



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

**Solicitation**

NUMBER
FUELTW13

PAGE
1

ADDRESS CORRESPONDENCE TO ATTENTION OF:
FRANK WHITTAKER 304-558-2316

\*903103920      304-965-6838

J L BRANNON INC  
 PO BOX 870

PINCH WV 25156-0870

VENDOR

SHIP TO

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

DATE PRINTED
11/08/2013

BID OPENING DATE: 11/20/2013

BID OPENING TIME 1:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
				ADDENDUM NO. 8		
				THIS ADDENDUM IS ISSUED TO:		
				1) PROVIDE THE ATTACHED REVISED SPECIFICATIONS.		
				2) PROVIDE THE ATTACHED REVISED PRICING PAGE.		
				3) PROVIDE THE ATTACHED TECHNICAL QUESTIONS & ANSWERS.		
				4) PROVIDE THE ATTACHED DOH FUEL STORAGE LOCATIONS.		
				***** END ADDENDUM NO. 8 *****		
				11/20/13 11:28:17AM West Virginia Purchasing Division		

SIGNATURE 	TELEPHONE 304-965-6838	DATE 11-19-13
TITLE RESTORNT	FEIN 55-058-3656	ADDRESS CHANGES TO BE NOTED ABOVE

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



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

DATE PRINTED
08/15/2013

BID OPENING DATE: 08/27/2013                      BID OPENING TIME 1:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
ADDENDUM NO. 1						
THIS ADDENDUM I ISSUED TO:						
1) EXTEND THE BID OPENING DATE AND TIME.						
2) PROVIDE THE ATTACHED ADDENDUM ACKNOWLEDGEMENT.						
TECHNICAL QUESTIONS WILL BE ADDRESSED IN A SUBSEQUENT ADDENDUM.						
***** END ADDENDUM NO. 1 *****						
0001	1	LS		405-15		
FUEL TANK WAGON						

SIGNATURE	TELEPHONE 304-965-6838	DATE 11-19-13
TITLE J. RESIDANT	FEIN 550583656	ADDRESS CHANGES TO BE NOTED ABOVE

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



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ADDRESS CORRESPONDENCE TO ATTENTION OF:
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304-558-2316

\*903103920                      304-965-6838

J L BRANNON INC  
 PO BOX 870

PINCH WV 25156-0870

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ALL STATE AGENCIES  
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 VARIOUS LOCALES AS INDICATED  
 BY ORDER

DATE PRINTED
08/15/2013

BID OPENING DATE: 08/27/2013

BID OPENING TIME 1:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
***** THIS IS THE END OF RFQ FUELTW13 ***** TOTAL:						_____

SIGNATURE 	TELEPHONE 304 965-6838	DATE 11-19-13
TITLE PRESIDENT	FEIN 55-058-3656	ADDRESS CHANGES TO BE NOTED ABOVE

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

**7.5 Delivery Regions/Districts:** The State has been divided geographically into ten Regions (which are the same as the ten DOH Districts) as follows:

Region I: Mason, Putnam, Kanawha, Clay and Boone counties.

Region II: Cabell, Wayne, Lincoln, Logan and Mingo counties.

Region III: Pleasants, Wood, Ritchie, Wirt, Calhoun, Roane, and Jackson counties.

Region IV: Doddridge, Harrison, Marion, Taylor, Monongalia, and Preston counties.

Region V: Grant, Hardy, Mineral, Hampshire, Morgan, Berkeley and Jefferson counties.

Region VI: Tyler, Wetzel, Marshall, Ohio, Brooke and Hancock counties.

Region VII: Gilmer, Barbour, Lewis, Braxton, Upshur and Webster counties.

Region VIII: Tucker, Randolph, Pendleton and Pocahontas counties.

Region IX: Nicholas, Fayette, Greenbrier, Summers and Monroe counties.

Region X: Raleigh, Wyoming, McDowell and Mercer counties.

**7.6 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:** John L. BRANNON  
**Telephone Number:** 304-965-6838  
**Fax Number:** 304-965-6252  
**Email Address:** john@brannonoil.com

VENDOR: *J.L. BRANNON Inc. BRANNON OIL Co*

DISTRICT/ REGION	FUEL TYPE	Terminal Locations Fuel Is To Be Pulled From	Six Month's ESTIMATED NEEDS (gals.)	OPIS Hypothetical Terminal Cost	Fixed Firm Markup Per Gallon From OPIS	Extended
ONE	Unleaded Gasoline/E 10	<i>CWV AKO HXY</i>	201,000	\$2.7000	<i>.1625</i>	<i>2.8625</i>
	No. 2 Diesel	<i>CWV AKO HXY</i>	220,000	\$3.1100	<i>.1650</i>	<i>3.2750</i>
	No. 2 Diesel w/ Winter add.	<i>CWV AKO HXY</i>	1,000	\$3.1100	<i>.2050</i>	<i>3.3150</i>
	No. 2 Heating**	<i>CWV AKO HXY</i>	1,000	\$3.1200	<i>.2050</i>	<i>3.3150</i>
					Total District One	
TWO	Unleaded Gasoline/E 10	<i>CWV AKO HXY</i>	214,000	\$2.7000	<i>.1935</i>	<i>2.8935</i>
	No. 2 Diesel	<i>CWV AKO HXY</i>	153,000	\$3.1100	<i>.2175</i>	<i>3.3275</i>
	No. 2 Diesel w/ Winter add.	<i>C.W.V. M.O.H.AKY</i>	1,000	\$3.1100	<i>.2300</i>	<i>3.3400</i>
	No. 2 Heating**	<i>C.W.V. M.O.H.AKY</i>	1,000	\$3.1200	<i>.2780</i>	<i>3.3980</i>
					Total District Two	
THREE	Unleaded Gasoline/E 10		166,000	\$2.7000		
	No. 2 Diesel		244,000	\$3.1100		
	No. 2 Diesel w/ Winter add.		1,000	\$3.1100		
	No. 2 Heating**		1,000			
					Total District Three	
FOUR	Unleaded Gasoline/E 10		243,000	\$2.7000		
	No. 2 Diesel		332,000	\$3.1100		
	No. 2 Diesel w/ Winter add.		1,000	\$3.1100		
	No. 2 Heating**		1,000	3.1200		
					Total District Four	

VENDOR: J.L. BRAUNON INC. BRAUNON OIL CO

DISTRICT	FUEL TYPE	Terminal Locations Fuel Is To Be Pulled From	Six Month's ESTIMATED NEEDS (gals.)	OPIS Hypothetical Terminal Cost	Fixed Firm Markup Per Gallon From OPIS	Extended
FIVE	Unleaded Gasoline/E 10		167,000	\$2.7000		
	No. 2 Diesel		198,000	\$3.1100		
	No. 2 Diesel w/ Winter add.		1,000	\$3.1100		
	No. 1 Heating/Kerosene		1,000	\$3.5000		
	No. 2 Heating**		1,000	\$3.1200		
					Total District Five	
SIX	Unleaded Gasoline/E 10		127,000	\$2.7000		
	No. 2 Diesel		162,000	\$3.1100		
	No. 2 Diesel w/ Winter add.		1,000	\$3.1100		
	No. 2 Heating**		1,000	\$3.1200		
					Total District Six	
SEVEN	Unleaded Gasoline/E 10		207,000	\$2.7000		
	No. 2 Diesel		280,000	\$3.1100		
	No. 2 Diesel w/ Winter add.		1,000	\$3.1100		
					Total District Seven	

VENDOR: J.L. BRANNON Inc. - BRANNON OIL Co. Page 3 of 3

DISTRICT	FUEL TYPE	Terminal Locations Fuel Is To Be Pulled From	Six Month's ESTIMATED NEEDS (gals.)	OPIS Hypothetical Terminal Cost	Fixed Firm Markup Per Gallon From OPIS	Extended
EIGHT	Unleaded Gasoline/E 10		126,000	\$2.7000		
	No. 2 Diesel		228,000	\$3.1100		
	No. 2 Diesel w/ Winter add.		1,000	\$3.1100		
	No. 1 Heating/Kerosene		1,000	\$3.5000		
	No. 2 Heating**		1,000	\$3.1200		
					Total District Eight	
NINE	Unleaded Gasoline/E 10		173,000	\$2.7000		
	No. 2 Diesel		285,000	\$3.1100		
	No. 2 Diesel w/ Winter add.		1,000	\$3.1100		
					Total District Nine	
TEN	Unleaded Gasoline/E 10		214,000	\$2.7000		
	No. 2 Diesel		213,000	\$3.1100		
	No. 2 Diesel w/ Winter add.		1,000	\$3.1100		
	No. 2 Heating**		1,000	\$3.1200		
					Total District Ten	

\*\* Quantities represent Other Agency Estimated Quantities

Emergency Delivery Fee (upcharge): \$350.<sup>00</sup>

Terminal Abbreviations:

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

Vendor Contact/Coordinator: John L. BRANNON

Telephone Number: 304-965-6838

Fax Number: 304-965-6252

Signature/Date: [Signature] 11-19-13

# **Brannon Oil**

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**Company**

November 19, 2013

## List of Delivery Equipment

2006 Volvo Tractor  
1996 LTL 9200 gallon trailer  
2008 Volvo-4200 gallon tank  
1995 GMC 2500 gallon tank

John L. Brannon



**Brannon Oil**  
Company, Inc.  
Branded Exxon Distributor



**John L. Brannon**  
President/Operator

35 Lakeview Drive  
Elkview, WV 25071

Office: (304) 965-6838  
Toll Free: (800) 649-6484  
Fax: (304) 965-6252

Locally Owned & Operated by: John & Donna Brannon

RFC) No. FUELTW13

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:

J.P. BRANDON Inc. Vendors Name;  
Authorized Signatory: [Signature] Date: 11-19-13

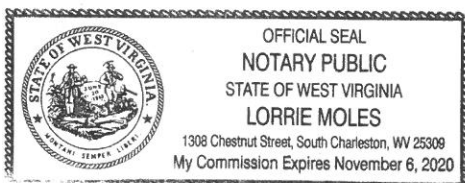
State of West Virginia  
County of Kanawha,

Taken, subscribed, and sworn to before me this 19th day of November, 2013.  
My Commission expires November 6, 2020

AFFIX SEAL HERE

NOTARY PUBLIC

[Signature]  
Purchasing Affidavit (Revised 07/01/2012)



# State of West Virginia VENDOR PREFERENCE CERTIFICATE

Certification and application\*is hereby made for Preference in accordance with **West Virginia Code**, §6A-3-37. (Does not apply to construction contracts). **West Virginia Code**, §5A-3-37, provides an opportunity forquallyfing 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 preced- ing 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 forthe four (4) years immediately preceding the date of this certification; or,
- 2. **Application is made for 2.8% 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 forthe 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 76% 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 tile 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 vender's bid and continously-ever-the-entire-termeofthe-projecteorraveragratleast \_\_\_ 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 accor- dance with West Virginia Code§5A3-59 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 6% 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, 01.5.3), 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: J. L. BRADY INC.  
Date: 11-19-13

Signed: [Signature]  
Title: RESIDENT

**CERLIFICATION 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.

J. H. BRANNON Inc.  
(Company)

  
(Authorized Signature)

John H. Brannon PRESIDENT  
(Representative Name, Title)

304-965-6838 304-965-6252  
(Phone Number) (Fax Number)

11-19-13  
(Date)

**ADDENDUM ACKNOWLEDGEMENT FORM**  
**SOLICITATION NO.: FUELW13**

**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.

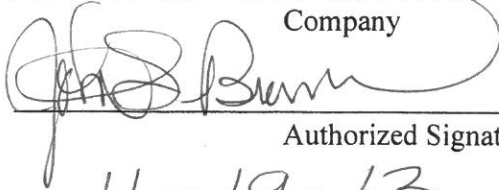
**Acknowledgment:** I hereby acknowledge receipt of the following addenda and have made the necessary revisions to my proposal, plans and/or specification, etc.

**Addendum Numbers Received:**

(Check the box next to each addendum received)

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

J. L. BRANNON INC.  
 Company  
  
 Authorized Signature  
11-19-13  
 Date

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