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

## Request for Quotation

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PAGE

ADDRESS CORRESPONDENCE TO ATTENTION OF

ADDRESS CHANGES TO BE NOTED ABOVE

MICHAEL AUSTIN 304-558-2402

\*709023500 419-621-1966
P&T PRODUCTS INC
472 INDUSTRIAL PARKWAY
SANDUSKY OH 44870

DIVISION OF HIGHWAYS JOBSITE SEE SPECIFICATIONS

DATE PRINTED TERMS OF SALE SHIP VIA F.O.B. FREIGHT TERMS 08/21/2008 BID OPENING DATE: 09/03/2008 BID OPENING TIME 01:30PM LINE QUANTITY UOP ITEM NUMBER UNIT PRICE AMOUNT 0001 LB 135-38 80,000 ELASTOMERIC JOINT SEALER 50 LB. CARTONS DONG-FIN S Thochload delivel \$10+Deal (#164 ASPHALT HOT LTL 4 van. POURD smidments are FOR THE WV DIVISION OF HIGHWAYS I-81 HEADQUARTERS PENCE vailed MARTINSBURG, WEST VIRGINIA PER THE ATTACHED 3008. SPECIFICATIONS. CONTACT PERSON: JIMMIE KEES @ 304-267-0085 OR 267-0060 24 HRS. IN ADVANCE TO SET UP DELIVERY TIME. cell 304.376.3371 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). APPLICATION IS MADE FOR 2.5% PREFERENCE FOR THE RECEIVED REASON CHECKED: BIDDER IS AN INDIVIDUAL RESIDENT VENDOR AND 2008 SEP - 3 P 12: 25 HAS RESIDED CONTINUOUSLY IN WEST VIRGINIA FOR FOUR (4) YEARS IMMEDIATELY PRECEDING THE DATE OF THIS URCHASING DIVISION CERTIFICATION; OR STATE OF WV BIDDER IS A PARTNERSHIP, ASSOCIATION OR CORPORA-TION RESIDENT VENDOR AND HAS MAINTAINED ITS HEAD-QUARTERS OR PRINCIPAL PLACE OF BUSINESS CONTINUOUSLY IN WEST VIRGINIA FOR FOUR (4) YEARS IMMEDIATELY PRECEDING THIS CERTIFICATION; OR 80% OF THE OWNERSHIP THE DATE OF INTEREST OF BIDDER IS HELD BY ANOTHER INDIVIDUAL,

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

# GENERAL TERMS & CONDITIONS REQUEST FOR QUOTATION (RFQ) AND REQUEST FOR PROPOSAL (RFP)

- 1. Awards will be made in the best interest of the State of West Virginia.
- 2. The State may accept or reject in part, or in whole, any bid.
- 3. All quotations are governed by the West Virginia Code and the Legislative Rules of the Purchasing Division.
- 4. Prior to any award, the apparent successful vendor must be properly registered with the Purchasing Division and have paid the required \$125 fee.
- **5.** All services performed or goods delivered under State Purchase Order/Contracts are to be continued for the term of the Purchase Order/Contracts, contingent upon funds being appropriated by the Legislature or otherwise being made available. In the event funds are not appropriated or otherwise available for these services or goods, this Purchase Order/Contract becomes void and of no effect after June 30.
- 6. Payment may only be made after the delivery and acceptance of goods or services.
- 7. Interest may be paid for late payment in accordance with the West Virginia Code.
- 8. Vendor preference will be granted upon written request in accordance with the West Virginia Code.
- 9. The State of West Virginia is exempt from federal and state taxes and will not pay or reimburse such taxes.
- 10. The Director of Purchasing may cancel any Purchase Order/Contract upon 30 days written notice to the seller.
- 11. The laws of the State of West Virginia and the *Legislative Rules* of the Purchasing Division shall govern all rights and duties under the Contract, including without limitation the validity of this Purchase Order/Contract.
- 12. Any reference to automatic renewal is hereby deleted. The Contract may be renewed only upon mutual written agreement of the parties.
- 13. BANKRUPTCY: In the event the vendor/contractor files for bankruptcy protection, this Contract may be deemed null and void, and terminated without further order.
- 14. HIPAA BUSINESS ASSOCIATE ADDENDUM: The West Virginia State Government HIPAA Business Associate Addendum (BAA), approved by the Attorney General, and available online at the Purchasing Division's web site (http://www.state.wv.us/admin/purchase/vrc/hipaa.htm) is hereby made part of the agreement. Provided that, the Agency meets the definition of a Cover Entity (45 CFR §160.103) and will be disclosing Protected Health Information (45 CFR §160.103) to the vendor.
- 15. WEST VIRGINIA ALCOHOL & DRUG-FREE WORKPLACE ACT: If this Contract constitutes a public improvement construction contract as set forth in Article 1D, Chapter 21 of the West Virginia Code ("The West Virginia Alcohol and Drug-Free Workplace Act"), then the following language shall hereby become part of this Contract: "The contractor and its subcontractors shall implement and maintain a written drug-free workplace policy in compliance with the West Virginia Alcohol and Drug-Free Workplace Act, as set forth in Article 1D, Chapter 21 of the West Virginia Code. The contractor and its subcontractors shall provide a sworn statement in writing, under the penalties of perjury, that they maintain a valid drug-free work place policy in compliance with the West Virginia and Drug-Free Workplace Act. It is understood and agreed that this Contract shall be cancelled by the awarding authority if the Contractor: 1) Fails to implement its drug-free workplace policy; 2) Fails to provide information regarding implementation of the contractor's drug-free workplace policy at the request of the public authority; or 3) Provides to the public authority false information regarding the contractor's drug-free workplace policy."

#### **INSTRUCTIONS TO BIDDERS**

- 1. Use the quotation forms provided by the Purchasing Division.
- 2. SPECIFICATIONS: Items offered must be in compliance with the specifications. Any deviation from the specifications must be clearly indicated by the bidder. Alternates offered by the bidder as EQUAL to the specifications must be clearly defined. A bidder offering an alternate should attach complete specifications and literature to the bid. The Purchasing Division may waive minor deviations to specifications.
- 3. Complete all sections of the quotation form.
- 4. Unit prices shall prevail in case of discrepancy.
- 5. All quotations are considered F.O.B. destination unless alternate shipping terms are clearly identified in the quotation.
- **6. BID SUBMISSION:** All quotations must be delivered by the bidder to the office listed below prior to the date and time of the bid opening. Failure of the bidder to deliver the quotations on time will result in bid disqualifications: Department of Administration, Purchasing Division, 2019 Washington Street East, P.O. Box 50130, Charleston, WV 25305-0130



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

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



VENDOR

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CONTA	CT PERSON (PLEAS	E PRINT CLEARLY):		
****		3	125 ***** TOTAL:	\$43,200.°°
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1. 80,000 LB – ELASTOMERIC JOINT SEALER
50 LB CARTONS \_\_\_\_\_
(#164 ASPHALT HOT POUR)

NOTE: MATERIAL MUST MEET WV DOT SPECIFICATIONS #708.3 THIS MATERIAL SHALL MEET THE REQUIREMENTS OF ASTM D3405

FOR CONCRETE AND ASPHALT PAVEMENTS

FOB: I-81 HEADQUARTERS, MARTINSBURG, WV

DELIVERY CONTACT: JIMMIE KEES (304-267-0085 OR 304-267-0060) 24 HRS IN ADVANCE TO SET UP DELIVERY TIME:

# STATE OF WEST VIRGINIA Purchasing Division

## **PURCHASING AFFIDAVIT**

#### VENDOR OWING A DEBT TO THE STATE:

West Virginia Code §5A-3-10a provides that: 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.

## PUBLIC IMPROVEMENT CONTRACTS & DRUG-FREE WORKPLACE ACT:

West Virginia Code §21-1D-5 provides that: Any solicitation for a public improvement construction contract shall require each vendor that submits a bid for the work to submit at the same time an affidavit that the vendor has a written plan for a drug-free workplace policy in compliance with Article 1D, Chapter 21 of the West Virginia Code. A public improvement construction contract may not be awarded to a vendor who does not have a written plan for a drug-free workplace policy in compliance with Article 1D, Chapter 21 of the West Virginia Code and who has not submitted that plan to the appropriate contracting authority in timely fashion. For a vendor who is a subcontractor, compliance with Section 5, Article 1D, Chapter 21 of the West Virginia Code may take place before their work on the public improvement is begun.

#### **ANTITRUST:**

In submitting a bid to any agency for the state of West Virginia, the bidder offers and agrees that if the bid is accepted the bidder will convey, sell, assign or transfer to the state of West Virginia all rights, title and interest in and to all causes of action it may now or hereafter acquire under the antitrust laws of the United States and the state of West Virginia for price fixing and/or unreasonable restraints of trade relating to the particular commodities or services purchased or acquired by the state of West Virginia. Such assignment shall be made and become effective at the time the purchasing agency tenders the initial payment to the bidder.

I certify that this bid is made without prior understanding, agreement, or connection with any corporation, firm, limited liability company, partnership or person or entity submitting a bid for the same materials, supplies, equipment or services and is in all respects fair and without collusion or fraud. I further certify that I am authorized to sign the certification on behalf of the bidder or this bid.

#### 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 is in compliance with the requirements as stated.

Vendor's Name: P+T Products, Inc.	
Authorized Signature: Donnle Ambley	Date: $8.20.08$
Purchasing Afficiavit (Pevined 07/01/08)	



## **Crack and Joint Sealant Product List**

P & T Products, Inc. manufactures a full line of hot melt crack and joint sealants. Dura-Fill crack sealants are formulated to meet or exceed the various ASTM, AASHTO, and Federal specifications. P & T Products produces sealants which use recycled tire rubber to meet federal, state, and local recycling requirements. In addition, specialty sealants are also manufactured for various applications and equipment preferences.

## **Asphalt Crack Sealants**

These products seal cracks and joints in asphalt or concrete streets and parking lots.

Sealant Name	Climate	Specifications	Description	
Dura-Fill 1190		ASTM-D1190		
Dura-Fill 1190 NR*	Moderate	ASTM-D6690 Type I	Polymer modified blend of	
Dura-Fill 1190 R*		AASHTO-M173	asphalt, oils, and organic	
Dura-Fill 3405		ASTM-D3405,		
Dura-Fill 3405 NR*	Cold	ASTM-D6690 Type II & III AASHTO-M301,	and inorganic fillers.	
Dura-Fill 3405 R*		SS-S-1401C		
Dura-Fill 3405 LM	Very Cold	State Modified ASTM-D3405 ASTM-D6690 Type IV	Polymer modified blend of asphalt, oils, and reinforcing fillers.	
Dura-Fill 520	Hot			
Dura-Fill 420	Moderate	ASTM-D5078	Contains a select blend of asphalt and ground tire rubber.	
Dura-Fill 5078	Cool			

<sup>\*</sup>NR - denotes no recycled tire rubber. R - denotes 18% recycled tire rubber based upon asphaltic components.

## **Specialty Sealants**

These products are designed to meet P & T Products' high quality specifications for use on asphalt or concrete streets, parking lots and driveways.

Sealant Name	Climate	Description
Dura-Fill H.S.	All Climates	Heat stabilized blend of asphalt and polymers designed for direct fired kettles.
Dura-Fill P.L.	An Climates	Designed specifically for parking lots.
Dura-Fill 320 Moderate to H		Polymer modified blend of asphalt, oils and reinforcing fillers.



# DURA-FILL 3405

## Crack and Joint Sealant for Cold Climates

Description: Dura-Fill 3405 is a premium quality crack and joint sealant for portland cement and asphaltic pavements. As an economical and effective preventative maintenance treatment, Dura-Fill 3405 prolongs pavement life by sealing cracks and joints from water penetration, which cause base failure and pot holes. Dura-Fill 3405 is formulated with selected asphaltic resins, synthetic polymeric rubbers, plasticizers, stabilizers, and a blend of organic and inorganic reinforcing fillers. It is a hot applied, one part material that provides excellent results in cold weather and throughout repeated freeze/thaw cycles. It has superior bonding characteristics to both asphalt and cement surfaces. Dura-Fill 3405 offers high resiliency, ductility, and resistance to weathering. Dura-Fill 3405 forms a long-lasting seal which resists tracking in warm temperatures and remains flexible in cold temperatures.

**Recommended Uses: Dura-Fill 3405** is recommended for sealing cracks and joints in portland cement, asphaltic pavements, and parking lots. It is designed to seal expansion and contraction joints, longitudinal and transverse cracks, joints between concrete and asphaltic shoulders, and random cracks.

Surface Preparation: Proper surface preparation facilitates adequate adhesion and consequently the maximum life of the sealant. In order for proper adhesion, the crack/joint must be free of moisture, dust, loose aggregate, and other contaminates. The substrate and air temperatures must be 40°F or above. Sawing, routing, and/or sandblasting are the preferred methods of preparation. Use oil-free compressed air and heat to clean and dry the joint immediately prior to sealing. Cracks/joints should be sized so that the maximum extension and compression do not exceed 50% of the width. Best results are obtained when the cracks/joints are opened at least 1/2 inch wide.

Melting and Application: The melting kettle should be a conventional oil jacketed unit equipped with an agitator and temperature control devices for both the material and heat transfer oil. Carefully insert small quantities of Dura-Fill 3405 and the plastic bag into the melting equipment while the agitator is turned off. Load material slowly to avoid splash back. After the initial load has reached the recommended pouring temperature, fresh material may be added to the melter as sealant is used. Melt only the material that will be used during that day. Purge material remaining in the kettle lines at the end of each sealing operation. The material may be safely reheated and can be applied using a pressure feed wand system or a pour pot.

Note: The temperature of the heat transfer oil should not exceed 525°F. Do not heat **Dura-Fill 3405** above the maximum heating temperature and do not maintain it at that temperature for prolonged periods of time. This could cause the material to gel in the equipment or fail in the cracks/joints. A significant viscosity increase accompanied by stringiness signals the approach of gelation. If this occurs, immediately remove the material from the melter and dispose of it.

#### **Typical Properties:**

Recommended Application Temp	7
Maximum Heating Temp 410°F	7
Maximum Heating Time	
Penetration (150 gr./5 sec)	
Resiliency	
Flow at 140°F	
Bond, -20°F/50% Ext Passes 3 Cycles	;
0°F/100% Ext Passes 3 Cycles	;
Specific Gravity	-
Asphalt Compatibility Compatible	;

Flexible to -20°F

**Rapid Melting** 

Self-Leveling

**Excellent Adhesion** 

Quick Set-Up

**Resists Tracking** 

#### **Specifications**

ASTM-D3405 ASTM-D6690 Type II & III AASHTO-M301 Exceeds ASTM-D1190 ASTM-D6690 Type I AASHTO-M173 Fed. Spec. SS-S-1401

#### Coverage

Width	Depth	Pounds/100 Linear Feet
3/8"	3/8"	6.9
3/8"	1/2"	9.3
1/2"	1/2"	12.3
1/2"	1"	24.7
3/4"	1/2"	18.5
3/4"	3/4"	27.8

## **Packaging**

Dura-Fill 3405 is packaged in 2-30 lb. poly-bags in a 60 lb. high strength corrugated box. Each pallet contains 36 boxes or approximately 2,160 lbs. of Dura-Fill.





## **Material Safety Data Sheet**

Revision 4; May 2003 Page 2

**Section Five: Reactivity Data** 

Stability: Stable	Conditions to Avoid: Do NOT expose fumes from heated product to sources of ignition.
Incompatibility: Strong oxidizing materials	Hazardous Decomposition or Byproducts: Combustion may produce various oxides of carbon. (CO, CO <sub>2</sub> )
Hazardous Polymerization: Will NOT Occur	Conditions to Avoid: None Known

#### Section Six: Health and Hazard Data

Routes of Entry:	Inhalation: Yes, fumes Skin: Yes, hot material Ingestion: Rare	Health Hazards (Acute/Chronic): High fume concentrations may irritate eyes and respiratory tract. Hot product may cause minor to severe burns when contacts skin.
Carcinogenity:	NTP: NO IARC Monographs: No OSHA Regulated: No	Signs and Symptoms of Exposure: Inhalation-irritation, nausea, dizziness, headaches Skin Contact with Solid Product - No Irritation Skin Contact with Hot Product - Burns
Medical Condition Respiratory proble petroleum fumes	ns: ms may be aggravated by	Emergency and First Aid Procedures: Inhalation: Remove to fresh air, assist breathing if necessary Burns: Cool with water, remove with mineral oil/soap/water Get medical help for severe burns

## Section Seven: Precautions for Safe Handling and Use:

Steps to be taken in case material is released or spilled: Permit material to cool to a solid, Cover with earth to reduce adhesiveness, Place in appropriate containers to transport to a waste disposal site

Waste Disposal Method: Burry collected material in approved landfill or burn in approved incinerator; Follow local, state, & federal regulations

Precautions taken in Handling & Storing: Keep pallets intact in storage, Packages of unused material present no known health / safety hazards

**Other Precautions**: Be aware of burn hazards, which are possible if skin contact occurs during use. Avoid inhalation of excessive amounts of fumes, Practice good personal hygiene.

## **Section Eight: Control Measures**

Respiratory Protection: In high fume concentration, NIOSH respirator with organic and mist filter

Ventilation: Local Exhaust to keep fumes below TLV, Mechanical and Specialty Ventilation not generally required

Protective Gloves: To protect hands and arms from hot material

Eye Protection: Safety Goggles

Other Protective Clothing/Equipment: To prevent skin contact with hot material

Work/Hygienic Practices: Use good personal hygiene, wash hands and exposed skin with soap and water

