



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
 669C0002

PAGE
 1

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

*425114234 866-334-2464

MID ATLANTIC SALT LLC
 PO BOX 353

LYNDORA PA 16045-0353

VENDOR

SHIP TO

DIVISION OF HIGHWAYS
 VARIOUS LOCALES AS INDICATED
 BY ORDER

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
08/15/2008				

BID OPENING DATE: 08/27/2008 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
ADDENDUM NO. 1						
BID OPENING DATE AND TIME CHANGED						
FROM: 08/20/08 AT 1:30 P.M.						
TO: 08/27/08 AT 1:30 P.M.						
NO OTHER CHANGES						
0001	1	LS		775-45		
SODIUM CHLORIDE						
***** THIS IS THE END OF RFQ 669C0002 ***** TOTAL: _____						

RECEIVED
 2008 AUG 20 A 9:44
 PURCHASING DIVISION
 STATE OF WV

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Ronald J. Smart</i>	TELEPHONE (866) 334-2464	DATE August 26, 2008
TITLE Vice President	FEIN 30-0322840	ADDRESS CHANGES TO BE NOTED ABOVE

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

**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.
15. **West Virginia Alcohol & Drug-Free Workplace Act:** If this Contract constitutes a public improvement construction contract as set forth in Article 1D, Chapter 21 of the West Virginia Code ("The West Virginia Alcohol and Drug-Free Workplace Act"), then the following language shall hereby become part of this Contract: "The contractor and its subcontractors shall implement and maintain a written drug-free workplace policy in compliance with the West Virginia Alcohol and Drug-Free Workplace Act, as set forth in Article 1D, Chapter 21 of the West Virginia Code. The contractor and its subcontractors shall provide a sworn statement in writing, under the penalties of perjury, that they maintain a valid drug-free work place policy in compliance with the West Virginia Alcohol and Drug-Free Workplace Act. It is understood and agreed that this Contract shall be cancelled by the awarding authority if the Contractor: 1) Fails to implement its drug-free workplace policy; 2) Fails to provide information regarding implementation of the contractor's drug-free workplace policy at the request of the public authority; or 3) Provides to the public authority false information regarding the contractor's drug-free workplace policy."

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:
Department of Administration, Purchasing Division, 2019 Washington Street East, P.O. Box 50130,
Charleston, WV 25305-0130



State of West Virginia
 Department of Administration
 Purchasing Division
 2019 Washington Street East
 Post Office Box 50130
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ADDRESS CORRESPONDENCE TO ATTENTION OF:
 MICHAEL AUSTIN
 304-558-2402

*425114234 866-334-2464
 MID ATLANTIC SALT LLC
 PO BOX 353
 LYNDORA PA 16045-0353

VENDOR

SHIP TO

DIVISION OF HIGHWAYS
 VARIOUS LOCALES AS INDICATED
 BY ORDER

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
08/13/2008				

BID OPENING DATE: 08/20/2008 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
0001				775-45		
SODIUM CHLORIDE						
NOTE: SEE 3, BIDDING INSTRUCTIONS, 2ND PARAGRAPH.						
OPEN END CONTRACT						
TO PROVIDE ALL LABOR , MATERIALS AND EQUIPMENT TO SUPPLY SODIUM CHLORIDE TO THE WV DIVISION OF HIGHWAYS AND WV PARKWAY AUTHORITY AT THE LOCATIONS AND IN THE ESTIMATED QUANTITIES PER THE ATTACHED SPECIFICATIONS.						
EXHIBIT 3						
LIFE OF CONTRACT: THIS CONTRACT BECOMES EFFECTIVE ON AND EXTENDS FOR A PERIOD OF ONE (1) YEAR OR UNTIL SUCH "REASONABLE TIME" THEREAFTER AS IS NECESSARY TO OBTAIN A NEW CONTRACT OR RENEW THE ORIGINAL CONTRACT. THE "REASONABLE TIME" PERIOD SHALL NOT EXCEED TWELVE (12) MONTHS. DURING THIS "REASONABLE TIME" THE VENDOR MAY TERMINATE THIS CONTRACT FOR ANY REASON UPON GIVING THE DIRECTOR OF PURCHASING 30 DAYS WRITTEN NOTICE.						
UNLESS SPECIFIC PROVISIONS ARE STIPULATED ELSEWHERE IN THIS CONTRACT DOCUMENT, THE TERMS, CONDITIONS AND PRICING SET HEREIN ARE FIRM FOR THE LIFE OF THE CONTRACT.						
RENEWAL: THIS CONTRACT MAY BE RENEWED UPON THE MUTUAL WRITTEN CONSENT OF THE SPENDING UNIT AND VENDOR,						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Ronald J. Sweet</i>	TELEPHONE (866) 334-2464	DATE August 26, 2008
TITLE Vice President	FEIN 30-0322840	ADDRESS CHANGES TO BE NOTED ABOVE

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2

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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.

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.

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.)

QUANTITIES: QUANTITIES LISTED IN THE REQUISITION ARE APPROXIMATIONS ONLY, BASED ON ESTIMATES SUPPLIED BY THE STATE SPENDING UNIT. IT IS UNDERSTOOD AND AGREED THAT THE CONTRACT SHALL COVER THE QUANTITIES ACTUALLY ORDERED FOR DELIVERY DURING THE TERM OF THE CONTRACT, WHETHER MORE OR LESS THAN THE QUANTITIES SHOWN.

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.

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	<i>Ronald J. Street</i>	TELEPHONE	(866) 334-2464	DATE	August 26, 2008
TITLE	Vice President	FEIN	30-0322840	ADDRESS CHANGES TO BE NOTED ABOVE	

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PAGE
 3

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

AUCTION

*425114234 866-334-2464
 MID ATLANTIC SALT LLC
 PO BOX 353
 LYNDORA PA 16045-0353

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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>THE TERMS AND CONDITIONS CONTAINED IN THIS CONTRACT SHALL SUPERSEDE ANY AND ALL SUBSEQUENT TERMS AND CONDITIONS WHICH MAY APPEAR ON ANY ATTACHED PRINTED DOCUMENTS SUCH AS PRICE LISTS, ORDER FORMS, SALES AGREEMENTS OR MAINTENANCE AGREEMENTS, INCLUDING ANY ELECTRONIC MEDIUM SUCH AS CD-ROM.</p> <p>REV. 04/11/2001</p> <p>PURCHASING CARD ACCEPTANCE: THE STATE OF WEST VIRGINIA CURRENTLY UTILIZES A VISA PURCHASING CARD PROGRAM WHICH IS ISSUED THROUGH A BANK. THE SUCCESSFUL VENDOR MUST ACCEPT THE STATE OF WEST VIRGINIA VISA PURCHASING CARD FOR PAYMENT OF ALL ORDERS PLACED BY ANY STATE AGENCY AS A CONDITION OF AWARD.</p> <p>VENDOR PREFERENCE CERTIFICATE</p> <p>CERTIFICATION AND APPLICATION* IS HEREBY MADE FOR PREFERENCE IN ACCORDANCE WITH WEST VIRGINIA CODE, 5A-3-37 (DOES NOT APPLY TO CONSTRUCTION CONTRACTS).</p> <p>A. APPLICATION IS MADE FOR 2.5% PREFERENCE FOR THE REASON CHECKED:</p> <p>() BIDDER IS AN INDIVIDUAL RESIDENT VENDOR AND HAS RESIDED CONTINUOUSLY IN WEST VIRGINIA FOR FOUR (4) YEARS IMMEDIATELY PRECEDING THE DATE OF THIS</p>						

SIGNATURE <i>Ronald J. Sweet</i>				TELEPHONE (866) 334-2464	DATE August 26, 2008
TITLE Vice President	FEIN 30-0322840	ADDRESS CHANGES TO BE NOTED ABOVE			

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<p>CERTIFICATION; OR</p> <p>() BIDDER IS A PARTNERSHIP, ASSOCIATION OR CORPORATION RESIDENT VENDOR AND HAS MAINTAINED ITS HEAD-QUARTERS OR PRINCIPAL PLACE OF BUSINESS CONTINUOUSLY 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>() BIDDER IS A RESIDENT VENDOR WHO CERTIFIES THAT, DURING THE LIFE OF THE CONTRACT, ON AVERAGE AT LEAST 75% OF THE EMPLOYEES WORKING ON THE PROJECT BEING BID ARE RESIDENTS OF WEST VIRGINIA WHO HAVE RESIDED IN THE STATE CONTINUOUSLY FOR THE TWO YEARS IMMEDIATELY PRECEDING SUBMISSION OF THIS BID;</p> <p>OR</p> <p>() BIDDER IS A NONRESIDENT VENDOR EMPLOYING A MINIMUM OF ONE HUNDRED STATE RESIDENTS OR IS A NONRESIDENT VENDOR WITH AN AFFILIATE OR SUBSIDIARY WHICH MAINTAINS ITS HEADQUARTERS OR PRINCIPAL PLACE</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Ronald J. Smith</i>	TELEPHONE (866) 334-2464	DATE August 26, 2008
TITLE Vice President	FEIN 30-0322840	ADDRESS CHANGES TO BE NOTED ABOVE

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PAGE
5

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<p>OF BUSINESS WITHIN WEST VIRGINIA EMPLOYING A MINIMUM OF ONE HUNDRED STATE RESIDENTS WHO CERTIFIES THAT, DURING THE LIFE OF THE CONTRACT, ON AVERAGE AT LEAST 75% OF THE EMPLOYEES OR BIDDERS' AFFILIATE'S OR SUBSIDIARY'S EMPLOYEES ARE RESIDENTS OF WEST VIRGINIA WHO HAVE RESIDED IN THE STATE CONTINUOUSLY FOR THE TWO YEARS IMMEDIATELY PRECEDING SUBMISSION OF THIS BID.</p> <p>BIDDER UNDERSTANDS IF THE SECRETARY OF TAX & REVENUE DETERMINES THAT A BIDDER RECEIVING PREFERENCE HAS FAILED TO CONTINUE TO MEET THE REQUIREMENTS FOR SUCH PREFERENCE, THE SECRETARY MAY ORDER THE DIRECTOR OF PURCHASING TO: (A) RESCIND THE CONTRACT OR PURCHASE ORDER ISSUED; OR (B) ASSESS A PENALTY AGAINST SUCH BIDDER IN AN AMOUNT NOT TO EXCEED 5% OF THE BID AMOUNT AND THAT SUCH PENALTY WILL BE PAID TO THE CONTRACTING AGENCY OR DEDUCTED FROM ANY UNPAID BALANCE ON THE CONTRACT OR PURCHASE ORDER.</p> <p>BY SUBMISSION OF THIS CERTIFICATE, BIDDER AGREES TO DISCLOSE ANY REASONABLY REQUESTED INFORMATION TO THE PURCHASING DIVISION AND AUTHORIZES THE DEPARTMENT OF TAX AND REVENUE TO DISCLOSE TO THE DIRECTOR OF PURCHASING APPROPRIATE INFORMATION VERIFYING THAT BIDDER HAS PAID THE REQUIRED BUSINESS TAXES, PROVIDED THAT SUCH INFORMATION DOES NOT CONTAIN THE AMOUNTS OF TAXES PAID NOR ANY OTHER INFORMATION DEEMED BY THE TAX COMMISSIONER TO BE CONFIDENTIAL.</p> <p>UNDER PENALTY OF LAW FOR FALSE SWEARING (WEST VIRGINIA CODE 61-5-3) BIDDER HEREBY CERTIFIES THAT THIS CERTIFICATE IS TRUE AND ACCURATE IN ALL RESPECTS; AND THAT IF A CONTRACT IS ISSUED TO BIDDER AND IF ANYTHING CONTAINED WITHIN THIS CERTIFICATE CHANGES DURING THE TERM OF THE CONTRACT, BIDDER WILL NOTIFY THE PURCHASING DIVISION IN WRITING IMMEDIATELY.</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS			
SIGNATURE	TELEPHONE	DATE	
<i>Ronald J. Sweet</i>	(866) 334-2464	August 26, 2008	
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE	
Vice President	30-0322840		

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 6

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

*425114234 866-334-2464

VENDOR

MID ATLANTIC SALT LLC
 PO BOX 353
 LYNDORA PA 16045-0353

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BIDDER: ----- Mid - Atlantic Salt, L.L.C.
 DATE: ----- August 26, 2008
 SIGNED: ----- *Ronald J. Sweet*
 TITLE: ----- Vice President

* 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)

NOTICE

A SIGNED BID MUST BE SUBMITTED TO:

DEPARTMENT OF ADMINISTRATION
 PURCHASING DIVISION
 BUILDING 15
 2019 WASHINGTON STREET, EAST
 CHARLESTON, WV 25305-0130

THE BID SHOULD CONTAIN THIS INFORMATION ON THE FACE OF THE ENVELOPE OR THE BID MAY NOT BE CONSIDERED:

SEALED BID

BUYER: 33

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Ronald J. Sweet</i>	TELEPHONE (866) 334-2464	DATE August 26, 2008
TITLE Vice President	FEIN 30-0322840	ADDRESS CHANGES TO BE NOTED ABOVE

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PAGE
 7

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 MICHAEL AUSTIN
 304-558-2402

PROPERTY AUSTIN

*425114234 866-334-2464
 MID ATLANTIC SALT LLC
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				669C0002		
				08/20/2008		
				1:30 PM		
PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID: ----- (724) 287-0540 ----- CONTACT PERSON (PLEASE PRINT CLEARLY): ----- Ronald F. Sweet ----- -----						
***** THIS IS THE END OF RFQ 669C0002 *****						TOTAL: \$483,160.00

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE *Ronald F. Sweet* TELEPHONE (866) 334-2464 DATE August 26, 2008
 TITLE Vice President FEIN 30-0322840 ADDRESS CHANGES TO BE NOTED ABOVE

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1. SPECIFICATIONS

The following sections of the West Virginia Department of Transportation, Division of Highways Standard Specifications Roads and Bridges, adopted 2000 as modified by the current Supplemental Specifications shall apply to the administration of this contract: Sections 101, 102.4, 102.5, 105.1, 105.3, 105.4, 105.10, 105.11, 105.12, 105.13, 106.3, 106.4, 106.5, 106.6, 106.7, 106.9, 107.1, 107.2, 107.3, 107.14, 107.19, 107.20, 108.8, 109.1, 109.2 and 109.20.

The requirements of the West Virginia Department of Transportation, Division of Highways, Standard Specifications 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 as modified by the current Supplemental Specifications may be obtained from:

West Virginia Division of Highways
Engineering Division, Technical Division
Building 5, Room A-650
1900 Kanawha Blvd., East
Charleston, West Virginia 25305
Phone: 304-558-2885

Sodium Chloride shall conform to the requirements of ASTM D632-83 and Type I, Grade 1 and shall be delivered in bulk.

2. ACCEPTANCE AND DELIVERY GUARANTEE

The Division of Highways guarantees acceptance of seventy (70) percent of the total estimated quantity awarded to an individual vendor. However, conditions may dictate adjustment of the actual quantities delivered to specified sites.

The Vendor shall guarantee delivery, as requested by the Division of Highways, of one hundred and twenty-five (125) percent of the total estimated award quantity stated in this contract. All guaranteed deliveries shall be completed prior to March 15, 2008.

Bidder agrees, by execution of this bid, that the guaranteed accepted quantity (seventy percent of total estimated needs) shall be delivered to Division of Highways storage sites or in a Department of Environmental Protection approved stockpile(s) by December 15, 2008.

3. BIDDING INSTRUCTIONS

The purpose of this contract is to provide for the delivery of Sodium Chloride to the various locations listed in the bidding schedule. Actual quantities to be delivered to each location will be specified in State Contract Purchase Orders (SCO), which will be issued by the Department of Highways at the time delivery is required.

Bidders submitting bids for a specific county shall bid all of that county's locations - one unit price - for the county sites listed on the attached Bid Schedules. This shall apply to the listed Interstate and Corridor sites as well.

Any qualification of bids or any modification of the specifications or conditions governing the bids may be cause for their rejection.

4. CONTRACT AWARD

All qualified Vendors who submit a valid bid for "FOB Vendor's Storage Site" will be awarded a contract for this item (see section 11).

Qualified Vendors who submit a valid bid for "FOB Division's Storage Site" will be awarded a contract for those locations for which their bid is low.

In the event a Vendor fails to conform to the requirements set out in this contract document, the State Contract Purchase Order or the governing specifications, the Purchase Order Contract may be canceled and re-awarded to the next low bidder.

5. DELIVERY

State Contract Purchase Orders (SCO) for delivery to individual Division of Highways Storage Sites will be issued to the Vendor awarded a contract for the county locations (see Bid Schedule).

From December 1, 2008 through March 31, 2009 delivery shall be made within seven (7) calendar days after vendor is notified by the Division of Highways.

Original delivery tickets for each delivered load to the Division's storage sites must be signed and retained by a DOH employee at the delivery location.

In the event the Vendor to which the SCO is issued is unable to comply with the specified delivery schedule the Division may, at its option, cancel all or part of the SCO and obtain the required quantity of Sodium Chloride from the most economical available source.

6. SAMPLING AND TESTING

Upon award of contract, the Vendor shall provide the Division with the proposed source of supply. Acceptance shall be based on suppliers' certification of quality and gradation. This information shall be directed to:

West Virginia Division of Highways
Materials Division
190 Dry Branch Road
Charleston, West Virginia 25306
Phone Number 304-558-3175

The Division may conduct sampling and testing to verify material quality or gradation.

7. WEIGHING MATERIALS DELIVERED BY TRUCK

Material delivered by truck shall be weighed in accordance with Section 308.5 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. 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 above 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 other entities of the State he is bound to extend them upon issuance of a purchase order by these 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 arrangements for payment.

9. VENDOR'S INVOICES

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

- a) All Weight 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.

NOTE: Under no circumstance will the West Virginia Division of Highways accept, or pay for, quantities of materials in excess of the quantity stated on the State Contract Purchase Orders (SCO).

Vendor should type Bid Schedule - Bid Schedule available for download on Purchasing's Web site at www.state.wv.us/admin/purchase

10. BID SCHEDULE

Delivery: F.O.B. Division's Storage Site

SODIUM CHLORIDE

(DOH CLASSIFICATION 011-010-000001)

DISTRICT 1

COUNTY	DELIVERY SITE	ESTIMATED NEEDS (TONS)	County Bid Price (PER TON)
Boone	Clinton @ WV 85	1000	
Boone	Rock Creek	1500	
Boone	Seth	1000	
			<u>NO BID</u>
Clay	Widen Rd. @ Cr 11	1600	
Clay	Maysel	500	
			<u>NO BID</u>
Kanawha	Chelyan	2500	
Kanawha	Elkview	2200	
Kanawha	North Charleston	3000	
Kanawha	St. Albans	2500	
Kanawha	I-64 @ Scary	1600	
Kanawha	I-64 @ Rt. 119 & Penn Ave.	2000	
Kanawha	I-77 @ Sissonville	1600	
Kanawha	I-79 @ Amma	2000	
Kanawha	Corridor G @ Alum Creek	2000	
			<u>NO BID</u>
Mason	Point Pleasant	3500	
			<u>NO BID</u>
Putnam	Red House	1500	
Putnam	Hurricane @ Rt. 34	1500	
			<u>NO BID</u>

10. BID SCHEDULE (Continued)

Delivery: F.O.B. Division's Storage Site

SODIUM CHLORIDE

(DOH CLASSIFICATION 011-010-000001)

DISTRICT 2

COUNTY	DELIVERY SITE	ESTIMATED NEEDS (TONS)	County Bid Price (PER TON)
Cabell	Barboursville	2500	
Cabell	I-64 @ Huntington	1400	
			<u>NO BID</u>
Lincoln	West Hamlin	1200	
Lincoln	Yawkey	800	
Lincoln	Harts	800	
			<u>NO BID</u>
Logan	Chapmanville	0	
Logan	Corridor G @ Chapmanville	1800	
Logan	Wilkinson	1300	
Logan	Man	800	
			<u>NO BID</u>
Mingo & Corr. G.	Miller's Creek	2300	
Mingo	Gilbert	700	
			<u>NO BID</u>
Wayne	Pritchard	1100	
Wayne	Wayne	1800	
Wayne	Crum	600	
			<u>NO BID</u>

10. BID SCHEDULE (Continued)

Delivery: F.O.B. Division's Storage Site

SODIUM CHLORIDE

(DOH CLASSIFICATION 011-010-000001)

DISTRICT 3

COUNTY	DELIVERY SITE	ESTIMATED NEEDS (TONS)	County Bid Price (PER TON)
Calhoun	Millstone	1000	<u>NO BID</u>
Jackson	Ripley	3000	
Jackson	I-77 @ Medina	1500	<u>NO BID</u>
Pleasants	Belmont	2000	<u>NO BID</u>
Ritchie	Ellenboro	3000	
Ritchie	Corridor D @ Nutter Farm	800	
Ritchie	Corridor D @ Greenwood	500	
Ritchie	Corridor D @ Ellenboro	1000	<u>NO BID</u>
Roane	Lefthand @ WV 36	750	
Roane	Amber Hill @ US 119	400	
Roane	Spencer	1500	<u>NO BID</u>
Wirt	Elizabeth	1500	<u>NO BID</u>
Wood	Parkersburg @ Rt. 95S	4500	
Wood	I-77 @ Parkersburg	1500	
Wood	Riverhill US50	500	<u>NO BID</u>

10. BID SCHEDULE (Continued)

Delivery: F.O.B. Division's Storage Site

SODIUM CHLORIDE
(DOH CLASSIFICATION 011-010-000001)

DISTRICT 4

COUNTY	DELIVERY SITE	ESTIMATED NEEDS (TONS)	County Bid Price (PER TON)
Doddridge	Smithburg	1700	<u>NO BID</u>
Harrison	Gore	2800	
Harrison	Saltwell	1000	
Harrison	I-79 @ Lost Creek	2500	
APD 50	Tunnel Hill	2500	<u>NO BID</u>
Marion	Fairmont	2000	
Marion	Mannington	1200	<u>NO BID</u>
Monongalia	Sabraton	3700	
Monongalia	Pentress	1600	
Monongalia	I-79 @ Goshen Rd.	2500	<u>NO BID</u>
Preston	Albright	2500	
Preston	Bruceston	1600	
Preston	Terra Alta	1200	
Preston	Fellowsville	1400	
Preston	Aurora	2000	
I-68	Cooper's Rock	4000	<u>NO BID</u>
Taylor	Fetterman/Prunytown	2500	<u>NO BID</u>

10. BID SCHEDULE (Continued)

Delivery: F.O.B. Division's Storage Site

SODIUM CHLORIDE

(DOH CLASSIFICATION 011-010-000001)

DISTRICT 5

COUNTY	DELIVERY SITE	ESTIMATED NEEDS (TONS)	County Bid Price (PER TON)
Berkeley & I-81	Martinsburg	3000	<u>\$77.49</u>
Grant	Petersburg	1000	
Grant	Mt. Storm	2000	<u>NO BID</u>
Hampshire	Romney	1400	
Hampshire	Capon Bridge	1200	
Hampshire	Slanesville	700	<u>NO BID</u>
Hardy	Moorefield	1500	
Hardy	Baker	2000	<u>NO BID</u>
Jefferson	Charles Town	2000	<u>\$75.12</u>
Mineral	New Creek	900	
Mineral	Sky Line	1000	
Mineral	Short Gap	750	
Mineral	District Headquarters	500	<u>NO BID</u>
Morgan	Berkeley Springs	900	
Morgan	Largent	350	
			<u>\$80.36</u>

10. BID SCHEDULE (continued)

Delivery: F.O.B. Division's Storage Site

SODIUM CHLORIDE

(DOH CLASSIFICATION 011-010-000001)

DISTRICT 6

COUNTY	DELIVERY SITE	ESTIMATED NEEDS (TONS)	County Bid Price (PER TON)
Brooke	Wellsburg	2500	
Brooke	Weirton	2500	<u>NO BID</u>
Hancock	New Manchester	2500	<u>NO BID</u>
Marshall	Glen Dale	3500	
Marshall	Cameron	1500	<u>NO BID</u>
Ohio	Triadelphia	3000	
Ohio	I-70 @ Triadelphia	2500	<u>NO BID</u>
Tyler	Sistersville	1500	
Tyler	Centerville	1000	<u>NO BID</u>
Wetzel	New Martinsville	2000	
Wetzel	Pine Grove	1000	
Wetzel	Hundred	1200	<u>NO BID</u>

10. BID SCHEDULE (Continued)

Delivery: F.O.B. Division's Storage Site

SODIUM CHLORIDE

(DOH CLASSIFICATION 011-010-000001)

DISTRICT 7

COUNTY	DELIVERY SITE	ESTIMATED NEEDS (TONS)	County Bid Price (PER TON)
Barbour	Phillipi	2000	
Barbour	Belington	2000	<u>NO BID</u>
Braxton	Gassaway	1100	
Braxton	Heaters	900	
Braxton	I-79 @ Coon Knob	1400	
Braxton	I-79 @ Burnsville	1400	<u>NO BID</u>
Gilmer	Glenville	1500	<u>NO BID</u>
Lewis	Weston (Ben Dale)	2000	
Lewis	Corridor H @ Mudlick	1200	<u>NO BID</u>
Upshur	Clow Lot @ Buckhannon	2300	
Upshur	Tennerton	200	
Upshur	Kanawha Head	800	
Upshur	Corridor H @ Buckhannon	0	<u>NO BID</u>
Webster	Cherry Falls	1200	
Webster	Cowen	900	
Webster	Hacker Valley	500	<u>NO BID</u>

10. BID SCHEDULE (Continued)

Delivery: F.O.B. Division's Storage Site

SODIUM CHLORIDE

(DOH CLASSIFICATION 011-010-000001)

DISTRICT 8

COUNTY	DELIVERY SITE	ESTIMATED NEEDS (TONS)	County Bid Price (PER TON)
Pendleton	Franklin	1000	
Pendleton	Judy Gap	600	
Pendleton	Brandywine	400	
Pendleton	Onego	350	
			<u>NO BID</u>
Pocahontas	Marlinton	800	
Pocahontas	Seebert	700	
Pocahontas	Green Bank	500	
Pocahontas	Bartow (Thornwood)	600	
Pocahontas	Slaty Fork	700	
			<u>NO BID</u>
Randolph	Elkins	3500	
Randolph	Harmon	1500	
Randolph	Coalton	2000	
Randolph	Valley Head	700	
Randolph	Mill Creek	1500	
Randolph	Pickens	450	
			<u>NO BID</u>
Tucker	Parsons	1500	
Tucker	Thomas	1800	
			<u>NO BID</u>

10. BID SCHEDULE (Continued)

Delivery: F.O.B. Division's Storage Site

SODIUM CHLORIDE

(DOH CLASSIFICATION 011-010-000001)

DISTRICT 9

COUNTY	DELIVERY SITE	ESTIMATED NEEDS (TONS)	County Bid Price (PER TON)
Fayette	Oak Hill	1000	
Fayette	Corridor L @ Oak Hill	1000	
Fayette	Lookout	2000	
Fayette	Glen Ferris	500	
			<u>NO BID</u>
Greenbrier	Lewisburg	1200	
Greenbrier	Crawley	2000	
Greenbrier	I-64 @ Harts Run	1500	
			<u>NO BID</u>
Monroe	Union	1000	
Monroe	Peterstown	400	
			<u>NO BID</u>
Nicholas	Summersville	2000	
Nicholas	Curtin	1200	
Nicholas	Corridor L @ Muddlety	2000	
			<u>NO BID</u>
Summers	Hinton	2000	
			<u>NO BID</u>

10. BID SCHEDULE (Continued)

Delivery: F.O.B. Division's Storage Site

SODIUM CHLORIDE

(DOH CLASSIFICATION 011-010-000001)

WV Turnpike

COUNTY	DELIVERY SITE	ESTIMATED NEEDS (TONS)	County Bid Price (PER TON)
Kanawha	Chelyan	400	
Kanawha	Standard	2500	
			<u>NO BID</u>
Mercer	Princeton	1900	
			<u>NO BID</u>
Raleigh	Beckley	7000	
Raleigh	Ghent	4300	
			<u>NO BID</u>

10. BID SCHEDULE (Continued)

Delivery: F.O.B. Division's Storage Site

SODIUM CHLORIDE

(DOH CLASSIFICATION 011-010-000001)

DISTRICT 10

COUNTY	DELIVERY SITE	ESTIMATED NEEDS (TONS)	County Bid Price (PER TON)
McDowell	Havaco	2200	
McDowell	Yukon	250	
McDowell	Johnnycake Mt.	500	
McDowell	Raysel	200	
			<u>NO BID</u>
Mercer	Princeton @ WV 20	2000	
Mercer	Flat Top	900	
Mercer	I-77 @ Princeton	1400	
			<u>NO BID</u>
Raleigh	Skelton	2000	
Raleigh	Bolt	1500	
Raleigh	I-64 @ Bragg	3000	
			<u>NO BID</u>
Wyoming	Pineville	2100	
Wyoming	Still Run	950	
Wyoming	Hanover	800	
			<u>NO BID</u>

BIDDING FOB VENDORS STORAGE LOT

11. Bidding F.O.B. Vendor's Storage Site

<u>Location of Storage Site</u>	<u>Bid Price (\$/Ton) F.O.B Vendor's Storage Site (Note 1)</u>
<u>Baltimore, MD</u>	<u>\$66.00</u>
<u> </u>	<u> </u>
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<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>

Note 1 : Bid price shall include cost of vendor
Loading Division trucks.

DISTRICT CONTACT INFORMATION

Anthony Carovillano
District One Engineer/Manager
 1334 Smith Street
 Charleston, West Virginia 25301-1492
 Phone: 304-558-3001

Bob Whipp
District Six Engineer/Manager
 1 DOT Drive
 Moundsville, West Virginia 26041-1605
 Phone: 304-843-4008

Keith Chapman
District Two Engineer/Manager
 801 Madison Avenue
 Huntington, West Virginia 25712-0880
 Phone: 304-528-5625

Ron Hooton
District Seven Engineer/Manager
 255 Depot Street
 Weston, West Virginia 26452-1228
 Phone: 304-269-0414

Rusty Roten
District Three Engineer/Manager
 624 Depot Street
 Parkersburg, West Virginia 26102-0308
 Phone: 304-420-4648

Mike Moran, Acting
District Eight Engineer/Manager
 US 219 North
 Elkins, West Virginia 26241-1516
 Phone: 304-637-0215

Greg Phillips
District Four Engineer/Manager
 I-79 & Meadowbrook Road
 Clarksburg, West Virginia 26302-2570
 Phone: 304-842-1550

Steve Cole, Acting
District Nine Engineer/Manager
 103 1/2 Church Street
 Lewisburg, West Virginia 24901
 Phone: 304-647-7450

Lee Thorne, Acting
District Five Engineer/Manager
 US Route 50
 Post Office Box 99
 Burlington, West Virginia 26710-0099
 Phone: 304-289-3521

John McBrayer
District Ten Engineer/Manager
 270 Hardwood Lane
 Princeton, West Virginia 24740-2737
 Phone: 304-487-5228

West Virginia Parkway Authority
 Post Office Box 1469
 Charleston, West Virginia 25325

STATE OF WEST VIRGINIA
Purchasing Division

PURCHASING AFFIDAVIT

VENDOR OWING A DEBT TO THE STATE:

West Virginia Code §5A-3-10a provides that: 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.

PUBLIC IMPROVEMENT CONTRACTS & DRUG-FREE WORKPLACE ACT:

West Virginia Code §21-1D-5 provides that: Any solicitation for a public improvement construction contract shall require each vendor that submits a bid for the work to submit at the same time an affidavit that the vendor has a written plan for a drug-free workplace policy in compliance with Article 1D, Chapter 21 of the West Virginia Code. A public improvement construction contract may not be awarded to a vendor who does not have a written plan for a drug-free workplace policy in compliance with Article 1D, Chapter 21 of the West Virginia Code and who has not submitted that plan to the appropriate contracting authority in timely fashion. For a vendor who is a subcontractor, compliance with Section 5, Article 1D, Chapter 21 of the West Virginia Code may take place before their work on the public improvement is begun.

ANTITRUST:

In submitting a bid to any agency for the state of West Virginia, the bidder offers and agrees that if the bid is accepted the bidder will convey, sell, assign or transfer to the state of West Virginia all rights, title and interest in and to all causes of action it may now or hereafter acquire under the antitrust laws of the United States and the state of West Virginia for price fixing and/or unreasonable restraints of trade relating to the particular commodities or services purchased or acquired by the state of West Virginia. Such assignment shall be made and become effective at the time the purchasing agency tenders the initial payment to the bidder.

I certify that this bid is made without prior understanding, agreement, or connection with any corporation, firm, limited liability company, partnership or person or entity submitting a bid for the same materials, supplies, equipment or services and is in all respects fair and without collusion or fraud. I further certify that I am authorized to sign the certification on behalf of the bidder or this bid.

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 is in compliance with the requirements as stated.

Vendor's Name: Mid - Atlantic Salt, L.L.C.

Authorized Signature:  Date: August 26, 2008