



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
FUELTT12

PAGE
1

ADDRESS CORRESPONDENCE TO ATTENTION OF:
BUYER 42
304-558-8802

*709044938 304-466-1733
 R T ROGERS OIL COMPANY INC
 PO BOX 160
 HINTON WV 25951

ALL STATE AGENCIES
 AND POLITICAL SUBDIVISIONS
 VARIOUS LOCALES AS INDICATED
 BY ORDER

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
07/14/2011				

BID OPENING DATE: 08/04/2011 BID OPENING TIME 01:30PM

LINE	QUANTITY	UQP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	LS		405-15		
<p>FUEL TRUCK TRANSPORT</p> <p>REQUEST FOR QUOTATION (RFQ)</p> <p>BLANKET OPEN END STATEWIDE CONTRACT</p> <p>THE STATE OF WEST VIRGINIA PURCHASING DIVISION IS SOLICITING BIDS FOR A BLANKET OPEN END STATEWIDE CONTRACT FOR UNLEADED GASOLINE, E-10, UNLEADED DISESL, WINTERIZED DIESEL, B5 BIODIESEL, WINTERIZED B5 BIODIESEL, AND HEATING FUELS TO ALL WEST VIRGINIA SPATE AGENCIES VIA TRANSPORT TRUCK DELIVERY PER THE ATTACHED SPECIFICATIONS.</p> <p>THIS CONTRACT SHALL BE BASED ON REGION AS CONTAINED IN THE ATTACHED SPECIFICATIONS. VENDORS MUST DELIVER TO THE ENTIRE REGION AS LISTED.</p> <p>THE CLOSE OF BUSINESS.</p> <p>ALL TECHNICAL QUESTIONS RECEIVED WILL BE ANSWERED BY FORMAL WRITTEN ADDENDUM TO BE ISSUED BY THE PURCHASING DIVISION AFTER THE DEADLINE FOR QUESTIONS HAS LAPSED.</p> <p>VERBAL COMMUNICATION: ANY VERBAL COMMUNICATION BETWEEN THE VENDOR AND ANY STATE PESONNEL IS NOT BINDING. ONLY INFORMATION ISSUED IN WRITING AND ADDED TO THE RFP SPECIFICATIONS BY AN OFFICIAL WRITTEN ADDENDUM BY PURCHASING IS BINDING.</p>						

PURCHASING DIVISION
 STATE OF WV
 8-9-11 10:27 AM
 RECEIVED

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
<i>Greg Reep</i>	304-466-1733	8-9-11
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE
President	55-0575547	

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

304-558-3970

IMPORTANT

Please complete the information below and affix the label to the outside of your bid envelope. Thank you.

Sealed Bid Enclosed

RFQ Number:	FUEL TT.12
Buyer:	42 - Krista Ferrell
Bid Opening Date:	8-9-11
Bid Opening Time:	1:30 pm.

Mail To:

WV PURCHASING DIVISION
2019 WASHINGTON ST E
PO BOX 50130
CHARLESTON WV 25305-0130



State of West Virginia
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VENDOR

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VARIOUS LOCALES AS INDICATED
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<p>NO CONTACT BETWEEN THE VENDOR AND ANY STATE AGENCY CONCERNING THE BID, EVALUATION, AND AWARD OF THIS CONTRACT IS PERMITTED WITHOUT THE EXPRESS WRITTEN CONSENT OF THE STATE BUYER. VIOLATION MAY RESULT IN REJECTION OF THE BID. THE STATE BUYER NAMED ABOVE IS THE SOLE CONTACT FOR ANY AND ALL INQUIRIES AFTER THIS RFQ HAS BEEN RELEASED.</p> <p>EXHIBIT 10</p> <p>REQUISITION NO.: <i>FUELTT12</i></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 <i>AR</i></p> <p>NO. 2 <i>AR</i></p> <p>NO. 3 <i>AR</i></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 <i>Greg Roy</i>	TELEPHONE 304-466-1733	DATE 8-9-11
TITLE <i>President</i>	FEIN 55-0575547	ADDRESS CHANGES TO BE NOTED ABOVE

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



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<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 style="text-align: center;"> <i>Gay Rogr. Pres.</i> SIGNATURE <i>R.T. Rogers Oil Co. Inc.</i> COMPANY 8-9-11 DATE </p> <p>NOTE: THIS ADDENDUM ACKNOWLEDGEMENT SHOULD BE SUBMITTED WITH THE BID.</p> <p>REV. 09/21/2009</p> <p>EXHIBIT 3</p> <p>LIFE OF CONTRACT: THIS CONTRACT BECOMES EFFECTIVE ON AWARD AND EXTENDS FOR A PERIOD OF SIX (6) MONTHS 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>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Gay Rogr.</i>	TELEPHONE 304-466-1733	DATE 8-9-11
TITLE <i>President</i>	FAX 55-0575547	ADDRESS CHANGES TO BE NOTED ABOVE

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BID OPENING DATE: 08/04/2011		BID OPENING TIME 01:30PM		

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>RENEWAL: THIS CONTRACT MAY BE RENEWED UPON THE MUTUAL WRITTEN CONSENT OF THE SPENDING UNIT AND VENDOR, SUBMITTED TO THE DIRECTOR OF PURCHASING THIRTY (30) DAYS PRIOR TO THE EXPIRATION DATE. SUCH RENEWAL SHALL BE IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE ORIGINAL CONTRACT AND SHALL BE LIMITED TO TWO (2) SIX MONTH PERIODS.</p> <p>CANCELLATION: THE DIRECTOR OF PURCHASING RESERVES THE RIGHT TO CANCEL THIS CONTRACT IMMEDIATELY UPON WRITTEN NOTICE TO THE VENDOR IF THE COMMODITIES AND/OR SERVICE SUPPLIED ARE OF AN INFERIOR QUALITY OR DO NOT CONFORM TO THE SPECIFICATIONS OF THE BID AND CONTRACT HEREIN.</p> <p>OPEN MARKET CLAUSE: THE DIRECTOR OF PURCHASING MAY AUTHORIZE A SPENDING UNIT TO PURCHASE ON THE OPEN MARKET, WITHOUT THE FILING OF A REQUISITION OR COST ESTIMATE, ITEMS SPECIFIED ON THIS CONTRACT FOR IMMEDIATE DELIVERY IN EMERGENCIES DUE TO UNFORESEEN CAUSES (INCLUDING BUT NOT LIMITED TO DELAYS IN TRANSPORTATION OR AN UNANTICIPATED INCREASE IN THE VOLUME OF WORK.)</p> <p>QUANTITIES: QUANTITIES LISTED IN THE REQUISITION ARE APPROXIMATIONS ONLY, BASED ON ESTIMATES SUPPLIED BY THE STATE SPENDING UNIT. IT IS UNDERSTOOD AND AGREED THAT THE CONTRACT SHALL COVER THE QUANTITIES ACTUALLY ORDERED FOR DELIVERY DURING THE TERM OF THE CONTRACT, WHETHER MORE OR LESS THAN THE QUANTITIES SHOWN.</p> <p>ORDERING PROCEDURE: SPENDING UNIT(S) SHALL ISSUE A 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 <i>Amy Roy</i>	TELEPHONE 304-466-1733	DATE 8-9-11
TITLE <i>President</i>	FEIN 55-0575547	ADDRESS CHANGES TO BE NOTED ABOVE

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S.H.P.T.O.
ALL STATE AGENCIES
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07/14/2011
BID OPENING DATE: 08/04/2011 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. SEE ADDITIONAL ORDERING INSTRUCTIONS CONTAINED IN SECTION IX OF THE ATTACHED</p> <p>BANKRUPTCY: IN THE EVENT THE VENDOR/CONTRACTOR FILES FOR BANKRUPTCY PROTECTION, THE STATE MAY DEEM THE CONTRACT NULL AND VOID, AND TERMINATE SUCH CONTRACT 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. 05/26/2009</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 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>PURCHASING CARD ACCEPTANCE: THE STATE OF WEST VIRGINIA CURRENTLY UTILIZES A VISA PURCHASING CARD PROGRAM WHICH</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Gary Rogers</i>	TELEPHONE 304-466-1733	DATE 8-9-11
TITLE President	FEIN 55-0575547	ADDRESS CHANGES TO BE NOTED ABOVE

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07/14/2011				
BID OPENING DATE: 08/04/2011		BID OPENING TIME 01:30PM		

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>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>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> <p>BUYER: KRISTA FERRELL FOR FILE 42</p> <p>RFQ. NO.: FUELTT12</p> <p>BID OPENING DATE: 08/04/2011</p> <p>BID OPENING TIME: 1:30 PM</p> <p>PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Kay Rogers</i>	TELEPHONE 304-466-1733	DATE 8-9-11
TITLE President	FEIN 55-0575347	ADDRESS CHANGES TO BE NOTED ABOVE

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DATE PRINTED: 07/14/2011	TERMS OF SALE:	SHIP VIA:	F.O.B.:	FREIGHT TERMS:
BID OPENING DATE: 08/04/2011		BID OPENING TIME 01:30PM		

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
TO CONTACT YOU REGARDING YOUR BID: ----- 3044661735						
CONTACT PERSON (PLEASE PRINT CLEARLY): ----- Greg Rogers						
***** THIS IS THE END OF RFQ FUELTT12 ***** TOTAL:						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE: *Lucy Roy* TELEPHONE: 304-466-1733 DATE: 8-9-11

TITLE: President FEIN: 55-0575547 ADDRESS CHANGES TO BE NOTED ABOVE

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ALL STATE AGENCIES
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DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
07/25/2011				

BID OPENING DATE: 08/09/2011 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	QAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
ADDENDUM NO. 1						
THIS ADDENDUM IS ISSUED TO:						
1.) CLARIFY THE DEADLINE FOR TECHNICAL QUESTIONS						
"TECHNICAL QUESTIONS CONCERNING THIS RFQ SHALL BE SUBMITTED TO KRISTA FERRELL IN THE WEST VIRGINIA STATE PURCHASING DIVISION VIA FAX AT 304-558-4115 OR VIA EMAIL AT KRISTA.S.FERRELL@WV.GOV. DEADLINE FOR ALL TECHNICAL QUESTIONS IS 07/26/2011 AT THE CLOSE OF BUSINESS."						
2.) EXTEND THE BID OPENING DATE						
BID OPENING DATE IS EXTENDED TO: 08/09/2011						
BID OPENING TIME REMAINS: 1:30 PM						
3.) PROVIDE A COPY OF THE BID SHEET INADVERTANTLY OMITTED FROM THE ORIGINAL RFQ.						
NOTE: ALL TECHNICAL QUESTIONS SHALL BE ANSWERED BY SUBSEQUENT ADDENDUM.						
***** END ADDENDUM NO. 1 *****						
C001	1	LS		405-15		
FUEL TRUCK TRANSPORT						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Ray Rogers</i>	TELEPHONE 304-466-1733	DATE 8-9-11
TITLE President	FEIN 55-0575547	ADDRESS CHANGES TO BE NOTED ABOVE

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

JUL 29 2011 1:11PM WV DIV OF PURCH

NO. 1773 P. 1/7



State of West Virginia
Department of Administration
Purchasing Division
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Post Office Box 50130
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**BUYER 42
304-558-8802**

RFQ COPY
TYPE NAME/ADDRESS HERE

ALL STATE AGENCIES
AND POLITICAL SUBDIVISIONS
VARIOUS LOCALES AS INDICATED
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DATE PRINTED	TERMS OF SALE	SHIP VIA	P.O.B.	FREIGHT TERMS
07/28/2011				

BID OPENING DATE: **08/09/2011** BID OPENING TIME: **01:30PM**

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
ADDENDUM NO. 2						
THIS ADDENDUM IS ISSUED TO:						
1.) PROVIDE ANSWERS TO ALL TECHNICAL QUESTIONS SUBMITTED IN ACCORDANCE WITH THE PROVISIONS OF ADDENDUM NO. 1 (FUELTT12),						
2.) PROVIDE AMENDED PRICING SHEETS PER THE ATTACHED.						
BID OPENING DATE REMAINS: 08/09/2011						
BID OPENING TIME REMAINS: 1:30 PM						
***** END ADDENDUM NO. 2 *****						
0001	1	LS		405-15		
FUEL TRUCK TRANSPORT						
***** THIS IS THE END OF RFQ FUELTT12 ***** TOTAL:						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Lucy Ray</i>	TELEPHONE 304-466-1733	DATE 8-9-11
TITLE President	REIN 55-0575547	ADDRESS CHANGES TO BE NOTED ABOVE

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

FUELTT 12 VENDOR QUOTE SHEET

VENDOR: R. T. ROGERS OIL CO., INC.				
DISTRICT	FUEL TYPE	Six Month's ESTIMATED NEEDS (gals.)	T/T Markup Bid per Gallon	Potential Terminal Locations fuel will be pulled from
ONE	Unleaded Gasoline/E 10	201,000	0.0837	AKY CWV
	No. 2 Diesel	50,000	0.1176	
	No. 2 Diesel w/ Winter add.	170,000	0.1491	
TWO	Unleaded Gasoline/E 10	214,000	0.0962	AKY CWV
	No. 2 Diesel	33,000	0.1283	
	No. 2 Diesel w/ Winter add.	120,000	0.1598	
THREE	Unleaded Gasoline/E 10	166,000	0.1028	CWV MOH
	No. 2 Diesel	63,000	0.1371	
	No. 2 Diesel w/ Winter add.	181,000	0.1686	
FOUR	Unleaded Gasoline/E 10	243,000	0.1343	PPA MOH
	No. 2 Diesel	87,000	0.1679	
	No. 2 Diesel w/ Winter add.	245,000	0.1994	
FIVE	Unleaded Gasoline/E 10	167,000	0.1589	APA FVA
	No. 2 Diesel	55,000	0.1936	
	No. 2 Diesel w/ Winter add.	143,000	0.2251	
	No. 2 Heating**	25,500	0.1936	
SIX	Unleaded Gasoline/E 10	127,000	0.1521	PPA MOH
	No. 2 Diesel	52,000	0.1863	
	No. 2 Diesel w/ Winter add.	110,000	0.2178	
SEVEN	Unleaded Gasoline/E 10	207,000	0.1292	CWV MOH PPA
	No. 2 Diesel	98,000	0.1633	
	No. 2 Diesel w/ Winter add.	184,000	0.1948	
EIGHT	Unleaded Gasoline/E 10	126,000	0.1214	PPA RVA CWV
	No. 2 Diesel	58,000	0.1553	
	No. 2 Diesel w/ Winter add.	170,000	0.1868	
	No. 1 Heating/Kerosene**	12,000	0.1937	
	No. 2 Heating**	440,000	0.1494	
NINE	Unleaded Gasoline/E 10	173,000	0.0928	CWV RVA
	No. 2 Diesel	75,000	0.1294	
	No. 2 Diesel w/ Winter add.	210,000	0.1583	
	No. 2 Heating**	20,000	0.1477	
TEN	Unleaded Gasoline/E 10	214,000	0.1055	CWV RVA
	No. 2 Diesel	68,000	0.1413	
	No. 2 Diesel w/ Winter add.	145,000	0.1728	

** Quantities represent Other Agency Estimated Quantities

Minimum gallonage for T/T delivery: 8000

Able to split deliveries between multiple locations? YES XX NO _____

Minimum Qty: T/T delivery for 2 locations within 20 mile proximity: 8000 Gals.

Minimum Qty: T/T delivery for 4 locations within 30 mile proximity (upcharge): \$100 per location

Emergency Delivery Fee (upcharge): \$500

Terminal Abbreviations:

- Altoona, PA - APA
- Ashland, KY - AKY
- Charleston, WV - CWV
- Fairfax, VA - FVA
- Marietta, OH - MOH
- Pittsburgh, PA - PPA
- Roanoke, VA - RVA

Vendor Contact/Coordinator: Greg Rogers

Telephone Number: 304-466-1733

Fax Number: 304-466-1735

Signature/Date: Greg Rogers 8-9-11



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08/02/2011				

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				ADDENDUM NO. 3		
				THIS ADDENDUM IS ISSUED TO:		
				1.) PROVIDE ANSWERS TO ALL TECHNICAL QUESTIONS SUBMITTED IN ACCORDANCE WITH ADDENDUM NO. 1 OF THIS RFQ (FUELTT12) PER THE ATTACHED.		
				BID OPENING DATE REMAINS: 08/09/2011 BIE OPENING TIME REMAINS: 1:30 PM		
				***** END ADDENDUM NO. 3 *****		
0001	1	LS		405-15		
				FUEL TRUCK TRANSPORT		
				***** THIS IS THE END OF RFQ FUELTT12 ***** TOTAL:		

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Gray Rogers</i>	TELEPHONE 304-466-1733	DATE 8-9-11
TITLE President	FEIN 55-0575547	ADDRESS CHANGES TO BE NOTED ABOVE

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

Rev. 09/08

FUELTT12 18

State of West Virginia 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: R.T. Rogers Oil Co., Inc.

Signed: *Ray Rogers*

Date: 8-9-11

Title: President

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

FUELTT12

RFQ No. _____

STATE OF WEST VIRGINIA
Purchasing Division

PURCHASING AFFIDAVIT

West Virginia Code §5A-3-10a states: No contract or renewal of any contract may be awarded by the state or any of its political subdivisions to any vendor or prospective vendor when the vendor or prospective vendor or a related party to the vendor or prospective vendor is a debtor and the debt owed is an amount greater than one thousand dollars in the aggregate.

DEFINITIONS:

"Debt" means any assessment, premium, penalty, fine, tax or other amount of money owed to the state or any of its political subdivisions because of a judgment, fine, permit violation, license assessment, defaulted workers' compensation premium, penalty or other assessment presently delinquent or due and required to be paid to the state or any of its political subdivisions, including any interest or additional penalties accrued thereon.

"Debtor" means any individual, corporation, partnership, association, limited liability company or any other form or business association owing a debt to the state or any of its political subdivisions. "Political subdivision" means any county commission; municipality; county board of education; any instrumentality established by a county or municipality; any separate corporation or instrumentality established by one or more counties or municipalities, as permitted by law; or any public body charged by law with the performance of a government function or whose jurisdiction is coextensive with one or more counties or municipalities. "Related party" means a party, whether an individual, corporation, partnership, association, limited liability company or any other form or business association or other entity whatsoever, related to any vendor by blood, marriage, ownership or contract through which the party has a relationship of ownership or other interest with the vendor so that the party will actually or by effect receive or control a portion of the benefit, profit or other consideration from performance of a vendor contract with the party receiving an amount that meets or exceeds five percent of the total contract amount.

EXCEPTION: The prohibition of this section does not apply where a vendor has contested any tax administered pursuant to chapter eleven of this code, workers' compensation premium, permit fee or environmental fee or assessment and the matter has not become final or where the vendor has entered into a payment plan or agreement and the vendor is not in default of any of the provisions of such plan or agreement.

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.

WITNESS THE FOLLOWING SIGNATURE

Vendor's Name: R.T. Rogers Oil Co., Inc.

Authorized Signature: *[Signature]* Date: 8-9-11

State of WV

County of Summers, to-wit:

Taken, subscribed, and sworn to before me this 9 day of August, 2011.

My Commission expires April 21, 2015.

AFFIX SEAL HERE

NOTARY PUBLIC *Kathy J. Mitchell*

