



Digging & Rigging, Inc.

Washington County Yard
11424 Stotler Road
Hagerstown, MD. 21740
Phone: (240) 313-3950
Fax: (240) 313-3948

Fax

To:	WV Dept of Purchasing	From:	Sandy Christy
Attn:	Michael Austin	Pages:	10 (INCLUDING COVER)
Phone:		Date:	1/21/09
Fax:	304-558-3970	Re:	BID

Urgent For Review Please Comment Please Reply

COMMENTS:

Mr. Austin,
Per your instruction, I am faxing over our BID Documents.
Thank You.

Have a Great Day!!

Sandy

RECEIVED
 2009 JAN 21 P 12:45
 PURCHASING DIVISION
 STATE OF WV



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
669C001B

PAGE
1

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

FAX 304-558-3970

RFQ COPY

TYPE NAME/ADDRESS HERE

Digging & Rigging, Inc.
11424 Stotler Road
Hagerstown, MD 21740

DIVISION OF HIGHWAYS
VARIOUS LOCALES AS INDICATED
BY ORDER

DATE PRINTED	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS
12/29/2008				

BID OPENING DATE:	01/21/2009	BID OPENING TIME	01:30PM
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LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	EA		975-66		
ROAD AND HIGHWAY EQUIPMENT RENTALS						
OPEN END CONTRACT						
NOTE: ALL BIDS ON SCHEDULE II WHICH REQUIRES EQUIPMENT "WITH OPERATOR", VENDORS SHOULD SUBMIT A COPY OF CONTRACTOR'S LICENSE WITH BID.						
TO ALLOW FOR LEASE OF EQUIPMENT BY THE DIVISION OF HIGHWAYS FROM INDIVIDUALS AND ORGANIZATIONS FOR THE PURPOSE AND LOCATIONS TO BE DETERMINED BY THE DIVISION 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.						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
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TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE
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WHEN RESPONDING TO RFQ, INSERT NAME AND ADDRESS IN SPACE ABOVE LABELED 'VENDOR'



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

**Request for
 Quotation**

RFQ NUMBER
669C0018

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ADDRESS CORRESPONDENCE TO ATTENTION OF
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DIVISION OF HIGHWAYS
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 BY ORDER

DATE PRINTED	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS
12/29/2008				

BID OPENING DATE: 01/21/2009 BID OPENING TIME 01:30PM

LINE	QUANTITY	UCP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>RENEWAL: THIS CONTRACT MAY BE RENEWED UPON THE MUTUAL WRITTEN CONSENT OF THE SPENDING UNIT AND VENDOR, SUBMITTED TO THE DIRECTOR OF PURCHASING THIRTY (30) DAYS PRIOR TO THE EXPIRATION DATE. SUCH RENEWAL SHALL BE IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE ORIGINAL CONTRACT AND SHALL BE LIMITED TO TWO (2) ONE (1) YEAR PERIODS.</p> <p>CANCELLATION: THE DIRECTOR OF PURCHASING RESERVES THE RIGHT TO CANCEL THIS CONTRACT IMMEDIATELY UPON WRITTEN NOTICE TO THE VENDOR IF THE COMMODITIES AND/OR SERVICES SUPPLIED ARE OF AN INFERIOR QUALITY OR DO NOT CONFORM TO THE SPECIFICATIONS OF THE BID AND CONTRACT HEREIN.</p> <p>OPEN MARKET CLAUSE: THE DIRECTOR OF PURCHASING MAY AUTHORIZE A SPENDING UNIT TO PURCHASE ON THE OPEN MARKET, WITHOUT THE FILING OF A REQUISITION OR COST ESTIMATE, ITEMS SPECIFIED ON THIS CONTRACT FOR IMMEDIATE DELIVERY IN EMERGENCIES DUE TO UNFORESEEN CAUSES (INCLUDING BUT NOT LIMITED TO DELAYS IN TRANSPORTATION OR AN UNANTICIPATED INCREASE IN THE VOLUME OF WORK.)</p> <p>QUANTITIES: QUANTITIES LISTED IN THE REQUISITION ARE APPROXIMATIONS ONLY, BASED ON ESTIMATES SUPPLIED BY THE STATE SPENDING UNIT. IT IS UNDERSTOOD AND AGREED THAT THE CONTRACT SHALL COVER THE QUANTITIES ACTUALLY ORDERED FOR DELIVERY DURING THE TERM OF THE CONTRACT, WHETHER MORE OR LESS THAN THE QUANTITIES SHOWN.</p> <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</p>						

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304-558-2402**

RFQ COPY

TYPE NAME/ADDRESS HERE

RFQ COPY

Digging & Rigging, Inc.
11424 Stotler Road
Hagerstown, MD 21740

SHIP TO

DIVISION OF HIGHWAYS
VARIOUS LOCALES AS INDICATED
BY ORDER

DATE PRINTED 12/29/2008	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS
BID OPENING DATE: 01/21/2009		BID OPENING TIME 01:30PM		

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>RETAINED BY THE SPENDING UNIT.</p> <p>BANKRUPTCY: IN THE EVENT THE VENDOR/CONTRACTOR FILES FOR BANKRUPTCY PROTECTION, THIS CONTRACT IS AUTOMATICALLY NULL AND VOID, AND IS TERMINATED WITHOUT FURTHER ORDER.</p> <p>THE TERMS AND CONDITIONS CONTAINED IN THIS CONTRACT SHALL SUPERSEDE ANY AND ALL SUBSEQUENT TERMS AND CONDITIONS WHICH MAY APPEAR ON ANY ATTACHED PRINTED DOCUMENTS SUCH AS PRICE LISTS, ORDER FORMS, SALES AGREEMENTS OR MAINTENANCE AGREEMENTS, INCLUDING ANY ELECTRONIC MEDIUM SUCH AS CD-ROM.</p> <p>REV. 04/11/2001</p> <p>PURCHASING CARD ACCEPTANCE: THE STATE OF WEST VIRGINIA CURRENTLY UTILIZES A VISA PURCHASING CARD PROGRAM WHICH IS ISSUED THROUGH A BANK. THE SUCCESSFUL VENDOR MUST ACCEPT THE STATE OF WEST VIRGINIA VISA PURCHASING CARD FOR PAYMENT OF ALL ORDERS PLACED BY ANY STATE AGENCY AS A CONDITION OF AWARD.</p> <p>EXHIBIT 10</p> <p>REQUISITION NO.:</p> <p>ADDENDUM ACKNOWLEDGEMENT</p> <p>I HEREBY ACKNOWLEDGE RECEIPT OF THE FOLLOWING CHECKED ADDENDUM(S) AND HAVE MADE THE NECESSARY REVISIONS TO MY PROPOSAL, PLANS AND/OR SPECIFICATION, ETC.</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
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TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE
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304-558-2402**


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Digging & Rigging, Inc.
11424 Stotler Road
Hagerstown, MD 21740

DIVISION OF HIGHWAYS
VARIOUS LOCALES AS INDICATED
BY ORDER

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.C.B.	FREIGHT TERMS
12/29/2008				

BID OPENING DATE: **01/21/2009** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
ADDENDUM NO.'S:						
NO. 1						
NO. 2						
NO. 3						
NO. 4						
NO. 5						
I UNDERSTAND THAT FAILURE TO CONFIRM THE RECEIPT OF THE ADDENDUM(S) MAY BE CAUSE FOR REJECTION OF BIDS.						
VENDOR MUST CLEARLY UNDERSTAND THAT ANY VERBAL REPRESENTATION MADE OR ASSUMED TO BE MADE DURING ANY ORAL DISCUSSION HELD BETWEEN VENDOR'S REPRESENTATIVES AND ANY STATE PERSONNEL IS NOT BINDING. ONLY THE INFORMATION ISSUED IN WRITING AND ADDED TO THE SPECIFICATIONS BY AN OFFICIAL ADDENDUM IS BINDING.						
<p style="text-align: center;">  SIGNATURE DIGGING & RIGGING, INC. COMPANY 1/21/09 DATE </p>						
REV. 11/96						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE 240-313-3950	DATE 1/21/09
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TITLE VP/BRANCH MANAGER	FERN 52-1210282	ADDRESS CHANGES TO BE NOTED ABOVE
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Department of Administration
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12/29/2008				

BID OPENING DATE: **01/21/2009** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
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						
RFQ. NO.: 669C0018						
BID OPENING DATE: 1/21/09						
BID OPENING TIME: 1:30 pm						
PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID:						
(240) 313-3948						
CONTACT PERSON (PLEASE PRINT CLEARLY):						
John F. Gregory						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE *John Gregory* TELEPHONE 240-313-3950 DATE 1/21/09

TITLE VP/BRANCH/MANAGER FEIN 52-1210282 ADDRESS CHANGES TO BE NOTED ABOVE

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

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: DIGGING & RIGGING, INC.

Authorized Signature:  Date: 1-21-09

CONTRACTOR LICENSE

Authorized by the

West Virginia Contractor Licensing Board

Number:

WV033276

Classification:

SPECIALTY

DIGGING & RIGGING INC
DBA DIGGING & RIGGING INC
6037 BUFFALO ROAD
MT AIRY, MD 21771

Date Issued

Expiration Date

NOVEMBER 28, 2008

NOVEMBER 28, 2009

John S. Gregory
Authorized Company Signature

Michael A. Carl
Chair, West Virginia Contractor
Licensing Board

WEST VIRGINIA
CONTRACTOR
LICENSING
BOARD

This license, or a copy thereof, must be posted in a conspicuous place at every construction site where work is being performed. This license number must appear in all advertisements, on all bid submissions and on all fully executed and binding contracts. This license cannot be assigned or transferred by licensee. Issued under provisions of West Virginia Code, Chapter 21, Article 41.

2008

2010

**WEST VIRGINIA
STATE TAX DEPARTMENT**

**BUSINESS REGISTRATION
CERTIFICATE**

**ISSUED TO:
DIGGING & RIGGING INC
23924 FREDERICK RD
CLARKSBURG, MD 20871**

BUSINESS REGISTRATION ACCOUNT NUMBER: 1031-0657

This certificate is issued for the registration period beginning: **July 1, 2008**

This certificate is valid until: **June 30, 2010**

*This business registration certificate is issued by
the West Virginia State Tax Commissioner
in accordance with Chapter 11, Article 12 of the West Virginia Code.*

*The person or organization identified on this certificate is registered
to conduct business in the State of West Virginia at the location above.*

This certificate is not transferrable and must be displayed at the location for which issued.

**ENGAGING IN BUSINESS WITHOUT CONSPICUOUSLY POSTING A WEST VIRGINIA BUSINESS
REGISTRATION CERTIFICATE IN THE PLACE OF BUSINESS IS A CRIME AND MAY SUBJECT YOU
TO FINES PER W. VA. CODE § 11-9.**

**TRAVELING/STREET VENDORS: Must carry a copy of this certificate in every vehicle operated by them.
CONTRACTORS, DRILLING OPERATORS, TIMBER/LOGGING OPERATIONS: Must have a copy of
this certificate displayed at every job site within West Virginia.**

NOTE: Vendors can complete Schedule I and Schedule II Page 17
 at Purchasing's Web Site: Req. No. 66-9-C0018
www.state.wv.us/admin/purchase

Vendor shall indicate that area which he wishes to lease equipment to the Division of Highways by placing a check beside those Counties in said area. If Vendor fails to state which County or Counties he wishes to lease equipment to the Division of Highways, it will be assumed that Vendor's bid is for statewide.

Statewide

<input type="checkbox"/> Barbour	<input type="checkbox"/> Lincoln	<input type="checkbox"/> Ritchie
<input type="checkbox"/> Berkeley	<input type="checkbox"/> Logan	<input type="checkbox"/> Roane
<input type="checkbox"/> Boone	<input type="checkbox"/> McDowell	<input type="checkbox"/> Summers
<input type="checkbox"/> Braxton	<input type="checkbox"/> Marion	<input type="checkbox"/> Taylor
<input type="checkbox"/> Brooke	<input type="checkbox"/> Marshall	<input type="checkbox"/> Tucker
<input type="checkbox"/> Cabell	<input type="checkbox"/> Mason	<input type="checkbox"/> Tyler
<input type="checkbox"/> Calhoun	<input type="checkbox"/> Mercer	<input type="checkbox"/> Upshur
<input type="checkbox"/> Clay	<input type="checkbox"/> Mineral	<input type="checkbox"/> Wayne
<input type="checkbox"/> Doddridge	<input type="checkbox"/> Mingo	<input type="checkbox"/> Webster
<input type="checkbox"/> Fayette	<input type="checkbox"/> Monongalia	<input type="checkbox"/> Wetzel
<input type="checkbox"/> Gilmer	<input type="checkbox"/> Monroe	<input type="checkbox"/> Wirt
<input type="checkbox"/> Grant	<input type="checkbox"/> Morgan	<input type="checkbox"/> Wood
<input type="checkbox"/> Greenbrier	<input type="checkbox"/> Nicholas	<input type="checkbox"/> Wyoming
<input type="checkbox"/> Hampshire	<input type="checkbox"/> Ohio	
<input type="checkbox"/> Hancock	<input type="checkbox"/> Pendleton	
<input type="checkbox"/> Hardy	<input type="checkbox"/> Pleasants	
<input type="checkbox"/> Harrison	<input type="checkbox"/> Pocahontas	
<input type="checkbox"/> Jackson	<input type="checkbox"/> Preston	
<input type="checkbox"/> Jefferson	<input type="checkbox"/> Putnam	
<input type="checkbox"/> Kanawha	<input type="checkbox"/> Raleigh	
<input type="checkbox"/> Lewis	<input type="checkbox"/> Randolph	