



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  
**669C0028**

PAGE  
**1**

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

PURCHASER

\*329140930 01 276-646-3804  
 WL CONSTRUCTION & PAVING INC  
 1484 HIGHWAY 107  
 PO DRAWER 927  
 CHILHOWIE VA 24319

SHIP TO

DIVISION OF HIGHWAYS  
 VARIOUS LOCALES AS INDICATED  
 BY ORDER

**WV 041870**

DATE PRINTED <b>02/26/2009</b>	TERMS OF SALE <b>NET 30</b>	SHIP VIA <b>TRUCK</b>	F.O.B. <b>DESTINATION</b>	FREIGHT TERMS <b>NET 30</b>
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BID OPENING DATE: **03/18/2009** 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>OPEN END CONTRACT</p> <p>TO PROVIDE MATERIALS, EQUIPMENT, AND LABOR TO SUPPLY AT THE VENDORS PLANT, HOT MIX ASPHALT TO THE WEST VIRGINIA DIVISION OF HIGHWAYS PER 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>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> <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>						

**RECEIVED**

2009 MAR 18 P 12:26

PURCHASING DIVISION  
 STATE OF WV

SEE REVERSE SIDE FOR TERMS AND CONDITIONS			
SIGNATURE <i>Christopher J. ...</i>	TELEPHONE (540) 662-4008	DATE 3/18/2009	
TITLE <b>VICE PRESIDENT</b>	FEIN <b>54-1069645</b>	ADDRESS CHANGES TO BE NOTED ABOVE	

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

1

**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. 081110 VW
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*. 081110 VW
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."

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**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

24-108801-43

PRESIDENT



State of West Virginia  
 Department of Administration  
 Purchasing Division  
 2019 Washington Street East  
 Post Office Box 50130  
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# Request for Quotation

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

AUZOOE

\*329140930 01 276-646-3804  
 WL CONSTRUCTION & PAVING INC  
 1484 HIGHWAY 107  
 PO DRAWER 927  
 CHILHOWIE VA 24319

SHIP TO

DIVISION OF HIGHWAYS  
 VARIOUS LOCALES AS INDICATED  
 BY ORDER

**WV 041870**

DATE PRINTED	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS
02/26/2009	<b>NET 30</b>	<b>TRUCK</b>	<b>DESTINATION</b>	<b>NET 30</b>

BID OPENING DATE: **03/18/2009** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
<p><b>RENEWAL:</b> 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><b>CANCELLATION:</b> THE DIRECTOR OF PURCHASING RESERVES THE RIGHT TO CANCEL THIS CONTRACT IMMEDIATELY UPON WRITTEN NOTICE TO THE VENDOR IF THE COMMODITIES AND/OR SERVICE SUPPLIED ARE OF AN INFERIOR QUALITY OR DO NOT CONFORM TO THE SPECIFICATIONS OF THE BID AND CONTRACT HEREIN.</p> <p><b>OPEN MARKET CLAUSE:</b> 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><b>QUANTITIES:</b> 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><b>ORDERING PROCEDURE:</b> SPENDING UNIT(S) SHALL ISSUE A 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</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS			
SIGNATURE	TITLE	TELEPHONE	DATE
<i>Christopher J. Gray Sr</i>	<b>VICE PRESIDENT</b>	(540) 662-4008	<b>3/18/2009</b>
FEDERAL ID NUMBER <b>54-1069645</b>		ADDRESS CHANGES TO BE NOTED ABOVE	

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



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 Purchasing Division  
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ADDRESS CORRESPONDENCE TO ATTENTION OF  
**MICHAEL AUSTIN  
 304-558-2402**

VIEW FROM ROAD

**\*329140930 01 276-646-3804  
 WL CONSTRUCTION & PAVING INC  
 1484 HIGHWAY 107  
 PO DRAWER 927  
 CHILHOWIE VA 24319**

SHIP TO

**DIVISION OF HIGHWAYS  
 VARIOUS LOCALES AS INDICATED  
 BY ORDER**

**WV 041870**

*OXFORD WV*

DATE PRINTED <b>02/26/2009</b>	TERMS OF SALE <b>NET 30</b>	SHIP VIA <b>TRUCK</b>	F.O.B. <b>DESTINATION</b>	FREIGHT TERMS <b>NET 30</b>
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BID OPENING DATE: **03/18/2009** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>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 4</p> <p>LOCAL GOVERNMENT BODIES: UNLESS THE VENDOR INDICATES IN THE BID HIS REFUSAL TO EXTEND THE PRICES, TERMS, AND CONDITIONS OF THE BID TO COUNTY, SCHOOL, MUNICIPAL AND OTHER LOCAL GOVERNMENT BODIES, THE BID SHALL EXTEND TO POLITICAL SUBDIVISIONS OF THE STATE OF WEST VIRGINIA. IF THE VENDOR DOES NOT WISH TO EXTEND THE PRICES, TERMS, AND CONDITIONS OF THE BID TO ALL</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE: *Michael Austin* TELEPHONE: (540) 662-4008 DATE: **3/18/2009**

TITLE: **VICE PRESIDENT** FEIN: **54-1069645** ADDRESS CHANGES TO BE NOTED ABOVE

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



State of West Virginia  
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ADDRESS CORRESPONDENCE TO ATTENTION OF
MICHAEL AUSTIN 304-558-2402

PROPERTY

\*329140930 01 276-646-3804  
 WL CONSTRUCTION & PAVING INC  
 1484 HIGHWAY 107  
 PO DRAWER 927  
 CHILHOWIE VA 24319

SHIP TO

DIVISION OF HIGHWAYS  
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DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B	FREIGHT TERMS
02/26/2009	NET 30	TRUCK	DESTINATION	NET 30

BID OPENING DATE: 03/18/2009 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>POLITICAL SUBDIVISIONS OF THE STATE, THE VENDOR MUST CLEARLY INDICATE SUCH REFUSAL IN HIS BID. SUCH REFUSAL SHALL NOT PREJUDICE THE AWARD OF THIS CONTRACT IN ANY MANNER.</p> <p>REV. 3/88</p> <p>EXHIBIT 10</p> <p>REQUISITION NO.: .669C0028...</p> <p>ADDENDUM ACKNOWLEDGEMENT</p> <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 .....</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 THE 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</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
<i>Michael Austin</i>	(540) 662-4008	3/18/2009
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE
VICE PRESIDENT	54-1069645	

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 MICHAEL AUSTIN  
 304-558-2402

VENDOR

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DATE PRINTED 02/26/2009	TERMS OF SALE NET 30	SHIP VIA TRUCK	FOB DESTINATION	FREIGHT TERMS NET 30
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BID OPENING DATE: 03/18/2009 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>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><i>Christopher J. Pugh</i>            SIGNATURE</p> <p>W-L Construction &amp; Paving, Inc.            COMPANY</p> <p>3/18/2009            DATE</p> <p>REV. 11/96</p> <p>NOTICE</p> <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>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS			
SIGNATURE <i>Christopher J. Pugh</i>	TELEPHONE (540) 662-4008	DATE 3/18/2009	
TITLE VICE PRESIDENT	FEIN 54-1069645	ADDRESS CHANGES TO BE NOTED ABOVE	

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**6**

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

AUZ9007

\*329140930 01 276-646-3804  
 WL CONSTRUCTION & PAVING INC  
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BID OPENING DATE: **03/18/2009** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
BUYER:				33		
RFQ. NO.:				669C0028		
BID OPENING DATE:				March 18, 2009		
BID OPENING TIME:				1:30 pm		
PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID:						
				(540) 662-4330		
CONTACT PERSON (PLEASE PRINT CLEARLY):						
				Christopher J. Frey, Sr.		
***** THIS IS THE END OF RFQ 669C0028 ***** TOTAL: _____						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE 	TELEPHONE (540) 662-4008	DATE 3/18/2009
TITLE <b>VICE PRESIDENT</b>	FEIN <b>54-1069645</b>	ADDRESS CHANGES TO BE NOTED ABOVE

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

The Division of Highways may purchase Hot-Mix Asphalt F.O.B. Vendor's plant. The bid price F.O.B. Vendor's plant shall include the loading of Division of Highways', owned or rented, trucks and the furnishing of a coating solution in accordance with Paragraph 401.9.7 of the Specifications by Vendor.

## 2. BIDDING INSTRUCTIONS

Any qualification of bids or any modification of the specifications or conditions governing the bids may be cause to reject bids.

If a Vendor will be supplying materials from more than one plant, the bid prices that apply to each plant shall be clearly indicated in the bid, preferably on separate bid schedules.

## 3. DETERMINING LOW BID

The purpose of this contract is to establish unit prices for Items A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, and V which are to be used as the basis for requisitioning Hot-Mix Asphalt for use on various maintenance and repair projects throughout the District.

State Contract Purchase Orders (SCO's) for individual paving projects will be based on the lowest overall total cost of the pick-up price of material (Items A through E) plus the haul cost (Item G) plus the lay down cost (Item H), plus cleaning & sweeping (Item I), tack material (Item J), mobilization for paving (Items K or L), off season plant opening (Item M), additional heel-in joints (Item N), skip paving surcharge (Item O), mobilization for profiling (Item P), pavement profiling (Item Q), and Traffic Control (Items R, S, & T) as applicable; however, material (Items A through E) may be furnished from any approved production location. Items I, J, K, L, M, N, O, P, Q, R, S, T, U, and V shall be shown on the SCO as a separate pay item when requested by the Engineer.

State Contract Purchase Orders (SCO's) for material to be picked up at the Vendor's plant by the Division of Highways will be based on the lowest unit price of Items A through F and the Division's most economical haul cost from the Vendor's plant to individual job sites. Factors to be considered shall include but not be limited to; bid price of material, haul cost @ \$0.25 for each additional ton-mile, loading and transportation delays, and availability of material.



The distances allowed for haul costs will be over suitable routes selected by the Engineer that provides the lowest total cost to the Division of Highways and shall be measured from the Vendor's plant location to the mid-point of the project. All such chosen routes shall have acceptable load limits for both roads and bridges.

The Division of Highways reserves the right to request any one or combination of items for which bids are received at the lowest overall total as set forth above.

Acceptance of a bid for any one item shall not be dependent upon the acceptance of a bid for any other item or any combination of items. However, Item F shall not be requested except when determined by the Engineer that all other equivalent items of material are not available, then only on a pick-up basis. Also, Item G will only be requested in combination with other quoted items.

Upon receipt of a State Contract Purchase Order (SCO) for lay down of Hot Mix Asphalt or pavement profiling, the Vendor shall advise the Division of Highways, in writing, within five (5) calendar days of their acceptance of the SCO. Failure to acknowledge may result in cancellation of the SCO and re-award to the next lowest bidder.

#### 4. CONTRACT CONDITIONS

Vendors may bid any or all items on the bid schedule. However, the amount bid on any one item may not be conditioned on the acceptance of the bid on any other item or items.

All qualified Vendors who submit a valid bid "F.O.B. Vendor's Plant" will be awarded a Contract for those items bid (see Section 12).

In the event a Contractor fails to conform to the requirements set out in this contract document, the State Contract Purchase Order or the governing specifications, the State Contract Purchase Order may be canceled and reawarded to the next lowest bidder.

The State of West Virginia reserves the right to make multiple awards on this Contract when it is in the best interest of the State to do so.

All labor rates paid by Vendor under Items H, I, J, N, O, Q, R, and T of this contract must be in compliance with the West Virginia Department of Labor Prevailing Rates, Chapter 21-5A, Series 15, 2006.

The Vendor is not authorized to ship, nor is the Division authorized to receive materials prior to the issuance of an "SCO".

5. CONTRACT COMPLETION

All State Contract Purchase Order's (SCO's) for lay down work shall be started within fifteen (15) calendar days of receipt of the "SCO", unless otherwise specified by the Engineer, and be completed within thirty (30) calendar days of the starting date. Liquidated damages will be assessed in accordance with Section 108.7 of the Standard Specifications Roads and Bridges.

6. GENERAL PROVISIONS6.1 Lay down

Lay down as noted in Item H shall be provided by the Vendor as requested by the Division of Highways at projects designated by the Engineer.

6.2 Skip Paving

The Vendor may be required to perform Skip Paving projects at a paving location, provided the distance between the end of one skip and the beginning of the next does not exceed two thousand five hundred (2500) feet. When Skip Paving is requested the Vendor shall be paid the Skip Paving Surcharge, Item O for each ton of final surface course material completed in place on the project. Patching and leveling in preparation for resurfacing of a project shall not be considered Skip Paving.

6.3 Heel-In

Heel-in of joints at the beginning and the end of each paving location, will be performed by the Vendor in accordance with the Resurfacing Heel-In Detail (Figure 1).

Payment for beginning and ending heel-in joints shall be included in the unit price bid for Item H, K or L as appropriate.

Additional Heel-In Joints, Item N, constructed in accordance with the Resurfacing Heel-In Detail (Figure 1) may be required as directed by the Engineer at intersecting roadways, at the beginning and end of each paving skip, and other designated locations. Payment of additional Heel-In Joints shall be paid per lineal foot as measured along the joint, which shall be full payment for complete construction of the joint.

#### 6.4 Cleaning and Sweeping

Cleaning and Sweeping will normally be performed by the Division. However, Cleaning and Sweeping, if provided by the Vendor, shall be performed in accordance with Subsection 401.10.1 of the Standard Specifications. Payment shall be calculated as the paving length times the width swept in accordance with subsection 401.10.1.

#### 6.5 Off Season Plant Opening

If the Vendor is required to open his plant in the off-season to service the needs of the Division, an additional payment will be made under Item M, off-season plant opening. Vendor will be paid additional day charge for each additional consecutive day that the plant is open after the first day to serve the needs of the Division.

If the plant produces no material for any user on any calendar day, either during the week or on the weekend, the Division will pay the first day rate for off-season plant opening on the next day of Division usage. Payment for this item is subject to the following conditions:

6.5.1 Payment for Item M can only be authorized and made during the winter months, i.e., between December 15 and March 15, and then only if the plant would not have otherwise been open.

These dates may be revised by the State Highway Engineer, if necessary, to meet specific needs in the field. Any such revision of dates will be in writing and shall be attached to the Vendor's invoice at the time payment is requested.

6.5.2 Payment will always be made in the full contract bid price amount for first day of plant opening. However, the amount paid from each additional day of plant opening will be reduced as follows:

a. Payment for additional day charge will not be made if the plant has produced over 500 tons on that particular day. If between 300 and 500 tons have been produced, payment for additional day charge will be made equal to one-half of the amount bid for additional day charge. The quantity produced to make this determination shall include all material produced that day, which includes tonnage bought by the State, the various local governments, and all private work.

b. The State will only pay its share of the amount determined to be due for additional day charge in paragraph 6.5.2a above. For example, if the plant produces 375 tons and the Division takes 150 tons of the total, in this illustration 40% of the plant's daily production, payment for additional day charge would be calculated as follows: Since the total daily production is between 300 and 500 tons, the Vendor is due one-half (50%) of the additional day charge in accordance with paragraph 6.5.2a. Because the Division's share of this daily production is 40%, the Division would pay 40% of one-half of the additional day charge, or in this case, 20% of the additional day charge.

6.5.3 In order to be paid for additional day charge, a certified statement shall accompany the invoice stating the total quantity produced on that day. If payment for additional day of plant opening is not made due to tonnage produced, the next consecutive day of plant operation, if any, will only qualify for payment at the additional day rate, not the first day rate for plant opening.

#### 6.6 Pavement Profiling (Milling)

##### 6.6.1 Description of Work:

This work shall consist of profiling the existing pavement to the specified grade and cross slope by grinding, planing or milling. The profiling equipment shall be capable of accurately establishing profile grades (1/4 inch plus or minus) along each edge of the machine by reference from the existing pavement by use of ski or matching shoe or by reference to independent grade control. The equipment shall have an automatic system for controlling grade and cross slope. The Vendor shall provide adequate manpower and auxiliary equipment to control dust and remove cutting from the project site. Stockpiling of cuttings on the project site will not be permitted. All cuttings shall become the property of the Vendor. The Vendor shall be responsible for damage to drainage facilities, manholes or other appurtenances within the pavement area.

#### 6.6.2 Method of Measurement:

6.6.2.1 Mobilization for Profiling: The work shall consist of preparatory operations including movement of necessary personnel and equipment onto the project site to begin the profiling work. Only one Mobilization for Profiling per State Contract Order (SCO) shall be paid when Pavement Profiling (Milling) is required.

6.6.2.2 Pavement Profiling (Milling): "Pavement Profiling (Milling)" shall be measured as the total number of square yards planed or ground to a depth not exceeding two (2) inches. Should the required removal depth exceed two (2) inches additional quantities shall be measured for each additional two (2) inch increment.

6.6.2.3 Haul of Profiled Cuttings: Hauling of cuttings from project site to the Vendor's nearest production facility shall be paid under Item G "Haul by Vendor", and weighted on truck scales in accordance with Section 401.9.3 of the West Virginia Department of Transportation, Division of Highways' Standard Specifications Roads and Bridges, Adopted 2000 as modified by the current Supplemental Specifications.

#### 6.7 Maintenance of Traffic

Maintenance of Traffic: Traffic Control and Temporary Pavement Marking Paint may be furnished by DOH. When Items R, S, T, U, and V are requested, traffic shall be maintained by the Vendor in accordance with Section 636 of the West Virginia Division of Highways Standard Specifications Roads and Bridges, Adopted 2000 as modified by the current Supplemental Specifications.

The project, while undergoing improvement, shall be kept open to traffic in such condition that both local and through traffic will be adequately and safely accommodated. All construction operations shall be scheduled by the Contractor to keep traffic delay to a minimum.

#### 6.8 PRICE ADJUSTMENT OF ASPHALT CEMENT

Due to the uncertainty in estimating the costs of petroleum products that will be used during the life of this Contract, adjustment in compensation for contract Items A, B, C, D, E and F is provided for as follows:

The contract price for the items listed above will be adjusted in accordance with the Division of Highways index for asphalt cement. This index will be the average of the posted prices of asphalt cement per ton as reported from the following sources:

Marathon Ashland Petroleum, LLC, Catlettsburg, Kentucky  
Asphalt Materials, Marietta, Ohio  
Marathon Ashland Petroleum, LLC, Floreffe, Pennsylvania  
Citgo Asphalt Refining Co., Baltimore, Maryland  
Citgo, Incorporated, Bristol, Virginia  
Koch, Baltimore Maryland.

The bidding index ( $I_b$ ) as determined above is the index price for the first working day of the month in which the bids are opened. The price adjustment for the specified material at the time of purchase will be based on an index price determined by averaging the posted prices reported by the sources listed above for the first working day of the month in which the material is purchased. If one of the sources listed above changes ownership and/or name the posted price from that terminal will continue in use as though the ownership and/or name change had not occurred.

If one of the sources used for determining the index goes out of business the index in the proposal  $I_b$  and the index at the time of purchase  $I_p$  will be based on the average of the remaining sources. Thus,  $I_b$  could be based on an average of 5 sources and the  $I_p$  on the average of 4 sources or vice versa. If a source that goes out of business reopens at a later date the index determined will once again be based on 5 sources as per the previous paragraph

The posted price for each source will be compared to the average of all sources. If the difference between the average and the individual price is greater than 25% of the average, that individual source will be excluded from the calculation of the average price  $I_b$  or  $I_p$  and a new average will be calculated using the remaining sources.

When the ratio of the price index at purchase ( $I_p$ ) divided by the price index at bidding ( $I_b$ ) is less than 0.90 or greater than 1.10, the portion of the contract unit price which reflects the cost of the specified material will be adjusted for the change in accordance with the following formula:

$$AUP = CAP + [(I_p \div I_b) - 1.0] \times C$$

where

AUP = Adjusted Unit Price  
 CAP = Contract Award Price  
 $I_b$  = Price Index at Time of Bid Opening  
 $I_p$  = Price Index at time of Purchase  
 C = Adjustment Factor for Contract Item

The Adjustment Factor (C) for Contract Items A, B, C, D, E and F shall be calculated as follows:

$$C = AC \times I_b$$

where

AC = Statewide Average Asphalt Cement Content for The Materials Listed Under Items A, B, C, D, E and F.

The average asphalt cement content for use in the above formula is as follows:

<u>Item</u>	<u>Asphalt Content (AC)</u>
A	3.9%
B	4.8%
C	5.9%
D	7.5%
E	5.9%
F	See Below

The asphalt cement content used for Item F shall be that specified above for the similar materials in Item A through D.

#### 6.9 PRICE ADJUSTMENT OF FUEL OIL NO. 2 (DIESEL FUEL)

Because of the uncertainty in estimating the cost of diesel fuel that will be used during the life of this contract, adjustment in compensation for contract Items A, B, C, D, E, and F is provided for as follows:

Product price quotations for Fuel Oil No. 2 (diesel fuel) as published by the Oil Price Information Service (OPIS) will be utilized to establish the contract base price as well as the monthly base price thereafter. These prices will be the average of the individual prices for the following locations:

Charleston, West Virginia  
Ashland, Kentucky  
Pittsburgh, Pennsylvania  
Roanoke, Virginia  
Marietta, Ohio

The initial contract base price will be based on the Fuel Index as published on the WVDOT Internet, Contractor Resources Center for the month immediately preceding the bid of this contract. The initial contract base price will be used for the first quarter (3 months) period of this contract. Thereafter, the OPIS Fuel Oil No. 2 prices as published monthly on the WV DOT Internet, Contractor Resource Center for the prior three months will be averaged and used for the quarterly base price each quarter.

The contract base price (Cbp) and the quarterly base price (Qbp) may be found posted at the Division's Internet website [www.wvdot.com](http://www.wvdot.com) by selecting the 'Contractors' link under 'Doing Business' and then by choosing the 'Fuel and Asphalt Prices' option from the 'Contractors Resource Center' drop down menu.

The portion of the contract unit price which reflects the cost of the specified material will be adjusted for the change in accordance with the following formulae:

$$Pa = [(Qbp + Cbp) - 1.00] \times Cbp \times C \times Q$$

Where:

Pa = Price Adjustment  
Qbp = Quarterly Base Price at time of placement  
Cbp = Contract Base Price at time of bidding  
C = Cost Adjustment Factors per Unit of Contract Item  
Bid as outlined in chart below  
Q = Quantity

Adjustments in bid price for any period may be either plus or minus. If (Qbp) is greater than (Cbp), the adjustment will be plus. If (Cbp) is greater than (Qbp), the adjustment will be minus.

The adjustment in compensation for diesel fuel used for the listed items will be made on the separate items on the basis of the average diesel fuel requirements for processing a unit of the item as shown in the table below.



The gallons (liters) of diesel fuel for price adjustment will be determined by multiplying the usage factors listed in the table below by the amount of acceptable work performed.

All adjustments will be made based on the gallons (liters) of diesel fuel indicated in the table below and no changes will be made for variations between these usage factors and the actual factors.

**COST ADJUSTMENT FACTORS FOR DIESEL FUEL USAGE**

	UNITS	FACTOR
Items A, B, C, D, E, and F	Gallons per ton (Liters per megagram)	1.06 (4.43)

7. MOBILIZATION FOR PAVING LIMITS

Mobilization for Paving, Items K and L will be paid when Vendor is required to place lay down quantities (Item H) under 500 tons. In addition, nighttime mobilization for paving, Item L, will only be paid when Vendor is directed by the Engineer to perform lay down at night.

Only one mobilization for paving per day of operation will be paid, unless moves of over five miles between individual paving locations are required. In cases where a Vendor is required to move from one roadway to the adjacent roadway of a divided highway, additional mobilization for paving will only be paid if the nearest interchange or crossing point that will accommodate the Vendor's equipment is over five miles from the paving locations. (This provision may require roundtrip moves of up to 10 miles with no additional mobilization for paving payment).

At an individual paving location where the Vendor is required to place quantities of less than 500 tons on successive days and/or nights, mobilization for paving will only be paid for the initial day's and/or night's operation.

An individual paving location shall be defined as a paving job where no skips exceeding two thousand five hundred (2500) feet are involved, except between the approach slabs of a bridge or parallel pair of bridges.

8. WEIGHING MATERIALS DELIVERED BY TRUCK

Material delivered by truck shall be weighed in accordance with Section 401.9.3 of the West Virginia Department of Transportation, Division of Highways' Standard Specifications Roads and Bridges, Adopted 2000 as modified by the current Supplemental Specifications.

9. ACCEPTANCE PLAN

Quality control shall be the responsibility of the Vendor and meet the requirements of MP 401.03.50.

Acceptance testing shall be the responsibility of the Division.

Quality assurance of the material shall be as set forth in MP 401.02.23.

Sampling frequencies shall be in accordance with Section 6.2 of MP 401.02.23 or Section 4.1 and 4.2 of MP 700.00.52.

10. SUPPLYING OTHER ORGANIZATION ENTITIES

County Courts, Municipalities, School Boards, and other political subdivision and governmental entities, etc., may have a need for these materials, and Vendors may wish to supply that need.

Accordingly, bidders may wish to extend their contract prices to these other entities. If the bidder wishes to supply these other entities, but with prices different from quoted for the Division of Highways, the bidder shall include a set of bid schedules clearly and unambiguously marked for the express use of entities other than the Division of Highways. Failure by the bidder to include a set of bid schedules for other entities will be taken to mean that the bid schedules extended to the Division of Highways will also be extended to these other entities.

In the event any Vendor does not wish to extend the prices, terms and conditions of his bid and subsequent contract to other entities of the State, he must so indicate in a clear and unambiguous manner in his bid. This indication does not prejudice the award of the contract. If a Vendor does not indicate his refusal to extend the prices, terms and conditions of his bid to other entities of the State, he is bound to extend them upon issuance of a purchase order by these other entities.

Other organizational entities using this provision of the contract shall do so without any involvement of the Division of Highways. That is, the entity shall make its own purchase arrangements with the Vendor and shall make its own arrangement for payment.

11. VENDOR'S INVOICES

Separate invoices must be submitted for Items "A" through "F" and for Items "G" through "V".

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Vendor's invoices must be submitted in original and one copy and contain the following:

- a. All weigh ticket numbers for material delivered and cuttings hauled during the invoicing period.
- b. Division of Highways' State Contract Purchase Order (SCO) number, and this contract number.
- c. Total quantity and unit price with the total cost of each type of material furnished.
- d. Vendors shall show all weigh ticket numbers on their individual invoices.
- e. No payment will be made to a Contractor for Item K or L unless he performs the lay down operation and the quantity involved is less than 201 tons.

Under no circumstance will the West Virginia Division of Highways accept, or pay for, quantities of material in excess of the quantity stated on the State Contract Purchase Order.

## DISTRICT ONE

### 12. BID SCHEDULE

- Item A - Hot-Mix Asphalt  
Base I  
F.O.B. Vendor Plant @ NO BID  
per ton
- Item B - Hot-Mix Asphalt  
Base II (Patch & Level),  
or Wearing IV  
F.O.B. Vendor Plant @ NO BID  
per ton
- Item C - Hot-Mix Asphalt  
Wearing I (Scratch)  
F.O.B. Vendor Plant @ NO BID  
per ton
- Item D - Hot-Mix Asphalt  
Wearing III  
F.O.B. Vendor Plant @ NO BID  
per ton

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.

- Item E - Hot-Mix Asphalt  
Skid Resistant Pavement  
F.O.B. Vendor Plant @ NO BID  
per ton

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.

- Item F - Hot-Mix Asphalt  
Plant Run  
F.O.B. Vendor Plant @ NO BID  
per ton

- Item G - Haul by Vendor  
@ NO BID for first ton mile and  
@ NO BID for each additional mile

- Item H - Lay down of Materials  
Items A thru E, Each Site  
0 to 100 tons @ NO BID per ton  
101 to 200 tons @ NO BID per ton  
201 to 500 tons @ NO BID per ton  
501 and up @ NO BID per ton

## DISTRICT ONE

### 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  
@ NO BID per sq. yd.

Item J - Bituminous Material for Tack Coat  
or Prime  
All Types @ NO BID per gallon

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

Item K - Daytime Paving Mobilization - A Mobilization for Paving Charge of \$ NO BID 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 \$ NO BID 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  
@ NO BID for first day  
@ NO BID for each additional day

Item N - Additional Heel-In Joints  
@ NO BID per lineal foot

Item O - Skip Paving Surcharge  
@ NO BID per ton

Item P - Mobilization for Profiling  
@ NO BID per SCO

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

Less than 250	@	<u>NO BID</u>	per Sq. Yd.
250 less than 500	@	<u>NO BID</u>	per Sq. Yd.
500 less than 1000	@	<u>NO BID</u>	per Sq. Yd.
1000 less than 2500	@	<u>NO BID</u>	per Sq. Yd.
2500 less than 5000	@	<u>NO BID</u>	per Sq. Yd.
5000 and greater	@	<u>NO BID</u>	per Sq. Yd.

Item R - Pilot Truck and Driver  
@ NO BID per day

## DISTRICT ONE

12. BID SCHEDULE (Continued)

Item S - Traffic Control Devices  
@ NO BID per Unit

Item T - Flagger  
@ NO BID per Hour

Item U - Arrow Board  
@ NO BID per Day

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Item V - Rumble Strips  
@ NO BID per LF

Vendor's Plant Location NO BID

## DISTRICT TWO

### 12. BID SCHEDULE (Continued)

Item A - Hot-Mix Asphalt  
Base I  
F.O.B. Vendor Plant @ NO BID  
per ton

Item B - Hot-Mix Asphalt  
Base II (Patch & Level),  
or Wearing IV  
F.O.B. Vendor Plant @ NO BID  
per ton

Item C - Hot-Mix Asphalt  
Wearing I (Scratch)  
F.O.B. Vendor Plant @ NO BID  
per ton

Item D - Hot-Mix Asphalt  
Wearing III  
F.O.B. Vendor Plant @ NO BID  
per ton

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.

Item E - Hot-Mix Asphalt  
Skid Resistant Pavement  
F.O.B. Vendor Plant @ NO BID  
per ton

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.

Item F - Hot-Mix Asphalt  
Plant Run  
F.O.B. Vendor Plant @ NO BID  
per ton

Item G - Haul by Vendor  
@ NO BID for first ton mile and  
@ NO BID for each additional mile

Item H - Lay down of Materials  
Items A thru E, Each Site  
0 to 100 tons @ NO BID per ton  
101 to 200 tons @ NO BID per ton  
201 to 500 tons @ NO BID per ton  
501 and up @ NO BID per ton

## DISTRICT TWO

### 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  
@ NO BID per sq. yd.

Item J - Bituminous Material for Tack Coat or Prime  
All Types @ NO BID 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 \$ NO BID 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 \$ NO BID 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  
@ NO BID for first day  
@ NO BID for each additional day

Item N - Additional Heel-In Joints  
@ NO BID per lineal foot

Item O - Skip Paving Surcharge  
@ NO BID per ton

Item P - Mobilization for Profiling  
@ NO BID per SCO

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

Less than 250	@	<u>NO BID</u>	per Sq. Yd.
250 less than 500	@	<u>NO BID</u>	per Sq. Yd.
500 less than 1000	@	<u>NO BID</u>	per Sq. Yd.
1000 less than 2500	@	<u>NO BID</u>	per Sq. Yd.
2500 less than 5000	@	<u>NO BID</u>	per Sq. Yd.
5000 and greater	@	<u>NO BID</u>	per Sq. Yd.

Item R - Pilot Truck and Driver  
@ NO BID per day



DISTRICT TWO

12. BID SCHEDULE (Continued)

Item S - Traffic Control Devices  
@ NO BID per Unit

Item T - Flagger  
@ NO BID per Hour

Item U - Arrow Board  
@ NO BID per Day

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Item V - Rumble Strips  
@ NO BID per LF

Vendor's Plant Location NO BID

### DISTRICT THREE

#### 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  
@ NO BID per sq. yd.

Item J - Bituminous Material for Tack Coat or Prime  
All Types @ NO BID 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 \$ NO BID 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 \$ NO BID 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  
@ NO BID for first day  
@ NO BID for each additional day

Item N - Additional Heel-In Joints  
@ NO BID per lineal foot

Item O - Skip Paving Surcharge  
@ NO BID per ton

Item P - Mobilization for Profiling  
@ NO BID per SCO

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

Less than 250	@	<u>NO BID</u>	per Sq. Yd.
250 less than 500	@	<u>NO BID</u>	per Sq. Yd.
500 less than 1000	@	<u>NO BID</u>	per Sq. Yd.
1000 less than 2500	@	<u>NO BID</u>	per Sq. Yd.
2500 less than 5000	@	<u>NO BID</u>	per Sq. Yd.
5000 and greater	@	<u>NO BID</u>	per Sq. Yd.

Item R - Pilot Truck and Driver  
@ NO BID per day

**DISTRICT THREE**12. BID SCHEDULE (Continued)

Item S - Traffic Control Devices  
@ NO BID per Unit

Item T - Flagger  
@ NO BID per Hour

Item U - Arrow Board  
@ NO BID per Day

Item V - Rumble Strips  
@ NO BID per LF

Vendor's Plant Location NO BID

## DISTRICT FOUR

### 12. BID SCHEDULE (Continued)

- Item A - Hot-Mix Asphalt  
Base I  
F.O.B. Vendor Plant @ NO BID  
per ton
- Item B - Hot-Mix Asphalt  
Base II (Patch & Level),  
or Wearing IV  
F.O.B. Vendor Plant @ NO BID  
per ton
- Item C - Hot-Mix Asphalt  
Wearing I (Scratch)  
F.O.B. Vendor Plant @ NO BID  
per ton
- Item D - Hot-Mix Asphalt  
Wearing III  
F.O.B. Vendor Plant @ NO BID  
per ton

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.

- Item E - Hot-Mix Asphalt  
Skid Resistant Pavement  
F.O.B. Vendor Plant @ NO BID  
per ton

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.

- Item F - Hot-Mix Asphalt  
Plant Run  
F.O.B. Vendor Plant @ NO BID  
per ton
- Item G - Haul by Vendor  
@ NO BID for first ton mile and  
@ NO BID for each additional mile
- Item H - Lay down of Materials  
Items A thru E, Each Site  
0 to 100 tons @ NO BID per ton  
101 to 200 tons @ NO BID per ton  
201 to 500 tons @ NO BID per ton  
501 and up @ NO BID per ton

## DISTRICT FOUR

### 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  
@ NO BID per sq. yd.

Item J - Bituminous Material for Tack Coat or Prime  
All Types @ NO BID 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 \$ NO BID 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 \$ NO BID 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  
@ NO BID for first day  
@ NO BID for each additional day

Item N - Additional Heel-In Joints  
@ NO BID per lineal foot

Item O - Skip Paving Surcharge  
@ NO BID per ton

Item P - Mobilization for Profiling  
@ NO BID per SCO

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

Less than 250	@	<u>NO BID</u>	per Sq. Yd.
250 less than 500	@	<u>NO BID</u>	per Sq. Yd.
500 less than 1000	@	<u>NO BID</u>	per Sq. Yd.
1000 less than 2500	@	<u>NO BID</u>	per Sq. Yd.
2500 less than 5000	@	<u>NO BID</u>	per Sq. Yd.
5000 and greater	@	<u>NO BID</u>	per Sq. Yd.

Item R - Pilot Truck and Driver  
@ NO BID per day

## DISTRICT FOUR

12. BID SCHEDULE (Continued)

Item S - Traffic Control Devices  
@ NO BID per Unit

Item T - Flagger  
@ NO BID per Hour

Item U - Arrow Board  
@ NO BID per Day

Item V - Rumble Strips  
@ NO BID per LF

Vendor's Plant Location NO BID

## DISTRICT FIVE

### 12. BID SCHEDULE (Continued)

<u>Item A</u>	- Hot-Mix Asphalt Base I F.O.B. Vendor Plant per ton	@ <u>46.00</u>
<u>Item B</u>	- Hot-Mix Asphalt Base II (Patch & Level), or Wearing IV F.O.B. Vendor Plant per ton	@ <u>52.00</u>
<u>Item C</u>	- Hot-Mix Asphalt Wearing I (Scratch) F.O.B. Vendor Plant per ton	@ <u>57.00</u>
<u>Item D</u>	- Hot-Mix Asphalt Wearing III F.O.B. Vendor Plant per ton	@ <u>64.00</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>63.00</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>57.00</u>
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<u>Item G</u>	- Haul by Vendor	
	@ <u>1.50</u>	for first ton mile and
	@ <u>0.20</u>	for each additional mile

<u>Item H</u>	- Lay down of Materials Items A thru E, Each Site	
	0 to 100 tons @ <u>60.00</u>	per ton
	101 to 200 tons @ <u>40.00</u>	per ton
	201 to 500 tons @ <u>18.00</u>	per ton
	501 and up @ <u>9.00</u>	per ton

## DISTRICT FIVE

### 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  
@ .01 per sq. yd.

Item J - Bituminous Material for Tack Coat or Prime  
All Types @ 2.00 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 \$ 700.00 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 \$ 1,500.00 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  
@ 2,500.00 for first day  
@ 600.00 for each additional day

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

Item O - Skip Paving Surcharge  
@ 5.00 per ton

Item P - Mobilization for Profiling  
@ 2,500.00 per SCO

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

Less than 250	@	<u>30.00</u>	per Sq. Yd.
250 less than 500	@	<u>20.00</u>	per Sq. Yd.
500 less than 1000	@	<u>15.00</u>	per Sq. Yd.
1000 less than 2500	@	<u>8.00</u>	per Sq. Yd.
2500 less than 5000	@	<u>4.00</u>	per Sq. Yd.
5000 and greater	@	<u>2.75</u>	per Sq. Yd.

Item R - Pilot Truck and Driver  
@ 700.00 per day



## DISTRICT FIVE

12. BID SCHEDULE (Continued)

Item S - Traffic Control Devices  
@ 1.75 per Unit

Item T - Flagger  
@ 55.00 per Hour

Item U - Arrow Board  
@ 25.00 per Day

Item V - Rumble Strips  
@ 3.00 per LF

Vendor's Plant Location 1 MILE EAST OF RT 11 ON BRUCETOWN RD.  
W-L CONSTRUCTION & PAVING, INC.  
PLANT 311 RT 672 BRUCETOWN ROAD  
CLEARBROOK, VA 22625

## DISTRICT SIX

### 12. BID SCHEDULE (Continued)

Item A - Hot-Mix Asphalt  
Base I  
F.O.B. Vendor Plant @ NO BID  
per ton

Item B - Hot-Mix Asphalt  
Base II (Patch & Level),  
or Wearing IV  
F.O.B. Vendor Plant @ NO BID  
per ton

Item C - Hot-Mix Asphalt  
Wearing I (Scratch)  
F.O.B. Vendor Plant @ NO BID  
per ton

Item D - Hot-Mix Asphalt  
Wearing III  
F.O.B. Vendor Plant @ NO BID  
per ton

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.

Item E - Hot-Mix Asphalt  
Skid Resistant Pavement  
F.O.B. Vendor Plant @ NO BID  
per ton

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.

Item F - Hot-Mix Asphalt  
Plant Run  
F.O.B. Vendor Plant @ NO BID  
per ton

Item G - Haul by Vendor  
@ NO BID for first ton mile and  
@ NO BID for each additional mile

Item H - Lay down of Materials  
Items A thru E, Each Site  
0 to 100 tons @ NO BID per ton  
101 to 200 tons @ NO BID per ton  
201 to 500 tons @ NO BID per ton  
501 and up @ NO BID 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  
@ NO BID per sq. yd.

Item J - Bituminous Material for Tack Coat  
or Prime  
All Types @ NO BID 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 \$ NO BID 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 \$ NO BID 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  
@ NO BID for first day  
@ NO BID for each additional day

Item N - Additional Heel-In Joints  
@ NO BID per lineal foot

Item O - Skip Paving Surcharge  
@ NO BID per ton

Item P - Mobilization for Profiling  
@ NO BID per SCO

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

Less than 250	@	<u>NO BID</u>	per Sq. Yd.
250 less than 500	@	<u>NO BID</u>	per Sq. Yd.
500 less than 1000	@	<u>NO BID</u>	per Sq. Yd.
1000 less than 2500	@	<u>NO BID</u>	per Sq. Yd.
2500 less than 5000	@	<u>NO BID</u>	per Sq. Yd.
5000 and greater	@	<u>NO BID</u>	per Sq. Yd.

Item R - Pilot Truck and Driver  
@ NO BID per day

DISTRICT SIX

12. BID SCHEDULE (Continued)

Item S - Traffic Control Devices  
@ NO BID per Unit

Item T - Flagger  
@ NO BID per Hour

Item U - Arrow Board  
@ NO BID per Day

Item V - Rumble Strips  
@ NO BID per LF

Vendor's Plant Location NO BID

**DISTRICT SEVEN**

12. BID SCHEDULE (Continued)

- Item A - Hot-Mix Asphalt  
 Base I  
 F.O.B. Vendor Plant @ NO BID  
 per ton
- Item B - Hot-Mix Asphalt  
 Base II (Patch & Level),  
 or Wearing IV  
 F.O.B. Vendor Plant @ NO BID  
 per ton
- Item C - Hot-Mix Asphalt  
 Wearing I (Scratch)  
 F.O.B. Vendor Plant @ NO BID  
 per ton
- Item D - Hot-Mix Asphalt  
 Wearing III  
 F.O.B. Vendor Plant @ NO BID  
 per ton

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.

- Item E - Hot-Mix Asphalt  
 Skid Resistant Pavement  
 F.O.B. Vendor Plant @ NO BID  
 per ton

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.

- Item F - Hot-Mix Asphalt  
 Plant Run  
 F.O.B. Vendor Plant @ NO BID  
 per ton

- Item G - Haul by Vendor  
 @ NO BID for first ton mile and  
 @ NO BID for each additional mile

- Item H - Lay down of Materials  
 Items A thru E, Each Site

0 to 100 tons	@	<u>NO BID</u>	per ton
101 to 200 tons	@	<u>NO BID</u>	per ton
201 to 500 tons	@	<u>NO BID</u>	per ton
501 and up	@	<u>NO BID</u>	per ton



## DISTRICT SEVEN

12. BID SCHEDULE (Continued)

Item S - Traffic Control Devices  
@ NO BID per Unit

Item T - Flagger  
@ NO BID per Hour

Item U - Arrow Board  
@ NO BID per Day

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Item V - Rumble Strips  
@ NO BID per LF

Vendor's Plant Location NO BID

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## DISTRICT EIGHT

### 12. BID SCHEDULE (Continued)

- Item A - Hot-Mix Asphalt  
Base I  
F.O.B. Vendor Plant @ NO BID  
per ton
- Item B - Hot-Mix Asphalt  
Base II (Patch & Level),  
or Wearing IV  
F.O.B. Vendor Plant @ NO BID  
per ton
- Item C - Hot-Mix Asphalt  
Wearing I (Scratch)  
F.O.B. Vendor Plant @ NO BID  
per ton
- Item D - Hot-Mix Asphalt  
Wearing III  
F.O.B. Vendor Plant @ NO BID  
per ton

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.

- Item E - Hot-Mix Asphalt  
Skid Resistant Pavement  
F.O.B. Vendor Plant @ NO BID  
per ton

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.

- Item F - Hot-Mix Asphalt  
Plant Run  
F.O.B. Vendor Plant @ NO BID  
per ton
- Item G - Haul by Vendor  
@ NO BID for first ton mile and  
@ NO BID for each additional mile
- Item H - Lay down of Materials  
Items A thru E, Each Site  
0 to 100 tons @ NO BID per ton  
101 to 200 tons @ NO BID per ton  
201 to 500 tons @ NO BID per ton  
501 and up @ NO BID per ton





**DISTRICT EIGHT**

12. BID SCHEDULE (Continued)

Item S - Traffic Control Devices  
          @ NO BID per Unit

Item T - Flagger  
          @ NO BID per Hour

Item U - Arrow Board  
          @ NO BID per Day

Item V - Rumble Strips  
          @ NO BID per LF

Vendor's Plant Location NO BID

## DISTRICT NINE

### 12. BID SCHEDULE (Continued)

- Item A - Hot-Mix Asphalt  
Base I  
F.O.B. Vendor Plant @ NO BID  
per ton
- Item B - Hot-Mix Asphalt  
Base II (Patch & Level),  
or Wearing IV  
F.O.B. Vendor Plant @ NO BID  
per ton
- Item C - Hot-Mix Asphalt  
Wearing I (Scratch)  
F.O.B. Vendor Plant @ NO BID  
per ton
- Item D - Hot-Mix Asphalt  
Wearing III  
F.O.B. Vendor Plant @ NO BID  
per ton

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.

- Item E - Hot-Mix Asphalt  
Skid Resistant Pavement  
F.O.B. Vendor Plant @ NO BID  
per ton

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.

- Item F - Hot-Mix Asphalt  
Plant Run  
F.O.B. Vendor Plant @ NO BID  
per ton
- Item G - Haul by Vendor  
@ NO BID for first ton mile and  
@ NO BID for each additional mile
- Item H - Lay down of Materials  
Items A thru E, Each Site  
0 to 100 tons @ NO BID per ton  
101 to 200 tons @ NO BID per ton  
201 to 500 tons @ NO BID per ton  
501 and up @ NO BID per ton

## DISTRICT NINE

### 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  
@ NO BID per sq. yd.

Item J - Bituminous Material for Tack Coat or Prime  
All Types @ NO BID 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 \$ NO BID 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 \$ NO BID 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  
@ NO BID for first day  
@ NO BID for each additional day

Item N - Additional Heel-In Joints  
@ NO BID per lineal foot

Item O - Skip Paving Surcharge  
@ NO BID per ton

Item P - Mobilization for Profiling  
@ NO BID per SCO

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

Less than 250	@	<u>NO BID</u>	per Sq. Yd.
250 less than 500	@	<u>NO BID</u>	per Sq. Yd.
500 less than 1000	@	<u>NO BID</u>	per Sq. Yd.
1000 less than 2500	@	<u>NO BID</u>	per Sq. Yd.
2500 less than 5000	@	<u>NO BID</u>	per Sq. Yd.
5000 and greater	@	<u>NO BID</u>	per Sq. Yd.

Item R - Pilot Truck and Driver  
@ NO BID per day

**DISTRICT NINE**12. BID SCHEDULE (Continued)

Item S - Traffic Control Devices  
@ NO BID per Unit

Item T - Flagger  
@ NO BID per Hour

Item U - Arrow Board  
@ NO BID per Day

Item V - Rumble Strips  
@ NO BID per LF

Vendor's Plant Location NO BID

## DISTRICT TEN

### 12. BID SCHEDULE (Continued)

- Item A - Hot-Mix Asphalt  
Base I  
F.O.B. Vendor Plant @ NO BID  
per ton
- Item B - Hot-Mix Asphalt  
Base II (Patch & Level),  
or Wearing IV  
F.O.B. Vendor Plant @ NO BID  
per ton
- Item C - Hot-Mix Asphalt  
Wearing I (Scratch)  
F.O.B. Vendor Plant @ NO BID  
per ton
- Item D - Hot-Mix Asphalt  
Wearing III  
F.O.B. Vendor Plant @ NO BID  
per ton

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.

- Item E - Hot-Mix Asphalt  
Skid Resistant Pavement  
F.O.B. Vendor Plant @ NO BID  
per ton

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.

- Item F - Hot-Mix Asphalt  
Plant Run  
F.O.B. Vendor Plant @ NO BID  
per ton

- Item G - Haul by Vendor  
@ NO BID for first ton mile and  
@ NO BID for each additional mile

- Item H - Lay down of Materials  
Items A thru E, Each Site  
0 to 100 tons @ NO BID per ton  
101 to 200 tons @ NO BID per ton  
201 to 500 tons @ NO BID per ton  
501 and up @ NO BID per ton

## DISTRICT TEN

### 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  
                   @ NO BID per sq. yd.

Item J - Bituminous Material for Tack Coat  
                   or Prime  
                   All Types @ NO BID 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 \$ NO BID 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 \$ NO BID 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  
                   @ NO BID for first day  
                   @ NO BID for each additional day

Item N - Additional Heel-In Joints  
                   @ NO BID per lineal foot

Item O - Skip Paving Surcharge  
                   @ NO BID per ton

Item P - Mobilization for Profiling  
                   @ NO BID per SCO

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

Less than 250	@	<u>NO BID</u>	per Sq. Yd.
250 less than 500	@	<u>NO BID</u>	per Sq. Yd.
500 less than 1000	@	<u>NO BID</u>	per Sq. Yd.
1000 less than 2500	@	<u>NO BID</u>	per Sq. Yd.
2500 less than 5000	@	<u>NO BID</u>	per Sq. Yd.
5000 and greater	@	<u>NO BID</u>	per Sq. Yd.

Item R - Pilot Truck and Driver  
                   @ NO BID per day

## DISTRICT TEN

12. BID SCHEDULE (Continued)

Item S - Traffic Control Devices  
@ NO BID \_\_\_\_\_ per Unit

Item T - Flagger  
@ NO BID \_\_\_\_\_ per Hour

Item U - Arrow Board  
@ NO BID \_\_\_\_\_ per Day

Item V - Rumble Strips  
@ NO BID \_\_\_\_\_ per LF

Vendor's Plant Location NO BID \_\_\_\_\_



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). West Virginia Code, §5A-3-37, provides an opportunity for qualifying vendors to request (at the time of bid) preference for their residency status. Such preference is an evaluation method only and will be applied only to the cost bid in accordance with the West Virginia Code. This certificate for application is to be used to request such preference. The Purchasing Division will make the determination of the Resident Vendor Preference, if applicable.

- 1. Application is made for 2.5% resident vendor 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, Bidder is a partnership, association or corporation resident vendor and 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 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 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; or,
2. Application is made for 2.5% resident vendor preference for the reason checked: 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; or,
3. Application is made for 2.5% resident vendor preference for the reason checked: 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 Bidder's 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; or,
4. Application is made for 5% resident vendor preference for the reason checked: Bidder meets either the requirement of both subdivisions (1) and (2) or subdivision (1) and (3) as stated above; or,
5. Application is made for 3.5% resident vendor preference who is a veteran for the reason checked: Bidder is an individual resident vendor who is a veteran of the United States armed forces, the reserves or the National Guard and has resided in West Virginia continuously for the four years immediately preceding the date on which the bid is submitted; or,
6. Application is made for 3.5% resident vendor preference who is a veteran for the reason checked: Bidder is a resident vendor who is a veteran of the United States armed forces, the reserves or the National Guard, if, for purposes of producing or distributing the commodities or completing the project which is the subject of the vendor's bid and continuously over the entire term of the project, on average at least seventy-five percent of the vendor's employees are residents of West Virginia who have resided in the state continuously for the two immediately preceding years.

Bidder understands if the Secretary of 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) reject the bid; 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.

By submission of this certificate, Bidder agrees to disclose any reasonably requested information to the Purchasing Division and authorizes the Department of 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.

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.

Bidder: W-L CONSTRUCTION AND PAVING INC. Signed: Christopher J. Crayson VICE PRESIDENT
Date: \_\_\_\_\_ Title: \_\_\_\_\_

\*Check any combination of preference consideration(s) indicated above, which you are entitled to receive.

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:**

If this is a solicitation for a public improvement construction contract, the vendor, by its signature below, affirms that it has a written plan for a drug-free workplace policy in compliance with Article 1D, Chapter 21 of the *West Virginia Code*. The vendor **must** make said affirmation with its bid submission. Further, 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.

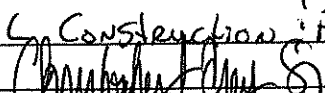
**LICENSING:**

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. Vendor further agrees to comply with the Confidentiality Policies and Information Security Accountability Requirements, set forth in <http://www.state.wv.us/admin/purchase/privacy/noticeConfidentiality.pdf>.

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

Vendor's Name: W-C Construction Paving, Inc.  
Authorized Signature:  Date: \_\_\_\_\_

# ACORD CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
3/10/2009

PRODUCER (304) 720-2000 FAX: (304) 720-2002  
Mountain State Insurance Agency  
1206 Kanawha Blvd. E.

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

Charleston WV 25301  
INSURED  
W-L Construction & Paving, Inc.  
Attn: Teresa Ornduss  
P.O. Drawer 927  
Chilhowie VA 24319

INSURERS AFFORDING COVERAGE	NAIC #
INSURER A: BrickStreet Insurance	
INSURER B:	
INSURER C:	
INSURER D:	
INSURER E:	

## COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR ADD'L LTR INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
	<b>GENERAL LIABILITY</b> <input type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC				EACH OCCURRENCE \$ DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$
	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS				COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	<b>GARAGE LIABILITY</b> <input type="checkbox"/> ANY AUTO				AUTO ONLY - EA ACCIDENT \$ OTHER THAN EA ACC \$ AUTO ONLY: AGG \$
	<b>EXCESS/UMBRELLA LIABILITY</b> <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE  <input type="checkbox"/> DEDUCTIBLE <input type="checkbox"/> RETENTION \$				EACH OCCURRENCE \$ AGGREGATE \$ \$ \$ \$
A	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below	WC1020295303	1/5/2009	1/5/2010	<input checked="" type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ 500,000 E.L. DISEASE - EA EMPLOYEE \$ 500,000 E.L. DISEASE - POLICY LIMIT \$ 500,000
	OTHER				

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/SPECIAL PROVISIONS  
 WV Broad Form Employers Liability - WV Code 23-4-2 - Excluded  
 Federal Coal Mine Health & Safety Act - Federal Black Lung Coverage - Excluded  
 Proprietors/Partners/Executive Officers/Members - Excluded  
 2009 W.V.D.O.H. H.M.A. Purchase Order Laydowns RFQ Number: 669C0028

**CERTIFICATE HOLDER**  
 West Virginia Division of Highways  
 Department of Administration  
 2019 Washington St., East  
 PO Box 50130  
 Charleston, WV 25305-0130

**CANCELLATION**  
 SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 10 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.  
 AUTHORIZED REPRESENTATIVE  
 Annette Dearth/ANNE *Annette M. Dearth*

## **IMPORTANT**

If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

## **DISCLAIMER**

The Certificate of Insurance on the reverse side of this form does not constitute a contract between the issuing insurer(s), authorized representative or producer, and the certificate holder, nor does it affirmatively or negatively amend, extend or alter the coverage afforded by the policies listed thereon.

**Certificate of Insurance**

THIS CERTIFICATE ISSUED AS A MATTER OF INFORMATION. ONLY AND CONFERS NO RIGHT UPON YOU THE CERTIFICATE HOLDER. THIS CERTIFICATE IS NOT AN INSURANCE POLICY AND DOES NOT AMEND, EXTEND, OR ALTER THE COVERAGE AFFORDED BY THE POLICIES LISTED BELOW.

**This is to Certify that**

W-L Construction & Paving Inc

1485 Highway 107

Chilhowie

VA 24319

NAME AND  
ADDRESS  
OF INSURED



**Liberty  
Mutual®**

is, at the issue date of this certificate, insured by the Company under the policy(ies) listed below. The insurance afforded by the listed policy(ies) is subject to all their terms, exclusions and Conditions and is not altered by any requirement, term or condition of any contract or other document with respect to which this certificate may be issued.

TYPE OF POLICY	EXP DATE		POLICY NUMBER	LIMIT OF LIABILITY									
	<input type="checkbox"/> CONTINUOUS	<input type="checkbox"/> EXTENDED											
<b>WORKERS COMPENSATION</b>	<input checked="" type="checkbox"/> POLICY TERM	9/1/2009	WA7-C8D-004095-028 WC7-C85-004095-018	COVERAGE AFFORDED UNDER WC LAW OF THE FOLLOWING STATES: ALL STATES EXCLUDING MONOPOLISTICS STATES AND NY  OR, WI	<table border="1"> <tr><th colspan="2">EMPLOYERS LIABILITY</th></tr> <tr><td>Bodily Injury by Accident</td><td>\$1,000,000 Each Accident</td></tr> <tr><td>Bodily Injury By Disease</td><td>\$1,000,000 Policy Limit</td></tr> <tr><td>Bodily Injury By Disease</td><td>\$1,000,000 Each Person</td></tr> </table>	EMPLOYERS LIABILITY		Bodily Injury by Accident	\$1,000,000 Each Accident	Bodily Injury By Disease	\$1,000,000 Policy Limit	Bodily Injury By Disease	\$1,000,000 Each Person
EMPLOYERS LIABILITY													
Bodily Injury by Accident	\$1,000,000 Each Accident												
Bodily Injury By Disease	\$1,000,000 Policy Limit												
Bodily Injury By Disease	\$1,000,000 Each Person												
<b>GENERAL LIABILITY</b>	<input checked="" type="checkbox"/> OCCURRENCE <input type="checkbox"/> CLAIMS MADE	9/1/2009	TB2-C85-004095-118	General Aggregate—Other than Products / Completed Operations Products / Completed Operations Aggregate Bodily Injury and Property Damage Liability Personal Injury Other FIRE DAMAGE \$100,000	<table border="1"> <tr><td>\$2,000,000</td></tr> <tr><td>\$2,000,000</td></tr> <tr><td>\$2,000,000 Per Occurrence</td></tr> <tr><td>\$2,000,000 Per Person / Organization</td></tr> <tr><td>PER PROJECT AGGREGATE</td></tr> </table>	\$2,000,000	\$2,000,000	\$2,000,000 Per Occurrence	\$2,000,000 Per Person / Organization	PER PROJECT AGGREGATE			
\$2,000,000													
\$2,000,000													
\$2,000,000 Per Occurrence													
\$2,000,000 Per Person / Organization													
PER PROJECT AGGREGATE													
		RETRO DATE											
<b>AUTOMOBILE LIABILITY</b>	<input checked="" type="checkbox"/> OWNED <input checked="" type="checkbox"/> NON-OWNED <input checked="" type="checkbox"/> HIRED	9/1/2009	AS2-C85-004095-128		<table border="1"> <tr><td>\$2,000,000</td></tr> <tr><td>Each Accident—Single Limit B.I. And P.D. Combined</td></tr> <tr><td>Each Person</td></tr> <tr><td>Each Accident or Occurrence</td></tr> <tr><td>Each Accident or Occurrence</td></tr> </table>	\$2,000,000	Each Accident—Single Limit B.I. And P.D. Combined	Each Person	Each Accident or Occurrence	Each Accident or Occurrence			
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Each Accident—Single Limit B.I. And P.D. Combined													
Each Person													
Each Accident or Occurrence													
Each Accident or Occurrence													
<b>OTHER</b>				Auto: Comp Ded \$10,000/Coll Ded \$10,000									
<b>EVIDENCE OF COVERAGE</b>													
<b>ADDITIONAL COMMENTS</b> See Addendum Attached.													

\* If the certificate expiration date is continuous or extended term, you will be notified if coverage is terminated or reduced before the certificate expiration date.  
SPECIAL NOTICE-OHIO: ANY PERSON WHO, WITH INTENT TO DEFAUD OR KNOWING THAT HE IS FACILITATING A FRAUD AGAINST AN INSURER, SUBMITS AN APPLICATION OR FILES A CLAIM CONTAINING A FALSE OR DECEPTIVE STATEMENT IS GUILTY OF INSURANCE FRAUD.

IMPORTANT NOTICE TO FLORIDA POLICYHOLDERS AND CERTIFICATE HOLDERS: IN THE EVENT YOU HAVE ANY QUESTIONS OR NEED INFORMATION ABOUT THIS CERTIFICATE FOR ANY REASON, PLEASE CONTACT YOUR LOCAL SALES PRODUCER WHOSE NAME AND TELEPHONE NUMBER APPEARS IN THE LOWER RIGHT HAND CORNER OF THIS CERTIFICATE. THE APPROPRIATE LOCAL SALES OFFICE MAILING ADDRESS MAY ALSO BE OBTAINED BY CALLING THIS NUMBER.

NOTICE OF CANCELLATION: (NOT APPLICABLE UNLESS A NUMBER OF DAYS IS ENTERED BELOW.)  
BEFORE THE STATED EXPIRATION DATE THE COMPANY WILL NOT CANCEL OR REDUCE THE INSURANCE AFFORDED UNDER THE ABOVE POLICIES UNTIL AT LEAST 30 DAYS NOTICE OF SUCH CANCELLATION HAS BEEN MAILED TO:

RFQ Number: 669C0028

West Virginia Division of Highways  
Dept of Administration

2019 Washington St, East PO Box 50130  
Charleston WV 25305-0130

*J. Balazentis*

Judith Balazentis

Pittsburgh / 0387 12 Federal Street, Ste. 310 Pittsburgh PA 15212-5706 412-231-1331 3/11/2009  
OFFICE PHONE DATE ISSUED

Liberty Mutual  
Insurance Group

# CERTIFICATE - ADDENDUM

**NAMED INSURED**

W-L Construction & Paving Inc  
1485 Highway 107  
Chilhowie VA 24319

**CERTIFICATE HOLDER**

West Virginia Division of Highways  
Dept of Administration  
2019 Washington St, East PO Box 50130  
Charleston WV 25305-0130

3/11/2009

2009 W.V.D.O.H. H.M.A. Purchase Order Laydowns RFQ Number: 669C0028



# CONTRACTOR LICENSE

Authorized by the

**West Virginia Contractor Licensing Board**

**Number:**  
WV041870

**Classification:**

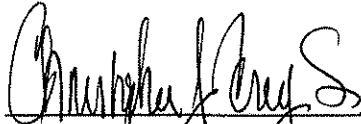
GENERAL ENGINEERING


W-L CONSTRUCTION & PAVING INC  
DBA W-L CONSTRUCTION & PAVING INC  
PO DRAWER 927  
CHILHOWIE, VA 24319

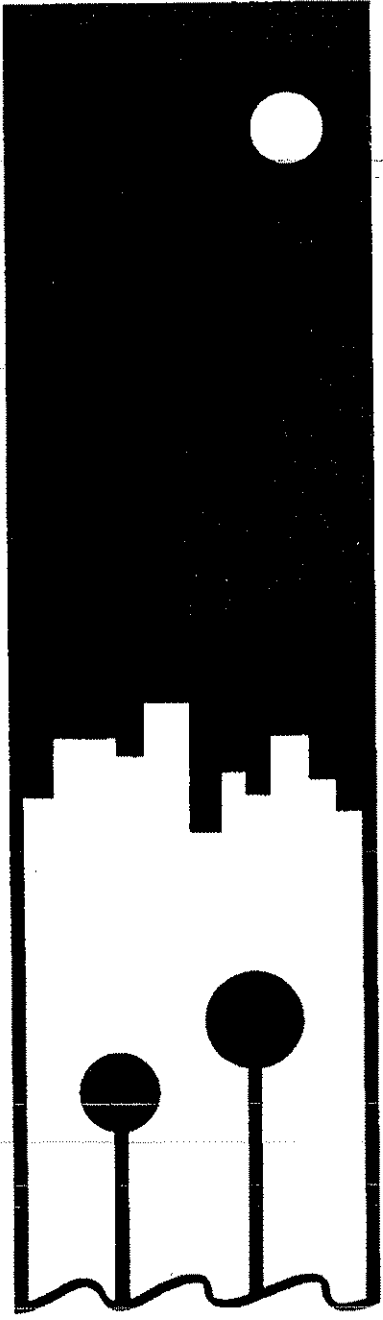
**Date Issued**

**Expiration Date**

JANUARY 16, 2009                      JANUARY 16, 2010

  
Authorized Company Signature  
VICE PRESIDENT.

  
Chair, West Virginia Contractor  
Licensing Board



**WEST VIRGINIA  
CONTRACTOR  
LICENSING  
BOARD**



This license, or a copy thereof, must be posted in a conspicuous place at every construction site where work is being performed. This license number must appear in all advertisements, on all bid submissions and on all fully executed and binding contracts. This license cannot be assigned or transferred by licensee. Issued under provisions of West Virginia Code, Chapter 21, Article 11.

