



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
6610C007

PAGE
1

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

SHIP TO

\*709034918 888-324-7001  
 FAIRFAX MATERIALS INC  
 8490 GARRETT HWY  
 OAKLAND MD 21550

SHIP TO

DIVISION OF HIGHWAYS  
 VARIOUS LOCALES AS INDICATED  
 BY ORDER

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
10/08/2009				
BID OPENING DATE: 10/21/2009		BID OPENING TIME 01:30PM		

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	TN		750-56		
STONE AND AGGREGATE						
OPEN END CONTRACT						
<p>TO PROVIDE ALL LABOR, MATERIALS, AND EQUIPMENT NECESSARY TO SUPPLY STONE AND AGGREGATE TO THE WEST VIRGINIA DIVISION OF HIGHWAYS, DISTRICT 1 THROUGH 10 PER THE ATTACHED SPECIFICATION. CONTRACT IS FOR 6 MONTH</p> <p>AND</p> <p>TO PROVIDE ALL LABOR, MATERIALS, AND EQUIPMENT NECESSARY TO SUPPLY CINDERS TO THE WEST VIRGINIA DIVISION OF HIGHWAYS FOR DISTRICTS 1, 3, 4, 6, AND 7. PER THE ATTACHED SPECIFICATIONS. CONTRACT IS FOR 6 MONTHS.</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 3</p> <p>LIFE OF CONTRACT: THIS CONTRACT BECOMES EFFECTIVE ON</p>						

RECEIVED  
 2009 OCT 26 11:10:43  
 WV PURCHASING DIVISION

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
<i>James W. Elen</i>	301-334-8101	10/19/09
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE
Sales Rep.	550167100	

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 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."

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**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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 Department of Administration  
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 2019 Washington Street East  
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DIVISION OF HIGHWAYS  
 VARIOUS LOCALES AS INDICATED  
 BY ORDER

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
10/08/2009				

BID OPENING DATE: 10/21/2009 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>..... 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 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) SIX (6) SIX MONTH 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>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>James W. T...</i>	TELEPHONE	DATE
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE

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



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3

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DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
10/08/2009				

BID OPENING DATE: 10/21/2009      BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
<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 RETAINED BY THE SPENDING UNIT.</p> <p>BANKRUPTCY: IN THE EVENT THE VENDOR/CONTRACTOR FILES FOR BANKRUPTCY PROTECTION, THE STATE MAY DEEM THE CONTRACT NULL AND VOID, AND TERMINATE SUCH CONTRACT 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. 05/26/2009</p> <p>EXHIBIT 10</p> <p>REQUISITION NO.: 66.10C.007.</p> <p>ADDENDUM ACKNOWLEDGEMENT</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS			
SIGNATURE <i>Jerry W. Zelen</i>	TELEPHONE	DATE	
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE	

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 Department of Administration  
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PAGE  
 4

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 MICHAEL AUSTIN  
 304-558-2402

VENDOR

\*709034918 888-324-7001  
 FAIRFAX MATERIALS INC  
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DIVISION OF HIGHWAYS  
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 BY ORDER

DATE PRINTED 10/08/2009	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
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BID OPENING DATE: 10/21/2009 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
<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> <p>ADDENDUM NO.'S:</p> <p>NO. 1 <input checked="" type="checkbox"/> .....</p> <p>NO. 2 .....            NO. 3 .....            NO. 4 .....            NO. 5 .....</p> <p>I UNDERSTAND THAT FAILURE TO CONFIRM THE RECEIPT OF TH ADDENDUM(S) MAY BE CAUSE FOR REJECTION OF BIDS.</p> <p>VENDOR MUST CLEARLY UNDERSTAND THAT ANY VERBAL REPRESENTATION MADE OR ASSUMED TO BE MADE DURING ANY .....</p> <p>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> <p style="text-align: right;">.....  <i>James W. Elar</i>            SIGNATURE            DATE 10/19/09</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>James W. Elar</i>	TELEPHONE	DATE
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TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE
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 Purchasing Division  
 2019 Washington Street East  
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# Request for Quotation

RFO NUMBER  
**6610C007**

PAGE  
**5**

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

VENDOR

\*709034918      888-324-7001  
**FAIRFAX MATERIALS INC**  
**8490 GARRETT HWY**  
**OAKLAND MD 21550**

SHIP TO

**DIVISION OF HIGHWAYS**  
**VARIOUS LOCALES AS INDICATED**  
**BY ORDER**

DATE PRINTED <b>10/08/2009</b>	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
BID OPENING DATE: <b>10/21/2009</b>		BID OPENING TIME <b>01:30PM</b>		

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
<p><b>NOTE: THIS ADDENDUM ACKNOWLEDGEMENT SHOULD BE SUBMITTED WITH THE BID.</b></p> <p><b>REV. 09/21/2009</b></p> <p><b>EXHIBIT 4</b></p> <p><b>LOCAL GOVERNMENT BODIES: UNLESS THE VENDOR INDICATES IN THE BID HIS REFUSAL TO EXTEND THE PRICES, TERMS, AND CONDITIONS OF THE BID TO COUNTY, SCHOOL, MUNICIPAL AND OTHER LOCAL GOVERNMENT BODIES, THE BID SHALL EXTEND TO POLITICAL SUBDIVISIONS OF THE STATE OF WEST VIRGINIA. IF THE VENDOR DOES NOT WISH TO EXTEND THE PRICES, TERMS, AND CONDITIONS OF THE BID TO ALL POLITICAL SUBDIVISIONS OF THE STATE, THE VENDOR MUST CLEARLY INDICATE SUCH REFUSAL IN HIS BID. SUCH REFUSAL SHALL NOT PREJUDICE THE AWARD OF THIS CONTRACT IN ANY MANNER.</b></p> <p><b>REV. 3/88</b></p> <p style="text-align: center;"><b>NOTICE</b></p> <p><b>A SIGNED BID MUST BE SUBMITTED TO:</b></p> <p style="text-align: center;"><b>DEPARTMENT OF ADMINISTRATION          PURCHASING DIVISION          BUILDING 15          2019 WASHINGTON STREET, EAST          CHARLESTON, WV 25305-0130</b></p> <p><b>THE BID SHOULD CONTAIN THIS INFORMATION ON THE FACE OF THE ENVELOPE OR THE BID MAY NOT BE CONSIDERED:</b></p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>James W. Eller</i>	TELEPHONE	DATE
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE

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



State of West Virginia  
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# Request for Quotation

RFQ NUMBER:  
**6610C007**

PAGE:  
**6**

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

VENDOR

\*709034918      888-324-7001  
**FAIRFAX MATERIALS INC**  
**8490 GARRETT HWY**  
**OAKLAND MD 21550**

SHIP TO

**DIVISION OF HIGHWAYS**  
**VARIOUS LOCALES AS INDICATED**  
**BY ORDER**

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
10/08/2009				

BID OPENING DATE: **10/21/2009**      BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
	SEALED BID					
	BUYER:			33		
	RFQ. NO.:			6610C007		
	BID OPENING DATE:			10/21/09		
	BID OPENING TIME:			1:30 PM		
PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID:						
				301-334-9381		
CONTACT PERSON (PLEASE PRINT CLEARLY):						
				James W. Eber		
***** THIS IS THE END OF RFQ 6610C007 ***** TOTAL: _____						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>James W. Eber</i>	TELEPHONE	DATE
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE

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

We will not be participating with Exhibit 4.

FAIRFAX MATERIALS, INC.  
8490 GARRETT HIGHWAY  
OAKLAND, MD 21550

James W. Elen





State of West Virginia  
Department of Administration  
Purchasing Division  
2019 Washington Street East  
Post Office Box 50130  
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### Request for Quotation

RFQ NUMBER  
**6610C007**

PAGE  
**1**

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

RFQ COPY  
TYPE NAME/ADDRESS HERE

DIVISION OF HIGHWAYS  
VARIOUS LOCALES AS INDICATED  
BY ORDER

DATE PRINTED	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS
10/15/2009				
BID OPENING DATE: 10/28/2009		BID OPENING TIME 01:30PM		

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
ADDENDUM NO. 1						
ADD PAGE 18 TO THE ON LINE VERSION ONLY.						
BID OPENING DATE AND TIME CHANGED						
FROM: 10/21/09 AT 1:30 P.M.						
TO: 10/28/09 AT 1:30 P.M.						
NO OTHER CHANGES.						
0001	1	TN		750-56		
STONE AND AGGREGATE						
***** THIS IS THE END OF RFQ 6610C007 ***** TOTAL: _____						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
TITLE	ADDRESS CHANGES TO BE NOTED ABOVE	

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

NOTE: Vendor Should type Bid Schedule

12. BIDDING SCHEDULE

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

- a) SOURCE OF MATERIALS (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)

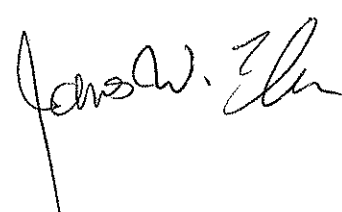
BEANS QUARRY-POWER'S HOLLOW ROAD; CABINS, WV. (LIMESTONE)  
OURS QUARRY-MORGANTOWN ROAD EAST;ARTHUR,WV. (LIMESTONE)  
SCHERR QUARRY-GREENLAND GAP ROAD;SCHERR,WV. (LIMESTONE)

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

SAME AS ABOVE

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	\$5.24	_____	_____
B	Class 2 Aggregate	\$5.24	_____	_____
C	AASHTO #1 Aggregate	xx	_____	_____
D	AASHTO #3 Aggregate	xx	_____	_____
E	AASHTO #4 Aggregate	\$7.75	_____	_____
F	AASHTO #467 Aggregate	xx	_____	_____
G	AASHTO #57 Aggregate	\$7.39	_____	_____
H	AASHTO #67 Aggregate	\$7.39	_____	_____
I	AASHTO #7 Aggregate	xx	_____	_____
J	AASHTO #8 Aggregate	\$7.45	_____	_____
K	AASHTO #9 Aggregate	xx	_____	_____

The "Bid Schedule" is available for download on Purchasing's Web site at [www.state.wv.us/admin/purchase](http://www.state.wv.us/admin/purchase)



BIDDING SCHEDULE (Continued)

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

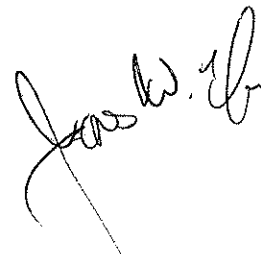
L	Stone for Gabions	<u>7.49</u>	<u>                    </u>	<u>                    </u>
M	Fine Aggregate	<u>xx</u>	<u>                    </u>	<u>                    </u>
N	Standard Abrasives	<u>6.45</u>	<u>                    </u>	<u>                    </u>
O	Modified Abrasives	<u>7.45</u>	<u>                    </u>	<u>                    </u>
P	Riprap	<u>8.40</u>	<u>                    </u>	<u>                    </u>
Q	Shot Rock	<u>7.40</u>	<u>                    </u>	<u>                    </u>
R	AASHTO #8 Modified	<u>7.45</u>	<u>                    </u>	<u>                    </u>
S	AASHTO #9 Modified	<u>xx</u>	<u>                    </u>	<u>                    </u>
T	Pea Gravel	<u>xx</u>	<u>                    </u>	<u>                    </u>
U	# 11 Limestone Abrasives	<u>xx</u>	<u>                    </u>	<u>                    </u>

V Haul by vendor (Except items Q and P):  
 @ 1.35 \$ for First Ton-Mile  
 @ 0.20 \$ for Each Additional Ton Mile

W Haul by Vendor ( Items Q and/or P):  
 @ 2.00 \$ for First Ton-Mile  
 @ 0.25 \$ for Each Additional Ton- Mile

<u>Con- Tract Item</u>	<u>Description of Material</u>	<u>Bid Price Per Ton F.O.B. Vendor's Storage Site</u>
AA	Cinders	xx

Note 1: Bid price shall include cost of of Vendor Loading Department trucks.



12. BIDDING SCHEDULE

DISTRICT FOUR

FAIRFAX MATERIALS, INC.  
8490 GARRETT HIGHWAY  
OAKLAND, MD 21550

12.2 Bidding F.O.B. Division's Storage Site (Continued)

Contract Item	Description of Aggregate	Estimated Quantity (TONS)	Location of DOH Storage Site
<u>MONONGALIA COUNTY</u>			
A	Class 1	1000	Goshen Road
J	No. 8	3000	Goshen Road
K	No. 9	1000	Goshen Road
L	Gabion Stone	500	Goshen Road
M	Fine Aggregate	1000	Goshen Road
N	Standard Abr.	1000	Goshen Road
O	Modified Abr.	1000	Goshen Road
Q	Shot Rock	500	Goshen Road

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

LIMESTONE SANDSTONE GRAVEL, SAND	BLAST FURNACE SLAG	STEEL SLAG
XX		
XX		
XX		
XX		
XX		
XX		
XX		
XX		

PRESTON COUNTY

A	Class 1	1000	Albright
B	Class 2	5000	Albright
C	No. 1	2000	Albright
F	No. 467	3000	Albright
G	No. 57	2000	Albright
J	No. 8	3000	Albright
K	No. 9	3000	Albright
L	Gabion Stone	500	Albright
M	Fine Aggregate	3000	Albright
N	Standard Abr.	3000	Albright
O	Modified Abr.	3000	Albright
Q	Shot Rock	500	Albright

XX		
XX		
XX		
XX		
XX		
XX		
XX		
XX		
XX		
XX		
XX		
XX		

PRESTON COUNTY

A	Class 1	2000	Terra Alta
B	Class 2	5000	Terra Alta
C	No. 1	1000	Terra Alta
F	No. 467	3000	Terra Alta
G	No. 57	4000	Terra Alta
J	No. 8	2000	Terra Alta
K	No. 9	6000	Terra Alta
L	Gabion Stone	500	Terra Alta
M	Fine Aggregate	6000	Terra Alta
N	Standard Abr.	6000	Terra Alta
O	Modified Abr.	6000	Terra Alta
Q	Shot Rock	500	Terra Alta

\$15.45		
\$15.45		
XX		
XX		
\$17.45		
\$15.05		
XX		
\$19.30		
XX		
\$14.99		
\$14.99		
\$16.65		

12. BIDDING SCHEDULE

DISTRICT FOUR

FAIRFAX MATERIALS, INC.  
8490 GARRETT HIGHWAY  
OAKLAND, MD 21550

12.2 Bidding F.O.B. Division's Storage Site (Continued)

Contract Item	Description of Aggregate	Estimated Quantity (TONS)	Location of DOH Storage Site
<u>PRESTON COUNTY</u>			
A	Class 1	3000	Bruceton Mills
B	Class 2	5000	Bruceton Mills
C	No. 1	2000	Bruceton Mills
F	No. 467	3000	Bruceton Mills
G	No. 57	4000	Bruceton Mills
J	No. 8	2000	Bruceton Mills
K	No. 9	6000	Bruceton Mills
L	Gabion Stone	500	Bruceton Mills
M	Fine Aggregate	6000	Bruceton Mills
N	Standard Abr.	6000	Bruceton Mills
O	Modified Abr.	6000	Bruceton Mills
Q	Shot Rock	500	Bruceton Mills

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

LIMESTONE SANDSTONE GRAVEL, SAND	BLAST FURNACE SLAG	STEEL SLAG
XX		
XX		
XX		
XX		
XX		
XX		
XX		
XX		
XX		
XX		
XX		
XX		
XX		
XX		
XX		

PRESTON COUNTY

A	Class 1	1000	Masontown
B	Class 2	2000	Masontown
F	No. 467	3000	Masontown
J	No. 8	2000	Masontown
K	No. 9	1000	Masontown
M	Fine Aggregate	1000	Masontown
N	Standard Abr.	1000	Masontown
O	Modified Abr.	1000	Masontown
Q	Shot Rock	500	Masontown

XX		
XX		
XX		
XX		
XX		
XX		
XX		
XX		
XX		
XX		

PRESTON COUNTY

A	Class 1	2000	Aurora
B	Class 2	5000	Aurora
C	No. 1	2000	Aurora
F	No. 467	3000	Aurora
G	No. 57	3000	Aurora
J	No. 8	2000	Aurora
K	No. 9	6000	Aurora
M	Fine Aggregate	6000	Aurora
L	Gabion Stone	500	Aurora
N	Standard Abr.	6000	Aurora
O	Modified Abr.	6000	Aurora
Q	Shot Rock	500	Aurora

\$11.95		
\$11.95		
XX		
XX		
\$15.10		
\$14.95		
XX		
XX		
\$18.65		
\$14.90		
\$14.90		
\$17.49		

*John W. EF*

12. BIDDING SCHEDULE

DISTRICT FIVE

12.2 Bidding F.O.B. Division's Storage Site (Continued)

Contract Item	Description of Aggregate	Estimated Quantity (TONS)	Location of DOH Storage Site
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Bid Price (\$/Ton) F.O.B.  
DOH Storage Site

BERKELEY COUNTY

A	Class 1	3000	Martinsburg
B	Class 2	3000	Martinsburg
D	No. 3	3000	Martinsburg
G	No. 57	3500	Martinsburg
I	No. 7	3000	Martinsburg
K	No. 9	1000	Martinsburg
L	Gabion Stone	500	Martinsburg
M	Fine Aggregate	500	Martinsburg
N	Standard Abr.	4500	Martinsburg
O	Modified Abr.	4500	Martinsburg
P	Riprap	500	Martinsburg
Q	Shot Rock	2000	Martinsburg
R	No. 8 Modified	5000	Martinsburg
S	No. 9 Modified	1000	Martinsburg

LIMESTONE SANDSTONE GRAVEL, SAND	BLAST FURNACE SLAG	STEEL SLAG
XX		
XX		
XX		
XX		
XX		
XX		
XX		
XX		
XX		
XX		
XX		
XX		
XX		
XX		
XX		

GRANT COUNTY

A	Class 1	3500	Petersburg
B	Class 2	3500	Petersburg
D	No. 3	500	Petersburg
I	No. 7	2500	Petersburg
J	No. 8	2500	Petersburg
L	Gabion Stone	500	Petersburg
N	Standard Abr.	2000	Petersburg
O	Modified Abr.	2000	Petersburg
P	Riprap	500	Petersburg
Q	Shot Rock	2000	Petersburg
R	No. 8 Modified	3000	Petersburg
S	No. 9 Modified	750	Martinsburg

\$8.45		
\$8.45		
XX		
XX		
\$11.20		
\$11.45		
\$10.20		
\$11.20		
\$13.20		
\$13.00		
\$11.20		
XX		

GRANT COUNTY

A	Class 1	3500	Mt. Storm
B	Class 2	3500	Mt. Storm
I	No. 7	2500	Mt. Storm
J	No. 8	1000	Mt. Storm
N	Standard Abr.	2000	Mt. Storm
O	Modified Abr.	2000	Mt. Storm
P	Riprap	500	Mt. Storm
Q	Shot Rock	2000	Mt. Storm
R	No. 8 Modified	3000	Mt. Storm
S	No. 9 Modified	250	Mt. Storm

\$9.20		
\$9.20		
XX		
\$11.44		
\$10.44		
\$11.44		
\$14.95		
\$11.95		
\$11.44		
XX		

*Handwritten signature*

12. BIDDING SCHEDULE

DISTRICT FIVE

12.2 Bidding F.O.B. Division's Storage Site (Continued)

Contract Item	Description of Aggregate	Estimated Quantity (TONS)	Location of DOH Storage Site
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Bid Price (\$/Ton) F.O.B. DOH Storage Site

HAMPSHIRE COUNTY

A	Class 1	1000	Capon Bridge
B	Class 2	1500	Capon Bridge
I	No. 7	1000	Capon Bridge
L	Gabion Stone	500	Capon Bridge
N	Standard Abr.	2000	Capon Bridge
O	Modified Abr.	2000	Capon Bridge
P	Riprap	500	Capon Bridge
Q	Shot Rock	500	Capon Bridge
R	No. 8 Modified	1000	Capon Bridge

LIMESTONE SANDSTONE GRAVEL, SAND	BLAST FURNACE SLAG	STEEL SLAG
\$20.00		
\$20.00		
\$23.00		
\$23.00		
\$23.00		
\$23.00		
\$25.00		
\$22.00		
\$24.00		

HAMPSHIRE COUNTY

A	Class 1	1000	Slanesville
B	Class 2	1500	Slanesville
I	No. 7	1500	Slanesville
K	No. 9	500	Slanesville
L	Gabion Stone	500	Slanesville
N	Standard Abr.	2000	Slanesville
O	Modified Abr.	2000	Slanesville
P	Riprap	500	Slanesville
Q	Shot Rock	500	Slanesville
R	No. 8 Modified	1500	Slanesville

\$17.00		
\$17.00		
xx		
xx		
\$23.00		
\$19.00		
\$19.00		
\$23.00		
\$21.00		
\$19.00		

HAMPSHIRE COUNTY

A	Class 1	2000	Romney
B	Class 2	3000	Romney
D	No. 3	1000	Romney
I	No. 7	3000	Romney
J	No. 8	1000	Romney
K	No. 9	1000	Romney
L	Gabion Stone	500	Romney
N	Standard Abr.	3000	Romney
O	Modified Abr.	3000	Romney
P	Riprap	500	Romney
Q	Shot Rock	500	Romney
R	No. 8 Modified	1800	Romney
S	No. 9 Modified	1000	Romney

\$14.20		
\$14.20		
xx		
xx		
\$15.10		
xx		
\$17.75		
\$15.10		
\$15.10		
\$19.75		
\$17.75		
\$15.25		
xx		

12. BIDDING SCHEDULE

DISTRICT FIVE

12.2 Bidding F.O.B. Division's Storage Site (Continued)

Contract Item	Description of Aggregate	Estimated Quantity (TONS)	Location of DOH Storage Site
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Bid Price (\$/Ton) F.O.B. DOH Storage Site

HARDY COUNTY

A	Class 1	1000	Baker
B	Class 2	2500	Baker
D	No. 3	100	Baker
G	No. 57	500	Baker
I	No. 7	2500	Baker
K	No. 9	1500	Baker
L	Gabion Stone	500	Baker
N	Standard Abr.	5000	Baker
O	Modified Abr.	5000	Baker
P	Riprap	500	Baker
Q	Shot Rock	500	Baker
R	No. 8 Modified	4000	Baker

LIMESTONE SANDSTONE GRAVEL, SAND	BLAST FURNACE SLAG	STEEL SLAG
\$11.95		
\$11.95		
xx		
\$14.95		
xx		
xx		
\$15.34		
\$13.90		
\$14.90		
\$18.25		
\$15.90		
\$14.90		

HARDY COUNTY

A	Class 1	1000	Moorefield
B	Class 2	2000	Moorefield
D	No. 3	500	Moorefield
G	No. 57	500	Moorefield
I	No. 7	2000	Moorefield
K	No. 9	1000	Moorefield
L	Gabion Stone	500	Moorefield
N	Standard Abr.	4000	Moorefield
O	Modified Abr.	4000	Moorefield
P	Riprap	500	Moorefield
Q	Shot Rock	500	Moorefield
R	No. 8 Modified	2000	Moorefield

\$9.95		
\$9.95		
xx		
\$12.50		
xx		
xx		
\$12.45		
\$11.15		
\$11.15		
\$15.50		
\$11.50		
\$11.95		

JEFFERSON COUNTY

A	Class 1	4000	Charles Town
B	Class 2	4000	Charles Town
D	No. 3	1000	Charles Town
G	No. 57	1000	Charles Town
I	No. 7	3000	Charles Town
L	Gabion Stone	500	Charles Town
N	Standard Abr.	1500	Charles Town
O	Modified Abr.	1500	Charles Town
P	Riprap	500	Charles Town
Q	Shot Rock	500	Charles Town
R	No. 8 Modified	3000	Charles Town
S	No. 9 Modified	2000	Charles Town

xx		
xx		
xx		
xx		
xx		
xx		
xx		
xx		
xx		
xx		
xx		
xx		

*James A. [Signature]*



12. BIDDING SCHEDULE

DISTRICT FIVE

12.2 Bidding F.O.B. Division's Storage Site (Continued)

Contract Item	Description of Aggregate	Estimated Quantity (TONS)	Location of DOH Storage Site
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Bid Price (\$/Ton) F.O.B. DOH Storage Site

MINERAL COUNTY

A	Class 1	1500	Short Gap
B	Class 2	1000	Short Gap
I	No. 7	1000	Short Gap
J	No. 8	1000	Short Gap
L	Gabion Stone	500	Short Gap
N	Standard Abr.	1500	Short Gap
O	Modified Abr.	1500	Short Gap
P	Riprap	500	Short Gap
Q	Shot Rock	500	Short Gap
R	No. 8 Modified	1500	Short Gap

LIMESTONE SANDSTONE GRAVEL, SAND	BLAST FURNACE SLAG	STEEL SLAG
\$13.75		
\$13.75		
\$14.75		
\$14.75		
\$16.75		
\$15.75		
\$15.75		
\$19.75		
\$16.75		
\$16.75		

MINERAL COUNTY

A	Class 1	1500	Skyline
B	Class 2	2000	Skyline
I	No. 7	1500	Skyline
J	No. 8	1000	Skyline
L	Gabion Stone	500	Skyline
N	Standard Abr.	2000	Skyline
O	Modified Abr.	2000	Skyline
P	Riprap	500	Skyline
Q	Shot Rock	500	Skyline
R	No. 8 Modified	1500	Skyline

\$10.90		
\$10.90		
xx		
\$14.15		
\$14.15		
\$12.90		
\$13.90		
\$16.90		
\$13.90		
\$13.90		

MINERAL COUNTY

A	Class 1	1000	New Creek
B	Class 2	2000	New Creek
D	No. 3	1000	New Creek
I	No. 7	3500	New Creek
J	No. 8	3000	New Creek
K	No. 9	500	New Creek
L	Gabion Stone	500	New Creek
N	Standard Abr.	2500	New Creek
O	Modified Abr.	2500	New Creek
P	Riprap	500	New Creek
Q	Shot Rock	500	New Creek
R	No. 8 Modified	3000	New Creek
S	No. 9 Modified	1500	New Creek

\$10.20		
\$10.20		
xx		
xx		
\$13.40		
xx		
\$13.65		
\$12.40		
\$12.40		
\$15.50		
\$11.65		
\$12.40		
xx		

12. BIDDING SCHEDULE DISTRICT EIGHT

12.2 Bidding F.O.B. Division's Storage Site

Contract Item	Description of Aggregate	Estimated Quantity (TONS)	Location of DOH Storage Site
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Bid Price (\$/Ton) F.O.B. DOH Storage Site

PENDLETON COUNTY

A	Class 1	2500	Franklin (US 220N)
B	Class 2	2700	Franklin (US 220N)
C	No. 1	1000	Franklin (US 220N)
G	No. 57	1000	Franklin (US 220N)
H	No. 67	1000	Franklin (US 220N)
J	No. 8	950	Franklin (US 220N)
K	No. 9	2000	Franklin (US 220N)
L	Gabion Stone	135	Franklin (US 220N)
N	Standard Abr.	2400	Franklin (US 220N)
O	Modified Abr.	4400	Franklin (US 220N)

LIMESTONE SANDSTONE GRAVEL, SAND	BLAST FURNACE SLAG	STEEL SLAG
\$12.60		
\$12.60		
xx		
\$13.65		
\$13.65		
\$12.40		
xx		
\$15.00		
\$12.40		
\$12.40		

PENDLETON COUNTY

A	Class 1	275	Franklin (US 220S)
B	Class 2	1160	Franklin (US 220S)
C	No. 1	1000	Franklin (US 220S)
G	No. 57	500	Franklin (US 220S)
H	No. 67	500	Franklin (US 220S)
J	No. 8	700	Franklin (US 220S)
K	No. 9	2000	Franklin (US 220S)
L	Gabion Stone	500	Franklin (US 220S)
N	Standard Abr.	2400	Franklin (US 220S)
O	Modified Abr.	1300	Franklin (US 220S)

\$15.00		
\$15.00		
xx		
\$19.35		
\$19.35		
\$14.00		
xx		
\$25.10		
\$14.00		
\$14.00		

PENDLETON COUNTY

A	Class 1	1000	Judy Gap
B	Class 2	1000	Judy Gap
H	No. 67	500	Judy Gap
J	No. 8	1000	Judy Gap
K	No. 9	1000	Judy Gap
N	Abrasives	4000	Judy Gap
O	Modified Abr.	3300	Judy Gap

\$14.00		
\$14.00		
\$19.95		
\$11.95		
xx		
\$11.95		
\$11.95		

12. BIDDING SCHEDULE

DISTRICT EIGHT

12.2 Bidding F.O.B. Division's Storage Site (Continued)

Contract Item	Description of Aggregate	Estimated Quantity (TONS)	Location of DOH Storage Site
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Bid Price (\$/Ton) F.O.B.  
DOH Storage Site

PENDLETON COUNTY

A	Class 1	1000	Onego
B	Class 2	1000	Onego
H	No. 67	500	Onego
J	No. 8	1000	Onego
K	No. 9	1000	Onego
N	Standard Abr.	3000	Onego
O	Modified Abr.	2200	Onego

LIMESTONE SANDSTONE GRAVEL, SAND	BLAST FURNACE SLAG	STEEL SLAG
\$15.50		
\$15.50		
\$18.65		
\$16.20		
xx		
\$16.20		
\$16.20		

PENDLETON COUNTY

A	Class 1	1000	Brandywine
B	Class 2	450	Brandywine
H	No. 67	500	Brandywine
J	No. 8	1000	Brandywine
K	No. 9	1000	Brandywine
N	Standard Abr.	2000	Brandywine
O	Modified Abr.	1600	Brandywine

\$15.50		
\$15.50		
\$23.35		
\$17.90		
xx		
\$15.90		
\$15.90		

POCAHONTAS COUNTY

A	Class 1	3000	Marlington
B	Class 2	5000	Marlington
H	No. 67	1000	Marlington
J	No. 8	6000	Marlington
K	No. 9	1000	Marlington
O	Modified Abr.	3000	Marlington

xx		
xx		
xx		
xx		
xx		
xx		

POCAHONTAS COUNTY

A	Class 1	1500	Green Bank
B	Class 2	2500	Green Bank
H	No. 67	300	Green Bank
J	No. 8	2000	Green Bank
K	No. 9	500	Green Bank
O	Modified Abr.	1500	Green Bank

xx		
xx		
xx		
xx		
xx		
xx		

12. BIDDING SCHEDULE DISTRICT EIGHT

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		
				LIMESTONE SANDSTONE GRAVEL, SAND	BLAST FURNACE SLAG	STEEL SLAG
<u>RANDOLPH COUNTY</u>						
A	Class 1	1500	Pickens	xx		
B	Class 2	1500	Pickens	xx		
H	No. 67	1000	Pickens	xx		
J	No. 8	1800	Pickens	xx		
<u>RANDOLPH COUNTY</u>						
A	Class 1	1000	Elkins	xx		
B	Class 2	1000	Elkins	xx		
H	No. 67	500	Elkins	xx		
J	No. 8	3500	Elkins	xx		
K	No. 9	5000	Elkins	xx		
<u>RANDOLPH COUNTY</u>						
A	Class 1	100	Harman	xx		
B	Class 2	1000	Harman	xx		
H	No. 67	500	Harman	xx		
J	No. 8	4000	Harman	xx		
<u>RANDOLPH COUNTY</u>						
A	Class 1	1000	Valley Head	xx		
B	Class 2	1000	Valley Head	xx		
H	No. 67	1000	Valley Head	xx		
J	No. 8	3500	Valley Head	xx		
<u>RANDOLPH COUNTY</u>						
A	Class 1	1000	Cor. H Headqtrs. US 219	xx		
H	No.67	1000	Cor. H Headqtrs. US 220	xx		
N	Standard Abr.	1000	Cor. H Headqtrs. US 221	xx		
<u>TUCKER COUNTY</u>						
A	Class 1	2000	Parsons	\$13.94		
B	Class 2	4000	Parsons	\$13.94		
J	No. 8	6000	Parsons	\$13.45		
K	No. 9	1200	Parsons	xx		

12. BIDDING SCHEDULE

DISTRICT EIGHT

12.2 Bidding F.O.B. Division's Storage Site (Continued)

Contract Item	Description of Aggregate	Estimated Quantity (TONS)	Location of DOH Storage Site
<u>TUCKER COUNTY</u>			
A	Class 1	1300	Thomas
B	Class 2	1500	Thomas
J	No. 8	6000	Thomas
<u>TUCKER COUNTY</u>			
J	No. 8	2500	Canaan Valley Pk.

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

LIMESTONE SANDSTONE GRAVEL, SAND	BLAST FURNACE SLAG	STEEL SLAG
\$10.45		
\$10.45		
\$13.15		

\$14.70		
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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 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,
[X] 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:
[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,

3. 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,

4. Application is made for 5% resident vendor preference for the reason checked:
[X] 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,

6. 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: Fairfax Materials, Inc. Signed: James W. Clark

Date: 10/19/09 Title: Sales Rep.

\*Check any combination of preference consideration(s) indicated above, which you are entitled to receive.

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: Fairfax Materials Inc.

Authorized Signature: [Signature] Date: 10/19/09

Purchasing Affidavit (Revised 01/01/09)