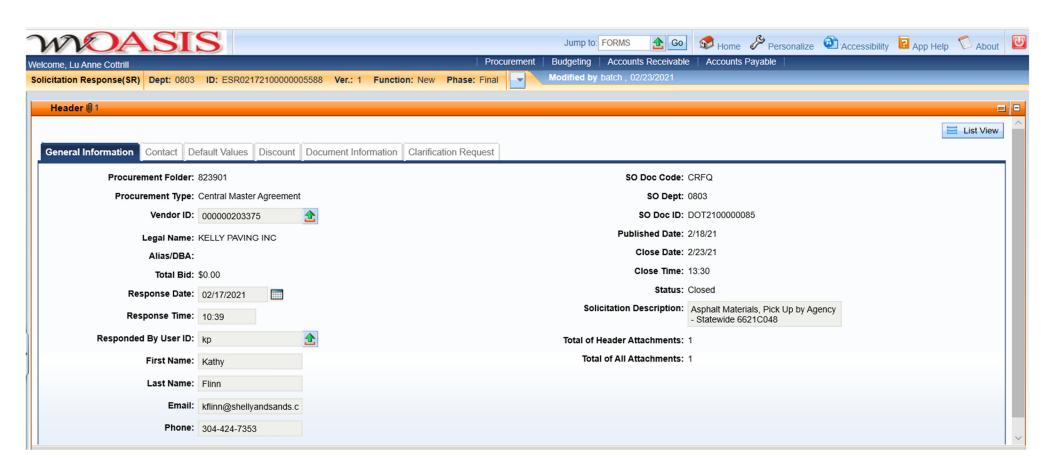


2019 Washington Street, East Charleston, WV 25305 Telephone: 304-558-2306 General Fax: 304-558-6026

Bid Fax: 304-558-3970

The following documentation is an electronically-submitted vendor response to an advertised solicitation from the *West Virginia Purchasing Bulletin* within the Vendor Self-Service portal at *wvOASIS.gov*. As part of the State of West Virginia's procurement process, and to maintain the transparency of the bid-opening process, this documentation submitted online is publicly posted by the West Virginia Purchasing Division at *WVPurchasing.gov* with any other vendor responses to this solicitation submitted to the Purchasing Division in hard copy format.





State of West Virginia Solicitation Response

Proc Folder:

823901

Solicitation Description:

Asphalt Materials, Pick Up by Agency - Statewide 6621C048

Proc Type:

Central Master Agreement

 Solicitation Closes
 Solicitation Response
 Version

 2021-02-23 13:30
 SR 0803 ESR02172100000005588
 1

VENDOR

000000203375 KELLY PAVING INC

Solicitation Number: CRFQ 0803 DOT2100000085

Total Bid: 0 Response Date: 2021-02-17 Response Time: 10:39:22

Comments:

FOR INFORMATION CONTACT THE BUYER

John W Estep 304-558-2566 john.w.estep@wv.gov

Vendor Signature X

FEIN#

DATE

All offers subject to all terms and conditions contained in this solicitation

 Date Printed:
 Feb 23, 2021
 Page: 1
 FORM ID: WV-PRC-SR-001 2020/05

Line Comm Ln Desc	Qty	Unit Issue	Unit Price	Ln Total Or Contract Amount
1 Asphalts	0.00000	TON	0.000000	0.00

Comm Code	Manufacturer	Specification	Model #	
30121600				

Commodity Line Comments:

Extended Description:

Asphalts

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Ln Total Or Contract Amount
2	Asphalt	0.00000	TON	0.000000	0.00

Comm Code	Manufacturer	Specification	Model #	
30121601				

Commodity Line Comments:

Extended Description:

Asphalt

Date Printed: Feb 23, 2021 Page: 2 FORM ID: WV-PRC-SR-001 2020/05



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

State of West Virginia Centralized Request for Quote **Highways**

Proc Folder:	823901		Reason for Modification:
	Asphalt Materials, Pick U		
Proc Type:	Central Master Agreeme	nt	
Date Issued	Solicitation Closes	Solicitation No	Version
2021-01-29	2021-02-18 13:30	CRFQ 0803 DOT2100000085	1

BID RECEIVING LOCATION

BID CLERK

DEPARTMENT OF ADMINISTRATION

PURCHASING DIVISION

2019 WASHINGTON ST E

CHARLESTON

WV 25305

US

VENDOR KELLY PAVING, INC.

Vendor Customer Code: 000000203375

Vendor Name:

KELLY PAVING, INC.

Address:

P O BOX 366

Street:

City:

WILLIAMSTOWN

State:

WEST VIRGINIA

Country: USA **Zip:** 26187

Principal Contact: Roger Thomas

Vendor Contact Phone: 304-424-7353

Extension:

FOR INFORMATION CONTACT THE BUYER

John W Estep 304-558-2566

john.w.estep@wv.gov

Vendor

Signature X

FEIN#

55-0583614

DATE

2/18/21

All offers subject to all terms and conditions contained in this solicitation

Date Printed: Jan 29, 2021

Page: 1

FORM ID: WV-PRC-CRFQ-002 2020/05

ADDITIONAL INFORMATION

REQUEST FOR QUOTATION:

The West Virginia Purchasing Division is soliciting bids on behalf of the West Virginia Division of Highways, to establish an openend Asphalt Materials, Pick Up by Agency contract for use by WVDOH and the West Virginia Parkways Authority upon their request, on preventive maintenance and repair projects throughout the state of West Virginia, from the Vendor's plant. Contract pricing shall be made available to other public agencies upon their request and with the approval of the West Virginia Purchasing Division. Per the Bid Requirements, Specifications, Terms and Conditions attached to this Solicitation.

INVOICE TO		SHIP TO	
VARIOUS AGENCY LOCATIONS AS INDICATED BY ORDER		VARIOUS AGENCY LOCATIONS AS INDICATED BY ORDER	
No City US	WV 99999	No City US	WV 99999

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
1	Asphaits	0.00000	TON		
					<u> </u>

Comm Code	Manufacturer	Specification	Model #
30121600			

Extended Description:

Asphalts

INVOICE TO		SHIP TO		
VARIOUS AGENCY LOCATIONS AS INDICATED BY ORDER		VARIOUS AGENCY LOCATIONS AS INDICATED BY ORDER		
No City US	wv 99999	No City US	WV 99999	

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
2	Asphalt	0.00000	TON		
1					

Comm Code	Manufacturer	Specification	Model #	
30121601				

Extended Description:

Asphalt

Lina	Event	Event Date
and the same of th		

Line Event Date
1 Tech Questions Due by 10:00am 2021-02-05

	Document Phase	Document Description	Page 3
DOT2100000085	Final	Asphalt Materials, Pick Up by Agency - Statewide 6621C048	

ADDITIONAL TERMS AND CONDITIONS

See attached document(s) for additional Terms and Conditions

Asphalt Materials Pick Up by Agency ATTACHMENT A PRICING PAGE (ATT A)

VENDOR INSTRUCTIONS:

Vendor shall complete Parts I, II and III below in their entirety. Failure to provide the Asphalt Plant Name and Asphalt Plant Location will result in the <u>disqualification</u> of corresponding Contract Items. Vendor must complete a seperate Pricing Page (ATT A) for EVERY sourced Asphalt Plant providing Contract Items for pick up by WVDOH forces.

PART I: VENDOR & ASPHALT PLANT INFORMATION (Required)

Vendor Name:	KELLY PAVING, INC.	
Asphalt Plant Name:	KELLY PAVING, INC.	
Asphalt Plant Location:	123 DODD DRIVE	
(911 Address)	ST MARYS WV 26170	

PART II: WVDOH DISTRICTS SERVED BY ABOVE ASPHALT PLANT (Required). Mark all Districts which include one or more counties served by the Asphalt Plant listed above in Part I.

	District 1: Boone, Clay, Kanawha, Mason and Putnam counties
Н	District 2: Cabell, Lincoln, Logan, Mingo and Wayne counties
х	District 3: Calhoun, Jackson, Pleasants, Ritchie, Roane, Wirt and Wood counties
X	District 4: Doddridge, Harrison, Marion, Monongalia, Preston and Taylor counties
H	District 5: Berkeley, Grant, Hampshire, Hardy, Jefferson, Mineral and Morgan
\mathbf{x}	District 6: Brooke, Hancock, Marshall, Ohio, Tyler and Wetzel counties
X	District 7: Barbour, Braxton, Gilmer, Lewis, Upshur and Webster counties
H	District 8: Pendleton, Pocahontas, Randolph and Tucker counties
Н	District 9: Fayette, Greenbrier, Monroe, Nicholas and Summers counties
	District 10: McDowell, Mercer, Raleigh and Wyoming counties

PART III: ENTER PRICE PER UNIT OF MEASURE FOR CONTRACT ITEMS BID.

Contract	Contract Item Description	Unit of Measure	List Price
A	Asphalt Section 401 - Base I	TON	61.00
В	Asphalt Section 401 - 25mm Superpave	TON	70.00
	Asphalt Section 401 - Base II	TON	66.00
D	Asphalt Section 401 - Patch and Level	TON	66.00
	Asphalt Section 401 - Wearing IV	TON	66.00
	Asphalt Section 402 - Wearing IV	TON	75.00
G	Asphalt Section 401 - 19mm Superpave	TON	70.00
Н	Asphalt Section 401 - Scratch Course	TON	66.00
	Asphalt Section 402 - 9.5mm Superpave	TON	85.00
1	Asphalt Section 401 - Wearing 1	TON	73.00
K	Asphalt Section 402 - Wearing 1	TON	75.00
<u> </u>	Asphalt Section 401 - 4.75mm Superpave	TON	85.00
М	Asphalt Section 402 - 4.75mm Superpave	TON	90.00
N	Asphalt Section 401 - Wearing III	TON	80.00
0	Asphalt Section 402 - Wearing III	TON	85.00
Р	Asphalt Section 401 - 12.5mm Superpave	TON	73.00
a	Asphalt Section 402 - 12.5mm Superpave	TON	76.00
R	Asphalt Plant Run	TON	73.00
S1	Surcharge for PG Binder - 70 minus 22	TON	5.00
52	Surcharge for PG Binder - 76 minus 22 - ordered in 400 ton increments	TON	12.00
T1	Off-Season Plant Opening - First Day	DAY	5000.00
T2	Off-Season Plant Opening - Each Additional Day	DAY	1000.0

D1BNELSON

DATE (MM/DD/YYYY)

CERTIFICATE OF LIABILITY INSURANCE

2/10/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

this certificate does not confer rights to the certificate not	ider in fied of such charles in field				
PRODUCER License # 954553	CONTACT Lisa Trnian	CONTACT Lisa Trnian			
AssuredPartners of Ohio, LLC	PHONE (A/C, No, Ext): (440) 895-6584 FAX (A/C, No): (440)) 356-2126			
3900 Kinross Lakes Parkway #300 Richfield, OH 44286	E-MAIL ADDRESS: lisa.trnian@AssuredPartners.com				
Kicimeia, Oil 44200	INSURER(S) AFFORDING COVERAGE	NAIC #			
	INSURER A: Cincinnati Insurance Company	10677			
INSURED	INSURER B: BrickStreet Mutual Insurance Company	12372			
Kelly Paving, Inc.	INSURER C:				
P.O. Box 366	INSURER D:				
Williamstown, WV 26187	INSURER E:				
	INSURER F:				

REVISION NUMBER: CERTIFICATE NUMBER: COVERAGES

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

NSR	TYPE OF INSURANCE	ADDL SU	ES. LIMITS SHOWN MAY HAVE BE	POLICY EFF (MM/DD/YYYY)	POLICY EXP	LIMIT	S	
ISR TR		INSD W	VB FOLIOT HOMBER	(MINI/DD/1111)	(MINUDD/1111)	EACH OCCURRENCE	\$	1,000,000
Α	X COMMERCIAL GENERAL LIABILITY CLAIMS-MADE X OCCUR	v	CPP 0895439	4/1/2020	4/1/2021	DAMAGE TO RENTED PREMISES (Ea occurrence)	\$	500,000
	x XCU included	X	011 0000400			MED EXP (Any one person)	\$	10,000
	X Contractual Liab					PERSONAL & ADV INJURY	\$	1,000,000
						GENERAL AGGREGATE	s	2,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER: POLICY X PRO- JECT X LOC					PRODUCTS - COMP/OP AGG	\$	2,000,000
							\$	
Α	OTHER:					COMBINED SINGLE LIMIT (Ea accident)	\$	1,000,000
	X ANY AUTO		CPP 0895439	4/1/2020	4/1/2021	BODILY INJURY (Per person)	\$	
	OWNED AUTOS ONLY AUTOS					BODILY INJURY (Per accident)	\$	
	X HIRED AUTOS ONLY X NON-OWNED AUTOS ONLY					PROPERTY DAMAGE (Per accident)	\$	
	X No Phys Damage						\$	
Α	X UMBRELLA LIAB X OCCUR					EACH OCCURRENCE	\$	5,000,00
•	EXCESS LIAB CLAIMS-MADE		EUP 0573222	4/1/2020	4/1/2021	AGGREGATE	\$	5,000,00
	DED RETENTION \$						\$	
В	WORKERS COMPENSATION					X PER X OTH-		
_	AND EMPLOYERS' LIABILITY Y/N		WCB1017233	4/1/2020	4/1/2021	E.L. EACH ACCIDENT	\$	1,000,00
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	N/A				E.L. DISEASE - EA EMPLOYEE	\$	1,000,00
	If yes, describe under DESCRIPTION OF OPERATIONS below					E.L. DISEASE - POLICY LIMIT	\$	1,000,00
В			WCB1017233	4/1/2020	4/1/2021	WOS/Statutory/Broad		1,000,00

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
PROOF for BIDDING: Certificate of Insurance is for "Proof of Coverage" only. A revised Certificate will be issued, per the final contract, if awarded the project, subject to terms and conditions of the policy.

BID PROJECT: Asphalt Materials, Pick Up By Agency CRFQ 0803 DOT2100000085

The State of West Virginia is included as Additional Insured under the General Liability when required in a written contract or agreement.

CERTIFICAT	TE HOLDER	CANCELLATION
State of West Virginia Department of Administr 2019 Washington Street P.O. Box 50130 Charleston, WV 25302	Department of Administration, Purchasing Division	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	P.O. Box 50130	Syll Narban Representative
		Sign of Variant Office

ACORD

West Virginia Ethics Commission Disclosure of Interested Parties to Contracts

(Required by W. Va. Code § 6D-1-2)

Name of Contracting Business Entity: KELLY PAVING, INC. Address:	P O BOX 366
	WILLIAMSTOWN WV 26187
Name of Authorized Agent: ROGER THOMAS Address:	P O BOX 366 WILLIAMSTOWN WV 26187
Contract Number: CRFQ0803 DOT 2100000085 Contract Descrip	ASPHALT MATERIALS, PICK UP BY AGENCY
Governmental agency awarding contract:WDOT	
☐ Check here if this is a Supplemental Disclosure	
List the Names of Interested Parties to the contract which are known or reasona entity for each category below (attach additional pages if necessary):	ably anticipated by the contracting business
 Subcontractors or other entities performing work or service under the	ne Contract
 Any person or entity who owns 25% or more of contracting entity (no	he applicable contract (excluding legal
☑ Check here if none, otherwise list entity/individual names below.	
\sim \sim	ed:
State of, County of	<u>;</u>
I,, the a entity listed above, being duly sworn, acknowledge that the Disclosure here penalty of perjury.	authorized agent of the contracting business in is being made under oath and under the
To be completed by State Agency 14, 2021 Date Received by State Agency. Date submitted to Ethics Commission:	ublic's Signature
Governmental agency submitting Disclosure:	Revised June 8, 2018

DESIGNATED CONTACT: Vendor appoints the individual identified in this Section as the Contract Administrator and the initial point of contact for matters relating to this Contract.

How It	whise	VICE PRESIDENT	
(Name, Title)			
ROGER THOMAS	VICE PRESIDENT		
(Printed Name and Ti			
(Address) 304-424-7353 / 740-3			
(Phone Number) / (Farthomas@shellyandsands			
(email address)			

CERTIFICATION AND SIGNATURE: By signing below, or submitting documentation through wvOASIS, I certify that I have reviewed this Solicitation in its entirety; that I understand the requirements, terms and conditions, and other information contained herein; that this bid, offer or proposal constitutes an offer to the State that cannot be unilaterally withdrawn; that the product or service proposed meets the mandatory requirements contained in the Solicitation for that product or service, unless otherwise stated herein; that the Vendor accepts the terms and conditions contained in the Solicitation, unless otherwise stated herein; that I am submitting this bid, offer or proposal for review and consideration; that I am authorized by the vendor to execute and submit this bid, offer, or proposal, or any documents related thereto on vendor's behalf; that I am authorized to bind the vendor in a contractual relationship; and that to the best of my knowledge, the vendor has properly registered with any State agency that may require registration.

KELLY PAVING, INC.		
(Company)		
Kores Duries	VICE PRESIDENT	
(Authorized Signature) (Represe	entative Name, Title)	
Roger Thomas, Vice President		
(Printed Name and Title of Auth	horized Representative)	
2/18/21		
(Date)		
304-424-7353 / 740-373-6505		
(Phone Number) (Fax Number)		

REQUEST FOR QUOTATION Asphalt Materials, Pick Up by Agency

- 10.1.4 Failure to remedy deficient performance upon request.
- 10.2 The following remedies shall be available to Agency upon default.
 - 10.2.1 Immediate cancellation of the Contract.
 - 10.2.2 Immediate cancellation of one or more release orders issued under this Contract
 - 10.2.3 Any other remedies available in law or equity.

11. MISCELLANEOUS:

- 11.1 No Substitutions: Vendor shall supply only Contract Items submitted in response to the Solicitation unless a contract modification is approved in accordance with the provisions contained in this Contract.
- 11.2 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.
- 11.3 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.
- 11.4 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:	ROGER THOMAS
Telephone Number:	304-424-7353
Fax Number:	740-373-6505
Email Address:	rthomas@shellyandsands.com
Email Address:	rthomas@shellyandsands.com

STATE OF WEST VIRGINIA Purchasing Division

PURCHASING AFFIDAVIT

CONSTRUCTION CONTRACTS: Under W. Va. Code § 5-22-1(i), the contracting public entity shall not award a construction contract to any bidder that is known to be in default on any monetary obligation owed to the state or a political subdivision of the state, including, but not limited to, obligations related to payroll taxes, property taxes, sales and use taxes, fire service fees, or other fines or fees.

ALL CONTRACTS: 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 exceed 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: (1) for construction contracts, the vendor is not in default on any monetary obligation owed to the state or a political subdivision of the state, and (2) for all other contracts, 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:

My commission expires May 14, 2021

Vendor's Name:KELL	Y PAVING, INC.		-	
Authorized Signature:	Poger Tho	nou	Date:	2/18/21
State of WEST VIRGINIA				
County of WOOD	, to-wit:			
Taken, subscribed, and s	worn to before me this	18THday of FEBRUARY		, 2021
My Commission expires	MAY 14	, 20 21 .		
AFFIX SEAL HERE	OFFICIAL SEAL NOTARY PUBLIC STATE OF WEST VIRGINIA KATHY S. FLINN KELLY PAVING, INC. PO BOX 366 WILLIAMSTOWN, WY 26187	NOTARY PUBLIC _	Puro	chasing Affidavit (Revised 01/19/2018)