



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
667C0006

PAGE
1

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

VENDOR

*407083336 606-874-9892
 MOUNTAIN AGGREGATES INC
 PO BOX 11948
 LEXINGTON KY 40579-1948

SHIP TO

DIVISION OF HIGHWAYS
 VARIOUS LOCALES AS INDICATED
 BY ORDER

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
08/07/2006				

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

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	TN		770-06		
<p>STONE AND AGGREGATE</p> <p>OPEN END CONTRACT</p> <p>TO FURNISH MATERIALS, EQUIPMENT, AND LABOR TO SUPPLY STONE AND AGGREGATE TO THE WEST VIRGINIA DIVISION OF HIGHWAYS, DISTRICTS ONE THROUGH TEN AT THE LOCATIONS AND UNDER THE CONDITIONS SPECIFIED HEREINAFTER.</p> <p>NOTE: 1. VENDORS DO NOT NEED TO SEND IN BLANK PAGES, (IE. SITES YOU ARE NOT BIDDING ON.) 2. VENDORS SHOULD STAMP EACH PAGE AT THE TOP WITH COMPANY NAME AND NUMBER PAGES CHRONOLOGICALLY THAT YOU ARE SUBMITTING. 3. VENDORS SHOULD TYPE PRICES IF POSSIBLE. 4. NUMBER 12 - BIDDING SCHEDULE - VENDORS MAY MAKE DUPLICATES OF THESE PAGES IF QUOTING DIFFERENT STORAGE SITES.</p> <p>SEE ATTACHED</p> <p>EXHIBIT 3</p> <p>LIFE OF CONTRACT: THIS CONTRACT BECOMES EFFECTIVE ON AND EXTENDS FOR A PERIOD OF SIX (6) MONTHS OR UNTIL SUCH "REASONABLE TIME" THEREAFTER AS I 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.</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Richard A. ...</i>	TELEPHONE (859) 299-7001	DATE August 30, 2006
TITLE Vice President	FEIN 20-3622192	ADDRESS CHANGES TO BE NOTED ABOVE

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



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<p>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.</p> <p>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) 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>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
<i>Robert L. ...</i>	(859) 299-7001	August 30, 2006
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE
Vice President	20-3622192	

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<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 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>PURCHASING CARD ACCEPTANCE: THE STATE OF WEST VIRGINIA CURRENTLY UTILIZES A VISA PURCHASING CARD PROGRAM WHICH IS ISSUED THROUGH A LOCAL BANK. THE SUCCESSFUL VENDOR MUST ACCEPT THE STATE OF WEST VIRGINIA VISA PURCHASING CARD FOR PAYMENT OF ALL ORDERS PLACED BY ANY STATE AGENCY FOR ORDERS THAT ARE LESS THAN \$2,500 AS A CONDITION OF AWARD.</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>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE *Richard L. ...* TELEPHONE (859) 299-7001 DATE August 30, 2006

TITLE Vice President FEIN 20-3622192 ADDRESS CHANGES TO BE NOTED ABOVE

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<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) YEARS IMMEDIATELY PRECEDING THE DATE OF THIS CERTIFICATION; OR</p> <p>(XXX) 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 HEAQUARTERS 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>() 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</p>						

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<i>Richard L. ...</i>	(859) 299-7001	August 30, 2006
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<p>THE STATE CONTINUOUSLY FOR THE TWO YEARS IMMEDIATELY PRECEDING SUBMISSION OF THIS BID; OR (XXX) 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 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>						

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<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 PURCHASIN DIVISION IN WRITING IMMEDIATELY.</p> <p>BIDDER: <u>Mountain Aggregates, Inc.</u></p> <p>DATE: <u>August 30, 2006</u></p> <p>SIGNED: <u><i>Richard L. Craycraft, V.P.</i></u></p> <p>TITLE: <u>Richard L. Craycraft, Vice President</u></p> <p>* CHECK ANY COMBINATION OF PREFERENCE CONSIDERATION(S) IN EITHER "A" OR "B", OR BOTH "A" AND "B" WHICH YOU ARE ENTITLED TO RECEIVE. YOU MAY REQUEST UP TO THE MAXIMUM 5% PREFERENCE FOR BOTH "A" AND "B". (REV. 12/00)</p> <p>NOTICE</p> <p>A SIGNED BID MUST BE SUBMITTED TO:</p> <p>DEPARTMENT OF ADMINISTRATION PURCHASING DIVISION BUILDING 15 2019 WASHINGTON STREET, EAST CHARLESTON, WV 25305-0130</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Richard L. Craycraft, V.P.</i>	TELEPHONE (859) 299-7001	DATE August 30, 2006
TITLE Vice President	FEIN 20-3622192	ADDRESS CHANGES TO BE NOTED ABOVE

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<p>THE BID SHOULD CONTAIN THIS INFORMATION ON THE FACE OF THE ENVELOPE OR THE BID MAY NOT BE CONSIDERED:</p> <p>SEALED BID</p> <p>BUYER: 33</p> <p>RFQ. NO.: 667C0006</p> <p>BID OPENING DATE AND TIME</p> <p>PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID: (859) 299-2385</p> <p>CONTACT PERSON (PLEASE PRINT CLEARLY): Richard L. Craycraft</p> <p>***** THIS IS THE END OF RFQ 667C0006 ***** TOTAL: _____</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS			
SIGNATURE <i>Richard L. Craycraft</i>	TELEPHONE (859) 299-7001	DATE August 30, 2006	
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1. SPECIFICATIONS

The following sections of the West Virginia Department of Transportation, Division of Highways Standard Specifications, Roads and Bridges, adopted 2000, as modified by the current Supplemental Specifications, shall apply to the administration of this contract: Sections 101, 102.4, 102.5, 105.1, 105.3, 105.4, 105.10, 105.11, 105.12, 105.13, 106.3, 106.4, 106.5, 106.6, 106.7, 106.9, 107.1, 107.2, 107.3, 107.14, 107.19, 107.20, 108.8, 109.1, 109.2, and 401.9.3.

The requirements of the West Virginia Department of Transportation, Division of Highways, Standard Specifications, Roads and Bridges, Section 109.20, PRICE ADJUSTMENT FOR LOAD LIMIT VIOLATIONS shall apply to all material supplied under this contract. This will include material loaded by the vendor into Division of Highways owned and/or rented trucks.

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 the current Supplemental Specifications may be obtained from:

West Virginia Division of Highways
Contract Administration Division, Room 729
1900 Kanawha Boulevard, East, Building 5
Charleston, West Virginia 25305

MATERIAL SPECIFICATIONS ARE AS FOLLOWS:

<u>MATERIAL (NOTE 1)</u>	<u>WVDOH STANDARD SPECIFICATION SECTION</u>
Fine Aggregate	702 (Note 5)
Coarse Aggregate	703 (Note 5)
Riprap	704.2
Stone for Gabions	704.3
Shot Rock	704.8
Abrasives (Note 2)	Note 3
Aggregate for Base & Subbase	704.6 (Note 5)
#8 Modified and #9 Modified	Note 4

NOTE 1: Fine aggregate on the bid schedule shall be considered to be fine aggregate for portland cement concrete or mortar sand, the particular type to be specified in State Contract Purchase Orders (SCO'S). Coarse aggregate on the bid schedule is identified by an AASHTO standard size; e.g., AASHTO Size No. 1, AASHTO Size No. 467, etc. Aggregate for base and sub-base on the bid schedule is identified by class; e.g., Class 1, Class 2, and Class 9, etc.

NOTE 2: CINDERS WILL NOT BE CONSIDERED in this Purchase Requisition.

NOTE 3: Abrasives shall conform to the following specifications:

A. Quality

1. Crushed sandstone shall not be used as an abrasive.
2. The liquid limit shall not exceed 25 and the plasticity index shall not exceed 6.
3. Total deleterious substances including but not limited to metal, glass, clay, shale, and thin or elongated pieces shall not exceed 3% of the dry weight of the total sample. Deleterious content shall be determined on that fraction of material retained on the U.S. Standard #4 (4.75 mm) sieve.
4. When gravel is used as an abrasive, the material retained on the #8, sieve shall have a majority of crushed particles.

B. Gradation

1. The material shall conform to the following gradation requirements determined in accordance with AASHTO T-27.

<u>SIEVE SIZE</u>	<u>% PASSING BY WEIGHT</u>	
	Standard	Modified
1/2 inch	100	100
3/8 inch	85 – 100	85 – 100
#100	0 – 10	0 – 4

NOTE 4: In addition to meeting the gradation requirements of AASHTO #8 and #9 aggregate in table 703.4, Modified AASHTO #8 and Modified AASHTO #9 aggregate shall have a maximum of 2.5% passing the #200 sieve as determined by AASHTO T-11 and T-27. Modified AASHTO #8 and Modified AASHTO #9 aggregate shall meet all other requirements for AASHTO #8 and AASHTO #9 aggregate.

NOTE 5: With exception of the following contract items, grading on all specified sieve sized for material furnished shall be determined by AASHTO T-27 (Dry Test Only) or by AASHTO T-27 with AASHTO T-11:

Item I, AASHTO #7
 Item J, AASHTO #8
 Item K, AASHTO #9
 Item R, AASHTO #8 Modified
 Item S, AASHTO #9 Modified

The grading for the above items shall be determined by AASHTO T-27 and AASHTO T-11.

2. BIDDING INSTRUCTIONS

Vendors may bid any or all items on the bid schedule. Vendors shall provide the information requested in Subsection 12.1 & 12.2, paragraphs (a) and (b) on the bid schedule. Failure to provide required information will be sufficient grounds to invalidate the bid.

Any qualification of bids or any modification of the specifications or conditions governing the bids may be cause to reject bids.

The Division of Highways may purchase aggregate and stone F.O.B. Vendor's Storage Site. The bid price F.O.B. Vendor's Storage Site shall include the loading of Division of Highways' trucks by Vendor.

Vendor shall have the capacity to deliver a minimum quantity of 300 tons per day to any designated site when directed by the District Engineer/Manager.

3. DETERMINING LOW BID

Bids will be evaluated by the Division on the basis of cost per cubic yard F.O.B. at the designated site. Cost per cubic yard will be determined by multiplying the Vendor's bid price in dollars per ton by a "Tons per cubic yard factor" which is listed in the following table.

TONS PER CUBIC YARD FACTORS*

ITEM	TYPE OF MATERIAL			BLAST FURNACE	
	LIMESTONE	SANDSTONE	GRAVEL	SLAG	STEEL SLAG
Class 1, 2, 9	1.46	1.46 (2920)	1.46 (2920)	1.36 (2720)	1.81 (3620)
AASHTO Sizes #1 thru #7	1.30 (2600)	1.30 (2600)	1.30 (2600)	1.04 (2080)	1.61 (3220)
AASHTO Sizes #8 thru #10	1.32 (2640)	1.32 (2640)	1.32 (2640)	1.20 (2400)	1.61 (3220)
Gabions	1.31 (2620)	1.31 (2620)	1.31 (2620)	-----	-----
Shot Rock, Riprap	1.31 (2620)	1.31 (2620)	-----	-----	-----
Fine Aggregate	1.40 (2800)	1.40 (2800)	1.40 (2800)	1.36 (2720)	1.77 (3540)
Abrasives	1.36 (2720)	1.36 (2720)	1.36 (2720)	1.28 (2560)	1.75 (3500)

*Numbers in parenthesis are pounds per cubic yard

4. CONTRACT AWARD

All qualified Vendors who submit a valid bid "F.O.B. Vendor' Storage Site" will be awarded a contract to establish a unit price for those items bid (See Subsection 12.1):

- a. A State Contract Purchase Order (SCO) specifying Division of Highways pick up or Vendor delivery to project site will be issued to the low bidder when a specific type and quantity of material is to be purchased for use on a designated project.
- b. A Blanket State Contract Purchase Order (SCO) specifying Division of Highways pick F.O.B. Vendors Storage Site, may only be issued when material for routine highway maintenance operations at various locations is to be purchased. When material is secured on an SCO of this nature, the District Engineer/Manager shall take those steps necessary to assure that material is secured from the Vendor which results in the lowest cost to the Division. Factors to be considered shall include, but are not limited to; bid price of material, haul cost at \$1.50 for the first ton-mile and \$0.25 for each additional mile.

Qualified Vendors who submit a valid bid "F.O.B. Division Storage Site" will be awarded a contract to establish a unit price for those locations and items for which their bid is low based on cost per cubic yard (see Subsection 12.2). A State Contract Purchase Order (SCO), with the required delivery schedule, will be issued for the actual quantity of material to be delivered to the location specified. If the Vendor is unable to furnish material in accordance with the specified delivery schedule the District Engineer/Manager shall be advised in writing within five (5) working days of the reason for failure to conform to delivery requirements.

- a. All qualified Vendors who are awarded F.O.B. Division Storage Sites must have the awarded items available for delivery 30 days after the contract award date.

In the event a Vendor fails to conform to the requirements stated in this contract document, the State Contract Purchase Order (SCO) or the governing specifications, the State Contract Purchase Order (SCO) may be cancelled and reissued to the next lowest bidder.

The Vendor is not authorized to ship, nor is the Division authorized to receive materials prior to issuance of an (SCO).

5. SUPPLYING OTHER ORGANIZATIONAL ENTITIES

In accordance with Chapter 5A, Article 3, Section 9 of the Code of West Virginia the commodities or services contracted for herein shall be available to all local governmental bodies in accordance with the same prices, terms and conditions afforded to the State of West Virginia.

In the event any Vendor does not wish to extend the prices, terms and conditions of his bid and subsequent contract to all political sub-divisions of the State, he must so indicate in a clear and unambiguous manner in his bid. This indication does not prejudice the award of the contract. If a Vendor does not indicate his refusal to extend the prices, terms and conditions of his bid to political sub-divisions of the State he is bound to extend them upon issuance of a purchase order by these other entities.

Other organizational entities using this provision of the contract shall do so without any involvement of the Division of Highways. That is, the entity shall make its own purchase arrangements with the Vendor and shall make its own arrangement for payment.

6. HAULING AGGREGATE TO STATE PROJECTS BY CONTRACTOR

The most direct suitable route from the Vendor's aggregate storage site to the midpoint of the project will be determined by the Division and used to compute haul distance for the purpose of determining low bid, and also for the purpose of determining payment. The Contractor shall deposit aggregates at the project site at the locations and in the manner directed by the Division of Highways. This may include tailgating the aggregate into an aggregate spreader or onto a roadway, or dumping the aggregate into a stockpile.

7. WEIGHING MATERIALS DELIVERED BY TRUCK

Material delivered by truck shall be weighed in accordance with Section 401.9.3 of the West Virginia Department of Transportation, Division of Highways Standard Specifications Roads and Bridges, adopted 2000, as modified by the current Supplemental Specifications.

8. WEIGHING MATERIALS DELIVERED BY MODES OF TRANSPORTATION OTHER THAN TRUCKS

Materials delivered to the designated site by barge, or other non-truck modes shall have their weight determined by a means acceptable to the Division, and the weights of materials so shipped shall be certified, by the Vendor or his authorized agent, to be correct.

The minimum barge delivery requested will be approximately 6,500 tons per SCO. When barge delivery is required contract item will be ordered in 1500 ton increments.

9. SAMPLING AND TESTING

Sampling and testing for quality of all items furnished in this contract will be the responsibility of the Division. Minimum frequency of sampling and testing for quality on all materials (other than those sources already covered by the Division's "commercial source" approval) will be at least one sample every six days of shipment (or if tested during production, at least one sample every six days of production).

Other minimum frequencies shall be in accordance with the following:

Property

Frequency

Gradation-Delivered Material

One sample per each day of shipment (or if tested during production, one sample per each day of production). See Note 1 below.

Gradation-Division Pick-up

(Division pick up; A-1 Source)
 One sample per each week of shipment per MP 700.00.52; or if tested during production, one sample per each day of production. See Note 1 below.

(Division pick up; A-2 Source)
 One sample per 250 tons shipped and a minimum of one per week of shipment.

Moisture Content (See Note 2)

All samples taken by the Vendor shall be by a Certified Aggregate Sampler or Certified Aggregate Inspector. Tests shall be performed by a Certified Aggregate Inspector.

NOTE 1: The Vendor will be responsible for providing test results attesting to the gradation of materials delivered. Gradation results from the production source will be acceptable.

NOTE 2: In the event visual inspection of the aggregate indicates excess or unusual moisture beyond that normally expected in the aggregate, the Division reserves the right to determine the moisture content by standard methods. If this becomes necessary, the net weight of the portion represented will be adjusted utilizing the test results obtained by the Division in accordance with MP 700.00.22. Items "N" & "O" (Abrasives) will be considered fine aggregate outlined in MP 700.00.22.

10. ACCEPTANCE PLAN

Material failing to comply with the quality requirements will not be accepted. Acceptance for gradation shall be on the basis of test results, provided and certified by the Vendor to be true test results and representative of the material supplied to the Division, on consecutive random samples from a lot. A lot shall consist of a quantity of material represented by an average value (not to exceed 5 sublots). A subplot shall consist of the quantity of material represented by a single gradation test. In the case where only one sample is taken to represent the total quantity, the subplot and lot will be considered the same. Frequency of sampling and testing shall be in accordance with the Vendor's quality control plan outlined in MP 700.00.51. The Vendor shall provide the gradation test results to the Division within 72 hours.

Gradation test results shall be averaged in accordance with MP 300.00.51. When the average falls outside the applicable limits, the lot of material represented thereby will be considered nonconforming to the extent that the last of its sublots is nonconforming. When a lot of material is nonconforming, then the last subplot contained therein shall have its degree of nonconformance determined as set forth below.

When a subplot of material is to have its price adjusted, the percentage point difference between the nonconforming test value and the specification limit shall be determined for each sieve size determined to be nonconforming, and this value shall be multiplied by its appropriate multiplication factor as set forth in Table I.

TABLE I

<u>NONCONFORMING SIEVE SIZE</u>	<u>MULTIPLICATION FACTOR</u>
Plus #40	1
#40	1.5
#50	1.5
#100	2.0 (1.3 for abrasives)
#200	2.5

The total measure of nonconformance of an individual subplot is the sum of all nonconformances on the various sieve sizes of that subplot. In no case, however, shall a subplot of material have its price adjusted more than once, and the first adjustment which is determined shall apply.

When the total degree of nonconformance has been established and it is 12 or less, the material will be paid for at an adjusted contract price as specified in Table 2.

TABLE 2

<u>DEGREE OF NONCONFORMANCE</u>	<u>PERCENT OF CONTRACT PRICE TO BE REDUCED</u>
1.0 TO 3.0	2
3.1 TO 5.0	4
5.1 TO 8.0	7
8.1 TO 12.0	11
Greater than 12	*

*The Division will make a special evaluation of the material and determine the appropriate action.

In the event a Vendor delivers a specific quantity of material from a stockpile, and said quantity is less than the total quantity contained in the stockpile, and it has been determined from his certified test data that a nonconforming subplot(s) is contained in said stockpile, the price reduction shall be calculated for the specific quantity as follows:

The percent price reduction shall be determined as set forth above for the nonconforming subplot. The quantity represented by the nonconforming subplot shall then be calculated as a percent of the total (total material contained in the stockpile). To determine the price reduction on the specific quantity delivered, multiply the percent of nonconforming material contained in the stockpile by the quantity delivered, and reduce this quantity by the percent price reduction as determined.

Example:

If it has been determined that a stockpile of 100 tons contains 10 percent failing material, and said material is to have its price reduced by 4 percent, then the actual quantity delivered, say 15 tons, will be multiplied by 0.10 (10 percent failing

$$TD \left[1 - \frac{PQ_n}{100Q_t} \right] = AP \text{ (price to be paid after adjustment)}$$

material) which equals 1.5 tons. This 1.5 tons will thus have its price reduced by 4 percent. The remaining 13.5 tons will be paid for at full contract price.

WHERE T: = tonnage delivered
 P = percent price reduction
 D = cost per ton
 Q_n = quantity of nonconforming subplot(s)
 Q_t = quantity of total stockpile

If two (2) sublots are nonconforming within the stockpile, calculate each separately for the adjusted payment on the quantity delivered (as above). Add these two adjusted payments together and subtract from the total the price to be paid before adjustment for tonnage delivered (TD). If three (3) sublots are nonconforming, calculate each separately and subtract twice the price to be paid before adjustment for tonnage delivered, and so on. Example:

$(AP_1 + AP_2) - TD = \text{Final price to be paid after adjustments}$

OR

$(AP_1 + AP_2 + AP_3) - 2 TD = \text{Final price to be paid after adjustments}$

Where: AP = price to be paid after initial adjustment for one nonconforming subplot determined by the above equation.

T = tonnage delivered
 D = cost per ton

In the event material is delivered from a continuous stockpile, that is, a stockpile which is continuously being replenished while also having material removed for these applications, certification shall be based on the shipment samples.

11. VENDOR'S INVOICES

Vendor's invoices must be submitted in original and one copy and contain the following:

- a. All weigh ticket numbers for material delivered during the invoicing period.

NOTE: Vendor should type Bid Schedule

- b. Division of Highways' State Contract Purchase Order (SCO) number and this contract number.
- c. Total quantity and unit price with the total cost of each type of material furnished. (Total quantity invoiced shall be scale weights (supported by weigh tickets) adjusted in accordance with Section 9, Note 2.)

NOTE: Under no circumstances will the West Virginia Division of Highways accept, or pay for, quantities of material in excess of the quantity stated on the State Contract Purchase Order.

12. BIDDING SCHEDULE

12.1 Bidding F.O.B. Vendor's Storage Site Elkhorn City Quarry
District #2

- 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)

Mountain Aggregates, Inc. - Elkhorn City Quarry
2 miles south of Elkhorn City, Kentucky 41522 on Route 197
Telephone Number : (606) 754-4117

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

Mountain Aggregates, Inc. - Elkhorn City Quarry
2 miles south of Elkhorn City, Kentucky on Route 197

Contract Item	Description of Aggregate	Bid Price Per Ton F.O.B. Vendor's Storage Site		
		LIMESTONE SANDSTONE GRAVEL SAND	BLAST FURNACE SLAG	STEEL SLAG
A	Class 1 Aggregate	7.10	_____	_____
B	Class 2 Aggregate	7.10	_____	_____
C	AASHTO #1 Aggregate	7.10	_____	_____
D	AASHTO #3 Aggregate	7.10	_____	_____
E	AASHTO #4 Aggregate	7.10	_____	_____
F	AASHTO #467 Aggregate	7.10	_____	_____
G	AASHTO #57 Aggregate	7.20	_____	_____
H	AASHTO #67 Aggregate	7.20	_____	_____
I	AASHTO #7 Aggregate	---	_____	_____
J	AASHTO #8 Aggregate	7.25	_____	_____
K	AASHTO #9 Aggregate	7.25	_____	_____

Mountain Aggregates, Inc.
P. O. Box 11948
Lexington, Kentucky 40579-1948
Elkhorn City Quarry
District #2

BIDDING SCHEDULE (Continued)

12.1 Bidding F.O.B. Vendor's Storage Site (Continued)

L	Stone for Gabions	<u>7.95</u>	<u> </u>	<u> </u>
M	Fine Aggregate	<u> </u>	<u> </u>	<u> </u>
N	Standard Abrasives	<u>7.25</u>	<u> </u>	<u> </u>
O	Modified Abrasives	<u>7.25</u>	<u> </u>	<u> </u>
P	Riprap	<u>7.95</u>	<u> </u>	<u> </u>
Q	Shot Rock	<u>7.25</u>	<u> </u>	<u> </u>
R	AASHTO #8 Modified	<u>7.25</u>	<u> </u>	<u> </u>
S	AASHTO #9 Modified	<u>7.25</u>	<u> </u>	<u> </u>
T	Pea Gravel	<u> </u>	<u> </u>	<u> </u>
U	Haul by Vendor (Except Items Q and P):			
	@	<u>1.00</u>	\$ for First Ton-Mile	
	@	<u>0.15</u>	\$ for Each Additional Ton Mile	
V	Haul by Vendor (Items Q and/or P):			
	@	<u>2.00</u>	\$ for First Ton-Mile	
	@	<u>0.15</u>	\$ for Each Additional Ton-Mile	

Mountain Aggregates, Inc.
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12. BIDDING SCHEDULE

DISTRICT TWO

12.2 Bidding F.O.B. Division's Storage Site (Continued)

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

LINCOLN COUNTY

A	Class 1	1000	Harts
B	Class 2	500	Harts
D	No. 3	500	Harts
E	No. 4	500	Harts
F	No. 467	500	Harts
G	No. 57	500	Harts
J	No. 8	1000	Harts
L	Gabion Stone	1000	Harts
N	Standard Abr.	1000	Harts
Q	Shot Rock	1000	Harts

LIMESTONE SANDSTONE GRAVELY SANDX	BLAST FURNACE SLAG	STEEL SLAG

LOGAN COUNTY

A	Class 1	5000	Wilkinson
B	Class 2	1000	Wilkinson
D	No. 3	1000	Wilkinson
F	No. 467	500	Wilkinson
G	No. 57	1000	Wilkinson
J	No. 8	2000	Wilkinson
L	Gabion Stone	1500	Wilkinson
N	Standard Abr.	2000	Wilkinson
O	Modified Abr.	500	Wilkinson
Q	Shot Rock	1500	Wilkinson

18.48		
18.48		
19.00		
19.00		
19.00		
19.50		
19.50		
19.50		
19.50		
19.50		
21.50		

LOGAN COUNTY

A	Class 1	1000	Man
B	Class 2	500	Man
D	No. 3	500	Man
F	No. 467	500	Man
G	No. 57	500	Man
J	No. 8	2000	Man
L	Gabion Stone	1000	Man
N	Standard Abr.	1000	Man
O	Modified Abr.	500	Man
Q	Shot Rock	1000	Man

17.95		
17.95		
21.00		
21.00		
21.00		
21.50		
21.50		
21.50		
21.50		
22.50		

Mountain Aggregates, Inc.
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12. BIDDING SCHEDULE

DISTRICT TWO

12.2 Bidding F.O.B. Division's Storage Site (Continued)

Contract Item	Description of Aggregate	Estimated Quantity (TONS)	Location of DOH Storage Site
---------------	--------------------------	---------------------------	------------------------------

Bid Price (\$/Ton) F.O.B.
 DOH Storage Site

CORRIDOR G & LOGAN COUNTY

A	Class 1	2000	Chapmanville
B	Class 2	500	Chapmanville
D	No. 3	500	Chapmanville
J	No. 8	1500	Chapmanville
L	Gabion Stone	1000	Chapmanville
N	Standard Abr.	1000	Chapmanville
O	Modified Abr.	500	Chapmanville
Q	Shot Rock	1000	Chapmanville

LIMESTONE SANDSTONE GRAVELY SAND	BLAST FURNACE SLAG	STEEL SLAG
19.50		
19.50		
20.50		
20.50		
20.50		
20.50		
20.50		
22.50		

MINGO COUNTY

A	Class 1	5000	Miller Creek
B	Class 2	5000	Miller Creek
C	No. 1	500	Miller Creek
D	No. 3	1000	Miller Creek
G	No. 57	1000	Miller Creek
J	No. 8	1500	Miller Creek
L	Gabion Stone	800	Miller Creek
N	Standard Abr.	2000	Miller Creek
O	Modified Abr.	500	Miller Creek
Q	Shot Rock	1000	Miller Creek

17.00		
17.00		
15.38		
15.38		
15.38		
17.48		
17.48		
17.48		
17.48		
19.50		

MINGO COUNTY

A	Class 1	1000	Gilbert
B	Class 2	3000	Gilbert
C	No. 1	1000	Gilbert
D	No. 3	500	Gilbert
G	No. 57	500	Gilbert
J	No. 8	500	Gilbert
L	Gabion Stone	1000	Gilbert
N	Standard Abr.	200	Gilbert
O	Modified Abr.	200	Gilbert
Q	Shot Rock	500	Gilbert

18.50		
18.50		
18.50		
18.50		
21.00		
18.49		
18.49		
23.00		

12. BIDDING SCHEDULE

DISTRICT THREE

Mountain Aggregates, Inc.
 P. O. Box 11948
 Lexington, Kentucky 40579-1948

12.2 Bidding F.O.B. Division's Storage Site

Bid Price (\$/Ton) F.O.B.
 DOH Storage Site

Contract Item	Description of Aggregate	Estimated Quantity (TONS)	Location of DOH Storage Site
---------------	--------------------------	---------------------------	------------------------------

CALHOUN COUNTY

A	Class 1	3600	Millstone
D	No. 3	800	Millstone
H	No. 67	1700	Millstone
L	Gabion Stone	600	Millstone
R	No. 8 Modified	1150	Millstone
S	No. 9 Modified	500	Millstone

JACKSON COUNTY

A	Class 1	10000	Ripley
C	No. 1	500	Ripley
D	No. 3	800	Ripley
F	No. 467	9000	Ripley
G	No. 57	3500	Ripley
H	No. 67	3000	Ripley
N	Standard Abr.	1000	Ripley
R	No. 8 Modified	1500	Ripley
S	No. 9 Modified	1500	Ripley

JACKSON COUNTY

A	Class 1	2000	Ravenswood Lot
D	No. 3	200	Ravenswood Lot
R	No. 8 Modified	500	Ravenswood Lot

JACKSON COUNTY (I-77)

A	Class 1	300	Medina (I77)
D	No. 3	100	Medina (I77)
N	Standard Abr.	750	Medina (I77)

PLEASANTS COUNTY

A	Class 1	5000	Colin Anderson Lot
H	No. 67	500	Colin Anderson Lot

PLEASANTS COUNTY

N	Standard Abr.	1000	Belmont
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LIMESTONE SANDSTONE GRAVEL, SAND	BLAST FURNACE SLAG	STEEL SLAG

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12. BIDDING SCHEDULE

DISTRICT THREE

Mountain Aggregates, Inc.
 P. O. Box 11948
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12.2 Bidding F.O.B. Division's Storage Site (Continued)

Contract Item	Description of Aggregate	Estimated Quantity (TONS)	Location of DOH Storage Site
---------------	--------------------------	---------------------------	------------------------------

Bid Price (\$/Ton) F.O.B.
 DOH Storage Site

ROANE COUNTY

A	Class 1	1000	Southern Roane WV 36
D	No. 3	400	Southern Roane WV 36
F	No. 467	1200	Southern Roane WV 36
N	Standard Abr.	450	Southern Roane WV 36

LIMESTONE SANDSTONE GRAVEL, SAND	BLAST FURNACE SLAG	STEEL SLAG

WIRT COUNTY

N	Standard Abr.	1500	Elizabeth Headquarters
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WIRT COUNTY

A	Class 1	4200	Elizabeth WV CR 14/7
C	No. 1	250	Elizabeth WV CR 14/7
D	No. 3	1500	Elizabeth WV CR 14/7
F	No. 467	1500	Elizabeth WV CR 14/7
H	No. 67	1800	Elizabeth WV CR 14/7
S	No. 9 Modified	2000	Elizabeth WV CR 14/7

WOOD COUNTY

A	Class 1	10000	Parkersburg Co. Hqtrs.
C	No. 1	1000	Parkersburg Co. Hqtrs.
D	No. 3	3000	Parkersburg Co. Hqtrs.
E	No. 4	2500	Parkersburg Co. Hqtrs.
G	No. 57	1000	Parkersburg Co. Hqtrs.
I	No. 7	2000	Parkersburg Co. Hqtrs.
J	No. 8	4000	Parkersburg Co. Hqtrs.
L	Gabion Stone	400	Parkersburg Co. Hqtrs.
N	Standard Abr.	4000	Parkersburg Co. Hqtrs.
R	No. 8 Modified	6000	Parkersburg Co. Hqtrs.
S	No. 9 Modified	2000	Parkersburg Co. Hqtrs.

WOOD COUNTY

A	Class 1	6000	WV 95 Parkersburg
G	No. 57	4000	WV 95 Parkersburg
H	No. 67	6000	WV 95 Parkersburg

12. BIDDING SCHEDULE

DISTRICT THREE

12.2 Bidding F.O.B. Division's Storage Site (Continued)

Mountain Aggregates, Inc.
 P. O. Box 11948
 Lexington, Kentucky 40579-1948

Contract Item	Description of Aggregate	Estimated Quantity (TONS)	Location of DOH Storage Site
<u>WOOD COUNTY</u>			
N	Standard Abr.	1500	Mill Run Road
<u>CORRIDOR D DODDRIDGE CO. GREENWOOD</u>			
N	Standard Abr.	1500	Greenwood

Bid Price (\$/Ton) F.O.B.
 DOH Storage Site

LIMESTONE SANDSTONE GRAVEL, SAND	BLAST FURNACE SLAG	STEEL SLAG

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Mountain Aggregates, Inc.
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12. BIDDING SCHEDULE

DISTRICT FOUR

12.2 Bidding F.O.B. Division's Storage Site (Continued)

Contract Item	Description of Aggregate	Estimated Quantity (TONS)	Location of DOH Storage Site
---------------	--------------------------	---------------------------	------------------------------

Bid Price (\$/Ton) F.O.B.
DOH Storage Site

HARRISON COUNTY (CORRIDOR D)

LIMESTONE SANDSTONE GRAVEL, SAND	BLAST FURNACE SLAG	STEEL SLAG

A	Class 1	1000	Tunnel Hill
J	No. 8	3000	Tunnel Hill
L	Gabion Stone	500	Tunnel Hill
N	Standard Abr.	2000	Tunnel Hill
O	Modified Abr.	2000	Tunnel Hill
Q	Shot Rock	500	Tunnel Hill

HARRISON COUNTY (I-79)

A	Class 1	1000	Saltwell
J	No. 8	3000	Saltwell
Q	Shot Rock	500	Saltwell

HARRISON COUNTY (I-79)

A	Class 1	1000	Lost Creek
J	No. 8	3000	Lost Creek
L	Gabion Stone	500	Lost Creek
N	Standard Abr.	2000	Lost Creek
O	Modified Abr.	2000	Lost Creek
Q	Shot Rock	500	Lost Creek

MARION COUNTY

A	Class 1	10000	Fairmont
B	Class 2	4000	Fairmont
C	No. 1	2000	Fairmont
D	No. 3	2000	Fairmont
F	No. 467	4000	Fairmont
G	No. 57	1000	Fairmont
J	No. 8	4000	Fairmont
L	Gabion Stone	1000	Fairmont
N	Standard Abr.	4000	Fairmont
O	Modified Abr.	4000	Fairmont
Q	Shot Rock	500	Fairmont

Mountain Aggregates, Inc.
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12. BIDDING SCHEDULE

DISTRICT FOUR

12.2 Bidding F.O.B. Division's Storage Site (Continued)

Contract Item	Description of Aggregate	Estimated Quantity (TONS)	Location of DOH Storage Site
---------------	--------------------------	---------------------------	------------------------------

Bid Price (\$/Ton) F.O.B.
 DOH Storage Site

PRESTON COUNTY

A	Class 1	1000	Masontown
B	Class 2	500	Masontown
F	No. 467	3000	Masontown
J	No. 8	500	Masontown
N	Standard Abr.	1000	Masontown
O	Modified Abr.	1000	Masontown
Q	Shot Rock	500	Masontown

LIMESTONE SANDSTONE GRAVEL, SAND	BLAST FURNACE SLAG	STEEL SLAG

PRESTON COUNTY

A	Class 1	2000	Aurora
B	Class 2	5000	Aurora
C	No. 1	2000	Aurora
F	No. 467	3000	Aurora
G	No. 57	3000	Aurora
J	No. 8	2000	Aurora
L	Gabion Stone	500	Aurora
N	Standard Abr.	6000	Aurora
O	Modified Abr.	6000	Aurora
Q	Shot Rock	500	Aurora

PRESTON COUNTY

A	Class 1	2000	Fellowsville
B	Class 2	5000	Fellowsville
C	No. 1	1000	Fellowsville
F	No. 467	3000	Fellowsville
G	No. 57	3000	Fellowsville
J	No. 8	2000	Fellowsville
L	Gabion Stone	500	Fellowsville
N	Standard Abr.	5000	Fellowsville
O	Modified Abr.	5000	Fellowsville
Q	Shot Rock	500	Fellowsville

PRESTON COUNTY

A	Class 1	500	Macomber
J	No. 8	500	Macomber
N	Standard Abr.	500	Macomber
O	Modified Abr.	500	Macomber
Q	Shot Rock	500	Macomber

12. BIDDING SCHEDULE

DISTRICT EIGHT

Mountain Aggregates, Inc.
 P. O. Box 11948
 Lexington, Kentucky 40579-1948

12.2 Bidding F.O.B. Division's Storage Site (Continued)

Contract Item	Description of Aggregate	Estimated Quantity (TONS)	Location of DOH Storage Site
---------------	--------------------------	---------------------------	------------------------------

Bid Price (\$/Ton) F.O.B.
 DOH Storage Site

POCAHONTAS COUNTY

A	Class 1	1500	Hillsboro
B	Class 2	5000	Hillsboro
H	No. 67	1000	Hillsboro
K	No. 9	1000	Hillsboro

LIMESTONE SANDSTONE GRAVEL, SAND	BLAST FURNACE SLAG	STEEL SLAG

POCAHONTAS COUNTY

A	Class 1	1500	Thornwood
B	Class 2	1000	Thornwood
J	No. 8	1000	Thornwood
O	Modified Abr.	4000	Thornwood

POCAHONTAS COUNTY

B	Class 2	1000	Linwood
J	No. 8	1000	Linwood
K	No. 9	500	Linwood
O	Modified Abr.	2500	Linwood

POCAHONTAS COUNTY

H	No. 67	300	Seebert
J	No. 8	2000	Seebert
O	Modified Abr.	4000	Seebert

RANDOLPH COUNTY

A	Class 1	500	Coalton
B	Class 2	500	Coalton
H	No. 67	500	Coalton
J	No. 8	3000	Coalton
K	No. 9	2000	Coalton

RANDOLPH COUNTY

A	Class 1	1000	Mill Creek
B	Class 2	1000	Mill Creek
H	No. 67	500	Mill Creek
J	No. 8	5000	Mill Creek
K	No. 9	500	Mill Creek

Mountain Aggregates, Inc.
 P. O. Box 11948
 Lexington, Kentucky 40579-1948

12. BIDDING SCHEDULE DISTRICT EIGHT

12.2 Bidding F.O.B. Division's Storage Site (Continued)

Contract Item	Description of Aggregate	Estimated Quantity (TONS)	Location of DOH Storage Site
---------------	--------------------------	---------------------------	------------------------------

Bid Price (\$/Ton) F.O.B.
 DOH Storage Site

RANDOLPH COUNTY

A	Class 1	1500	Pickens
B	Class 2	1500	Pickens
H	No. 67	1000	Pickens
J	No. 8	1800	Pickens

LIMESTONE SANDSTONE GRAVEL, SAND	BLAST FURNACE SLAG	STEEL SLAG

RANDOLPH COUNTY

A	Class 1	1000	Elkins
B	Class 2	1000	Elkins
H	No. 67	500	Elkins
J	No. 8	3500	Elkins
K	No. 9	5000	Elkins

RANDOLPH COUNTY

A	Class 1	100	Harman
B	Class 2	1000	Harman
H	No. 67	500	Harman
J	No. 8	4000	Harman

RANDOLPH COUNTY

A	Class 1	1000	Valley Head
B	Class 2	1000	Valley Head
H	No. 67	1000	Valley Head
J	No. 8	3500	Valley Head

TUCKER COUNTY

A	Class 1	2000	Parsons
B	Class 2	4000	Parsons
J	No. 8	6000	Parsons
K	No. 9	1200	Parsons

Mountain Aggregates, Inc.
 P. O. Box 11948
 Lexington, Kentucky 40579-1948

12. BIDDING SCHEDULE

DISTRICT EIGHT

12.2 Bidding F.O.B. Division's Storage Site (Continued)

Contract Item	Description of Aggregate	Estimated Quantity (TONS)	Location of DOH Storage Site
<u>TUCKER COUNTY</u>			
A	Class 1	1300	Thomas
B	Class 2	1500	Thomas
J	No. 8	6000	Thomas
<u>TUCKER COUNTY</u>			
J	No. 8	2500	Canaan Valley Pk.

Bid Price (\$/Ton) F.O.B.
 DOH Storage Site

LIMESTONE SANDSTONE GRAVEL, SAND	BLAST FURNACE SLAG	STEEL SLAG

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Mountain Aggregates, Inc.
 P. O. Box 11948
 Lexington, Kentucky 40579-1948

12. BIDDING SCHEDULE DISTRICT NINE

12.2 Bidding F.O.B. Division's Storage Site (Continued)

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

MONROE COUNTY

A	Class 1	2000	Peterstown
B	Class 2	6000	Peterstown
D	No. 3	500	Peterstown
G	No. 57	500	Peterstown
J	No. 8	1500	Peterstown
K	No. 9	2000	Peterstown
L	Gabion Stone	500	Peterstown

LIMESTONE SANDSTONE GRAVEL, SAND	BLAST FURNACE SLAG	STEEL SLAG

NICHOLAS COUNTY WV Rte. 39

A	Class 1	10000	Summersville
B	Class 2	15000	Summersville
D	No. 3	500	Summersville
G	No. 57	500	Summersville
H	No. 67	1000	Summersville
J	No. 8	1500	Summersville
K	No. 9	10000	Summersville
L	Gabion Stone	1000	Summersville
O	Modified Abr.	1000	Summersville
Q	Shot Rock	500	Summersville

NICHOLAS COUNTY

A	Class 1	2500	Curtin
B	Class 2	5000	Curtin
D	No. 3	500	Curtin
K	No. 9	1000	Curtin
L	Gabion Stone	500	Curtin
O	Modified Abr.	6000	Curtin
Q	Shot Rock	1000	Curtin

NICHOLAS COUNTY

K	No. 9	8000	Muddlety Lot
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Mountain Aggregates, Inc.
 P. O. Box 11948
 Lexington, Kentucky 40579-1948

12. BIDDING SCHEDULE

DISTRICT TEN

12.2 Bidding F.O.B. Division's Storage Site

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

MCDOWELL COUNTY

LIMESTONE SANDSTONE GRAVEL, SAND	BLAST FURNACE SLAG	STEEL SLAG

A	Class 1	10000	Havaco
F	No. 467	3000	Havaco
G	No. 57	1000	Havaco
L	Gabion Stone	1500	Havaco
O	Modified Abr.	5000	Havaco
Q	Shot Rock	1500	Havaco

MCDOWELL COUNTY

A	Class 1	5000	Raysal
F	No. 467	2000	Raysal
G	No. 57	1000	Raysal
J	No. 8	500	Raysal
L	Gabion Stone	1000	Raysal
N	Modified Abr.	2000	Raysal
Q	Shot Rock	1000	Raysal

MCDOWELL COUNTY

A	Class 1	3000	Yukon
F	No. 467	1000	Yukon
G	No. 57	1000	Yukon
L	Gabion Stone	600	Yukon
O	Modified Abr.	2000	Yukon
Q	Shot Rock	800	Yukon

MCDOWELL COUNTY

A	Class 1	3000	Johnnycake Mtn.
F	No. 467	1000	Johnnycake Mtn.
L	Gabion Stone	500	Johnnycake Mtn.
O	Modified Abr.	2000	Johnnycake Mtn.
Q	Shot Rock	800	Johnnycake Mtn.

Mountain Aggregates, Inc.
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Lexington, Kentucky 40579-1948

12. BIDDING SCHEDULE

DISTRICT TEN

12.2 Bidding F.O.B. Division's Storage Site (Continued)

Contract Item	Description of Aggregate	Estimated Quantity (TONS)	Location of DOH Storage Site
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RALEIGH COUNTY

A	Class 1	7000	Bolt
D	No. 3	1200	Bolt
G	No. 57	900	Bolt
K	No. 9	3000	Bolt
L	Gabion Stone	600	Bolt

RALEIGH COUNTY

G	No. 57	500	Shady Spring
J	No. 8	500	Shady Spring
K	No. 9	1000	Shady Spring

RALEIGH COUNTY (I-64)

A	Class 1	10000	Bragg
D	No. 3	1200	Bragg
K	No. 9	5000	Bragg
L	Gabion Stone	400	Bragg

Bid Price (\$/Ton) F.O.B.
DOH Storage Site

LIMESTONE SANDSTONE GRAVEL, SAND	BLAST FURNACE SLAG	STEEL SLAG

Mountain Aggregates, Inc.
P. O. Box 11948
Lexington, Kentucky 40579-1948

12. BIDDING SCHEDULE DISTRICT TEN

12.2 Bidding F.O.B. Division's Storage Site (Continued)

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

WYOMING COUNTY

A	Class 1	5000	Still Run
D	No. 3	3000	Still Run
G	No. 57	2500	Still Run
K	No. 9	2000	Still Run
L	Gabion Stone	3000	Still Run

LIMESTONE SANDSTONE GRAVEL, SAND	BLAST FURNACE SLAG	STEEL SLAG

WYOMING COUNTY

A	Class 1	3000	Hanover
K	No. 9	2000	Hanover

WYOMING COUNTY

A	Class 1	400	Pineville - WV 97
K	No. 9	2000	Pineville - WV 97
G	No. 57	2500	Pineville - WV 97

WYOMING COUNTY

A	Class 1	2000	Baileysville
D	No. 3	1000	Baileysville

DISTRICT DELIVERY ADDRESSES

District One Office
1334 Smith Street
Charleston, West Virginia 25301-1492

District Six Office
1 DOT Drive
Moundsville, West Virginia 26041-1605

District Two Office
801 Madison Avenue
Huntington, West Virginia 25712-0880

District Seven Office
255 Depot Street
Weston, West Virginia 26452-1228

District Three Office
624 Depot Street
Parkersburg, West Virginia 26102-0308

District Eight Office
US 219 North
Elkins, West Virginia 26241-1516

District Four Office
179 & Meadowbrook Road
Clarksburg, West Virginia 26302-2570

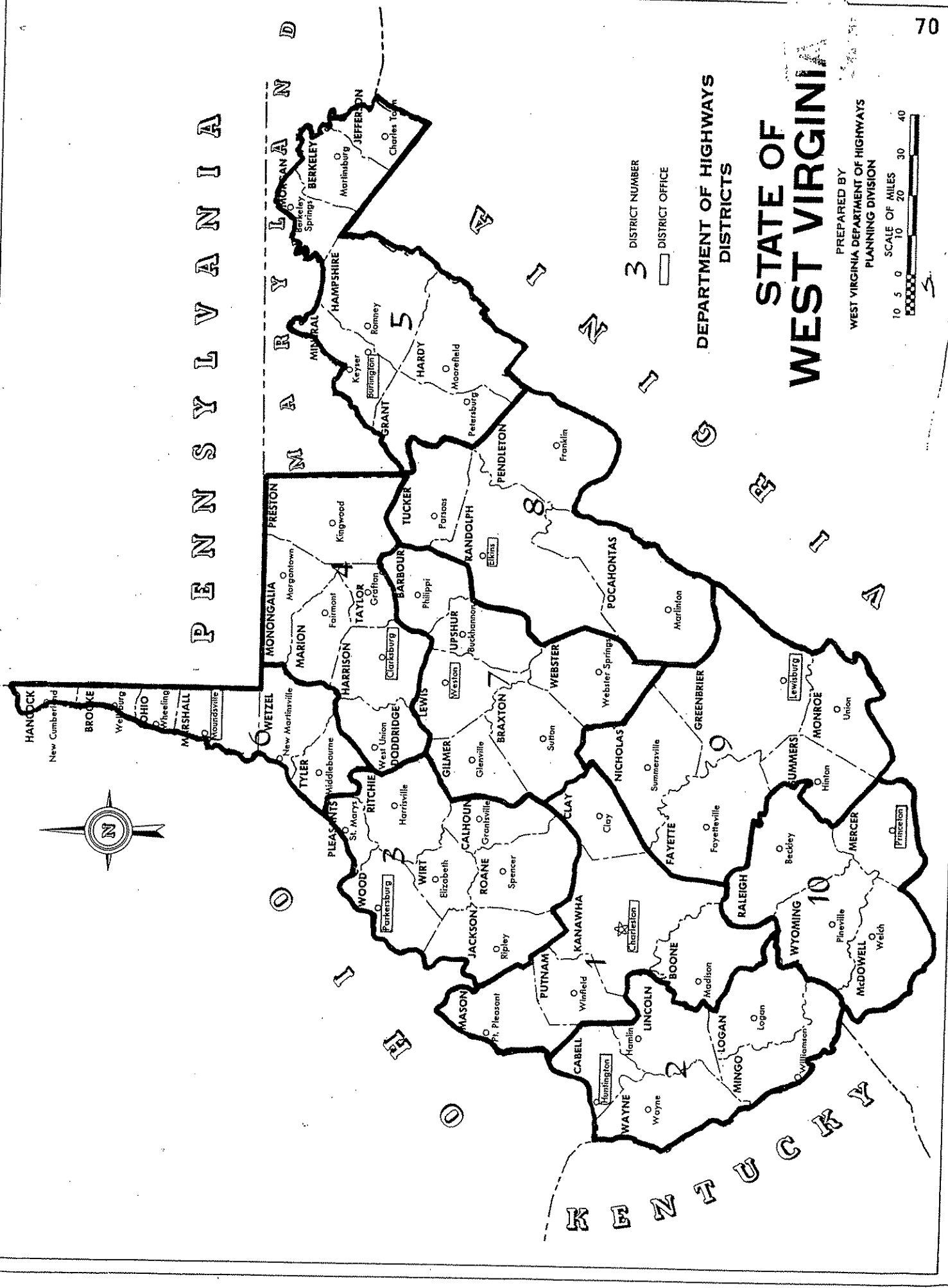
District Nine Office
103 1/2 Church Street
Lewisburg, West Virginia 24901

District Five Office
Route 50
Burlington, West Virginia 26710-0099

District Ten Office
270 Hardwood Lane
Princeton, West Virginia 24740-2737

P E N N S Y L V A N I A

K E N T U C K Y



DEPARTMENT OF HIGHWAYS
DISTRICTS

STATE OF WEST VIRGINIA

PREPARED BY
WEST VIRGINIA DEPARTMENT OF HIGHWAYS
PLANNING DIVISION



3 DISTRICT NUMBER
 3 DISTRICT OFFICE

AFFIDAVIT

Mountain Aggregates, Inc.
P. O. Box 11948
Lexington, Kentucky 40579-1948

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: Mountain Aggregates, Inc.

Authorized Signature: Richard L. Craycraft, Vice President

Date: August 30, 2006