wv.us/admin/purchase/privacy for the Notice of Agency Confidentiality Policies.

Under penalty of law for false swearing (West Virginia Code, §61-5-3), it is hereby certified that the vendor acknowledges the information in this said affidavit and are in compliance with the requirements as stated.

Vendor's Name: Klug Bros., Inc.

Authorized Signature: Mary Klug (Pres.) Date: 3-28-08