



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

Solicitation

NUMBER
6613C001

PAGE
1

ADDRESS CORRESPONDENCE TO ATTENTION OF:
ALAN CUMMINGS 304-558-2402

*709033011 301-478-2400

VENDOR

ALLEGANY AGGREGATES INC
 PO BOX 127

CUMBERLAND MD 21502

SHIP TO

DIVISION OF HIGHWAYS
 VARIOUS LOCALES AS INDICATED
 BY ORDER

DATE PRINTED
08/15/2012

BID OPENING DATE: 08/29/2012 BID OPENING TIME 1:30PM

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	EA		770-06		
STONE AND AGGREGATE - FALL/WINTER						
OPEN-END CONTRACT						
<p>THE WEST VIRGINIA STATE PURCHASING DIVISION FOR THE AGENCY, THE WEST VIRGINIA DIVISION OF HIGHWAYS, IS SOLICITING BIDS TO PROVIDE THE AGENCY WITH AN OPEN-END CONTRACT TO FURNISH ALL LABOR, MATERIALS AND EQUIPMENT NECESSARY TO SUPPLY STONE AND AGGREGATE TO DISTRICTS 1 THRU 10 AS WELL AS CINDERS TO DISTRICTS 1,3,4,6 AND 7 PER THE ATTACHED SPECIFICATIONS.</p>						
***** THIS IS THE END OF RFQ 6613C001 ***** TOTAL:						

55
 AUG 30 AM 9:55

WV PURCHASING DIVISION

SIGNATURE	TELEPHONE	DATE
<i>[Signature]</i>	301-777-1777	August 28, 2012

TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE
<i>[Signature]</i>	52-1641964	

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

SOLICITATION NUMBER: 6613C001

Addendum Number: 1

The purpose of this addendum is to modify the solicitation identified as ("Solicitation") to reflect the change(s) identified and described below.

Applicable Addendum Category:

- Modify bid opening date and time
- Modify specifications of product or service being sought
- Attachment of vendor questions and responses
- Attachment of pre-bid sign-in sheet
- Correction of error
- Other

Description of Modification to Solicitation:

Issued to change bid opening date and time:

From: 08/29/2012 - 1:30 P.M.

To: 09/05/2012 - 1:30 P.M.

Additional Documentation: Documentation related to this Addendum (if any) has been included herewith as Attachment A and is specifically incorporated herein by reference.

Terms and Conditions:

1. All provisions of the Solicitation and other addenda not modified herein shall remain in full force and effect.
2. Vendor should acknowledge receipt of all addenda issued for this Solicitation by completing an Addendum Acknowledgment, a copy of which is included herewith. Failure to acknowledge addenda may result in bid disqualification. The addendum acknowledgement should be submitted with the bid to expedite document processing.

ADDENDUM ACKNOWLEDGEMENT FORM
SOLICITATION NO.: 6613C001

Instructions: Please acknowledge receipt of all addenda issued with this solicitation by completing this addendum acknowledgment form. Check the box next to each addendum received and sign below. Failure to acknowledge addenda may result in bid disqualification.

Acknowledgment: I hereby acknowledge receipt of the following addenda and have made the necessary revisions to my proposal, plans and/or specification, etc.

Addendum Numbers Received:

(Check the box next to each addendum received)

- | | |
|--|--|
| <input checked="" type="checkbox"/> Addendum No. 1 | <input type="checkbox"/> Addendum No. 6 |
| <input type="checkbox"/> Addendum No. 2 | <input type="checkbox"/> Addendum No. 7 |
| <input type="checkbox"/> Addendum No. 3 | <input type="checkbox"/> Addendum No. 8 |
| <input type="checkbox"/> Addendum No. 4 | <input type="checkbox"/> Addendum No. 9 |
| <input type="checkbox"/> Addendum No. 5 | <input type="checkbox"/> Addendum No. 10 |

I understand that failure to confirm the receipt of addenda may be cause for rejection of this bid. I further understand that any verbal representation made or assumed to be made during any oral discussion held between Vendor's representatives and any state personnel is not binding. Only the information issued in writing and added to the specifications by an official addendum is binding.

ALLEGANY ABBREVIATES, INC
 Company
J. P. [Signature]
 Authorized Signature
August 28, 2012
 Date

NOTE: This addendum acknowledgement should be submitted with the bid to expedite document processing.
 Revised 6/8/2012

CERTIFICATION AND SIGNATURE PAGE

By signing below, I certify that I have reviewed this Solicitation in its entirety; understand the requirements, terms and conditions, and other information contained herein; that I am submitting this bid or proposal for review and consideration; that I am authorized by the bidder to execute this bid or any documents related thereto on bidder's behalf; that I am authorized to bind the bidder in a contractual relationship; and that to the best of my knowledge, the bidder has properly registered with any State agency that may require registration.

ALLEGANY AGGREGATES, LLC.
(Company)

J. Pitt
(Authorized Signature)

VICE PRESIDENT/GENERAL MANAGER
(Representative Name, Title)

301-777-1777 301-478-2717
(Phone Number) (Fax Number)

August 28, 2012
(Date)

ADDITIONAL TERMS AND CONDITIONS (Architectural and Engineering Contracts Only)

1. **PLAN AND DRAWING DISTRIBUTION:** All plans and drawings must be completed and available for distribution at least five business days prior to a scheduled pre-bid meeting for the construction or other work related to the plans and drawings.
2. **PROJECT ADDENDA REQUIREMENTS:** The Architect/Engineer and/or Agency shall be required to abide by the following schedule in issuing construction project addenda:
 - a. The Architect/Engineer shall prepare any addendum materials for which it is responsible, and a list of all vendors that have obtained drawings and specifications for the project. The Architect/Engineer shall then send a copy of the addendum materials and the list of vendors to the State Agency for which the contract is issued to allow the Agency to make any necessary modifications. The addendum and list shall then be forwarded to the Purchasing Division buyer by the Agency. The Purchasing Division buyer shall send the addendum to all interested vendors and, if necessary, extend the bid opening date. Any addendum should be received by the Purchasing Division at least fourteen (14) days prior to the bid opening date.
3. **PRE-BID MEETING RESPONSIBILITIES:** The Architect/Engineer shall be available to attend any pre-bid meeting for the construction or other work resulting from the plans, drawings, or specifications prepared by the Architect/Engineer.
4. **AIA DOCUMENTS:** Contracts for architectural and engineering services will be governed by the AIA document B101-2007, as amended by the Supplementary Conditions for the State of West Virginia, in addition to the terms and conditions contained herein when procured under Chapter 5G of the West Virginia Code.
5. **GREEN BUILDINGS MINIMUM ENERGY STANDARDS:** In accordance with West Virginia Code § 22-29-4, all new building construction projects of public agencies that have not entered the schematic design phase prior to July 1, 2012, or any building construction project receiving state grant funds and appropriations, including public schools, that have not entered the schematic design phase prior to July 1, 2012, shall be designed and constructed complying with the ICC International Energy Conservation Code, adopted by the State Fire Commission, and the ANSI/ASHRAE/IESNA Standard 90.1-2007: *Provided*, That if any construction project has a commitment of federal funds to pay for a portion of such project, this provision shall only apply to the extent such standards are consistent with the federal standards.

Exhibit A.1 Pricing Schedule

VENDOR NAME: ALLEGANY AGGREGATES, INC

Bid F.O.B. Vendor's Storage Site (Items A-W)

- a) SOURCE OF MATERIAL (State all sources for which bid prices apply) (e.g., Quarry location if Sandstone or Limestone; dredging or pit location if Gravel; production plant name and location if Slag)

SHORT GAP QUARRY SHORT GAP, WV.

BEDROCK QUARRY FLINTSTONE, MD

- b) EXACT LOCATION OF VENDOR'S STORAGE SITE(S) A separate bid schedule must be submitted when bid price varies between Vendors' storage sites.

SHORT GAP QUARRY BEDROCK QUARRY
WAXLER ROAD 21235 NATIONAL PIKE NE
SHORT GAP, WV. FLINTSTONE, MD. 21530

Bid Price per Ton Items A-W
F.O.B. Vendor's Storage Site

Contract Item	Description of Material	Bid Price per Ton Items A-W F.O.B. Vendor's Storage Site		
		LIMESTONE SANDSTONE, GRAVEL, SAND	BLAST FURNACE SLAG	STEEL SLAG
A	Class 1 Aggregate	<u>8.90</u>	_____	_____
B	Class 2 Aggregate	<u>8.90</u>	_____	_____
C	Class 10 Aggregate	<u>8.90</u>	_____	_____
D	AASHTO #1 Aggregate	<u>12.90</u>	_____	_____
E	AASHTO #3 Aggregate	<u>12.90</u>	_____	_____
F	AASHTO #4 Aggregate	<u>12.90</u>	_____	_____
G	AASHTO #467 Aggregate	_____	_____	_____
H	AASHTO #57 Aggregate	<u>12.90</u>	_____	_____
I	AASHTO #67 Aggregate	<u>12.90</u>	_____	_____
J	AASHTO #7 Aggregate	<u>12.90</u>	_____	_____
K	AASHTO #8 Aggregate	<u>12.90</u>	_____	_____
L	AASHTO #9 Aggregate	<u>12.90</u>	_____	_____
M	Stone for Gabions	<u>14.25</u>	_____	_____
N	Fine Aggregate	<u>25.00</u>	_____	_____
OA	Limestone Standard Abrasives	<u>10.90</u>	_____	_____
OB	Sandstone Standard Abrasives	_____	_____	_____
PA	Limestone Modified Abrasives	<u>12.90</u>	_____	_____
PB	Sandstone Modified Abrasives	_____	_____	_____
Q	Riprap	<u>14.50</u>	_____	_____
R	Shot Rock	<u>13.00</u>	_____	_____

Exhibit A.1 Pricing Schedule

VENDOR NAME: ALLEGANY AGGREGATES, Inc.

Bid F.O.B. Vendor's Storage Site (Items A-W) (Continued)

<u>Contract Item</u>	<u>Description of Material</u>	<u>Bid Price per Ton Items A-W F.O.B. Vendor's Storage Site</u>		
		<u>LIMESTONE SANDSTONE, GRAVEL, SAND</u>	<u>BLAST FURNACE SLAG</u>	<u>STEEL SLAG</u>
S	AASHTO #8 Modified	<u>13.50</u>	_____	_____
T	AASHTO #9 Modified	<u>13.50</u>	_____	_____
U	Pea Gravel	_____	_____	_____
V	#11 Limestone Abrasives	_____	_____	_____
W	Quarry Waste	<u>11.00</u>	_____	_____
X	Haul by Vendor (Items A-W Except for Items Q and R): @ <u>1.95</u> \$ for First Ton-Mile @ <u>.80</u> \$ for Each Additional Ton Mile			
Y	Haul by Vendor (Items R and/or Q only): @ <u>2.00</u> \$ for First Ton-Mile @ <u>.95</u> \$ for Each Additional Ton-Mile			

<u>Contract Item</u>	<u>Description of Material</u>	<u>Bid Price per Ton Item AA F.O.B. Vendor's Storage Site</u>
AA	Cinders (See Note 1.)	_____

Note 1: Bid price shall include cost of Vendor Loading Department trucks.

c) SOURCE OF MATERIAL Name and Location of plant which produces material for Item AA:

N/A

d) EXACT LOCATION OF VENDOR'S STORAGE SITE(S) for Item AA. A separate bid schedule must be submitted when bid price varies between Vendors' storage sites.

N/A

F.O.B. Division's Storage Site - DISTRICT 5

6613C001

Contract Item	Description of Aggregate	Estimated Quantity (TONS)	Location of DOH Storage Site	Bid Price (\$/Ton) F.O.B. DOH Storage Site		
				LIMESTONE SANDSTONE GRAVEL, SAND	BLAST FURNACE SLAG	STEEL SLAG
<u>GRANT COUNTY</u>						
A	Class 1	3500	Mt. Storm			
B	Class 2	3500	Mt. Storm			
C	Class 10	1000	Mt. Storm			
J	AASHTO #7	2500	Mt. Storm			
K	AASHTO #8	1000	Mt. Storm			
OA	Limestone Std Abr.	2000	Mt. Storm			
OB	Sandstone Std Abr.	2000	Mt. Storm			
PA	Limestone Mod Abr.	2000	Mt. Storm			
PB	Sandstone Mod Abr.	2000	Mt. Storm			
Q	Riprap	500	Mt. Storm			
R	Shot Rock	2000	Mt. Storm			
S	AASHTO #8M	3000	Mt. Storm			
T	AASHTO #9M	250	Mt. Storm			

HAMPSHIRE COUNTY

A	Class 1	1000	Capon Bridge	18.00		
B	Class 2	1500	Capon Bridge	18.00		
C	Class 10	1000	Capon Bridge	18.00		
J	AASHTO #7	1000	Capon Bridge	19.50		
M	Gabion Stone	500	Capon Bridge	25.50		
OA	Limestone Std Abr.	2000	Capon Bridge	18.50		
OB	Sandstone Std Abr.	2000	Capon Bridge	—		
PA	Limestone Mod Abr.	2000	Capon Bridge	19.00		
PB	Sandstone Mod Abr.	2000	Capon Bridge	—		
Q	Riprap	500	Capon Bridge	25.00		
R	Shot Rock	500	Capon Bridge	24.50		
S	AASHTO #8M	1000	Capon Bridge	21.50		

F.O.B. Division's Storage Site - DISTRICT 5

6613C001

Contract Item	Description of Aggregate	Estimated Quantity (TONS)	Location of DOH Storage Site	Bid Price (\$/Ton) F.O.B. DOH Storage Site		
				LIMESTONE SANDSTONE GRAVEL, SAND	BLAST FURNACE SLAG	STEEL SLAG
<u>HAMPSHIRE COUNTY</u>						
A	Class 1	1000	Slanesville	16.75		
B	Class 2	1500	Slanesville	16.75		
C	Class 10	1000	Slanesville	16.75		
J	AASHTO #7	1500	Slanesville	19.75		
L	AASHTO #9	500	Slanesville	24.40		
M	Gabion Stone	500	Slanesville	23.00		
OA	Limestone Std Abr.	2000	Slanesville	17.50		
OB	Sandstone Std Abr.	2000	Slanesville	—		
PA	Limestone Mod Abr.	2000	Slanesville	18.50		
PB	Sandstone Mod Abr.	2000	Slanesville	—		
Q	Riprap	500	Slanesville	23.00		
R	Shot Rock	500	Slanesville	22.50		
S	AASHTO #8M	1500	Slanesville	21.50		

HAMPSHIRE COUNTY

A	Class 1	2000	Romney	14.75		
B	Class 2	3000	Romney	14.75		
C	Class 10	1000	Romney	14.75		
E	AASHTO #3	1000	Romney	18.50		
J	AASHTO #7	3000	Romney	18.50		
K	AASHTO #8	1000	Romney	18.50		
L	AASHTO #9	1000	Romney	22.95		
M	Gabion Stone	500	Romney	21.00		
OA	Limestone Std Abr.	3000	Romney	16.75		
OB	Sandstone Std Abr.	3000	Romney	—		
PA	Limestone Mod Abr.	3000	Romney	17.75		
PB	Sandstone Mod Abr.	3000	Romney	—		
Q	Riprap	500	Romney	22.00		
R	Shot Rock	500	Romney	20.00		
S	AASHTO #8M	1800	Romney	19.50		
T	AASHTO #9M	1000	Romney	19.50		
W	Quarry Waste	500	Romney	12.75		

F.O.B. Division's Storage Site - DISTRICT 5

6613C001

Contract Description Estimated Quantity Location of Bid Price (\$/Ton) F.O.B.
 Item of Aggregate (TONS) Storage Site DOH Storage Site

JEFFERSON COUNTY

				LIMESTONE SANDSTONE GRAVEL, SAND	BLAST FURNACE SLAG	STEEL SLAG
A	Class 1	4000	Charles Town			
B	Class 2	4000	Charles Town			
C	Class 10	1000	Charles Town			
E	AASHTO #3	1000	Charles Town			
H	AASHTO #57	1000	Charles Town			
J	AASHTO #7	3000	Charles Town			
M	Gabion Stone	1500	Charles Town			
OA	Limestone Std Abr.	1500	Charles Town			
OB	Sandstone Std Abr.	1500	Charles Town			
PA	Limestone Mod Abr.	1500	Charles Town			
PB	Sandstone Mod Abr.	1500	Charles Town			
Q	Riprap	1500	Charles Town			
R	Shot Rock	1500	Charles Town			
S	AASHTO #8M	4000	Charles Town			
T	AASHTO #9M	2000	Charles Town			
W	Quarry Waste	500	Charles Town			

MINERAL COUNTY

A	Class 1	1500	Short Gap	14.50		
B	Class 2	1000	Short Gap	14.50		
C	Class 10	1000	Short Gap	14.75		
J	AASHTO #7	1000	Short Gap	15.75		
K	AASHTO #8	1000	Short Gap	16.75		
M	Gabion Stone	500	Short Gap	19.75		
OA	Limestone Std Abr.	1500	Short Gap	15.75		
OB	Sandstone Std Abr.	1500	Short Gap	—		
PA	Limestone Mod Abr.	1500	Short Gap	16.75		
PB	Sandstone Mod Abr.	1500	Short Gap	—		
Q	Riprap	500	Short Gap	22.00		
R	Shot Rock	500	Short Gap	19.95		
S	AASHTO #8M	1500	Short Gap	16.50		

F.O.B. Division's Storage Site - DISTRICT 5

6613C001

Contract Description Estimated Location of Bid Price (\$/Ton) F.O.B.
 Item of Aggregate Quantity DOH DOH Storage Site
 (TONS) Storage Site

MINERAL COUNTY

				LIMESTONE SANDSTONE GRAVEL, SAND	BLAST FURNACE SLAG	STEEL SLAG
A	Class 1	1500	Skyline			
B	Class 2	2000	Skyline			
C	Class 10	1000	Skyline			
J	AASHTO #7	1500	Skyline			
K	AASHTO #8	1000	Skyline			
M	Gabion Stone	500	Skyline			
OA	Limestone Std Abr.	2000	Skyline			
OB	Sandstone Std Abr.	2000	Skyline			
PA	Limestone Mod Abr.	2000	Skyline			
PB	Sandstone Mod Abr.	2000	Skyline			
Q	Riprap	500	Skyline			
R	Shot Rock	500	Skyline			
S	AASHTO #8M	1500	Skyline			

MINERAL COUNTY

A	Class 1	1000	New Creek	14.25		
B	Class 2	2000	New Creek	14.25		
C	Class 10	1000	New Creek	14.25		
E	AASHTO #3	1000	New Creek	16.25		
J	AASHTO #7	3500	New Creek	16.25		
K	AASHTO #8	3000	New Creek	17.95		
L	AASHTO #9	500	New Creek	17.95		
M	Gabion Stone	500	New Creek	19.00		
OA	Limestone Std Abr.	2500	New Creek	16.50		
OB	Sandstone Std Abr.	2500	New Creek	—		
PA	Limestone Mod Abr.	2500	New Creek	17.00		
PB	Sandstone Mod Abr.	2500	New Creek	—		
Q	Riprap	500	New Creek	19.95		
R	Shot Rock	500	New Creek	18.95		
S	AASHTO #8M	3000	New Creek	18.50		
T	AASHTO #9M	1500	New Creek	19.50		
W	Quarry Waste	500	New Creek	8.95		

F.O.B. Division's Storage Site - DISTRICT 5

6613C001

Contract Item	Description of Aggregate	Estimated Quantity (TONS)	Location of DOH Storage Site	Bid Price (\$/Ton) F.O.B. DOH Storage Site		
				LIMESTONE SANDSTONE GRAVEL, SAND	BLAST FURNACE SLAG	STEEL SLAG
<u>MORGAN COUNTY</u>						
A	Class 1	2000	Berkeley Springs			
B	Class 2	2500	Berkeley Springs			
C	Class 10	1000	Berkeley Springs			
E	AASHTO #3	500	Berkeley Springs			
H	AASHTO #57	500	Berkeley Springs			
J	AASHTO #7	2500	Berkeley Springs			
K	AASHTO #8	2000	Berkeley Springs			
OA	Limestone Std Abr.	1500	Berkeley Springs			
OB	Sandstone Std Abr.	1500	Berkeley Springs			
PA	Limestone Mod Abr.	1500	Berkeley Springs			
PB	Sandstone Mod Abr.	1500	Berkeley Springs			
Q	Riprap	500	Berkeley Springs			
R	Shot Rock	500	Berkeley Springs			
S	AASHTO #8M	2500	Berkeley Springs			
T	AASHTO #9M	750	Berkeley Springs			
W	Quarry Waste	500	Berkeley Springs			

MORGAN COUNTY

A	Class 1	1000	Largent - SR 9	17.50		
B	Class 2	1000	Largent - SR 9	17.50		
C	Class 10	1000	Largent - SR 9	17.50		
J	AASHTO #7	1000	Largent - SR 9	18.50		
K	AASHTO #8	1000	Largent - SR 9	18.50		
M	Gabion Stone	500	Largent - SR 9	19.95		
OA	Limestone Std Abr.	1000	Largent - SR 9	19.55		
OB	Sandstone Std Abr.	1000	Largent - SR 9	—		
PA	Limestone Mod Abr.	1000	Largent - SR 9	20.05		
PB	Sandstone Mod Abr.	1000	Largent - SR 9	—		
Q	Riprap	500	Largent - SR 9	24.00		
R	Shot Rock	500	Largent - SR 9	23.00		
S	AASHTO #8M	1000	Largent - SR 9	21.00		

MORGAN COUNTY

B	Class 2	500	Largent - CR 9/14	17.50		
C	Class 10	1000	Largent - CR 9/14	17.50		
J	AASHTO #7	500	Largent - CR 9/14	18.50		
K	AASHTO #8	500	Largent - CR 9/14	18.50		
M	Gabion Stone	500	Largent - CR 9/14	21.00		



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

Solicitation

NUMBER
6613C001

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ADDRESS CORRESPONDENCE TO ATTENTION OF:
 ALAN CUMMINGS
 304-558-2402

VENDOR

*709033011 301-478-2400
 ALLEGANY AGGREGATES INC
 PO BOX 127
 CUMBERLAND MD 21502

SHIP TO

DIVISION OF HIGHWAYS
 VARIOUS LOCALES AS INDICATED
 BY ORDER

DATE PRINTED
 08/24/2012

BID OPENING DATE: 09/05/2012 BID OPENING TIME 1:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
ADDENDUM NO. 01						
ISSUED TO CHANGE BID OPENING DATE AND TIME PER THE ATTACHED DOCUMENTATION.						
0001	1	EA		770-06		
				STONE AND AGGREGATE - FALL/WINTER		
***** THIS IS THE END OF RFQ 6613C001 ***** TOTAL:						

SIGNATURE <i>[Signature]</i>	TELEPHONE 301-777-1777	DATE 8/28/12
TITLE <i>[Title]</i>	FEIN 52-1641964	ADDRESS CHANGES TO BE NOTED ABOVE

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

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.
7. **Application is made for preference as a non-resident small, women- and minority-owned business, in accordance with *West Virginia Code* §5A-3-59 and *West Virginia Code of State Rules*.**
 Bidder has been or expects to be approved prior to contract award by the Purchasing Division as a certified small, women- and minority-owned business.

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: Allegheny Aluminum LLC, Inc.

Signed: [Signature]

Date: August 28, 2012

Title: Vice President/General Manager of Allegheny

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: Advanced Acoustics, Inc.

Authorized Signature: [Signature] Date: August 28, 2012

State of Maryland

County of Allegany, to-wit:

Taken, subscribed, and sworn to before me this 28th day of August, 2012

My Commission expires 11/6, 2013.

AFFIX SEAL HERE

NOTARY PUBLIC [Signature]