

JOE DEFAZIO OIL CO.
POB 9143
MONONGAH, WV 26555
304.534.3170

FACSIMILE TRANSMITTAL SHEET

TO:
Michael Austin

FROM:
Joe

COMPANY
WVDOH

DATE:
4/21/2008

FAX NUMBER 304-558-3970

TOTAL NO. OF PAGES INCLUDING COVER:
15

PHONE NUMBER:

SENDER'S REFERENCE NUMBER:

RE: SERVEICE

YOUR REFERENCE NUMBER:

URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY PLEASE RECYC

Due 4/23/08----1:30 PM

Thanks,

Joe

2008 APR 23 P 1:20
 MINING DIVISION
 STATE OF WV

RECEIVED

**GENERAL TERMS & CONDITIONS
REQUEST FOR QUOTATION (RFQ) AND REQUEST FOR PROPOSAL (RFP)**

1. Awards will be made in the best interest of the State of West Virginia.
2. The State may accept or reject in part, or in whole, any bid.
3. All quotations are governed by the *West Virginia Code* and the *Legislative Rules* of the Purchasing Division.
4. Prior to any award, the apparent successful vendor must be properly registered with the Purchasing Division and have paid the required \$125.00 registration fee.
5. All services performed or goods delivered under State Purchase Orders/Contracts are to be continued for the term of the Purchase Order/Contract, contingent upon funds being appropriated by the Legislature or otherwise being made available. In the event funds are not appropriated or otherwise available for these services or goods, this Purchase Order/Contract becomes void and of no effect after June 30.
6. Payment may only be made after the delivery and acceptance of goods or services.
7. Interest may be paid for late payment in accordance with the *West Virginia Code*.
8. Vendor preference will be granted upon written request in accordance with the *West Virginia Code*.
9. The State of West Virginia is exempt from federal and state taxes and will not pay or reimburse such taxes.
10. The Director of Purchasing may cancel any Purchase Order/Contract upon 30 days written notice to the seller.
11. The laws of the State of West Virginia and the *Legislative Rules* of the Purchasing Division shall govern all rights and duties under the Contract, including without limitation the validity of this Purchase Order/Contract.
12. Any reference to automatic renewal is hereby deleted. The Contract may be renewed only upon mutual written agreement of the parties.
13. **BANKRUPTCY:** In the event the vendor/contractor files for bankruptcy protection, this Contract may be deemed null and void, and terminated without further order.
14. **HIPAA Business Associate Addendum** - The West Virginia State Government HIPAA Business Associate Addendum (BAA), approved by the Attorney General, and available online at the Purchasing Division's web site (<http://www.state.wv.us/admin/purchase/vrc/hipaa.htm>) is hereby made part of the agreement. Provided that, the Agency meets the definition of a Covered Entity (45 CFR §160.103) and will be disclosing Protected Health Information (45 CFR §160.103) to the vendor.

INSTRUCTIONS TO BIDDERS

1. Use the quotation forms provided by the Purchasing Division.
2. **SPECIFICATIONS:** Items offered must be in compliance with the specifications. Any deviation from the specifications must be clearly indicated by the bidder. Alternates offered by the bidder as EQUAL to the specifications must be clearly defined. A bidder offering an alternate should attach complete specifications and literature to the bid. The Purchasing Division may waive minor deviations to specifications.
3. Complete all sections of the quotation form.
4. Unit prices shall prevail in cases of discrepancy.
5. All quotations are considered F.O.B. destination unless alternate shipping terms are clearly identified in the quotation.
6. **BID SUBMISSION:** All quotations must be delivered by the bidder to the office listed below prior to the date and time of the bid opening. Failure of the bidder to deliver the quotations on time will result in bid disqualifications.

SIGNED BID TO:

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



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
04800494

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ADDRESS: CORRESPONDENCE TO ATTENTION OF
MICHAEL AUSTIN 304-558-2402

RFQ COPY
 TYPE NAME/ADDRESS HERE

*Joe Defazio Oil Co
 P.O. Box 9143
 Monongah, WV.
 26555*

DIVISION OF HIGHWAYS
 VARIOUS LOCALES AS INDICATED
 BY ORDER

DATE PRINTED	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS
03/25/2008				
BID OPENING DATE: 04/23/2008		BID OPENING TIME 01:30PM		

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	4	EA		830-31		
<p>INSTALLATION OF ABOVE GROUND FUEL TANKS</p> <p>TO PROVIDE THE COMPLETE INSTALLATION OF ABOVE GROUND FUEL TANKS AT THE FOLLOWING LOCATIONS. PER THE ATTACHED SPECIFICATIONS.</p> <p>THERE WILL BE A MANDATORY PRE-BID MEETING AT THE WVDOH MAINTENANCE FACILITY LOCATED ON COUNTRY CLUB ROAD IN FAIRMONT, WV ON APRIL 11TH, 2008 AT 10:00 AM. FAILURE TO ATTEND THE PRE-BID WILL RESULT IN BID DISQUALIFICATION.</p> <p>QUESTIONS: WRITTEN QUESTIONS WILL BE ACCEPTED THROUGH CLOSE OF BUSINESS (5:00 PM EST) ON MONDAY 04/07/2008. SEND YOUR QUESTIONS TO: PURCHASING DIVISION ATTENTION: MICHAEL AUSTIN 2019 WASHINGTON STREET EAST CHARLESTON, WV 25305</p> <p>QUESTIONS MAY BE SENT VIA FAX, E-MAIL OR REGULAR MAIL E-MAIL: MICHAEL.D.AUSTIN@WV.GOV FAX: 304-558-4115 IT IS THE VENDORS RESPONSIBILITY TO VERIFY THAT THEIR QUESTIONS HAVE BEEN RECEIVED BY CALLING 304-558-2402.</p> <p>EXHIBIT 5</p> <p>NOTICE TO PROCEED: THIS CONTRACT IS TO BE PERFORMED WITHIN 90 CALENDAR DAYS AFTER THE NOTICE TO PROCEED IS RECEIVED. UNLESS OTHERWISE SPECIFIED, THE FULLY EXECUTED PURCHASE ORDER WILL BE CONSIDERED NOTICE TO</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS		
SIGNATURE <i>Joe Defazio</i>	TELEPHONE 304 534 3170	DATE 4-19-08
TITLE <i>Owner</i>	FAX 55060 8001	ADDRESS CHANGES TO BE NOTED ABOVE

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



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
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ADDRESS CORRESPONDENCE TO ATTENTION OF
MICHAEL AUSTIN 304-558-2402

RFQ COPY
 TYPE NAME/ADDRESS HERE

*Joe DeFazio Oil Co
 P.O. Box 9147
 Monongah WV.
 26555*

DIVISION OF HIGHWAYS
 VARIOUS LOCALES AS INDICATED
 BY ORDER

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
03/25/2008				
BID OPENING DATE: 04/23/2008		BID OPENING TIME 01:30PM		

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>PROCEED.</p> <p>CANCELLATION: THE DIRECTOR OF PURCHASING RESERVES THE RIGHT TO CANCEL THIS CONTRACT IMMEDIATELY UPON WRITTEN NOTICE TO THE VENDOR IF THE MATERIALS OR WORKMANSHIP SUPPLIED ARE OF AN INFERIOR QUALITY OR DO NOT CONFORM WITH THE SPECIFICATIONS OF THE BID AND CONTRACT HERE IN.</p> <p>WAGE RATES: THE CONTRACTOR OR SUBCONTRACTOR SHALL PAY THE HIGHER OF THE U.S. DEPARTMENT OF LABOR MINIMUM WAGE RATES AS ESTABLISHED FOR VARIOUS COUNTY, PURSUANT TO WEST VIRGINIA CODE 21-5A, ET, SEQ. (PREVAILING WAGE RATES APPLY TO THIS PROJECT)</p> <p>ARBITRATION: ANY REFERENCES MADE TO ARBITRATION OR INTEREST FOR PAYMENTS DUE (EXCEPT FOR ANY INTEREST REQUIRED BY STATE LAW) CONTAINED IN THIS CONTRACT OR IN ANY AMERICAN INSTITUTE OF ARCHITECTS DOCUMENTS PERTAINING TO THIS CONTRACT ARE HEREBY DELETED.</p> <p>WORKERS' COMPENSATION: VENDOR IS REQUIRED TO PROVIDE A CERTIFICATE FROM WORKERS' COMPENSATION IF SUCCESSFUL.</p> <p>ALL OF THE ITEMS CHECKED BELOW WILL BE A REQUIREMENT OF THIS CONTRACT:</p> <p><input checked="" type="checkbox"/> INSURANCE: SUCCESSFUL VENDOR SHALL FURNISH PROOF OF COMMERCIAL GENERAL LIABILITY INSURANCE PRIOR TO ISSUANCE OF CONTRACT. UNLESS OTHERWISE SPECIFIED IN THE BID DOCUMENTS, THE MINIMUM AMOUNT OF INSURANCE COVERAGE REQUIRED IS \$250,000.</p> <p><input type="checkbox"/> BUILDERS RISK INSURANCE: SUCCESSFUL VENDOR SHALL FURNISH PROOF OF BUILDERS RISK - ALL RISK INSURANCE IN AN AMOUNT EQUAL TO 100% OF THE AMOUNT OF THE CONTRACT.</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS		
SIGNATURE <i>Joe DeFazio</i>	TELEPHONE 3045343170	DATE 4-19-08
TITLE <i>owner</i>	FAX 550608001	ADDRESS CHANGES TO BE NOTED ABOVE

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



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

Request for Quotation

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ADDRESS FOR CORRESPONDENCE FOR ATTENTION OF
MICHAEL AUSTIN 304-558-2402

RFQ COPY
 TYPE NAME/ADDRESS HERE

*Joe Defazio Oil Co.
 P.O. Box 914
 Monongah WV.
 26555*

DIVISION OF HIGHWAYS
 VARIOUS LOCALES AS INDICATED
 BY ORDER

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03/25/2008				
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<p>(XX) BONDS: FIVE PERCENT (5%) OF THE TOTAL AMOUNT OF THE BID PAYABLE TO THE STATE OF WEST VIRGINIA, SHALL BE SUBMITTED WITH EACH BID AS A BID BOND. THE SUCCESSFUL BIDDER SHALL ALSO FURNISH A PERFORMANCE BOND AND LABOR/MATERIAL BOND FOR 100% OF THE AMOUNT OF THE CONTRACT. BONDS MAY BE PROVIDED IN THE FORM OF A CERTIFIED CHECK, IRREVOCABLE LETTER OF CREDIT, OR BOND FURNISHED BY A SOLVENT SURETY COMPANY AUTHORIZED TO DO BUSINESS IN THE STATE OF WEST VIRGINIA. A LETTER OF CREDIT SUBMITTED IN LIEU OF A PERFORMANCE AND LABOR & MATERIAL BOND WILL ONLY BE ALLOWED FOR PROJECTS UNDER \$100,000. PERSONAL OR BUSINESS CHECKS ARE NOT ACCEPTABLE IN LIEU OF THE 5% BID BOND, PERFORMANCE BOND, OR LABOR AND MATERIAL BOND.</p> <p>() MAINTENANCE BOND: A TWO (2) YEAR MAINTENANCE BOND COVERING THE ROOFING SYSTEM WILL BE A REQUIREMENT OF THE SUCCESSFUL VENDOR.</p> <p>REV. 11/00</p> <p>EXHIBIT 7</p> <p>DOMESTIC ALUMINUM, GLASS & STEEL IN PUBLIC WORKS PROJECTS</p> <p>IN ACCORDANCE WITH WEST VIRGINIA CODE 5-19-1 ET., SEQ., EVERY CONTRACT FOR CONSTRUCTION, RECONSTRUCTION, ALTERATION, REPAIR, IMPROVEMENT OR MAINTENANCE OF PUBLIC WORKS, WHERE THE COST IS MORE THAN \$50,000 AND, IN THE CASE OF STEEL ONLY, WHERE THE COST OF STEEL IS MORE THAN \$50,000 OR WHERE MORE THAN 10,000 POUNDS OF STEEL ARE REQUIRED, THE STATE WILL ACCEPT ONLY ALUMINUM GLASS, OR STEEL PRODUCTS PRODUCED IN THE UNITED STATES</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS			
SIGNATURE <i>Joe Defazio</i>	TELEPHONE 3045343170	DATE 4-19-08	
TITLE <i>Owner</i>	FERN 55060 8001	ADDRESS CHANGES TO BE NOTED ABOVE	

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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 04800496

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ADDRESS CORRESPONDENCE TO (CITY/STATE/ZIP) MICHAEL AUSTIN 304-558-2402
--

RFQ COPY
 TYPE NAME/ADDRESS HERE

*Joe Defazio Oil Co.
 P.O. Box 9143
 Monongah, W.V.
 26555*

DIVISION OF HIGHWAYS
 VARIOUS LOCALES AS INDICATED
 BY ORDER

DATE PRINTED 03/25/2008	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS
BID OPENING DATE: 04/23/2008		BID OPENING TIME 01:30PM		

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<p>IN ADDITION, ITEMS OF MACHINERY OR EQUIPMENT PURCHASED FOR USE AT THE SITE OF PUBLIC WORKS SHALL BE MADE OF DOMESTIC ALUMINUM, GLASS OR STEEL, UNLESS THE COST OF THE PRODUCT IS LESS THAN \$50,000 OR LESS THAN 10,000 POUNDS OF STEEL ARE USED IN PUBLIC WORKS PROJECTS.</p> <p>FOREIGN MADE ALUMINUM, GLASS OR STEEL PRODUCTS MAY BE ACCEPTED ONLY IF THE COST OF DOMESTIC PRODUCTS IS FOUND TO BE UNREASONABLE. SUCH COST IS UNREASONABLE IF IT IS 20% OR MORE HIGHER THAN THE BID PRICE FOR FOREIGN MADE PRODUCTS. IF THE DOMESTIC ALUMINUM, GLASS OR STEEL PRODUCTS TO BE SUPPLIED OR PRODUCED IN A "SUBSTANTIAL LABOR SURPLUS AREA", AS DEFINED BY THE UNITED STATES DEPARTMENT OF LABOR, FOREIGN PRODUCTS MAY BE SUPPLIED ONLY IF DOMESTIC PRODUCTS ARE 30% OR MORE HIGHER IN PRICE THAN THE FOREIGN MADE PRODUCTS.</p> <p>IF, PRIOR TO THE AWARD OF A CONTRACT UNDER THE ABOVE PROVISIONS, THE SPENDING OFFICER OF THE SPENDING UNIT DETERMINES THAT THERE EXISTS A BID FOR LIKE FOREIGN ALUMINUM, GLASS OR STEEL THAT IS REASONABLE AND LOWER THAN THE LOWEST BID DOMESTIC PRODUCTS, THE SPENDING OFFICE MAY REQUEST, IN WRITING, A REEVALUATION AND REDUCTION IN THE LOWEST BID FOR SUCH DOMESTIC PRODUCTS ALL VENDORS MUST INDICATE IN THEIR BID IF THEY ARE SUPPLYING FOREIGN ALUMINUM, GLASS OR STEEL.</p> <p>REV. 3/88</p> <p>EXHIBIT 9</p> <p>NOTICE FOR ISSUANCE & ACKNOWLEDGEMENT OF CONSTRUCTION PROJECT ADDENDA</p> <p>THE ARCHITECT/ENGINEER AND/OR AGENCY SHALL BE REQUIRED</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS			
SIGNATURE <i>Joe Defazio</i>	TELEPHONE 3045343170	DATE 4-19-08	
TITLE <i>owner</i>	FEN 550608001	ADDRESS CHANGES TO BE NOTED ABOVE	

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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
04800494

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ADDRESS FOR CORRESPONDENCE TO: AGENCY OR CONTACT
MICHAEL AUSTIN 304-558-2402

RFQ COPY
 TYPE NAME/ADDRESS HERE

*Joe DeFazio Oil Co
 P.O. Box 9143
 Monongah, WV.
 26555*

DIVISION OF HIGHWAYS
 VARIOUS LOCALES AS INDICATED
 BY ORDER

DATE PRINTED	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS
03/25/2008				
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<p>TO ABIDE BY THE FOLLOWING SCHEDULE IN ISSUING CONSTRUCTION PROJECT ADDENDA FOR STATE AGENCIES:</p> <p>(1) THE ARCHITECT/ENGINEER SHALL PREPARE THE ADDENDUM AND A LIST OF ALL PARTIES THAT HAVE PROCURED DRAWINGS AND SPECIFICATIONS FOR THE PROJECT. THE ADDENDUM AND LIST SHALL BE FORWARDED TO THE BUYER IN THE STATE PURCHASING DIVISION. THE ARCHITECT/ENGINEER SHALL ALSO SEND A COPY OF THE ADDENDUM TO THE STATE AGENCY FOR WHICH THE CONTRACT IS ISSUED.</p> <p>(2) THE BUYER SHALL SEND THE ADDENDUM TO ALL INTERESTED PARTIES AND, IF NECESSARY, EXTEND THE BID OPENING DATE. ANY ADDENDUM SHOULD BE RECEIVED BY THE BUYER WITHIN FOURTEEN (14) DAYS PRIOR TO THE BID OPENING DATE.</p> <p>(3) ALL ADDENDA SHOULD BE FORMALLY ACKNOWLEDGED BY ALL BIDDERS AND SUBMITTED TO THE STATE PURCHASING DIVISION. THE SAME RULES AND REGULATIONS THAT APPLY TO THE ORIGINAL BIDDING DOCUMENT SHALL ALSO APPLY TO AN ADDENDUM DOCUMENT. THE ONLY EXCEPTION MAY BE FOR AN ADDENDUM THAT IS ISSUED FOR THE SOLE PURPOSE OF CHANGING A BID OPENING TIME AND/OR DATE.</p> <p>REV. 11/96</p> <p>EXHIBIT 10</p> <p>ADDENDUM ACKNOWLEDGEMENT</p> <p>I HEREBY ACKNOWLEDGE RECEIPT OF THE FOLLOWING CHECKED ADDENDUM(S) AND HAVE MADE THE NECESSARY REVISIONS TO MY PROPSAL, PLANS AND/OR SPECIFICATION, ETC.</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Joe DeFazio</i>	TELEPHONE 3045343170	DATE 4-18-08
TITLE <i>owner</i>	FAX 550608001	ADDRESS CHANGES TO BE NOTED ABOVE

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



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
04800494

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ADDRESS CORRESPONDENCE TO ATTENTION OF
**MICHAEL AUSTIN
304-558-2402**

RFQ COPY
TYPE NAME/ADDRESS HERE

*Joe Defazio Oil Co
PO. Box 9143
Monongalia, WV.
26555*

DIVISION OF HIGHWAYS
VARIOUS LOCALES AS INDICATED
BY ORDER

DATE PRINTED 03/25/2008	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS
BID OPENING DATE: 04/23/2008		BID OPENING TIME 01:30PM		

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
ADDENDUM NOS.:						
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 THE BIDS.						
VENDOR MUST CLEARLY UNDERSTAND THAT ANY VERBAL REPRESENTATION MADE OR ASSUMED TO BE MADE DURING ANY ORAL DISCUSSION HELD BETWEEN VENDOR'S REPRESENTATIVES AND ANY STATE PERSONNEL IS NOT BINDING. ONLY THE INFORMATION ISSUED IN WRITING AND ADDED TO THE SPECIFICATIONS BY AN OFFICIAL ADDENDUM IS BINDING.						
<i>Joe Defazio</i>				SIGNATURE		
<i>Joe Defazio Oil Co</i>				COMPANY		
<i>4-19-08</i>				DATE		
REV. 11/96						
CONTRACTORS LICENSE						
WEST VIRGINIA STATE CODE 21-11-2 REQUIRES THAT ALL						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Joe Defazio</i>	TELEPHONE 3045343170	DATE 4-19-08
TITLE <i>owner</i>	FIRM 550608001	ADDRESS CHANGES TO BE NOTED ABOVE

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

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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
04800494

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ADDRESS CORRESPONDENCE TO AMENTION OF
**MICHAEL AUSTIN
304-558-2402**

RFQ COPY
TYPE NAME/ADDRESS HERE

*Joe Defazio
PO Box 9143
MORGANTHAU, W.V.
26555*

DIVISION OF HIGHWAYS
VARIOUS LOCALES AS INDICATED
BY ORDER

DATE PRINTED	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS
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<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>REV. 1/2005</p> <p style="text-align: center;">NOTICE</p> <p>A SIGNED BID MUST BE SUBMITTED TO:</p> <p style="text-align: center;">DEPARTMENT OF ADMINISTRATION PURCHASING DIVISION BUILDING 15 2019 WASHINGTON STREET, EAST CHARLESTON, WV 25305-0130</p> <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>REQ. NO.: 04800494</p> <p>BID OPENING DATE: 04/23/2008</p> <p>BID OPENING TIME: 1:30 PM</p> <p>PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID:</p> <p style="text-align: center;">----- 304-534-5641 -----</p> <p>PLEASE PRINT OR TYPE NAME OF PERSON TO CONTACT</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE: *[Signature]* TELEPHONE: **304-534-3170** DATE: **4-19-08**

TITLE: *[Signature]* FAX: **55060 8001** ADDRESS CHANGES TO BE NOTED ABOVE

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



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
04800494

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ADDRESS CORRESPONDENCE TO ATTENTION OF:
**MICHAEL AUSTIN
304-558-2402**

RFQ COPY
TYPE NAME/ADDRESS HERE

*Joe Defazio LLC
P.O. Box 9143
Monongah, WV.
26555*

DIVISION OF HIGHWAYS
VARIOUS LOCALES AS INDICATED
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<p>CONCERNING THIS QUOTE: <i>4 Jobs @ 18,450.00 Apiece</i></p> <p><i>Thank you for the opportunity & the work.</i></p> <p>***** THIS IS THE END OF RFQ 04800494 ***** TOTAL: <i>\$23,800.00</i></p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE *Joe Defazio* TELEPHONE **3045343170** DATE **4-19-08**

TITLE *owner* FEN **550608001** ADDRESS CHANGES TO BE NOTED ABOVE

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

ABOVE GROUND FUEL TANK INSTALLATION

West Virginia Department of Highways is seeking contractors to bid on plumbing and electrical work to complete the installation of 10,000 gallon, dual compartment fuel tanks. The attached diagram indicates the bunghole outside diameters on top of tank. The tanks are configured to accept dispensers on opposite sides or both dispensers on one side of the tank. Depending on the site specific location of the tank, the quantity of pipe and conduit will vary slightly. All work must meet the standards of NFPA 30A (Code for Motor Fuel Dispensing Facilities and Repair Garages). The West Virginia State Fire Marshall will provide a post construction inspection.

The following items will be performed by WVDOH and are excluded from the contract:

- Submit site plan to WV Fire Marshall
- Concrete pad installation
- Electrical conduit to pad and to the emergency shutoff device
- Install pipe bollards around perimeter of concrete pad
- Set 10000 gallon tank on pad
- Ground tank to ground rods
- Install steps on both ends of tank

Electrical and plumbing contract items: (note: The components supplied by WVDOH are incomplete and the contractor will be responsible for purchasing the additional components. All labor and equipment are to be included in the contractors' bid)

- 1) Beginning at the existing electrical conduit stubbed out of the concrete pad – purchase and install (2) hazardous location round outlet box with 3 sides T with $\frac{3}{4}$ inch hubs with hazardous location seal fitting.
- 2) Purchase and install $\frac{3}{4}$ inch hazardous location conduit from round outlet box to diesel dispenser, gas dispenser, and Warrick control unit with hazardous location seal fittings (3) at each location. Purchase and install $\frac{3}{4}$ inch conduit beam clamps place on 4 ft centers.
- 3) Install hazardous location seal fitting (2) at diesel and gas dispensers and connect to $\frac{3}{4}$ inch conduit. From seal fitting to dispensers connect $\frac{3}{4}$ inch x 4 inch nipple to bottom of dispensers.
- 4) From each dispenser install 4 inch x $\frac{3}{4}$ inch nipple to hazardous location seal fitting to $\frac{3}{4}$ inch conduit to each pump (furnished) located on top of tank.
- 5) Mount the furnished Warrick control unit at the end of tank where the electrical conduit is stubbed in concrete pad. Contractor supplies the mounting bracket.
- 6) From already installed round outlet box – install $\frac{3}{4}$ inch conduit to Warrick control unit. From control unit mount hazardous location $\frac{1}{2}$ inch seal fitting to $\frac{1}{2}$ inch conduit to top of tank to $\frac{1}{2}$ inch T (1/2 inch round outlet box with 3 sides with $\frac{1}{2}$ inch hubs). From $\frac{1}{2}$ inch T hub install $\frac{1}{2}$ inch conduit to leak detection sensors at the diesel and gas tank compartments. Connect 18 gauge shielded wire from each sensor to Warrick control alarm unit.

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- 7) At each pump (located on top of tank) install ½ inch nipple to ½ inch hazardous location seal fitting to ½ inch conduit to solenoid valve (purchase 2 each 1 ½ inch hubs, 120 volts, 30 watts, min. pressure = 0 psi, max pressure = 101 psi, explosion proof for hazardous location) for fuel line. From solenoid valve install 1 ½ inch black iron pipe to each pump and install 1 ½ inch black iron pipe from solenoid valve to product line bung on top of tank. Use 12 gauge wire from each solenoid valve to 20 amp breaker at panel box. Purchase and install emergency shut off switch.
- 8) From product line bung install furnish product line to within 4 inches of tank bottom.
- 9) From each pump on top of tank purchase and install 1 inch black pipe to 1 inch ball valve located next to each dispenser. From each ball valve connect to fuel filter lid and from the fuel filter lid connect to dispenser hose and then to dispenser nozzle. (lids and hoses furnished)
- 10) At top of tank – purchase and install 3 inch black iron pipe from 7 inch fill bung (reducer furnished) to 4 inch fill pipe inside diesel and gas compartments. Note: all black pipe must be painted yellow for diesel and white for all other pipe. 2 coats each.
- 11) At top center of tank on diesel compartment – purchase and install 3 inch T to the 5 inch bung using 3 inch close nipple. From T leg to 90 degree 3 inch elbow to vent line (3inch x 22 inch vent line, vent cap furnished). From 3rd leg of T attach the furnished fuel gauge. Repeat procedure beginning at gas compartment bung.
- 12) Upon completion of installation and inspection by the WV State Fire Marshall, the tanks will be filled and the contractor shall purge both pumps and calibrate both dispenser meters. The contractor shall present the State Fire Marshall inspector a letter indicating that a WV licensed electrician has completed the electrical work and that it meets the National Electrical Code.
- 13) Contractor shall provide following decals/signs indicating "DIESEL, GAS, NO SMOKING, and EMERGENCY SHUT OFF".

The location of the tank installations for this bid are: WVDOH maintenance facility in Goshen Road Sub-Headquarters, I79 Exit 146; Coopers Rock Sub-Headquarters, I68 Exit 15; Fellowsville Maintenance Facility, Route 50 (Preston Co.); Taylor County Headquarters, Route 250 Pruntytown.

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RFQ No. 04800494

STATE OF WEST VIRGINIA
Purchasing Division

PURCHASING AFFIDAVIT

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 owed 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 of 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 of 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 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: Joe Defazio Oil Co.

Authorized Signature: [Signature] Date: 4-19-08

**MVB BANK, INC.****HARRISON***Banking Done Right!*

1000 Johnson Avenue • Bridgeport, WV 26330

April 21, 2008

Purchasing Division
WV Department of Highways

RE: Joseph Defazio

To Whom It May Concern:

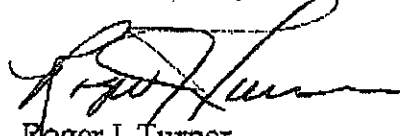
Please be advised that Mr. Joseph Defazio is an excellent client of MVB Bank, Inc.

Mr. Defazio has depository account relationships with MVB Bank, Inc in the seven figure range. Mr. Defazio also has outstanding loan accounts in the six figure range, which have been handled as agreed. Mr. Defazio has a Revolving Line of Credit with MVB Bank, Inc that has availability we can reserve for the benefit of a Letter of Credit.

We would be glad to provide you with any further financial information or discuss further our relationship with Mr. Defazio with his approval.

Sincerely,

MVB Bank, Inc., Harrison


Roger J. Turner
President

RJT/rfr