



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 804-558-2402

VENDOR

*128103621 304-927-1236
 BOGGS NATURAL GAS FLP
 1248 CHARLESTON RD
 SPENCER WV 25276

SHIP TO

DIVISION OF HIGHWAYS
 VARIOUS LOCALES AS INDICATED
 BY ORDER

RECEIVED
 AUG 25 2012
 BY: _____

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>Gregory A. Boyer</i>	TELEPHONE 304 927-1236	DATE 9/4/2012
TITLE Manager	FEIN 311505323	ADDRESS CHANGES TO BE NOTED ABOVE

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.

ATTACHMENT A

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.

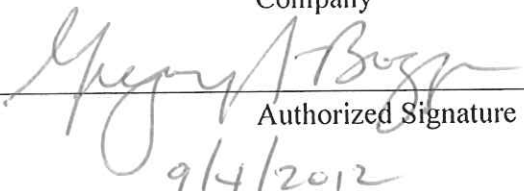
Acknowledgment: I hereby acknowledge receipt of the following addenda and have made the necessary revisions to my proposal, plans and/or specification, etc.

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.

BOBBS NATURAL GAS, LLP
 Company

 Authorized Signature
9/4/2012
 Date

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



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

RFQ COPY

TYPE NAME/ADDRESS HERE

VENDOR

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			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>Megant Boyd</i>	TELEPHONE 304-927-1236	DATE 9/4/2012
TITLE MANAGER	FEN 31 150 5323	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: Boggs Natural Gas, FLP

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)

Boggs Rock Quarry #001- 3 miles South of Spencer on East Side of US 119

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

Boggs Rock Quarry #001- 3 miles South of Spencer on East Side of US 119

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

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	8.00	_____	_____
X	Haul by Vendor (Items A-W Except for Items Q and R): @ 2.25 _____ \$ for First Ton-Mile @ 0.25 _____ \$ for Each Additional Ton Mile			
Y	Haul by Vendor (Items R and/or Q only): @ 2.25 _____ \$ for First Ton-Mile @ 0.25 _____ \$ 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:

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.

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

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>RITCHIE COUNTY</u>						
K	AASHTO #8	1000	Smithville			
OA	Limestone Std Abr.	1000	Smithville			
OB	Sandstone Std Abr.	1000	Smithville			

ROANE COUNTY

A	Class 1	3550	Left Hand - Walton			
D	AASHTO #1	2000	Left Hand - Walton			
E	AASHTO #3	2000	Left Hand - Walton			
G	AASHTO #467	3000	Left Hand - Walton			
H	AASHTO #57	3000	Left Hand - Walton			
I	AASHTO #67	2000	Left Hand - Walton			
L	AASHTO #9	1000	Left Hand - Walton			
OA	Limestone Std Abr.	500	Left Hand - Walton			
OB	Sandstone Std Abr.	500	Left Hand - Walton			

ROANE COUNTY

A	Class 1	9000	Spencer			
D	AASHTO #1	3000	Spencer			
E	AASHTO #3	4000	Spencer			
G	AASHTO #467	6400	Spencer			
H	AASHTO #57	6000	Spencer			
I	AASHTO #67	2000	Spencer			
K	AASHTO #8	4000	Spencer			
L	AASHTO #9	1000	Spencer			
M	Gabion Stone	1500	Spencer	27.50		
OA	Limestone Std Abr.	2200	Spencer			
OB	Sandstone Std Abr.	2200	Spencer			
S	AASHTO #8M	3000	Spencer			

ROANE COUNTY

L	AASHTO #9	2000	Spencer - Rt. 33			
---	-----------	------	------------------	--	--	--

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

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>CALHOUN COUNTY</u>						
A	Class 1	3600	Millstone			
E	AASHTO #3	1800	Millstone			
G	AASHTO #467	5000	Millstone			
I	AASHTO #67	2500	Millstone			
M	Gabion Stone	600	Millstone	32.00		
OA	Limestone Std Abr.	2500	Millstone			
OB	Sandstone Std Abr.	2500	Millstone			
S	AASHTO #8M	1150	Millstone			

JACKSON COUNTY

OA	Limestone Std Abr.	750	Medina - I-77			
OB	Sandstone Std Abr.	750	Medina - I-77			

JACKSON COUNTY

A	Class 1	10000	Ripley			
D	AASHTO #1	500	Ripley			
E	AASHTO #3	2000	Ripley			
G	AASHTO #467	9000	Ripley			
I	AASHTO #67	3000	Ripley			
M	Gabion Stone	750	Ripley			
OA	Limestone Std Abr.	3000	Ripley			
OB	Sandstone Std Abr.	3000	Ripley			
Q	RipRap	250	Ripley			
S	AASHTO #8M	1500	Ripley			
T	AASHTO #9M	1500	Ripley			

PLEASANTS COUNTY

OA	Limestone Std Abr.	1000	Belmont			
OB	Sandstone Std Abr.	1000	Belmont			

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: BOEGS NATURAL GAS, LLP

Signed: Megyn A. Boegs

Date: 9/4/2012

Title: Partner / Manager

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: BOGGS NATURAL GAS, FLP

Authorized Signature: [Signature] Date: 9/5/2012

State of WV

County of ROANE, to-wit:

Taken, subscribed, and sworn to before me this 5th day of Sept., 2012.

My Commission expires March 17, 2019.

AFFIX SEAL HERE

NOTARY PUBLIC

[Signature]

