



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

Request for Quotation

RFQ NUMBER
077C137

PAGE
1

ADDRESS CORRESPONDENCE TO ATTENTION OF:
JOHN JOHNSTON
304-558-2402

VENDOR
 *709051338 304-587-4814
PIERSON LUMBER COMPANY INC
BOX 146

CLAY WV 25043

SHIP TO
DIVISION OF HIGHWAYS
DISTRICT 7 STORAGE YARD

ROUTE 19 SOUTH, BENDALE
WESTON, WV
26452 304-269-0475

DATE PRINTED 10/19/2006	TERMS OF SALE Net 30	SHIP VIA OUR Truck	F.O.B. Your Yard	FREIGHT TERMS Prepaid
BID OPENING DATE: 11/08/2006		BID OPENING TIME 01:30PM		

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	LS		540-23		
BRIDGE LUMBER OPEN END CONTRACT TO PROVIDE THE FOLLOWING BRIDGE LUMBER FOR DISTRICT 7. TREATED PINE BRIDGE LUMBER (S4S) TREATED PINE STRUCTURAL TIMBER ROUGH SAWED UNTREATED WHITE OAK BRIDGE LUMBER, ROUGH SAWED. SEE ATTACHED EXHIBIT 3 LIFE OF CONTRACT: THIS CONTRACT BECOMES EFFECTIVE ON AND EXTENDS FOR A PERIOD OF ONE (1) YEAR OR UNTIL SUCH "REASONABLE TIME" THEREAFTER AS IS NECESSARY TO OBTAIN A NEW CONTRACT OR RENEW THE ORIGINAL CONTRACT. THE "REASONABLE TIME" PERIOD SHALL NOT EXCEED TWELVE (12) MONTHS. DURING THIS "REASONABLE TIME" THE VENDOR MAY TERMINATE THIS CONTRACT FOR ANY REASON UPON GIVING THE DIRECTOR OF PURCHASING 30 DAYS WRITTEN NOTICE. UNLESS SPECIFIC PROVISIONS ARE STIPULATED ELSEWHERE IN THIS CONTRACT DOCUMENT, THE TERMS, CONDITIONS AND PRICING SET HEREIN ARE FIRM FOR THE LIFE OF THE CONTRACT. RENEWAL: THIS CONTRACT MAY BE RENEWED UPON THE MUTUAL WRITTEN CONSENT OF THE SPENDING UNIT AND VENDOR, SUBMITTED TO THE DIRECTOR OF PURCHASING THIRTY (30)						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE: *David Pierson* TELEPHONE: **304-587-4814** DATE: **10/28/06**

TITLE: **President** FEIN: **55-061-5611** ADDRESS CHANGES TO BE NOTED ABOVE

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



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10/19/2006				

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<p>DAYS PRIOR TO THE EXPIRATION DATE. SUCH RENEWAL SHALL BE IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE ORIGINAL CONTRACT AND SHALL BE LIMITED TO TWO (2) ONE (1) YEAR PERIODS.</p> <p>CANCELLATION: THE DIRECTOR OF PURCHASING RESERVES THE RIGHT TO CANCEL THIS CONTRACT IMMEDIATELY UPON WRITTEN NOTICE TO THE VENDOR IF THE COMMODITIES AND/OR SERVICES SUPPLIED ARE OF AN INFERIOR QUALITY OR DO NOT CONFORM TO THE SPECIFICATIONS OF THE BID AND CONTRACT HEREIN.</p> <p>OPEN MARKET CLAUSE: THE DIRECTOR OF PURCHASING MAY AUTHORIZE A SPENDING UNIT TO PURCHASE ON THE OPEN MARKET, WITHOUT THE FILING OF A REQUISITION OR COST ESTIMATE, ITEMS SPECIFIED ON THIS CONTRACT FOR IMMEDIATE DELIVERY IN EMERGENCIES DUE TO UNFORESEEN CAUSES (INCLUDING BUT NOT LIMITED TO DELAYS IN TRANSPORTATION OR AN UNANTICIPATED INCREASE IN THE VOLUME OF WORK.)</p> <p>QUANTITIES: QUANTITIES LISTED IN THE REQUISITION ARE APPROXIMATIONS ONLY, BASED ON ESTIMATES SUPPLIED BY THE STATE SPENDING UNIT. IT IS UNDERSTOOD AND AGREED THAT THE CONTRACT SHALL COVER THE QUANTITIES ACTUALLY ORDERED FOR DELIVERY DURING THE TERM OF THE CONTRACT, WHETHER MORE OR LESS THAN THE QUANTITIES SHOWN.</p> <p>ORDERING PROCEDURE: SPENDING UNIT(S) SHALL ISSUE A WRITTEN STATE CONTRACT ORDER (FORM NUMBER WV-39) TO THE VENDOR FOR COMMODITIES COVERED BY THIS CONTRACT. THE ORIGINAL COPY OF THE WV-39 SHALL BE MAILED TO THE VENDOR AS AUTHORIZATION FOR SHIPMENT, A SECOND COPY MAILED TO THE PURCHASING DIVISION, AND A THIRD COPY RETAINED BY THE SPENDING UNIT.</p> <p>BANKRUPTCY: IN THE EVENT THE VENDOR/CONTRACTOR FILES</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
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TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE
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<p>FOR BANKRUPTCY PROTECTION, THIS CONTRACT IS AUTOMATICALLY NULL AND VOID, AND IS TERMINATED WITHOUT FURTHER ORDER.</p> <p>THE TERMS AND CONDITIONS CONTAINED IN THIS CONTRACT SHALL SUPERSEDE ANY AND ALL SUBSEQUENT TERMS AND CONDITIONS WHICH MAY APPEAR ON ANY ATTACHED PRINTED DOCUMENTS SUCH AS PRICE LISTS, ORDER FORMS, SALES AGREEMENTS OR MAINTENANCE AGREEMENTS, INCLUDING ANY ELECTRONIC MEDIUM SUCH AS CD-ROM.</p> <p>REV. 04/11/2001</p> <p>VENDOR PREFERENCE CERTIFICATE</p> <p>CERTIFICATION AND APPLICATION* IS HEREBY MADE FOR PREFERENCE IN ACCORDANCE WITH WEST VIRGINIA CODE, 5A-3-37 (DOES NOT APPLY TO CONSTRUCTION CONTRACTS).</p> <p>A. APPLICATION IS MADE FOR 2.5% PREFERENCE FOR THE REASON CHECKED:</p> <p>() 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</p> <p>(✓) BIDDER IS A PARTNERSHIP, ASSOCIATION OR CORPORATION RESIDENT VENDOR AND HAS MAINTAINED ITS HEAD-QUARTERS OR PRINCIPAL PLACE OF BUSINESS CONTINUOUSLY I 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)</p>						

SIGNATURE <i>David G. Pierson</i>		TELEPHONE 304-587-4814	DATE 10/28/06
TITLE President	FEIN 55-061-5611	ADDRESS CHANGES TO BE NOTED ABOVE	

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DATE PRINTED 10/19/2006	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
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BID OPENING DATE: **11/08/2006** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>YEARS IMMEDIATELY PRECEDING THE DATE OF THIS CERTIFICATION; OR</p> <p>() BIDDER IS A CORPORATION 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.</p> <p>B. APPLICATION IS MADE FOR 2.5% PREFERENCE FOR THE REASON CHECKED:</p> <p>(<input checked="" type="checkbox"/>) 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;</p> <p>OR</p> <p>() 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 BIDDERS' 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.</p> <p>BIDDER UNDERSTANDS IF THE SECRETARY OF TAX & REVENUE DETERMINES THAT A BIDDER RECEIVING PREFERENCE HAS FAILED TO CONTINUE TO MEET THE REQUIREMENTS FOR SUCH</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE *David J. Pierson* TELEPHONE **304-587-4814** DATE **10/28/06**

TITLE **President** FEIN **55-061-5611** ADDRESS CHANGES TO BE NOTED ABOVE

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 DISTRICT 7 STORAGE YARD

 ROUTE 19 SOUTH, BENDALE
 WESTON, WV
 26452 304-269-0475

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
10/19/2006	Net 30	Own Truck	Your Yard	Pre paid
BID OPENING DATE: 11/08/2006		BID OPENING TIME 01:30PM		

LINE	QUANTITY	UQP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>PREFERENCE, THE SECRETARY MAY ORDER THE DIRECTOR OF PURCHASING TO: (A) RESCIND THE CONTRACT OR PURCHASE ORDER ISSUED; 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.</p> <p>BY SUBMISSION OF THIS CERTIFICATE, BIDDER AGREES TO DISCLOSE ANY REASONABLY REQUESTED INFORMATION TO THE PURCHASING DIVISION AND AUTHORIZES THE DEPARTMENT OF TAX AND 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.</p> <p>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.</p> <p>BIDDER: <i>Pierson Lumber Co. Inc.</i></p> <p>DATE: <i>10/28/06</i></p> <p>SIGNED: <i>David Pierson, Jr. = President</i></p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS			
SIGNATURE <i>David Pierson, Jr.</i>	TELEPHONE 304-587-4814	DATE 10/28/06	
TITLE President	FEIN 55-061-5611	ADDRESS CHANGES TO BE NOTED ABOVE	

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10/19/2006				

BID OPENING DATE: **11/08/2006** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID:						
----- <i>304 587 7245</i> -----						
CONTACT PERSON (PLEASE PRINT CLEARLY):						
----- <i>David Pierson</i> -----						
***** THIS IS THE END OF RFQ					<i>"OAK only"</i>	
					077C137 ***** TOTAL:	<u><i>32,616.00</i></u>

SEE REVERSE SIDE FOR TERMS AND CONDITIONS						
SIGNATURE				TELEPHONE		DATE
TITLE		FEIN		ADDRESS CHANGES TO BE NOTED ABOVE		

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SPECIFICATIONS

The following sections of the West Virginia Department of Transportation, Division of Highways Standard Specifications Roads and Bridges, adopted 2000 and supplemented January 1, 2003 shall apply to the administration of this contract: Sections 101, 102.4, 102.5, 105.1, 105.3, 105.10, 105.11, 105.12, 106.3, 106.4, 106.6, 106.7, 106.9, 107.2, 107.14, 107.19, 107.20, 108.8, 109.1, 109.2, and 109.20.

The terms "Contractor" and "Vendor" used in the above specifications of this contract are interchangeable. Contractor shall mean Vendor and Vendor shall mean Contractor.

West Virginia Department of Transportation, Division of Highways Standard Specifications Roads and Bridges, adopted 2000 and supplemented January 1, may be obtained from:

WV Department of Transportation
Division of Highways, Building 5, Room A729
1900 Kanawha Blvd., East
Charleston, West Virginia 25305

Material supplied under this contract shall meet the applicable requirements of Section 710 of the West Virginia Department of Transportation, Division of Highways Standard Specifications Roads and Bridges, adopted 2000 and supplemented January 1, 2003.

Material supplied under this contract shall be pressure treated using Chromated Copper Arsenate (CCA) – Type B or Type C, 100% pure oxide formulation only as the preserving salt. Kiln drying after treatment will not be necessary.

All treated material must be supplied from an approved preserving plant or acceptance testing and approval shall be obtained by the vendor prior to delivery. A list of approved treatment plants is available from:

West Virginia Division of Highways
Materials Control, Soils and Testing
190 Dry Branch Road
Charleston, WV 25306

PINE BRIDGE LUMBER (S4S)

Pine bridge lumber shall be No. 1 Dense or better, surfaced four sides and treated in accordance with AWP Standard C-14 to .60 pounds per cubic foot salt retention.

TREATED PINE STRUCTURAL TIMBER ROUGH SAWED

Pine Structural Timber shall be No. 2 or better, treated in accordance with AWP Standard C-14 to .60 pounds per cubic foot salt retention.

UNTREATED WHITE OAK BRIDGE LUMBER ROUGH SAWED

Untreated White Oak Bridge Lumber Rough Sawed shall meet the standards of the National Hardwood Lumber Association for Sound Square Edge. Untreated White Oak shall be un-surfaced, but shall be sized by being processed through a hit or miss surface.

BIDDING INSTRUCTIONS

Vendors past performance will be considered in the award of this contract.

Vendors shall not qualify bids. Any qualifications of the bids or any modification of the specifications or conditions governing the bids may be cause to reject the bid.

DELIVERY

Vendor shall complete delivery of lumber to the West Virginia Division of Highways District 7 Storage Yard located at:

WV Division of Highways District 7
1205 US 19 South, Bendale
Weston, WV 26452
Phone 304-269-0475

Maximum bundle weight of the lumber delivered shall be 6,000 pounds.

A delivery document showing items delivered and the actual calculated gross vehicular weight of the delivery vehicle shall accompany each load. The total number of delivery axles shall be recorded on the delivery document.

A twenty-four (24) hour notification shall be required prior to each delivery.

Failure to provide a proper notification may result in a delay in acceptance of the lumber. The telephone number for notification will be recorded on the State Contract Order (SCO) issued to the vendor.

LATE DELIVERY

The West Virginia Division of Highways may assess a late delivery charge against the vendor for each calendar day that the delivery is delayed beyond the above state schedule. The late delivery charge will be calculated at a rate of one-tenth of one percent (0.1%) of the State Contract Order amount per day.

BIDDING SCHEDULE

Pine Bridge Lumber (S4S) Treated

	<u>TYPE/DIMENSION</u>		<u>ESTIMATED USAGE</u>		<u>UNIT PRICE</u>	<u>AMOUNT</u>
1.	2" X 4" X 12'	(017-001-020412)	100 ea.		No Bid 	
2.	2" X 4" X 14'	(017-001-020414)	150 ea.			
3.	2" X 4" X 16'	(017-001-020416)	400 ea.			
4.	2" X 4" X 18'	(017-001-020418)	100 ea.			
5.	2" X 4" X 20'	(017-001-020420)	100 ea.			
6.	2" X 6" X 12'	(017-001-020612)	400 ea.			
7.	2" X 6" X 14'	(017-001-020614)	650 ea.			
8.	2" X 6" X 16'	(017-001-020616)	1,000 ea.			
9.	2" X 6" X 18'	(017-001-020618)	900 ea.			
10.	2" X 6" X 20'	(017-001-020620)	750 ea.			
11.	2" X 10" X 16'	(017-001-021016)	150 ea.			

Treated Pine Structural Timber Rough Sawn

12.	3" X 8" X 12'	(017-001-030812)	100 ea.		No Bid 	
13.	3" X 8" X 16'	(017-001-030816)	45 ea.			
14.	4" X 6" X 12'	(017-001-040612)	40 ea.			
15.	4" X 6" X 16'	(017-001-040616)	20 ea.			
16.	6" X 6" X 14'	(017-001-060614)	80 ea.			
17.	6" X 6" X 18'	(017-001-060618)	30 ea.			

Untreated White Oak Bridge Lumber Rough Sawn

18.	3" X 8" X 12'	(017-003-030812)	2,200 ea.		14.40	31,680.00
19.	3" X 8" X 16'	(017-003-030816)	45 ea.		20.80	936.00

TOTAL OAK only \$ 32,616.00

A F F I D A V I T

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 owned 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.

LICENSING:

The vendor must be licensed in accordance with any and all state requirements to do business with the state of West Virginia.

CONFIDENTIALITY:

The vendor agrees that he or she will not disclose to anyone, directly or indirectly, any such personally identifiable information or other confidential information gained from the agency, unless the individual who is the subject of the information consents to the disclosure in writing or the disclosure is made pursuant to the agency's policies, procedures and rules. Vendors should visit www.state.wv.us/admin/purchase/privacy for the Notice of Agency Confidentiality Policies.

Under penalty of law for false swearing (West Virginia Code, §61-5-3), it is hereby certified that the vendor acknowledges the information in this said affidavit and are in compliance with the requirements as stated.

Vendor's Name: Pierson Lumber Co Inc

Authorized Signature: David H. Pierson Date: 10/28/06