

HODZER

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

Request for Quotation

RFO NUMBER 03100140

MICHAEL AUSTIN

ADDRESS CORRESPONDENCE TO ATTENTION OF 804-558-2402

RFQ COPY TYPE NAME/ADDRESS HERE

JAMATT INC.

Route 1, 351 Cleman's Road Flemington, WV 26347

DIVISION OF HIGHWAYS

I-77/WV 47 MILL RUN ROAD PARKERSBURG, WV 26101

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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 fee.
- 5. All services performed or goods delivered under State Purchase Order/Contracts are to be continued for the term of the Purchase Order/Contracts, 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, the State may deem this contract null and void, and terminate such contract 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 Cover 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 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 case 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



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RFQ COPY

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

Request for Quotation

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MICHAEL AUSTIN
304-558-2402

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DIVISION OF HIGHWAYS

I-77/WV 47 MILL RUN ROAD PARKERSBURG, WV 26101

JAMATT INC.

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Item No	Quantity	Description	Unit Price	Amount
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		Virginia Department of Transportation, Division of Highways, Standard		
		Specifications for Roads and Bridges Adopted 2000, as modified by the		
		January 1, 2003 Supplemental Specifications.		
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		Notification is required twenty-four (24) hours prior to delivery. Fallure to		
		provide proper notification may result in a delay in acceptance of the		
		material. DOH District contact phone numbers are 304-420-4670 (Twila).		
		All deliveries shall have proper mill certifications included with bill of		
		lading.		
		Copies of the Standard Specifications may be obtained from:		1
		Contract Administration Division		
•		West Virginia Division of Highways		
		Building 5, Room A-737		
		1900 Kanawha Boulevard, East		
		Charleston, WV 25305-0430		
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		DELIVERY - The materials are to be delivered to the WVDOH Heavy		
		Maintenance Headquarters, Parkersburg, WV at the intersection of		
		West Virginia State Route 47 and Interstate 77.		
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State of West Virginia

VENDOR PREFERENCE CERTIFICATE

Certification and application* is hereby made for Preference in accordance with West Virginia Code, §5A-3-37. (Does not apply to construction contracts). West Virginia Code, §5A-3-37, provides an opportunity for qualifying vendors to request (at the time of bid) preference for their residency status. Such preference is an evaluation method only and will be applied only to the cost bid in accordance with the West Virginia Code. This certificate for application is to be used to request such preference. The Purchasing Division will make the determination of the Resident Vendor Preference, if applicable.

1.	ing the date of this certification; or, Bidder is a partnership, association or corporation to business continuously in West Virginia for four (4) ownership interest of Bidder is held by another ind maintained its headquarters or principal place of preceding the date of this certification; or, Bidder is a nonresident vendor which has an affiliat	sided confii resident ve) years imn lividual, pa f business ie or subsid ncipal place	nuously in West Virginia for four (4) years immediately preced- ndor and has maintained its headquarters or principal place of hediately preceding the date of this certification; or 80% of the thership, association or corporation resident vendor who has continuously in West Virginia for four (4) years immediately lary which employs a minimum of one hundred state residents to of business within West Virginia continuously for the four (4)
	Application is made for 2.5% resident vendor Bidder is a resident vendor who certifies that, dur working on the project being bid are residents of Wimmediately preceding submission of this bid; or,	ring the life /estVirgini	e for the reason checked: of the contract, on average at least 75% of the employees who have resided in the state continuously for the two years
3	affiliate or subsidiary which maintains its headque minimum of one hundred state residents who cert	num of one arters or p tifies that, o mployees	hundred state residents or is a nonresident vendor with an rincipal place of business within West Virginia employing a furing the life of the contract, on average at least 75% of the are residents of West Virginia who have resided in the state
4.	Application is made for 5% resident vendor pr Bidder meets either the requirement of both subdiv	reference /isions (1) a	for the reason checked: and (2) or subdivision (1) and (3) as stated above; or,
5.	Application is made for 3.5% resident vendor policies an individual resident vendor who is a veter	preferenc ran of the U	
6.	purposes of producing or distributing the commoditi	United Sta ies or comp average a	tes armed forces, the reserves or the National Guard, if, for pleting the project which is the subject of the vendor's bid and at least seventy-five percent of the vendor's employees are
requiren against s	nents for such preference, the Secretary may order	the Directo id amount	ider receiving preference has falled to continue to meet the or of Purchasing to: (a) reject the bid; or (b) assess a penalty and that such penalty will be paid to the contracting agency r.
authorize the requi	es the Department of Revenue to disclose to the Direc	ctor of Purc	ably requested information to the Purchasing Division and hasing appropriate information verifying that Bidder has paid ontain the amounts of taxes paid nor any other information
and acc	enalty of law for false swearing (West Virginia C urate in all respects; and that if a contract is is s during the term of the contract, Bidder will no	sued to E	5-3), Bidder hereby certifies that this certificate is true idder and if anything contained within this certificate urchasing Division in writing immediately.
Bidder:_	JAMATT, INC.	Signed:_	James C. Mathengt
Date:	11/23/09	Tifle:	PRESIDENT
*Check any maximum c	y combination of preference consideration(s) in either "A" or "E of 5% preference for both "A" and "B".	3", or both "A	and B° which you are entitled to receive. You may request up to the

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:

If this is a solicitation for a public improvement construction contract, the vendor, by its signature below, affirms that it has a written plan for a drug-free workplace policy in compliance with Article 1D, Chapter 21 of the West Virginia Code. The vendor must make said affirmation with its bid submission. Further, 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. Vendor further agrees to comply with the Confidentiality Policies and Information Security Accountability Requirements, set forth in http://www.state.wv.us/admin/purchase/privacy/noticeConfidentiality.pdf.

Under penalty of law for false swearing (West Virginia Code §61-5-3), it is hereby certified that the vendor affirms and acknowledges the information in this affidavit and is in compliance with the requirements as stated.

Vendor's Name:	JANIATT, IN	10.			
Authorized Signature:	Janes C. A.	lallmak	Date:	11/23/0	9
Purchasing Affidavit (Revised 01	1/01/09)	7)			



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

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SEC NOMBER	:
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address:Correspondence to Atelention of MICHAEL AUSTIN

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JAMATT INC.

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BID OPENING DATE AND TIME CHANGED	
FROM: 11/24/09 @1:30 P.M.	
TO: 12/02/09 @L:30 P.M.	
TO: 12/02/09 @1:30 P.M.	

NO OTHER CHANGES	

0001 LB 570-56 *0 35/17 *7/	200 77
	,928 72
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SEE: REVERSE SIDE FOR TERMS AND CONDITIONS	
SIGNATURE James Mallengt DATE 18/07/6	, 29
TITLE PRES. FEIN 20-1894398 ADDRESS CHANGES TO BE NOTE	·····



MOCZMA

TITLE

REQ COPY

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

Request for Quotation

03100140

ADDRESS CORRESPONDENCE TO ATTENTION OF

MICHAEL AUSTIN 304-558-2402

DIVISION OF HIGHWAYS

I-77/WV 47 MILL RUN ROAD PARKERSBURG, WV 26101

JAMATT INC

TYPE NAME/ADDRESS HERE

Route 1, 351 Clemen's Road Flemington, WV 26347

11/11/ BID OPENING DATE:	2009		MS OF SALE	SHIPVI		FOB	FREIGHTTERMS	
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SIGNATURE	Jams C. N	JaHmij	et i i i i i i i i i i i i i i i i i i i	EVERSE SIDE PORTE	PAMS AND CONTELEPHONE		DATE 12/07/09	

20-1894398 ADDRESS CHANGES TO BE NOTED ABOVE WHEN RESPONDING TO RFQ, INSERT NAME AND ADDRESS IN SPACE ABOVE LABELED 'VENDOR'



Request for Quotation

03100140

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MANAGER CORRESPONDENCES OF A TRENTION OF

MICHAEL AUSTIN 304-558-2402

RFQ COPY TYPE NAME/ADDRESS HERE

JAMATT INC.

Route 1, 351 Clemen's Road Flemington, WV 26347

DIVISION OF HIGHWAYS

I-77/WV 47 MILL RUN ROAD PARKERSBURG, WV 26101

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	11/24/2009	BID (DPENING TIME 01	:30PM
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TITLE ARES.	FEIN 20-1894	1398	7	TO BE NOTED ABOVE



Request for

03100140

ADDRESS CORRESPONDENCE TO ATTENTION OF MICHAEL AUSTIN

304-558-2402

DIVISION OF HIGHWAYS

I-77/WV 47 MILL RUN ROAD PARKERSBURG, WV 26101

RFQ COPY TYPE NAME/ADDRESS HERE

JAMATT INC.

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		SEALED BID			·	
		BUYER:		33		
		RFQ. NO.:		0310014	0	
		BID OPENING	DATE:			Mary I
		BID OPENING	TIME:			
			OU REGARD	NUMBER IN CASE IT ING YOUR BID: 14-842-2634	IS NECESSARY	
		CONTACT PER	ON (PLEASI	PRINT CLEARLY):	to the said day and and the said said and the said said said said said said said said	
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Sigi	NATURE	-fame C. Klasson		TELEPHONE 304	1-842-0367 DATE	12/07/09
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State of West Virginia Department of Administration Purchasing Division 2019 Washington Street East Post Office Box 50130 Charleston, WV 25305-0130

Request for Quotation

03100140

ADDRESS CORRESPONDENCE TO ATTENTION OF

⊗ PA	GE
	4

MICHAEL AUSTIN

304-558-2402

RFQ COPY TYPE NAME/ADDRESS HERE

DIVISION OF HIGHWAYS

I-77/WV 47 MILL RUN ROAD PARKERSBURG, WV 26101

JAMATT INC.

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SIGNATURE James C. K.	lattingh	I ELEPHONE	04-842-0367 DATE	12/04/09
1100,	2010	9 <i>4398</i>	ADDRESS CHANGI	ES TO BE NÓTED ABOVE

Item No	Quantity	Description	Unit Price	Amount
Rem W	- Carriery	Steel shall meet the requirements as per section 709.12 of the West		
		Virginia Department of Transportation, Division of Highways, Standard		
		Specifications for Roads and Bridges Adopted 2000, as modified by the		Į
		January 1, 2003 Supplemental Specifications.		1
·				
		Notification is required twenty-four (24) hours prior to delivery. Failure to		
		provide proper notification may result in a delay in acceptance of the		
		material. DOH District contact phone numbers are 304-420-4670 (Twila).		
		All deliveries shall have proper mill certifications included with bill of		}
		lading.		
		a to the Office of the Office of the American State of the Office of the		
		Copies of the Standard Specifications may be obtained from:		
		Contract Administration Division		
		West Virginia Division of Highways		
		Building 5, Room A-737		
]	1900 Kanawha Boulevard, East		
		Charleston, WV 25305-0430		
		Chance of the Laboratory	,	
		The same of the sa		
		DELIVERY - The materials are to be delivered to the WVDOH Heavy		
		Maintenance Headquarters, Parkersburg, WV at the intersection of		
		West Virginia State Route 47 and Interstate 77.		ļ
	1			
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			Service	
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State of West Virginia

VENDOR PREFERENCE CERTIFICATE

Certification and application* is hereby made for Preference in accordance with West Virginia Code, §5A-3-37. (Does not apply to construction contracts). West Virginia Code, §5A-3-37, provides an opportunity for qualifying vendors to request (at the time of bid) preference for their residency status. Such preference is an evaluation method only and will be applied only to the cost bid in accordance with the West Virginia Code. This certificate for application is to be used to request such preference. The Purchasing Division will make the determination of the Resident Vendor Preference, if applicable.

Application is made for 2.5% resident vendor preference for the reason checked: Bidder is an individual resident vendor and has resided continuously in West Virginia for four (4) years immediately preceding the date of this certification; or, Bidder is a partnership, association or corporation resident vendor and 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 80% of the ownership interest of Bidder is held by another individual, partnership, association or corporation resident vendor who has maintained its headquarters or principal place of business continuously in West Virginia for four (4) years immediately preceding the date of this certification; or, Bidder is a 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; or,					
2. Application is made for 2.5% resident vendor preference for the reason checked: 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,					
Application is made for 2.5% resident vendor preference for the reason checked: Bidder is a nonresident vendor employing a minimum of one hundred state residents or is a nonresident vendor with an affiliate or subsidiary which maintains its headquarters or principal place of business within West Virginia employing a minimum of one hundred state residents who certifies that, during the life of the contract, on average at least 75% of the employees or Bidder's 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; or,					
 Application is made for 5% resident vendor preference for the reason checked: Bidder meets either the requirement of both subdivisions (1) and (2) or subdivision (1) and (3) as stated above; or, 					
5. Application is made for 3.5% resident vendor preference who is a veteran for the reason checked: Bidder is an individual resident vendor who is a veteran of the United States armed forces, the reserves or the National Guard and has resided in West Virginia continuously for the four years immediately preceding the date on which the bid is submitted; or,					
Application is made for 3.5% resident vendor preference who is a veteran for the reason checked: Bidder is a resident vendor who is a veteran of the United States armed forces, the reserves or the National Guard, if, for purposes of producing or distributing the commodities or completing the project which is the subject of the vendor's bid and continuously over the entire term of the project, on average at least seventy-five percent of the vendor's employees are residents of West Virginia who have resided in the state continuously for the two immediately preceding years.					
Bidder understands if the Secretary of 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) reject the bid; 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.					
By submission of this certificate, Bidder agrees to disclose any reasonably requested information to the Purchasing Division and authorizes the Department of 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.					
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.					
Bidder: JAMATT, INC. Signed: Jens C. Mathingh					
Date: 12/07/09 Title: PRE5.					

RFQ No. 03100140

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:

If this is a solicitation for a public improvement construction contract, the vendor, by its signature below, affirms that it has a written plan for a drug-free workplace policy in compliance with Article 1D, Chapter 21 of the West Virginia Code. The vendor must make said affirmation with its bid submission. Further, 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. Vendor further agrees to comply with the Confidentiality Policies and Information Security Accountability Requirements, set forth in http://www.state.wv.us/admin/purchase/privacy/noticeConfidentiality.pdf.

Under penalty of law for false swearing (West Virginia Code §61-5-3), it is hereby certified that the vendor affirms and acknowledges the information in this affidavit and is in compliance with the requirements as stated.

Vendor's Name:	BUATT /NC.	
Authorized Signature:	2/2////	Deta: 12/07/09
Purchasing Affidavit (Boyland 01/04	unos warmy	Date: