



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

**Solicitation**

NUMBER
6614C001

PAGE
1

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

RFO COPY

VENDOR

ROCKYDATE MUNDY QUARRIES  
 P O BOX 126  
 BROADWAY VA 22815

SHIP TO

DIVISION OF HIGHWAYS  
 VARIOUS LOCALES AS INDICATED  
 BY ORDER

DATE PRINTED
08/16/2013

BID OPENING DATE: 09/04/2013

BID OPENING TIME 1:30PM

LINE	QUANTITY	UOP	CAT NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	EA		750-35		
STONE, AGGREGATE, & CINDER						
REQUEST FOR QUOTATION (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 1-10 AND CINDERS TO DISTRICTS 1,3,4,6, AND 7 PER THE ATTACHED SPECIFICATIONS.						
***** THIS IS THE END OF RFO 6614C001 ***** TOTAL:						

09/06/13 10:00:48 AM  
 West Virginia Purchasing Division

SIGNATURE		TELEPHONE	DATE
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE	

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

**ADDENDUM ACKNOWLEDGEMENT FORM**  
**SOLICITATION NO.: 6614C001**

**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.

Rockydale Mundy Quarries  
Company

Chuck N. Kelly Jr.  
Authorized Signature

August 29, 2013  
Date

NOTE: This addendum acknowledgment should be submitted with the bid to expedite document processing.



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

**Solicitation**

NUMBER
6614C001

PAGE
1

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

RFQ COPY

TYPE NAME/ADDRESS HERE

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DIVISION OF HIGHWAYS  
 VARIOUS LOCALES AS INDICATED  
 BY ORDER

DATE PRINTED
08/27/2013

BID OPENING DATE: 09/11/2013 BID OPENING TIME 1:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
ADDENDUM NO. 01						
ISSUED TO ATTACH EXCEL FILE PRICING PAGES TO THE PURCHASING BULLETIN WEBSITE AND TO CHANGE THE BID OPENING DATE/TIME TO 09/11/2013 AT 1:30 P.M.						
0001	1	EA		750-35		
STONE, AGGREGATE, & CINDER						
***** THIS IS THE END OF RFQ 6614C001 ***** TOTAL:						

SIGNATURE		TELEPHONE		DATE
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE		

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

SOLICITATION NUMBER: 6614C001

Addendum Number: 1

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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 attach Excel file pricing pages to the Purchasing Bulletin website and to change the bid opening date/time to 09/11/2013 at 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.: 6614C001**

**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.

Rockydale Mundy Quarries  
Company

Charles M. Kelly  
Authorized Signature

8/29/2013  
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.

Rockdale Mundy Quarries  
(Company)

Charles R. Dellinger Jr.  
(Authorized Signature)

Charles R. Dellinger Jr. Sales Rep.  
(Representative Name, Title)

540-833-2061      540-833-8312  
(Phone Number)                      (Fax Number)

August 29, 2013  
(Date)

with W. Va. Code § 5-19-1 et seq., and W. Va. CSR § 148-10-1 et seq., for every contract or subcontract, subject to the limitations contained herein, for the construction, reconstruction, alteration, repair, improvement or maintenance of public works or for the purchase of any item of machinery or equipment to be used at sites of public works, only domestic aluminum, glass or steel products shall be supplied unless the spending officer determines, in writing, after the receipt of offers or bids, (1) that the cost of domestic aluminum, glass or steel products is unreasonable or inconsistent with the public interest of the State of West Virginia, (2) that domestic aluminum, glass or steel products are not produced in sufficient quantities to meet the contract requirements, or (3) the available domestic aluminum, glass, or steel do not meet the contract specifications. This provision only applies to public works contracts awarded in an amount more than fifty thousand dollars (\$50,000) or public works contracts that require more than ten thousand pounds of steel products.

The cost of domestic aluminum, glass, or steel products may be unreasonable if the cost is more than twenty percent (20%) of the bid or offered price for foreign made aluminum, glass, or steel products. If the domestic aluminum, glass or steel products to be supplied or produced in a "substantial labor surplus area", as defined by the United States Department of Labor, the cost of domestic aluminum, glass, or steel products may be unreasonable if the cost is more than thirty percent (30%) of the bid or offered price for foreign made aluminum, glass, or steel products.

This preference shall be applied to an item of machinery or equipment, as indicated above, when the item is a single unit of equipment or machinery manufactured primarily of aluminum, glass or steel, is part of a public works contract and has the sole purpose or of being a permanent part of a single public works project. This provision does not apply to equipment or machinery purchased by a spending unit for use by that spending unit and not as part of a single public works project.

All bids and offers including domestic aluminum, glass or steel products that exceed bid or offer prices including foreign aluminum, glass or steel products after application of the preferences provided in this provision may be reduced to a price equal to or lower than the lowest bid or offer price for foreign aluminum, glass or steel products plus the applicable preference. If the reduced bid or offer prices are made in writing and supersede the prior bid or offer prices, all bids or offers, including the reduced bid or offer prices, will be reevaluated in accordance with this rule.



REQUEST FOR QUOTATION  
6614C001 Stone, Aggregate and Cinders

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**6.5 Return Due to Agency Error:** Items ordered in error by the Agency will be returned for credit within 30 days of receipt, F.O.B. Vendor's location. Vendor shall not charge a restocking fee if returned products are in a resalable condition. Items shall be deemed to be in a resalable condition if they are unused and in the original packaging. Any restocking fee for items not in a resalable condition shall be the lower of the Vendor's customary restocking fee or 5% of the total invoiced value of the returned items.

**7. MISCELLANIOUS:**

**7.1 No Substitutions:** Vendor shall supply only Contract Items submitted in response to the RFQ unless a contract modification is approved in accordance with the provisions contained in this Contract.

**7.2 Vendor Supply:** Vendor must carry sufficient inventory of the Contract Items being offered to fulfill its obligations under this Contract. By signing its bid, Vendor certifies that it can supply the Contract Items contained in its bid response.

**7.3 Reports:** Vendor shall provide quarterly reports and annual summaries to the Agency showing the Agency's items purchased, quantities of items purchased, and total dollar value of the items purchased. Vendor shall also provide reports, upon request, showing the items purchased during the term of this Contract, the quantity purchased for each of those items, and the total value of purchases for each of those items. Failure to supply such reports may be grounds for cancellation of this Contract.

**7.4 Contract Manager:** During its performance of this Contract, Vendor must designate and maintain a primary contract manager responsible for overseeing Vendor's responsibilities under this Contract. The Contract manager must be available during normal business hours to address any customer service or other issues related to this Contract. Vendor should list its Contract manager and his or her contact information below.

**Contract Manager:** Charles R Dellinger Jr.  
**Telephone Number:** 540-833-2061  
**Fax Number:** 540-833-8312  
**Email Address:** cdellinger@RockydaleQuarries.com

Exhibit Pricing Page

VENDOR NAME \_\_\_\_\_

A.1

Vendor's Source Information

2013/2014 Fall/Winter #6614C001

Mandatory - Vendor shall complete this schedule and return with bid documents.**Limestone, Sandstone, Gravel, Sand, Blast Furnance Slag and Steel S**

- 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)

<i>Rockydale Broadway Quarry</i>
<i>Rockydale Flatrock Quarry</i>

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

<i>Rockydale Broadway Quarry</i>
<i>11261 Turlegtowns Road Linville, VA. 22834</i>
<i>Rockydale Flatrock Quarry</i>
<i>477 Limestone Road, Quicksburg, VA. 22847</i>

**Cinders**

- c) SOURCE OF MATERIAL: Name and Location of plant which produces Cinder material.


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


**F.O.B. Vendor's Storage Site (Items A-W) 2013/2014 Fall/Winter #6614C001**

If the Vendor chooses to provide pickup pricing to the WVDOH, please complete the schedule below which shall include the loading of WVDOH trucks by the Vendor.

Bid Price per Ton Items A-W F.O.B. Vendor's Storage Site				
Contract Item	Description of Material	Limestone, Sandstone, Gravel, Sand	Blast Furnace Slag	Steel Slag
A	Class 1 Aggregate	\$ 8.00		
B	Class 2 Aggregate	\$ 8.00		
C	Class 10 Aggregate	\$ 8.00		
D	AASHTO #1 Aggregate	\$ 8.00		
E	AASHTO #3 Aggregate	\$ 8.00		
F	AASHTO #4 Aggregate	—————		
G	AASHTO #467 Aggregate	—————		
H	AASHTO #57 Aggregate	\$ 10.75		
I	AASHTO #67 Aggregate	\$ 10.75		
J	AASHTO #7 Aggregate	\$ 10.75		
K	AASHTO #8 Aggregate	\$ 11.00		
L	AASHTO #9 Aggregate	\$ 9.50		
M	Stone for Gabions	\$ 9.75		
N	Fine Aggregate	\$ 13.50		
OA	Limestone Standard Abrasives	\$ 11.00		
OB	Sandstone Standard Abrasives	—————		
PA	Limestone Modified Abrasives	\$ 11.00		
PB	Sandstone Modified Abrasives	—————		
Q	Rip Rap	\$ 12.00		
R	Shot Rock	\$ 9.75		
S	AASHTO #8 Modified	\$ 11.00		
T	AASHTO #9 Modified	\$ 9.50		
U	Pea Gravel	—————		
V	#11 Limestone Abrasives	\$ 9.50		
W	Quarry Waste	\$ 6.00		
X	Haul by Vendor (Items A-W Except for Items Q and R):			
		\$ for First Ton-Mile	\$ 2.88	
		\$ for Each Additional Ton-Mile	.16¢	
Y	Haul by Vendor (Items Q and/or R only):			
		\$ for First Ton-Mile	\$ 5.76	
		\$ for Each Additional Ton-Mile	.32¢	
AA	Cinders (include cost of Vendor loading WVDOH trucks)			

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	0	Romney			
B	Class 2	3000	Romney			
C	Class 10	0	Romney			
E	AASHTO #3	1000	Romney			
J	AASHTO #7	3000	Romney			
K	AASHTO #8	1000	Romney			
L	AASHTO #9	0	Romney			
M	Gabion Stone	500	Romney			
OA	Limestone Std Abr.	3000	Romney			
OB	Sandstone Std Abr.	3000	Romney			
PA	Limestone Mod Abr.	3000	Romney			
PB	Sandstone Mod Abr.	3000	Romney			
Q	Riprap	500	Romney			
R	Shot Rock	0	Romney			
S	AASHTO #8M	1800	Romney			
T	AASHTO #9M	0	Romney			
W	Quarry Waste	500	Romney			

HARDY COUNTY

A	Class 1	1000	Baker	\$ 16.95		
B	Class 2	2500	Baker	\$ 16.95		
C	Class 10	1000	Baker	\$ 16.95		
E	AASHTO #3	100	Baker	\$ 16.95		
H	AASHTO #57	500	Baker	\$ 19.75		
J	AASHTO #7	2500	Baker	\$ 19.75		
L	AASHTO #9	1500	Baker	\$ 18.45		
M	Gabion Stone	500	Baker	\$ 18.75		
OA	Limestone Std Abr.	5000	Baker	\$ 19.95		
OB	Sandstone Std Abr.	5000	Baker	NO Bid		
PA	Limestone Mod Abr.	5000	Baker	\$ 19.95		
PB	Sandstone Mod Abr.	5000	Baker	NO Bid		
Q	Riprap	500	Baker	\$ 29.45		
R	Shot Rock	500	Baker	\$ 18.75		
S	AASHTO #8M	4000	Baker	\$ 19.95		

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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HARDY COUNTY

				LIMESTONE SANDSTONE GRAVEL, SAND	BLAST FURNACE SLAG	STEEL SLAG
A	Class 1	1000	Moorefield	\$18.75		
B	Class 2	2000	Moorefield	\$18.75		
C	Class 10	1000	Moorefield	\$18.75		
E	AASHTO #3	500	Moorefield	\$18.75		
H	AASHTO #57	500	Moorefield	\$21.45		
J	AASHTO #7	2000	Moorefield	\$21.45		
L	AASHTO #9	1500	Moorefield	\$20.20		
M	Gabion Stone	500	Moorefield	\$20.45		
OA	Limestone Std Abr.	4000	Moorefield	\$21.70		
OB	Sandstone Std Abr.	4000	Moorefield	NO Bid		
PA	Limestone Mod Abr.	4000	Moorefield	\$21.70		
PB	Sandstone Mod Abr.	4000	Moorefield	NO Bid		
Q	Riprap	500	Moorefield	\$32.90		
R	Shot Rock	500	Moorefield	\$20.45		
S	AASHTO #8M	2000	Moorefield	\$21.45		
W	Quarry Waste	500	Moorefield	\$16.20		

JEFFERSON COUNTY

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			

NO Bid



Exhibit Pricing Page Schedule  
A.3

VENDOR NAME Backgate Muncy Quarries

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

2013/2014 Fall/Winter #6614C001

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>HARDY COUNTY</u>						
A	Class 1	1000	Moorefield	\$19.22		
B	Class 2	2000	Moorefield	\$19.22		
C	Class 10	1000	Moorefield	\$19.22		
E	AASHTO #3	500	Moorefield	\$19.22		
H	AASHTO #57	500	Moorefield	\$21.97		
J	AASHTO #7	2000	Moorefield	\$21.97		
L	AASHTO #9	1500	Moorefield	\$20.72		
M	Gabion Stone	500	Moorefield	\$20.97		
OA	Limestone Std Abr.	4000	Moorefield	\$22.22		
OB	Sandstone Std Abr.	4000	Moorefield	No Bid		
PA	Limestone Mod Abr.	4000	Moorefield	\$22.22		
PB	Sandstone Mod Abr.	4000	Moorefield	No Bid		
Q	Riprap	500	Moorefield	\$33.44		
R	Shot Rock	500	Moorefield	\$20.97		
S	AASHTO #8M	2000	Moorefield	\$22.22		
W	Quarry Waste	500	Moorefield	\$16.72		

JEFFERSON COUNTY

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			

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

PENDLETON COUNTY

				LIMESTONE SANDSTONE GRAVEL, SAND	BLAST FURNACE SLAG	STEEL SLAG
A	Class 1	1000	Brandywine	\$18.00		
B	Class 2	450	Brandywine	\$17.90		
I	AASHTO #67	500	Brandywine	\$20.75		
K	AASHTO #8	1000	Brandywine	\$21.00		
L	AASHTO #9	1000	Brandywine	\$19.50		
OA	Limestone Std Abr.	2000	Brandywine	\$21.00		
OB	Sandstone Std Abr.	2000	Brandywine	No Bid		
PA	Limestone Mod Abr.	1600	Brandywine	\$21.00		
PB	Sandstone Mod Abr.	1600	Brandywine	No Bid		

PENDLETON COUNTY

A	Class 1	2500	Franklin - US 220N			
B	Class 2	2700	Franklin - US 220N			
D	AASHTO #1	1000	Franklin - US 220N			
H	AASHTO #57	1000	Franklin - US 220N			
I	AASHTO #67	1000	Franklin - US 220N			
K	AASHTO #8	950	Franklin - US 220N			
L	AASHTO #9	2000	Franklin - US 220N			
M	Gabion Stone	135	Franklin - US 220N			
OA	Limestone Std Abr.	2400	Franklin - US 220N			
OB	Sandstone Std Abr.	2400	Franklin - US 220N			
PA	Limestone Mod Abr.	4400	Franklin - US 220N			
PB	Sandstone Mod Abr.	4400	Franklin - US 220N			

PENDLETON COUNTY

A	Class 1	275	Franklin - US 220S			
B	Class 2	1160	Franklin - US 220S			
D	AASHTO #1	1000	Franklin - US 220S			
H	AASHTO #57	500	Franklin - US 220S			
I	AASHTO #67	500	Franklin - US 220S			
K	AASHTO #8	700	Franklin - US 220S			
L	AASHTO #9	2000	Franklin - US 220S			
M	Gabion Stone	500	Franklin - US 220S			
OA	Limestone Std Abr.	2400	Franklin - US 220S			

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: Rockydale Mundy Quarries

Signed: Chuck R. Kelly Jr

Date: September 3, 2013

Title: Sales Rep.



STATE OF WEST VIRGINIA  
Purchasing Division

**PURCHASING AFFIDAVIT**

**MANDATE:** Under W. Va. Code §5A-3-10a, 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: (1) the debt owed is an amount greater than one thousand dollars in the aggregate; or (2) the debtor is in employer default.

**EXCEPTION:** The prohibition listed above does not apply where a vendor has contested any tax administered pursuant to chapter eleven of the W. Va. 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.

**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.

**"Employer default"** means having an outstanding balance or liability to the old fund or to the uninsured employers' fund or being in policy default, as defined in W. Va. Code § 23-2c-2, failure to maintain mandatory workers' compensation coverage, or failure to fully meet its obligations as a workers' compensation self-insured employer. An employer is not in employer default if it has entered into a repayment agreement with the Insurance Commissioner and remains in compliance with the obligations under the repayment agreement.

**"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.

**AFFIRMATION:** By signing this form, the vendor's authorized signer affirms and acknowledges under penalty of law for false swearing (W. Va. Code §61-5-3) that neither vendor nor any related party owe a debt as defined above and that neither vendor nor any related party are in employer default as defined above, unless the debt or employer default is permitted under the exception above.

**WITNESS THE FOLLOWING SIGNATURE:**

Vendor's Name: Rockydale Mundy Quarries

Authorized Signature: Charles N. Bellis Jr. Date: 9/3/2013

State of Virginia

County of Rockingham, to-wit:

Taken, subscribed, and sworn to before me this 3 day of September, 2013

My Commission expires October 31, 2016



NOTARY PUBLIC Carolyn Diane Hottinger 344796  
Purchasing Affidavit (Revised 07/01/2012)

**NOTE:**  
Vendor and Notary's date must be the same.  
Notary required to **AFFIX SEAL** on Purchasing Affidavit.