



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

*216143024 614-795-4644
 BELMONT AGGREGATES INC
 125 CARRIE ST
 POWHATAN POINT OH 43942

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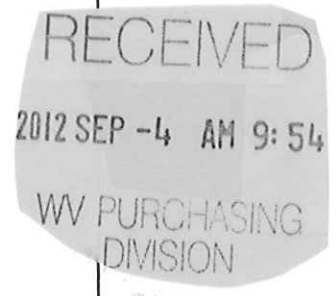
DIVISION OF HIGHWAYS
 VARIOUS LOCALES AS INDICATED
 BY ORDER

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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						
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.						
***** THIS IS THE END OF RFQ 6613C001 ***** TOTAL:						



SIGNATURE <i>John L. Kuh</i>	TELEPHONE 740 - 795-4644	DATE 8-24-12
TITLE <i>President</i>	FEIN 34-1807263	ADDRESS CHANGES TO BE NOTED ABOVE

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



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

Solicitation

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

V E N D O R	*216143024	614-795-4644
	BELMONT AGGREGATES INC	
	125 CARRIE ST	
	POWHATAN POINT OH 43942	

S H I P T O	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>John L. Kirk</i>	TELEPHONE 740-795-4644	DATE 8-27-12
TITLE <i>President</i>	FEIN 34-1807263	ADDRESS CHANGES TO BE NOTED ABOVE

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

Exhibit A.1 Pricing Schedule

VENDOR NAME: Belmont Aggregates

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

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
S	AASHTO #8 Modified	_____	_____	_____
T	AASHTO #9 Modified	_____	_____	_____
U	Pea Gravel	_____	_____	_____
V	#11 Limestone Abrasives	_____	_____	_____
W	Quarry Waste	_____	_____	_____
X	Haul by Vendor (Items A-W Except for Items Q and R): @ _____ \$ for First Ton-Mile @ _____ \$ for Each Additional Ton Mile			
Y	Haul by Vendor (Items R and/or Q only): @ _____ \$ for First Ton-Mile @ _____ \$ for Each Additional Ton-Mile			

Contract Item	Description of Material	Bid Price per Ton Item AA F.O.B. Vendor's Storage Site
AA	Cinders (See Note 1.)	<u>\$ 7.25</u>

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:

Pleasants Power
Belmont, WV

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.

Rt. 7 Belmont, WV

Exhibit A.2 Pricing Schedule

VENDOR NAME Belmont Aggregates

F.O.B. Division's Storage Site - DISTRICT 3

6613C001

If a supplier is bidding materials from more than one source, a set of bid schedules with all required information shall be provided for each source. The type and source of materials indicated in 14.1 (c) and (d) therefore, shall apply to the materials to be delivered to the Division's storage sites below.

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

CINDERS

AA	CINDERS	2500	Millstone	\$21.00
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JACKSON COUNTY

AA	CINDERS	1000	Ripley	17.50
AA	CINDERS	1000	Medina - I-77	16.50

ROANE COUNTY

AA	CINDERS	7000	Spencer	20.80
AA	CINDERS	1500	Southern Roane - WV 36	24.25

PLEASANTS COUNTY

AA	CINDERS	1500	Belmont	10.75
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RITCHIE COUNTY

AA	CINDERS	5000	Ellenboro	13.75
AA	CINDERS	2000	Smithville	17.60
AA	CINDERS	500	Nutter Farm, APD-Sec.0	14.70
AA	CINDERS	1500	Pennsboro, APD-Sec.1	13.60

WOOD COUNTY

AA	CINDERS	3000	Parkersburg	12.80
AA	CINDERS	1500	Mill Run Road - I-77	12.50

WIRT COUNTY

AA	CINDERS	450	Elizabeth	16.50
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PLEASANTS COUNTY

AA	CINDERS	500	Colin Anderson Lot	12.50
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F.O.B. Division's Storage Site - DISTRICT 4

6613C001

If a supplier is bidding materials from more than one source, a set of bid schedules with all required information shall be provided for each source. The type and source of materials indicated in 14.1 (c) and (d) therefore, shall apply to the materials to be delivered to the Division's storage sites below.

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

CINDERS

AA	CINDERS	2000	Greenwood APD-Sec.1	\$ 16 . 25
AA	CINDERS	2000	Smithburg	

HARRISON COUNTY

AA	CINDERS	2000	Tunnel APD-50	
AA	CINDERS	1000	Lost Creek I-79	
AA	CINDERS	3500	Gore	
AA	CINDERS	1000	Saltwell	

MARION COUNTY

AA	CINDERS	3500	Fairmont	
AA	CINDERS	1500	Mannington	

MONONGALIA COUNTY

AA	CINDERS	3000	Sabraton	
AA	CINDERS	2000	Pentress	
AA	CINDERS	2000	Goshen Road I-79	

PRESTON COUNTY

AA	CINDERS	4000	Albright	
AA	CINDERS	3000	Fellowsville	
AA	CINDERS	3000	Aurora	
AA	CINDERS	3000	Terra Alta	
AA	CINDERS	3000	Bruceon Mills	
AA	CINDERS	3500	Coopers Rock I-68	
AA	CINDERS	1500	Masontown	

TAYLOR COUNTY

AA	CINDERS	3000	Grafton	
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F.O.B. Division's Storage Site - DISTRICT 6

6613C001

If a supplier is bidding materials from more than one source, a set of bid schedules with all required information shall be provided for each source. The type and source of materials indicated in 14.1 (c) and (d) therefore, shall apply to the materials to be delivered to the Division's storage sites below.

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

CINDERS

AA	CINDERS	2000	Wellsburg	
AA	CINDERS	3000	US 22 & CR 1	

HANCOCK COUNTY

AA	CINDERS	3000	New Manchester	
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MARSHALL COUNTY

AA	CINDERS	4000	Glendale	
AA	CINDERS	2000	Cameron	
AA	CINDERS	2000	Lynn Camp	
AA	CINDERS	2000	Sand Hill	

OHIO COUNTY

AA	CINDERS	5000	Triadelphia	
AA	CINDERS	1000	Elm Grove I-70	

TYLER COUNTY

AA	CINDERS	3000	Sistersville	\$ 14 . 43
AA	CINDERS	2000	Centerville	16 . 11

WETZEL COUNTY

AA	CINDERS	4000	New Martinsville	20 . 95
AA	CINDERS	2000	Hundred	
AA	CINDERS	2000	Pine Grove	17 . 37

Exhibit A.1 Pricing Schedule

VENDOR NAME: Belmont Aggregates

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	_____	_____	_____
T	AASHTO #9 Modified	_____	_____	_____
U	Pea Gravel	_____	_____	_____
V	#11 Limestone Abrasives	_____	_____	_____
W	Quarry Waste	_____	_____	_____
X	Haul by Vendor (Items A-W Except for Items Q and R): @ _____ \$ for First Ton-Mile @ _____ \$ for Each Additional Ton Mile			
Y	Haul by Vendor (Items R and/or Q only): @ _____ \$ for First Ton-Mile @ _____ \$ 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.)	<u>\$7.00</u>

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:

Ft. Martin Power Plant
Maidsville, WV

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.

Ft. Martin Power Plant
Rt. 100-Maidsville, WV

F.O.B. Division's Storage Site - DISTRICT 6

6613C001

If a supplier is bidding materials from more than one source, a set of bid schedules with all required information shall be provided for each source. The type and source of materials indicated in 14.1 (c) and (d) therefore, shall apply to the materials to be delivered to the Division's storage sites below.

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

BROOKE COUNTY

CINDERS

AA	CINDERS	2000	Wellsburg	
AA	CINDERS	3000	US 22 & CR 1	

HANCOCK COUNTY

AA	CINDERS	3000	New Manchester	
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MARSHALL COUNTY

AA	CINDERS	4000	Glendale	
AA	CINDERS	2000	Cameron	
AA	CINDERS	2000	Lynn Camp	
AA	CINDERS	2000	Sand Hill	

OHIO COUNTY

AA	CINDERS	5000	Triadelphia	
AA	CINDERS	1000	Elm Grove I-70	

TYLER COUNTY

AA	CINDERS	3000	Sistersville	
AA	CINDERS	2000	Centerville	

WETZEL COUNTY

AA	CINDERS	4000	New Martinsville	
AA	CINDERS	2000	Hundred	\$18.80
AA	CINDERS	2000	Pine Grove	

Exhibit A.1 Pricing Schedule

VENDOR NAME: Belmont Aggregates

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

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
S	AASHTO #8 Modified	_____	_____	_____
T	AASHTO #9 Modified	_____	_____	_____
U	Pea Gravel	_____	_____	_____
V	#11 Limestone Abrasives	_____	_____	_____
W	Quarry Waste	_____	_____	_____
X	Haul by Vendor (Items A-W Except for Items Q and R): @ _____ \$ for First Ton-Mile @ _____ \$ for Each Additional Ton Mile			
Y	Haul by Vendor (Items R and/or Q only): @ _____ \$ for First Ton-Mile @ _____ \$ for Each Additional Ton-Mile			

Contract Item	Description of Material	Bid Price per Ton Item AA F.O.B. Vendor's Storage Site
AA	Cinders (See Note 1.)	<u>\$6.50</u>

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:

Bruce Mansfield Power Plant
Shippingport, PA

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.

Rt. 168
Shippingport, PA

F.O.B. Division's Storage Site - DISTRICT 6

6613C001

If a supplier is bidding materials from more than one source, a set of bid schedules with all required information shall be provided for each source. The type and source of materials indicated in 14.1 (c) and (d) therefore, shall apply to the materials to be delivered to the Division's storage sites below.

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

BROOKE COUNTY

CINDERS

AA	CINDERS	2000	Wellsburg	\$ 14 . 70
AA	CINDERS	3000	US 22 & CR 1	14 . 15

HANCOCK COUNTY

AA	CINDERS	3000	New Manchester	12 . 60
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MARSHALL COUNTY

AA	CINDERS	4000	Glendale	17 . 70
AA	CINDERS	2000	Cameron	19 . 75
AA	CINDERS	2000	Lynn Camp	19 . 70
AA	CINDERS	2000	Sand Hill	19 . 20

OHIO COUNTY

AA	CINDERS	5000	Triadelphia	16 . 90
AA	CINDERS	1000	Elm Grove I-70	16 . 90

TYLER COUNTY

AA	CINDERS	3000	Sistersville	
AA	CINDERS	2000	Centerville	

WETZEL COUNTY

AA	CINDERS	4000	New Martinsville	20 . 95
AA	CINDERS	2000	Hundred	
AA	CINDERS	2000	Pine Grove	

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.

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.

Belmont Aggregates
(Company)

John S Kish
(Authorized Signature)

John S Kish President
(Representative Name, Title)

740-795-4644 740-795-4259
(Phone Number) (Fax Number)

08/28/12
(Date)

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.

Belmont Aggregates

 Company

John S. Kish

 Authorized Signature

8-27-12

 Date

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: Belmont Aggregates Signed: John L. Kuh President
Date: 08/28/12 Title:

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: Belmont Aggregates

Authorized Signature: John S. Kih Date: 8-24-12

State of West Virginia

County of Monongalia, to-wit:

Taken, subscribed, and sworn to before me this 24th day of August, 2012.

My Commission expires May 16, 2020, 20 .

AFFIX SEAL HERE

NOTARY PUBLIC

Dianna R. Clawges

