



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
668C0008

PAGE
1

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

PROBITY

\*709050504 304-766-7318  
 SHAMBLIN STONE INC  
 PO BOX 510  
 DUNBAR WV 25064-0510

SHIP TO

DIVISION OF HIGHWAYS  
 VARIOUS LOCALES AS INDICATED  
 BY ORDER

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
10/24/2007				

BID OPENING DATE: 11/13/2007 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	EA		770-06		
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 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 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. DURING THIS "REASONABLE						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
	(304) 766-7316	November 13, 2007
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE
Sales Manager	55-060-3724	

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



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**304-558-2402**

VENDOR

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SHIP TO

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10/24/2007				

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LINE	QUANTITY	UQP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>TIME" THE VENDOR MAY TERMINATE THIS CONTRACT FOR ANY REASON UPON GIVING THE DIRECTOR OF PURCHASING 30 DAYS 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 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</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE 	TELEPHONE (304) 766-7316	DATE November 13, 2007
TITLE Sales Manager	FEIN 55-060-3724	ADDRESS CHANGES TO BE NOTED ABOVE

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**3**

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 304-558-2402**

PURCHASER

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**SHAMBLIN STONE INC**  
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<p>ORDERED FOR DELIVERY DURING THE TERM OF THE CONTRACT, WHETHER MORE OR LESS THAN THE QUANTITIES SHOWN.</p> <p>ORDERING PROCEDURE: SPENDING UNIT(S) SHALL ISSUE A WRITTEN STATE CONTRACT ORDER (FORM NUMBER WV-39) TO THE VENDOR FOR COMMODITIES COVERED BY THIS CONTRACT. THE ORIGINAL COPY OF THE WV-39 SHALL BE MAILED TO THE VENDOR AS AUTHORIZATION FOR SHIPMENT, A SECOND COPY MAILED TO THE PURCHASING DIVISION, AND A THIRD COPY RETAINED BY THE SPENDING UNIT.</p> <p>BANKRUPTCY: IN THE EVENT THE VENDOR/CONTRACTOR FILES 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 style="text-align: center;"><b>VENDOR PREFERENCE CERTIFICATE</b></p> <p>CERTIFICATION AND APPLICATION* IS HEREBY MADE FOR PREFERENCE IN ACCORDANCE WITH WEST VIRGINIA CODE, 5A-3-37 (DOES NOT APPLY TO CONSTRUCTION CONTRACTS).</p> <p>A. APPLICATION IS MADE FOR 2.5% PREFERENCE FOR THE REASON CHECKED:</p> <p>( ) BIDDER IS AN INDIVIDUAL RESIDENT VENDOR AND</p>						

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PAGE  
**4**

ADDRESS CORRESPONDENCE TO ATTENTION OF:  
**JOHN JOHNSTON  
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PROPERTY

\*709050504      304-766-7318  
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LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>HAS RESIDED CONTINUOUSLY IN WEST VIRGINIA FOR FOUR (4) YEARS IMMEDIATELY PRECEDING THE DATE OF THIS CERTIFICATION; OR</p> <p>( 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</p> <p>( ) BIDDER IS A CORPORATION NONRESIDENT VENDOR WHICH HAS AN AFFILIATE OR SUBSIDIARY WHICH EMPLOYS A MINIMUM OF ONE HUNDRED STATE RESIDENTS AND WHICH HAS MAINTAINED ITS HEADQUARTERS OR PRINCIPAL PLACE OF BUSINESS WITHIN WEST VIRGINIA CONTINUOUSLY FOR THE FOUR (4) YEARS IMMEDIATELY PRECEDING THE DATE OF THIS CERTIFICATION.</p> <p>B. APPLICATION IS MADE FOR 2.5% PREFERENCE FOR THE REASON CHECKED:</p> <p>( 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 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</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE 	TELEPHONE <b>(304) 766-7316</b>	DATE <b>November 13, 2007</b>
TITLE <b>Sales Manager</b>	FEIN <b>55060-3724</b>	ADDRESS CHANGES TO BE NOTED ABOVE

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**5**

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PURCHASER

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<p>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> <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</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE 	TELEPHONE <b>(304) 766-7316</b>	DATE <b>November 13, 2007</b>
TITLE <b>Sales Manager</b>	FEIN <b>55-060-3724</b>	ADDRESS CHANGES TO BE NOTED ABOVE

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PAGE  
**6**

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**304-558-2402**

PURCHASER

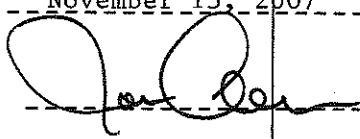
\*709050504      304-766-7318  
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<p>TERM OF THE CONTRACT, BIDDER WILL NOTIFY THE PURCHASING DIVISION IN WRITING IMMEDIATELY.</p> <p>BIDDER: <u>Shamblin Stone, Incorporated</u></p> <p>DATE: <u>November 13, 2007</u></p> <p>SIGNED: </p> <p>TITLE: <u>Sales Manager</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> <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>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS			
SIGNATURE 	TELEPHONE (304) 766-7316	DATE November 13, 2007	
TITLE Sales Manager	FEIN 55-060-3724	ADDRESS CHANGES TO BE NOTED ABOVE	

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PAGE  
**7**

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VENDOR

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10/24/2007				

BID OPENING DATE: **11/13/2007**      **BID OPENING TIME 01:30PM**

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>BUYER: <b>33</b></p> <p>RFQ. NO.: <b>668C0008</b></p> <p>BID OPENING DATE: <b>11/13/2007</b></p> <p>BID OPENING TIME: <b>1:30 PM</b></p> <p>PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID:            ----- (304) 766-7325 -----</p> <p>CONTACT PERSON (PLEASE PRINT CLEARLY):            ----- Jack Conner -----</p> <p>***** THIS IS THE END OF RFQ 668C0008 ***** TOTAL: _____</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE 	TELEPHONE <b>(304) 766-7316</b>	DATE <b>November 13, 2007</b>
TITLE <b>Sales Manager</b>	FEIN <b>55-060-3724</b>	ADDRESS CHANGES TO BE NOTED ABOVE

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## SHAMBLIN STONE, INC.

## 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  
Engineering Division, Technical Section  
State Capitol Complex, Building 5, Room A-650  
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.**

## SHAMBLIN STONE, INC.

## 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:

<u>Property</u>	<u>Frequency</u>
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 1.

TABLE 1

<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.

**SHAMBLIN STONE, INC.****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<sub>n</sub> = quantity of nonconforming subplot(s)  
 Q<sub>t</sub> = 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:

$(AP1 + AP2) - TD = \text{Final price to be paid after adjustments}$

OR

$(AP1 + AP2 + AP3) - 2 TD = \text{Final price to be paid after adjustments}$

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. PURCHASING CARD ACCEPTANCE

The State of West Virginia currently utilizes a VISA Purchasing Card Program which is issued through a bank. The successful vendors must accept the State of West Virginia VISA Purchasing Card for payment of all orders places by State DOT agency for orders as a condition of award.

**SHAMBLIN STONE, INC.**

Vendors are encouraged to utilize a paperless invoice process submitting the following information via e-mail to the DOH ordering locations:

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



NOTE: Vendors should type Bidding Schedule

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)** Mulzer Crushed Stone - Limestone

Mulzer Crushed Stone -Cape Sandy, Charlestown & New Amsterdam, IN.

Shelly Materials -Reedsville, OH. Letart Sand & Gravel -Gallipolis Ferry, WV.

Martin-Marietta -Apple Grove, OH. & Maysville, KY. Nugent Sand & Gravel -

Milton, KY.

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

Dunbar, WV

Con- Tract 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	\$ 18.00	_____	_____
B	Class 2 Aggregate	\$ 18.00	_____	_____
C	AASHTO #1 Aggregate	\$ 18.55	_____	_____
D	AASHTO #3 Aggregate	\$ 18.55	_____	_____
E	AASHTO #4 Aggregate	\$ 18.55	_____	_____
F	AASHTO #467 Aggregate	\$ 18.55	_____	_____
G	AASHTO #57 Aggregate	\$ 18.55	_____	_____
H	AASHTO #67 Aggregate	\$ 19.25	_____	_____
I	AASHTO #7 Aggregate	NO BID	_____	_____
J	AASHTO #8 Aggregate	\$ 20.65	_____	_____
K	AASHTO #9 Aggregate	NO BID	_____	_____

**BIDDING SCHEDULE (Continued)**

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

L	Stone for Gabions	\$ 19.85	_____	_____
M	Fine Aggregate	\$ 14.10	_____	_____
N	Standard Abrasives	NO BID	_____	_____
O	Modified Abrasives	NO BID	_____	_____
P	Riprap	\$ 19.85	_____	_____
Q	Shot Rock	\$ 22.45	_____	_____
R	AASHTO #8 Modified	\$ 21.05	_____	_____
S	AASHTO #9 Modified	NO BID	_____	_____
T	Pea Gravel	\$ 15.45	_____	_____
U	Haul by Vendor (Except Items Q and P):			
	@	\$ 1.25	\$ for First Ton-Mile	
	@	.16	\$ for Each Additional Ton Mile	
V	Haul by Vendor (Items Q and/or P):			
	@	\$ 1.25	\$ for First Ton-Mile	
	@	.18	\$ for Each Additional Ton-Mile	

NOTE: Vendors should type Bidding Schedule

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)**

Mulzer Crushed Stone - Limestone

Mulzer Crushed Stone -Cape Sandy, Charlestown & New Amsterdam, IN.

Shelly Materials -Reedsville, OH. Letart Sand & Gravel -Callipolis Ferry, WV.

Martin-Marietta -Apple Grove, OH. & Maysville, KY. Nugent Sand & Gravel - Milton, KY.

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

Scary, WV

Con- Tract 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	\$ 17.60	_____	_____
B	Class 2 Aggregate	\$ 17.60	_____	_____
C	AASHTO #1 Aggregate	\$ 18.15	_____	_____
D	AASHTO #3 Aggregate	\$ 18.15	_____	_____
E	AASHTO #4 Aggregate	\$ 18.15	_____	_____
F	AASHTO #467 Aggregate	\$ 18.15	_____	_____
G	AASHTO #57 Aggregate	\$ 18.15	_____	_____
H	AASHTO #67 Aggregate	NO BID	_____	_____
I	AASHTO #7 Aggregate	NO BID	_____	_____
J	AASHTO #8 Aggregate	\$ 20.25	_____	_____
K	AASHTO #9 Aggregate	NO BID	_____	_____

**BIDDING SCHEDULE (Continued)**

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

L	Stone for Gabions	<u>\$ 19.50</u>	<u>          </u>	<u>          </u>
M	Fine Aggregate	<u>\$ 14.10</u>	<u>          </u>	<u>          </u>
N	Standard Abrasives	<u>NO BID</u>	<u>          </u>	<u>          </u>
O	Modified Abrasives	<u>NO BID</u>	<u>          </u>	<u>          </u>
P	Riprap	<u>\$ 19.50</u>	<u>          </u>	<u>          </u>
Q	Shot Rock	<u>\$ 22.05</u>	<u>          </u>	<u>          </u>
R	AASHTO #8 Modified	<u>\$ 20.65</u>	<u>          </u>	<u>          </u>
S	AASHTO #9 Modified	<u>NO BID</u>	<u>          </u>	<u>          </u>
T	Pea Gravel	<u>\$ 15.45</u>	<u>          </u>	<u>          </u>
U	Haul by Vendor (Except Items Q and P):			
	@	<u>\$ 1.25</u>	\$ for First Ton-Mile	
	@	<u>.16</u>	\$ for Each Additional Ton Mile	
V	Haul by Vendor (Items Q and/or P):			
	@	<u>\$ 1.25</u>	\$ for First Ton-Mile	
	@	<u>.18</u>	\$ for Each Additional Ton-Mile	

NOTE: Vendors should type Bidding Schedule

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) Mulzer Crushed Stone - Limestone

Mulzer Crushed Stone -Cape Sandy, Charlestown & New Amsterdam, IN.

Shelly Materials -Reedsville, OH. Letart Sand & Gravel -Gallipolis Ferry, WV.

Martin-Marietta -Apple Grove, OH. & Maysville, KY. Nugent Sand & Gravel - Milton, KY.

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

Reed (Port Amherst), WV

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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	\$ 19.35	_____	_____
B	Class 2 Aggregate	\$ 19.35	_____	_____
C	AASHTO #1 Aggregate	\$ 19.90	_____	_____
D	AASHTO #3 Aggregate	\$ 19.90	_____	_____
E	AASHTO #4 Aggregate	\$ 19.90	_____	_____
F	AASHTO #467 Aggregate	\$ 19.90	_____	_____
G	AASHTO #57 Aggregate	\$ 19.90	_____	_____
H	AASHTO #67 Aggregate	NO BID	_____	_____
I	AASHTO #7 Aggregate	NO BID	_____	_____
J	AASHTO #8 Aggregate	\$ 22.00	_____	_____
K	AASHTO #9 Aggregate	NO BID	_____	_____

BIDDING SCHEDULE (Continued)

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

L	Stone for Gabions	<u>\$ 21.25</u>	<u>          </u>	<u>          </u>
M	Fine Aggregate	<u>\$ 15.45</u>	<u>          </u>	<u>          </u>
N	Standard Abrasives	<u>NO BID</u>	<u>          </u>	<u>          </u>
O	Modified Abrasives	<u>NO BID</u>	<u>          </u>	<u>          </u>
P	Riprap	<u>\$ 21.25</u>	<u>          </u>	<u>          </u>
Q	Shot Rock	<u>\$ 23.85</u>	<u>          </u>	<u>          </u>
R	AASHTO #8 Modified	<u>\$ 22.40</u>	<u>          </u>	<u>          </u>
S	AASHTO #9 Modified	<u>NO BID</u>	<u>          </u>	<u>          </u>
T	Pea Gravel	<u>\$ 16.45</u>	<u>          </u>	<u>          </u>
U	Haul by Vendor (Except Items Q and P):			
	@	<u>\$ 1.25</u>	\$ for First Ton-Mile	
	@	<u>.16</u>	\$ for Each Additional Ton Mile	
V	Haul by Vendor (Items Q and/or P):			
	@	<u>\$ 1.25</u>	\$ for First Ton-Mile	
	@	<u>.18</u>	\$ for Each Additional Ton-Mile	

NOTE: Vendors should type Bidding Schedule

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)**

Mulzer Crushed Stone - Limestone  
Mulzer Crushed Stone -Cape Sandy, Charlestown & New Amsterdam, IN.  
Shelly Materials -Reedsville, OH. Letart Sand & Gravel -Gallipolis Ferry, WV.  
Martin-Marietta -Apple Grove, OH. & Maysville, KY. Nugent Sand & Gravel -  
Milton, KY.

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

Marmet, 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	\$ 18.90		
B	Class 2 Aggregate	\$ 18.90		
C	AASHTO #1 Aggregate	\$ 19.45		
D	AASHTO #3 Aggregate	\$ 19.45		
E	AASHTO #4 Aggregate	\$ 19.45		
F	AASHTO #467 Aggregate	\$ 19.45		
G	AASHTO #57 Aggregate	\$ 19.45		
H	AASHTO #67 Aggregate	NO BID		
I	AASHTO #7 Aggregate	NO BID		
J	AASHTO #8 Aggregate	\$ 21.55		
K	AASHTO #9 Aggregate	NO BID		

**BIDDING SCHEDULE (Continued)**

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

L	Stone for Gabions	\$ 20.75	_____	_____
M	Fine Aggregate	\$ 14.85	_____	_____
N	Standard Abrasives	\$ 14.80	_____	_____
O	Modified Abrasives	\$ 14.80	_____	_____
P	Riprap	\$ 20.75	_____	_____
Q	Shot Rock	\$ 23.35	_____	_____
R	AASHTO #8 Modified	\$ 21.95	_____	_____
S	AASHTO #9 Modified	NO BID	_____	_____
T	Pea Gravel	\$ 16.35	_____	_____
U	Haul by Vendor (Except Items Q and P):			
	@	\$ 1.25	\$ for First Ton-Mile	
	@	.16	\$ for Each Additional Ton Mile	
V	Haul by Vendor (Items Q and/or P):			
	@	\$ 1.25	\$ for First Ton-Mile	
	@	.18	\$ for Each Additional Ton-Mile	



NOTE: Vendors should type Bidding Schedule

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)** Mulzer Crushed Stone - Limestone

Mulzer Crushed Stone -Cape Sandy, Charlestown & New Amsterdam, IN.

Shelly Materials -Reedsville, OH. Letart Sand & Gravel -Gallipolis Ferry, WV.

Martin-Marietta -Apple Grove, OH. & Maysville, KY. Nugent Sand & Gravel - Milton, KY.

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

Hugheston, 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	\$ 18.65	_____	_____
B	Class 2 Aggregate	\$ 18.65	_____	_____
C	AASHTO #1 Aggregate	\$ 19.20	_____	_____
D	AASHTO #3 Aggregate	\$ 19.20	_____	_____
E	AASHTO #4 Aggregate	\$ 19.20	_____	_____
F	AASHTO #467 Aggregate	\$ 19.20	_____	_____
G	AASHTO #57 Aggregate	\$ 19.20	_____	_____
H	AASHTO #67 Aggregate	NO BID	_____	_____
I	AASHTO #7 Aggregate	NO BID	_____	_____
J	AASHTO #8 Aggregate	\$ 21.30	_____	_____
K	AASHTO #9 Aggregate	NO BID	_____	_____

**BIDDING SCHEDULE (Continued)**

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

L	Stone for Gabions	<u>\$ 20.50</u>	<u>          </u>	<u>          </u>
M	Fine Aggregate	<u>\$ 14.85</u>	<u>          </u>	<u>          </u>
N	Standard Abrasives	<u>NO BID</u>	<u>          </u>	<u>          </u>
O	Modified Abrasives	<u>NO BID</u>	<u>          </u>	<u>          </u>
P	Riprap	<u>\$ 20.50</u>	<u>          </u>	<u>          </u>
Q	Shot Rock	<u>\$ 23.10</u>	<u>          </u>	<u>          </u>
R	AASHTO #8 Modified	<u>\$ 21.70</u>	<u>          </u>	<u>          </u>
S	AASHTO #9 Modified	<u>NO BID</u>	<u>          </u>	<u>          </u>
T	Pea Gravel	<u>\$ 16.35</u>	<u>          </u>	<u>          </u>
U	Haul by Vendor (Except Items Q and P):			
	@	<u>\$ 1.25</u>	\$ for First Ton-Mile	
	@	<u>.16</u>	\$ for Each Additional Ton Mile	
V	Haul by Vendor (Items Q and/or P):			
	@	<u>\$ 1.25</u>	\$ for First Ton-Mile	
	@	<u>.18</u>	\$ for Each Additional Ton-Mile	

NOTE: Vendors should type Bidding Schedule

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)** Mulzer Crushed Stone - Limestone

Mulzer Crushed Stone -Cape Sandy, Charlestown & New Amsterdam, IN.

Shelly Materials -Reedsville, OH. Letart Sand & Gravel -Gallipolis Ferry, WV.

Martin-Marietta -Apple Grove, OH. & Maysville, KY. Nugent Sand & Gravel - Milton, KY.

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

Robertsburg, WV

Con- Tract 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	\$ 19.00		
B	Class 2 Aggregate	\$ 19.00		
C	AASHTO #1 Aggregate	\$ 19.55		
D	AASHTO #3 Aggregate	\$ 19.55		
E	AASHTO #4 Aggregate	\$ 19.55		
F	AASHTO #467 Aggregate	\$ 19.55		
G	AASHTO #57 Aggregate	\$ 19.55		
H	AASHTO #67 Aggregate	NO BID		
I	AASHTO #7 Aggregate	NO BID		
J	AASHTO #8 Aggregate	\$ 21.60		
K	AASHTO #9 Aggregate	NO BID		

**BIDDING SCHEDULE (Continued)**

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

L	Stone for Gabions	\$ 21.30	_____	_____
M	Fine Aggregate	\$ 12.00	_____	_____
N	Standard Abrasives	NO BID	_____	_____
O	Modified Abrasives	NO BID	_____	_____
P	Riprap	\$ 21.30	_____	_____
Q	Shot Rock	\$ 24.35	_____	_____
R	AASHTO #8 Modified	\$ 22.00	_____	_____
S	AASHTO #9 Modified	NO BID	_____	_____
T	Pea Gravel	NO BID	_____	_____
U	Haul by Vendor (Except Items Q and P):			
	@	\$ 1.25	\$ for First Ton-Mile	
	@	.16	\$ for Each Additional Ton Mile	
V	Haul by Vendor (Items Q and/or P):			
	@	\$ 1.25	\$ for First Ton-Mile	
	@	.18	\$ 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
\$21.50		
\$22.50		
\$22.50		
\$22.50		
No Bid		
\$17.70		
\$17.70		
\$24.50		

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

\$22.30		
\$22.85		
\$22.85		
\$22.85		
No Bid		
\$24.15		
\$18.40		
\$19.15		
\$19.15		
\$25.35		

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

\$26.10		
\$26.65		
No Bid		
\$22.95		
\$22.95		

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

\$27.65		
\$28.20		
\$28.20		
\$28.20		
No Bid		
\$29.50		
\$23.75		
No Bid		
No Bid		
\$30.70		

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
---------------	--------------------------	---------------------------	------------------------------

CLAY COUNTY

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

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

KANAWHA COUNTY

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

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

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

LIMESTONE SANDSTONE GRAVEL, SAND	BLAST FURNACE SLAG	STEEL SLAG
\$27.65		
\$28.20		
\$28.20		
\$30.70		

No Bid		
No Bid		
No Bid		
No Bid		
No Bid		
No Bid		
No Bid		
No Bid		
No Bid		
No Bid		

No Bid		
\$15.30		
No Bid		

\$21.40		
\$21.95		
\$21.95		
\$21.95		
No Bid		
\$23.25		
\$17.50		
No Bid		
No Bid		
\$24.45		

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
---------------	--------------------------	---------------------------	------------------------------

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

KANAWHA COUNTY

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

LIMESTONE SANDSTONE GRAVEL, SAND	BLAST FURNACE SLAG	STEEL SLAG
\$19.60		
\$20.15		
\$20.15		
\$20.15		
No Bid		
\$20.80		
\$15.80		
\$15.80		
\$15.80		
\$22.60		
\$16.90		

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

\$19.45		
\$20.00		
\$20.00		
\$20.00		
No Bid		
\$21.30		
\$15.55		
No Bid		
No Bid		
\$22.50		

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

No Bid		
No Bid		
No Bid		
No Bid		

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

\$23.80		
\$24.40		
\$24.40		
\$24.40		
\$26.15		
\$26.85		

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
---------------	--------------------------	---------------------------	------------------------------

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
\$23.80		
\$24.40		
\$24.40		
\$24.40		
\$26.85		

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

\$20.65		
\$21.20		
\$21.20		
\$21.20		
No Bid		
No Bid		
No Bid		
\$23.70		

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

\$21.35		
\$21.90		
\$21.90		
\$21.90		
No Bid		
\$17.45		
No Bid		
No Bid		
\$24.40		

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

\$18.85		
No Bid		
\$14.95		
No Bid		
No Bid		
\$21.90		



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
---------------	--------------------------	---------------------------	------------------------------

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

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
\$24.65		
\$25.20		
\$25.20		
\$25.20		
No Bid		
\$20.75		
No Bid		
No Bid		
\$27.70		

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

\$21.25		
No Bid		
\$17.35		
No Bid		
No Bid		
\$24.30		

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.

\$20.50		
No Bid		
\$16.60		
No Bid		
No Bid		

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

\$23.05		
\$23.60		
\$23.60		
No Bid		
\$19.15		
No Bid		
No Bid		
\$26.10		

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
---------------	--------------------------	---------------------------	------------------------------

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

KANAWHA COUNTY (BARGE DELIVERY)

A	Class 1	7500	St. Albans
D	No. 3	3000	St. Albans
F	No. 467	1500	St. Albans
R	No. 8 Modified	7500	St. Albans

LIMESTONE SANDSTONE GRAVEL, SAND	BLAST FURNACE SLAG	STEEL SLAG
\$16.81		
\$17.39		
\$17.39		
\$19.97		

MASON COUNTY (BARGE DELIVERY)

A	Class 1	10000	Glenwood
C	No. 1	1500	Glenwood
D	No. 3	3000	Glenwood
F	No. 467	1500	Glenwood
R	No. 8 Modified	3000	Glenwood

No Bid		
No Bid		
No Bid		
No Bid		
No Bid		

MASON COUNTY (BARGE DELIVERY)

A	Class 1	10000	Lakin
C	No. 1	1500	Lakin
D	No. 3	1500	Lakin
F	No. 467	1500	Lakin
L	Gabion Stone	1500	Lakin
R	No. 8 Modified	10000	Lakin

No Bid		
No Bid		
No Bid		
No Bid		
No Bid		
No Bid		

PUTNAM COUNTY (BARGE DELIVERY)

A	Class 1	15000	Hometown MP 34.77
C	No. 1	1500	Hometown MP 34.77
D	No. 3	1500	Hometown MP 34.77
F	No. 467	1500	Hometown MP 34.77
R	No. 8 Modified	10000	Hometown MP 34.77

\$16.81		
\$17.39		
\$17.39		
\$17.39		
\$19.97		

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
---------------	--------------------------	---------------------------	------------------------------

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

CABELL COUNTY

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

LIMESTONE SANDSTONE GRAVEL, SAND	BLAST FURNACE SLAG	STEEL SLAG
No Bid		
No Bid		
No Bid		
No Bid		
No Bid		
No Bid		
No Bid		
No Bid		
No Bid		
No Bid		

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

No Bid		
No Bid		
No Bid		
No Bid		
No Bid		
No Bid		
No Bid		
No Bid		
No Bid		
No Bid		
No Bid		

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

\$22.25		
\$22.25		
\$22.80		
\$22.80		
\$22.80		
\$22.80		
\$22.80		
\$24.90		
\$24.10		
No Bid		
\$26.70		

12. BIDDING SCHEDULE

DISTRICT THREE

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

RITCHIE COUNTY

A	Class 1	8500	Ellenboro
C	No. 1	1000	Ellenboro
D	No. 3	4000	Ellenboro
G	No. 57	5000	Ellenboro
H	No. 67	4000	Ellenboro
J	No. 8	1500	Ellenboro
K	No. 9	1000	Ellenboro
L	Gabion Stone	1000	Ellenboro
N		3000	Ellenboro

LIMESTONE SANDSTONE GRAVEL, SAND	BLAST FURNACE SLAG	STEEL SLAG
No Bid		
No Bid		
No Bid		
No Bid		
No Bid		
No Bid		
No Bid		
No Bid		
No Bid		

RITCHIE COUNTY

N	Standard Abr.	500	Smithville
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No Bid		
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RITCHIE COUNTY (CORRIDOR D)

N	Standard Abr.	800	Nutter Farm
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No Bid		
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ROANE COUNTY

A	Class 1	8650	Spencer
C	No. 1	450	Spencer
D	No. 3	4000	Spencer
F	No. 467	6400	Spencer
H	No. 67	1050	Spencer
K	No. 9	200	Spencer
N	Standard Abr.	2200	Spencer
R	No. 8 Modified	2100	Spencer

\$25.70		
\$26.25		
\$26.25		
\$26.25		
\$26.95		
No Bid		
No Bid		
\$28.75		

ROANE COUNTY

A	Class 1	3550	Left Hand (Walton)
D	No. 3	1350	Left Hand (Walton)
F	No. 467	2000	Left Hand (Walton)
H	No. 67	700	Left Hand (Walton)
K	No. 9	450	Left Hand (Walton)
N	Standard Abr.	200	Left Hand (Walton)

\$23.20		
\$23.75		
\$23.75		
\$24.45		
No Bid		
No Bid		

12. BIDDING SCHEDULE **DISTRICT THREE**

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
\$25.75		
\$26.30		
\$26.30		
No Bid		

WIRT COUNTY

N	Standard Abr.	1500	Elizabeth Headquarters
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No Bid		
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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

No Bid		
No Bid		
No Bid		
No Bid		
No Bid		
No Bid		

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.

No Bid		
No Bid		
No Bid		
No Bid		
No Bid		
No Bid		
No Bid		
No Bid		
No Bid		
No Bid		
No Bid		

WOOD COUNTY

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

No Bid		
No Bid		
No Bid		



**SHAMBLIN STONE, INC.****DISTRICT ADDRESSES**

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

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

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

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

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

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

**District Four**  
I-79 & Meadowbrook Road  
Clarksburg, West Virginia 26302-2570

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

**District Five**  
US Route 50  
Post Office Box 99  
Burlington, West Virginia 26710-0099

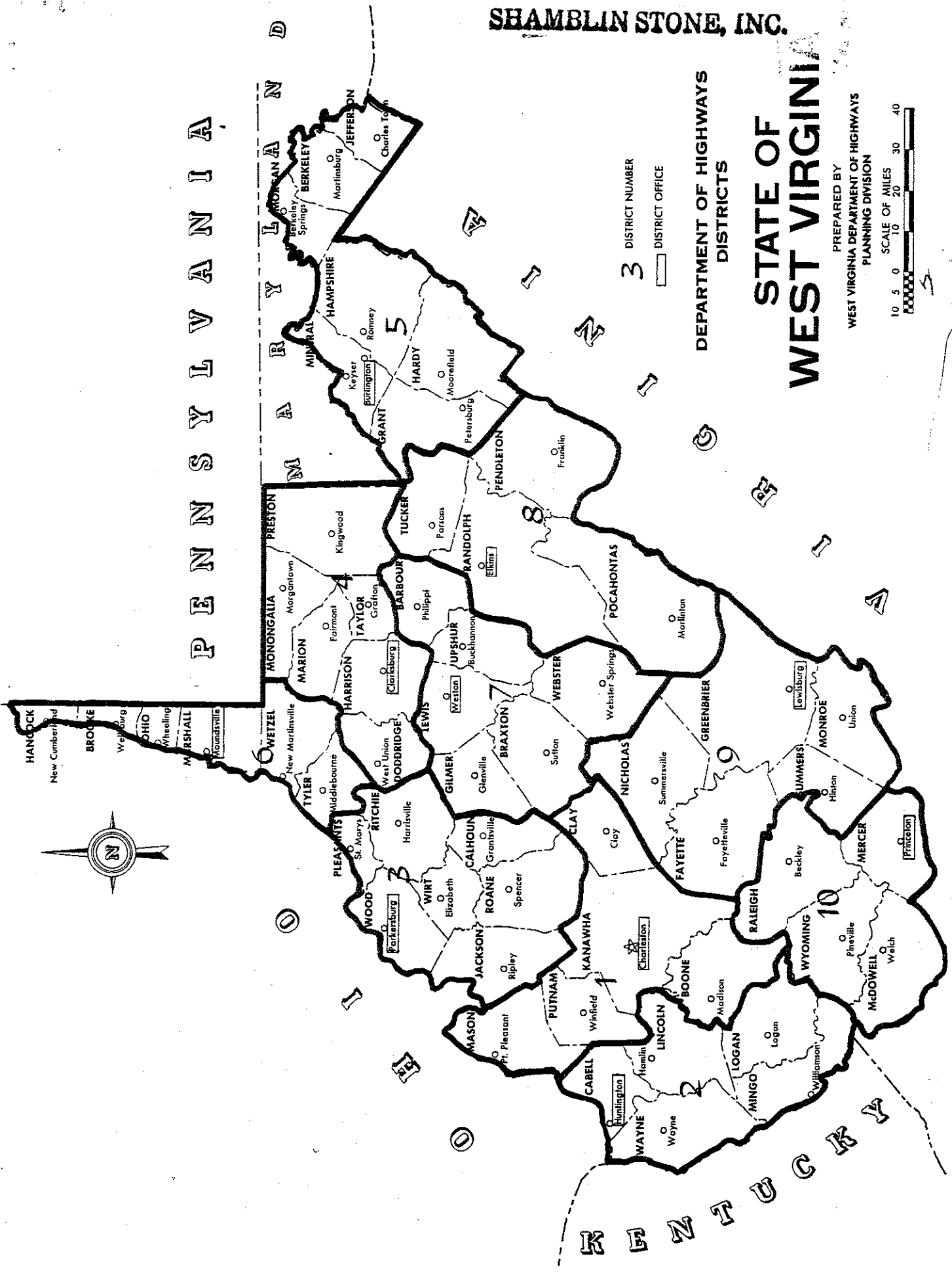
**District Ten**  
270 Hardwood Lane  
Princeton, West Virginia 24740-2737

SHAMBLIN STONE, INC.

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

M A R Y L A N D

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  
 □ DISTRICT OFFICE



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 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 exceed 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: Shamblin Stone, Incorporated

Authorized Signature:  Date: November 13, 2007