



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  
 667C0021

PAGE  
 1

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

VENDOR

\*709045044      304-486-5195  
 LUSHER TRUCKING CO INC  
 ROUTE 2 BOX 329C  
 PRICHARD WV 25555

SHIP TO

DIVISION OF HIGHWAYS  
 VARIOUS LOCALES AS INDICATED  
 BY ORDER

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
03/27/2007				

BID OPENING DATE: 04/11/2007      BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	EA		750-35		
<p>ADDENDUM NO. 1</p> <p>PAGE 1, EXHIBIT 3 - FIRST TWO SENTENCES READS:            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.</p> <p>PAGE 1, EXHIBIT 3 - FIRST TWO SENTENCES TO READ:            LIFE OF CONTRACT: THIS CONTRACT BECOMES EFFECTIVE ON ..... AND EXTENDS FOR A PERIOD OF SIX (6) MONTHS 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 SIX (6) MONTHS.</p> <p>BID OPENING DATE AND TIME REMAINS THE SAME.</p> <p>NO OTHER CHANGES.</p> <p>STONE AND AGGREGATE</p>						

RECEIVED

2007 APR 10 P 12:13

PURCHASING DIVISION  
 STATE OF WV

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Frank W. Johnston</i>	TELEPHONE 304-486-5195	DATE 4/09/07
TITLE President	FEIN 55-0577610	ADDRESS CHANGES TO BE NOTED ABOVE

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

## PURCHASING CONTINUATION SHEET

Buyer: JJ-33	Page 2	Req. or P.O. No.: 667C0021
Spending Unit:		

Vendor:

Requisition No.: 667C0021

## ADDENDUM ACKNOWLEDGEMENT

I hereby acknowledge receipt of the following checked addendum(s) and have made the necessary revisions to my proposal, plans and/or specifications, etc.

## Addendum No.'s:

No. 1 ✓

No. 2 \_\_\_\_\_

No. 3 \_\_\_\_\_

No. 4 \_\_\_\_\_

No. 5 \_\_\_\_\_

I understand that failure to confirm the receipt of the addendum(s) may be cause for rejection of bids.

Frank W. Juel  
Signature

Lusher Trucking Co., Inc.  
Company

4/09/07  
Date

EXHIBIT 10



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0001	1	EA		750-35		
STONE AND AGGREGATE  OPEN END CONTRACT  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.  NOTE: (1) VENDORS CAN COMPLETE BIDDING SCHEDULES AT OUR WEBSITE. WWW.STATE.WV.US/ADMIN/PURCHASE (2) VENDORS DO NOT NEED TO SEND IN BLANK PAGES, (IE. SITES YOU ARE NOT BIDDING ON.) (3) VENDORS SHOULD STAMP EACH PAGE AT THE TOP WITH COMPANY NAME AND NUMBER PAGES CHRONOLOGICALLY THAT YOU ARE SUBMITTING. (4) NUMBER 12 - BIDDING SCHEDULE - VENDORS MAY MAKE DUPLICATES OF THESE PAGES IF QUOTING DIFFERENT STORAGE SITES.  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						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Frank W. Johnston</i>	TELEPHONE 304-486-5195	DATE 4/09/07
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LINE	QUANTITY	UOP	CAT NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>WRITTEN NOTICE.</p> <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 SERVICE 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 <i>Frank W. Jurek</i>	TELEPHONE 304-486-5195	DATE 4/09/07
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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 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,</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Frank W. Lane</i>	TELEPHONE 304-486-5195	DATE 4/09/07
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LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT	
				5A-3-37 (DOES NOT APPLY TO CONSTRUCTION CONTRACTS). A. APPLICATION IS MADE FOR 2.5% PREFERENCE FOR THE REASON CHECKED: ( ) BIDDER IS AN INDIVIDUAL RESIDENT VENDOR AND HAS RESIDED CONTINUOUSLY IN WEST VIRGINIA FOR FOUR (4) YEARS IMMEDIATELY PRECEDING THE DATE OF THIS CERTIFICATION; OR (X) BIDDER IS A PARTNERSHIP, ASSOCIATION OR CORPORATION RESIDENT VENDOR AND HAS MAINTAINED ITS HEAD-QUARTERS 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 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. B. APPLICATION IS MADE FOR 2.5% PREFERENCE FOR THE REASON CHECKED: (X) 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			

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<p>ARE RESIDENTS OF WEST VIRGINIA WHO HAVE RESIDED IN THE STATE CONTINUOUSLY FOR THE TWO YEARS IMMEDIATELY PRECEDING SUBMISSION OF THIS BID;            OR            ( ) 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 &amp; 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>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
<i>Frank W. Johnston</i>	304-486-5195	4/09/07
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE
President	55-0577610	

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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 PURCHASING DIVISION IN WRITING IMMEDIATELY.</p> <p>BIDDER: Lusher Trucking Co., Inc.</p> <p>DATE: 4/09/07</p> <p>SIGNED: <i>Frank W. Owen</i></p> <p>TITLE: President</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>						

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SIGNATURE	TELEPHONE	DATE
<i>Frank W. Owen</i>	304-486-5195	4/09/07
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE
President	55-0577610	

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***** THIS IS THE END OF RFQ 667C0021 ***** TOTAL:						

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SIGNATURE	TELEPHONE	DATE
<i>Frank W. Jones</i>	304-486-5195	4/09/07
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE
President	55-0577610	

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**12. BIDDING SCHEDULE**

**12.1 Bidding F.O.B. Vendor's Storage Site**

- 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)**

Limestone: Mountain Materials, Carter City, KY  
Hanson Aggregates, Grayson, KY  
Slag: Mountain Slag, Wurtland, KY AK Steel, Ashland, KY  
Gravel/Sand: Letart Corp., Gallipolis Ferry, WV

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

Limestone: Mountain Materials Rt. 474 Carter City, KY  
Hanson Aggregates 14011 St. Highway 9(15 mi. from)Grayson, KY  
Slag: Mountain Slag US 23 Wurtland, KY  
Gravel/Sand: Letart Corp. Rt. 2 Gallipolis Ferry, WV

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	5.74	8.50	
B	Class 2 Aggregate	5.74	8.50	
C	AASHTO #1 Aggregate		8.50	
D	AASHTO #3 Aggregate		8.50	
E	AASHTO #4 Aggregate	5.74	8.50	
F	AASHTO #467 Aggregate	5.74	8.50	
G	AASHTO #57 Aggregate	5.74	8.50	
H	AASHTO #67 Aggregate	6.00	8.50	
I	AASHTO #7 Aggregate			
J	AASHTO #8 Aggregate	7.00	9.00	
K	AASHTO #9 Aggregate		9.00	

**BIDDING SCHEDULE (Continued)**

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

L	Stone for Gabions	<u>7.00</u>	<u>          </u>	<u>          </u>
M	Fine Aggregate	<u>          </u>	<u>          </u>	<u>          </u>
N	Standard Abrasives	<u>          </u>	<u>7.50</u>	<u>          </u>
O	Modified Abrasives	<u>          </u>	<u>7.50</u>	<u>          </u>
P	Riprap	<u>8.25</u>	<u>          </u>	<u>          </u>
Q	Shot Rock	<u>8.25</u>	<u>          </u>	<u>          </u>
R	AASHTO #8 Modified	<u>          </u>	<u>9.00</u>	<u>          </u>
S	AASHTO #9 Modified	<u>          </u>	<u>9.00</u>	<u>          </u>
T	Pea Gravel	<u>6.75</u>	<u>          </u>	<u>          </u>
U	<b>Haul by Vendor (Except Items Q and P):</b>			
	@	<u>1.50</u>	\$ for First Ton-Mile	
	@	<u>.12</u>	\$ for Each Additional Ton Mile	
V	<b>Haul by Vendor (Items Q and/or P):</b>			
	@	<u>1.50</u>	\$ for First Ton-Mile	
	@	<u>.14</u>	\$ for Each Additional Ton-Mile	

12. BIDDING SCHEDULE

DISTRICT ONE

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

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

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

BOONE COUNTY

A	Class 1	2500	Seth
C	No. 1	500	Seth
D	No. 3	1800	Seth
F	No. 467	1000	Seth
K	No. 9	1000	Seth
N	Standard Abr.	2500	Seth
O	Modified Abr.	2500	Seth
R	No. 8 Modified	1500	Seth

LIMESTONE SANDSTONE GRAVEL, SAND	BLAST FURNACE SLAG	STEEL SLAG
	23.99	
	23.99	
	23.99	
	23.99	
	24.99	
	22.99	
	22.99	
	23.99	

BOONE COUNTY

A	Class 1	10000	Rock Creek
C	No. 1	1000	Rock Creek
D	No. 3	2500	Rock Creek
F	No. 467	1000	Rock Creek
K	No. 9	1000	Rock Creek
L	Gabion Stone	1500	Rock Creek
M	Fine Aggregate	500	Rock Creek
N	Standard Abr.	2500	Rock Creek
O	Modified Abr.	2500	Rock Creek
R	No. 8 Modified	2500	Rock Creek

	24.24	
	24.24	
	24.24	
	24.24	
	25.24	
	23.24	
	23.24	
	23.24	
	25.24	

BOONE COUNTY

A	Class 1	2000	Clinton
F	No. 467	1000	Clinton
K	No. 9	1000	Clinton
N	Standard Abr.	1000	Clinton
O	Modified Abr.	1000	Clinton

	28.00	
	28.00	
	29.00	
	26.25	
	26.25	

CLAY COUNTY

A	Class 1	3700	Maysel
C	No. 1	400	Maysel
D	No. 3	1300	Maysel
F	No. 467	3000	Maysel
K	No. 9	1000	Maysel
L	Gabion Stone	500	Maysel
M	Fine Aggregate	100	Maysel
N	Standard Abr.	2500	Maysel
O	Modified Abr.	2500	Maysel
R	No. 8 Modified	3000	Maysel

	26.24	
	26.24	
	26.24	
	26.24	
	28.24	
	25.24	
	25.24	
	27.20	

12. BIDDING SCHEDULE

DISTRICT ONE

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>CLAY COUNTY</u>			
A	Class 1	3000	Big Otter
D	No. 3	2000	Big Otter
F	No. 467	1500	Big Otter
R	No. 8 Modified	1500	Big Otter

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

LIMESTONE SANDSTONE GRAVEL, SAND	BLAST FURNACE SLAG	STEEL SLAG
	27.24	
	27.24	
	27.24	
	27.24	

CLAY COUNTY CR 11

A	Class 1	3700	Widen Road
D	No. 3	1300	Widen Road
F	No. 467	3000	Widen Road
K	No. 9	1000	Widen Road
L	Gabion Stone	500	Widen Road
M	Fine Aggregate	100	Widen Road
N	Standard Abr.	2500	Widen Road
O	Modified Abr.	2500	Widen Road
R	No. 8 Modified	3000	Widen Road

	29.25	
	29.25	
	29.25	
	30.25	
	29.25	
	29.25	
	29.25	
	30.25	

KANAWHA COUNTY

K	No. 9	1000	North Charleston
M	Fine Aggregate	100	North Charleston
N	Standard Abr.	2500	North Charleston

	22.50	
	19.50	
	18.25	

KANAWHA COUNTY

A	Class 1	3100	Elkview
C	No. 1	600	Elkview
D	No. 3	1800	Elkview
F	No. 467	2000	Elkview
K	No. 9	1000	Elkview
L	Gabion Stone	500	Elkview
M	Fine Aggregate	100	Elkview
N	Standard Abr.	2500	Elkview
O	Modified Abr.	2500	Elkview
R	No.8 Modified	3000	Elkview

	24.49	
	24.49	
	24.49	
	24.49	
	24.49	
	23.49	
	23.49	
	23.49	
	24.49	

12. BIDDING SCHEDULE

DISTRICT ONE

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>KANAWHA COUNTY</u>			
A	Class 1	2500	Chelyan
C	No. 1	600	Chelyan
D	No. 3	1800	Chelyan
F	No. 467	1000	Chelyan
K	No. 9	1000	Chelyan
L	Gabion Stone	500	Chelyan
M	Fine Aggregate	100	Chelyan
N	Standard Abr.	2500	Chelyan
O	Modified Abr.	2500	Chelyan
R	No. 8 Modified	3000	Chelyan
T	Pea Gravel	500	Chelyan

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

LIMESTONE SANDSTONE GRAVEL, SAND	BLAST FURNACE SLAG	STEEL SLAG
	22.90	
	22.90	
	22.90	
	22.90	
	23.90	
	21.90	
	21.90	
	21.90	
	22.90	

KANAWHA COUNTY

A	Class 1	3000	St. Albans
C	No. 1	600	St. Albans
D	No. 3	1800	St. Albans
F	No. 467	2000	St. Albans
K	No. 9	1000	St. Albans
L	Gabion Stone	500	St. Albans
M	Fine Aggregate	100	St. Albans
N	Standard Abr.	2500	St. Albans
O	Modified Abr.	2500	St. Albans
R	No. 8 Modified	3000	St. Albans

	19.25	
	19.25	
	19.25	
	19.25	
	20.25	
	17.50	
	17.50	
	17.50	
	19.75	

MASON COUNTY

K	No. 9	1000	Point Pleasant
M	Fine Aggregate	100	Point Pleasant
N	Standard Abr.	2500	Point Pleasant
O	Modified Abr.	2500	Point Pleasant

	20.25	
	20.25	
	20.25	

MASON COUNTY

A	Class 1	3000	Lakin
C	No. 1	500	Lakin
D	No. 3	1500	Lakin
F	No. 467	1000	Lakin
L	Gabion Stone	1000	Lakin
R	No. 8 Modified	5000	Lakin

	19.74	
	21.75	
	21.75	
	21.75	
	21.25	
	21.75	

12. BIDDING SCHEDULE

DISTRICT ONE

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

MASON COUNTY

A	Class 1	3000	Glenwood
C	No. 1	500	Glenwood
D	No. 3	1500	Glenwood
F	No. 467	1000	Glenwood
R	No. 8 Modified	5000	Glenwood

LIMESTONE SANDSTONE GRAVEL, SAND	BLAST FURNACE SLAG	STEEL SLAG
15.75		
	16.65	
	16.65	
	16.65	
	17.65	

PUTNAM COUNTY

A	Class 1	5000	Hurricane Lot
C	No. 1	1200	Hurricane Lot
D	No. 3	1500	Hurricane Lot
F	No. 467	1000	Hurricane Lot
K	No. 9	1000	Hurricane Lot
N	Abrasives	2500	Hurricane Lot
O	Modified Abr.	2500	Hurricane Lot
R	No. 8 Modified	3000	Hurricane Lot

15.00		
	16.50	
	16.50	
	16.50	
	17.50	
	15.25	
	15.25	
	17.00	

PUTNAM COUNTY

A	Class 1	3000	Red House
C	No. 1	1200	Red House
D	No. 3	2000	Red House
F	No. 467	1000	Red House
K	No. 9	1000	Red House
M	Fine Aggregate	1000	Red House
N	Abrasives	1000	Red House
O	Modified Abr.	2500	Red House
R	No. 8 Modified	5000	Red House

17.40		
	18.50	
	18.50	
	18.50	
	19.50	
	17.75	
	17.75	
	17.75	
	19.25	

PUTNAM COUNTY

A	Class 1	500	Scary
K	No. 9	1000	Scary
M	Fine Aggregate	200	Scary
N	Standard Abr.	2500	Scary
O	Modified Abr.	2500	Scary
R	No. 8 Modified	800	Scary

	19.25	
	20.25	
	17.75	
	17.75	
	17.75	
	19.25	



12. BIDDING SCHEDULE

DISTRICT ONE

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

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

Contract Item	Description of Aggregate	Estimated Quantity (TONS)	Location of DOH Storage Site
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ROANE COUNTY (I-79)

A	Class 1	600	Amma
C	No. 1	500	Amma
D	No. 3	500	Amma
F	No. 467	500	Amma
K	No. 9	1000	Amma
M	Fine Aggregate	200	Amma
N	Abrasives	2500	Amma
O	Modified Abr.	2500	Amma
R	No. 8 Modified	800	Amma

LIMESTONE SANDSTONE GRAVEL, SAND	BLAST FURNACE SLAG	STEEL SLAG
	24.50	
	24.50	
	24.50	
	24.50	
	28.00	
	23.50	
	23.50	
	23.50	
	24.50	

KANAWHA COUNTY (CORRIDOR G)

A	Class 1	500	Alum Creek
K	No. 9	1000	Alum Creek
M	Fine Aggregate	100	Alum Creek
N	Standard Abr.	2000	Alum Creek
O	Modified Abr.	2000	Alum Creek
R	No. 8 Modified	500	Alum Creek

	25.00	
	21.50	
	21.50	
	21.50	
	23.00	

KANAWHA COUNTY (I-64 & I-77)

A	Class 1	600	Rt. 119 Penn. Ave.
K	No. 9	1000	Rt. 119 Penn. Ave.
M	Fine Aggregate	200	Rt. 119 Penn. Ave.
N	Standard Abr.	2500	Rt. 119 Penn. Ave.
O	Modified Abr.	2500	Rt. 119 Penn. Ave.

	22.50	
	24.50	
	21.50	
	21.50	

JACKSON COUNTY (I-77)

A	Class 1	600	Haynes Branch
C	No. 1	1000	Haynes Branch
D	No. 3	1000	Haynes Branch
K	No. 9	1000	Haynes Branch
M	Fine Aggregate	200	Haynes Branch
N	Standard Abr.	2500	Haynes Branch
O	Modified Abr.	2500	Haynes Branch
R	No. 8 Modified	800	Haynes Branch

	26.00	
	26.00	
	26.00	
	27.00	
	25.00	
	25.00	
	26.00	

12. BIDDING SCHEDULE

DISTRICT TWO

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

Contract Item	Description of Aggregate	Estimated Quantity (TONS)	Location of DOH Storage Site
<u>CABELL COUNTY</u>			
A	Class 1	6000	Barboursville Lot
D	No. 3	1000	Barboursville Lot
F	No. 467	2000	Barboursville Lot
G	No. 57	5000	Barboursville Lot
H	No. 67	500	Barboursville Lot
J	No. 8	2500	Barboursville Lot
L	Gabion Stone	1000	Barboursville Lot
N	Standard Abr.	2000	Barboursville Lot
O	Modified Abr.	500	Barboursville Lot
Q	Shot Rock	1000	Barboursville Lot

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

LIMESTONE SANDSTONE GRAVEL, SAND	BLAST FURNACE SLAG	STEEL SLAG
12.74		
	14.75	
	14.75	
	14.50	
	14.35	
14.05	15.50	
14.00		
	13.50	
	13.50	
16.70		

LINCOLN COUNTY

A	Class 1	5000	West Hamlin
B	Class 2	1000	West Hamlin
D	No. 3	1500	West Hamlin
E	No. 4	1500	West Hamlin
F	No. 467	1000	West Hamlin
G	No. 57	2000	West Hamlin
H	No. 67	1000	West Hamlin
J	No. 8	2000	West Hamlin
L	Gabion Stone	1500	West Hamlin
N	Standard Abr.	1000	West Hamlin
Q	Shot Rock	1000	West Hamlin

15.24	16.50	
14.99	16.05	
	16.50	
	16.25	
	16.50	
	16.50	
	16.25	
	16.50	
16.90		
	15.50	
17.00		

LINCOLN COUNTY

A	Class 1	2000	Yawkey
B	Class 2	500	Yawkey
C	No. 1	500	Yawkey
D	No. 3	2000	Yawkey
E	No. 4	2000	Yawkey
F	No. 467	1000	Yawkey
G	No. 57	1000	Yawkey
J	No. 8	2000	Yawkey
L	Gabion Stone	500	Yawkey
N	Standard Abr.	1000	Yawkey
Q	Shot Rock	1000	Yawkey

17.24	18.55	
16.80	18.00	
	18.55	
	18.55	
	18.55	
	18.45	
	18.45	
	19.15	
18.30		
	17.50	
19.00		

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
<u>LINCOLN COUNTY</u>			
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

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

LIMESTONE SANDSTONE GRAVEL, SAND	BLAST FURNACE SLAG	STEEL SLAG
17.40	18.74	
17.20	18.40	
	18.74	
	18.74	
	18.74	
	19.49	
18.95		
	18.00	
23.00		

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

	23.00	
	23.00	
	23.00	
	23.00	
	23.00	
	23.00	
	22.00	
	22.00	

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

	25.00	
	25.00	
	25.00	
	25.00	
	25.00	
	25.00	
	23.10	
	23.10	

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
<u>CORRIDOR G &amp; LOGAN COUNTY</u>			
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

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

LIMESTONE SANDSTONE GRAVEL, SAND	BLAST FURNACE SLAG	STEEL SLAG
19.84		
	21.75	
	21.75	
	21.75	
	20.75	
	20.75	

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

	21.00	
	21.00	
	21.00	
	21.00	
	20.00	
	20.00	

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

	26.15	
	26.15	
	26.15	
	26.90	
	25.15	
	25.15	

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
<u>MINGO COUNTY</u>			
A	Class 1	2500	Dingess
B	Class 2	500	Dingess
C	No. 1	1000	Dingess
D	No. 3	500	Dingess
G	No. 57	500	Dingess
J	No. 8	2000	Dingess
L	Gabion Stone	1000	Dingess
N	Standard Abr.	200	Dingess
O	Modified Abr.	200	Dingess
Q	Shot Rock	1000	Dingess

<u>WAYNE COUNTY</u>			
A	Class 1	9000	Wayne
B	Class 2	8000	Wayne
D	No. 3	1000	Wayne
F	No. 467	2000	Wayne
G	No. 57	5000	Wayne
H	No. 67	2000	Wayne
J	No. 8	3000	Wayne
L	Gabion Stone	1000	Wayne
N	Standard Abr.	2000	Wayne
O	Modified Abr.	200	Wayne
Q	Shot Rock	500	Wayne
R	Modified No. 8	2000	Wayne

<u>WAYNE COUNTY</u>			
A	Class 1	2000	Pritchard
D	No. 3	1000	Pritchard
F	NO. 467	1000	Pritchard
G	No. 57	2000	Pritchard
H	No. 67	2000	Pritchard
J	No. 8	2000	Pritchard
L	Gabion Stone	3000	Pritchard
N	Standard Abr.	2000	Pritchard
O	Modified Abr.	500	Pritchard
Q	Shot Rock	1000	Pritchard
R	Modified Abr.	1000	Pritchard

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

LIMESTONE SANDSTONE GRAVEL, SAND	BLAST FURNACE SLAG	STEEL SLAG
19.25	21.00	
19.25	21.00	
	21.25	
	21.25	
	21.25	
	22.00	
21.85		
	20.25	
	20.25	
23.90		

13.00		
	14.00	
	15.00	
	14.65	
	14.75	
	14.65	
14.55		
14.45		
	13.75	
	13.75	
16.50		
	15.50	

12.24		
	13.75	
	13.75	
	13.50	
	13.25	
	14.25	
13.85		
	12.75	
	12.75	
15.50		
	14.25	

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
<u>WAYNE COUNTY</u>			
A	Class 1	2000	Crum
D	No.3	2000	Crum
E	No. 467	2000	Crum
G	No. 57	2000	Crum
H	No. 67	2000	Crum
I	No. 8	2000	Crum
K	Gabion Stone	1000	Crum
N	Standard Abr.	1000	Crum
O	Modified Abr.	500	Crum
Q	Shot Rock	1000	Crum

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

LIMESTONE SANDSTONE GRAVEL, SAND	BLAST FURNACE SLAG	STEEL SLAG
15.95		
	17.50	
	17.50	
	17.25	
	17.10	
	18.00	
17.24		
	16.25	
	16.25	
19.25		

# 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:

Vendors must be licensed and in good standing in accordance with any and all state and local laws and requirements by any state or local agency of West Virginia, including, but not limited to, the West Virginia Secretary of State's Office, the West Virginia Tax Department, West Virginia Insurance Commission, or any other state agencies or political subdivision. Furthermore, the vendor must provide all necessary releases to obtain information to enable the Director or spending unit to verify that the vendor is licensed and in good standing with the above entities.

## 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](http://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: Lusher Trucking Co., Inc.

Authorized Signature:  Date: 4/09/07