



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
6610C025

PAGE
1

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

**VENDOR**

\*709033011      301-478-2400  
 ALLEGANY AGGREGATES INC  
 PO BOX 127  
 CUMBERLAND MD 21502

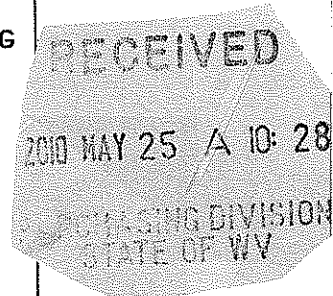
**SHIP TO**

DIVISION OF HIGHWAYS  
 VARIOUS LOCALES AS INDICATED  
 BY ORDER

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
05/05/2010				

BID OPENING DATE: **05/26/2010**      BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	EA		770-06		
<p>STONE &amp; AGGREGATE</p> <p>OPEN END CONTRACT</p> <p>TO PROVIDE ALL LABOR, MATERIALS, AND EQUIPMENT NECESSARY TO SUPPLY STONE AND AGGREGATE TO THE WEST VIRGINIA DIVISION OF HIGHWAYS DISTRICT 1 THRU 10 PER THE ATTACHED SPECIFICATIONS. CONTRACT IS FOR SIX (6) MONTHS.</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 IN ACCORDANCE WITH THE ESTIMATED QUANTITIES ON THE BID SCHEDULE.</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>						



SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
<i>[Signature]</i>	301-777-1777	5/24/10
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE
<i>Vice President</i>	52-1641964	

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



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BID OPENING DATE: 05/26/2010		BID OPENING TIME 01:30PM		

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>LIFE OF CONTRACT: THIS CONTRACT BECOMES EFFECTIVE ON ..... AND EXTENDS FOR A PERIOD OF SIX (6) MONTHS OR UNTIL SUCH "REASONABLE TIME" THEREAFTER AS IS NECESSARY TO OBTAIN A NEW CONTRACT OR RENEW THE ORIGINAL CONTRACT. THE "REASONABLE TIME" PERIOD SHALL NOT EXCEED SIX (6) MONTHS. DURING THIS "REASONABLE 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) 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 TRANS-</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
<i>[Signature]</i>	301-777-1777	5/24/10
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE
Vicj President	52-1641964	

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AUZD001

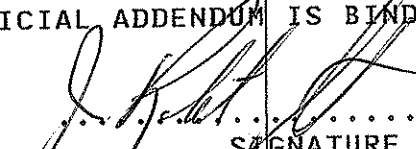

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DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
05/05/2010				

BID OPENING DATE: **05/26/2010**      BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
<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> <p>ADDENDUM NO.'S:</p> <p>NO. 1 ...1.....</p> <p>NO. 2 .....</p> <p>NO. 3 .....</p> <p>NO. 4 .....</p> <p>NO. 5 .....</p> <p>I UNDERSTAND THAT FAILURE TO CONFIRM THE RECEIPT OF THE 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 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;">             SIGNATURE              COMPANY         </p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS			
SIGNATURE	TELEPHONE	DATE	
	301-777-1777	5/26/10	
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE	
Vice President	52-1641964		

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SHIP TO

DIVISION OF HIGHWAYS  
 VARIOUS LOCALES AS INDICATED  
 BY ORDER

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
05/20/2010				

BID OPENING DATE: 05/26/2010      BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
ADDENDUM NO. 1						
ADD THE ATTACHED:    VENDOR PREFERENCE CERTIFICATE						
BID OPENING DATE AND TIME REMAINS 05/26/10 @1:30 P.M.						
NO OTHER ADDITIONS OR CHANGES.						
0001	1	EA		770-06		
STONE & AGGREGATE						
***** THIS IS THE END OF RFQ    6610C025    ***** TOTAL:						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>[Signature]</i>	TELEPHONE 301-777-1777	DATE 5/24/10
TITLE <i>Vice President</i>	FEIN 52-1641964	ADDRESS CHANGES TO BE NOTED ABOVE

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05/05/2010				
BID OPENING DATE: 05/26/2010		BID OPENING TIME 01:30PM		

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID: <p style="text-align: center;">----- 1-301-478-7717 or 478-3008 -----</p> CONTACT PERSON (PLEASE PRINT CLEARLY): <p style="text-align: center;">----- J. ROBERT SMITH -----</p>						
***** THIS IS THE END OF RFQ 6610C025 ***** TOTAL:						_____

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE 301-777-1777	DATE 5/24/10
TITLE Vice President	FEIN 52-1641964	ADDRESS CHANGES TO BE NOTED ABOVE

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

NOTE: Vendor should type Bid Schedules

12. BIDDING SCHEDULE

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

- a) SOURCE OF MATERIAL (State all sources for which bid prices apply) (e.g., Quarry location if Sandstone or Limestone; dredging or pit location if Gravel; production plant name and location if Slag)

Short Gap Quarry	Bedrock Quarry
Waxler Road	21235 Old National Pike, NE
Short Gap, Wv	Flintstone, Md.

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

Short Gap Quarry	Bedrock Quarry
Waxler Rd.	21235 Old National Pike, NE
Short Gap, Wv	Flintstone, Md.

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	\$8.50		
B	Class 2 Aggregate	\$8.50		
C	AASHTO #1 Aggregate	\$12.50		
D	AASHTO #3 Aggregate	\$12.50		
E	AASHTO #4 Aggregate	\$12.50		
F	AASHTO #467 Aggregate	-----		
G	AASHTO #57 Aggregate	\$12.50		
H	AASHTO #67 Aggregate	\$12.50		
I	AASHTO #7 Aggregate	\$12.50		
J	AASHTO #8 Aggregate	\$12.50		
K	AASHTO #9 Aggregate	\$12.50		

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)

It is not necessary to type No Bid in blank spaces or return Blank Sheets.

BIDDING SCHEDULE (Continued)

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

L	Stone for Gabions	<u>\$13.75</u>	<u>          </u>	<u>          </u>
M	Fine Aggregate	<u>-----</u>	<u>          </u>	<u>          </u>
N	Standard Abrasives	<u>\$9.75</u>	<u>          </u>	<u>          </u>
O	Modified Abrasives	<u>\$12.50</u>	<u>          </u>	<u>          </u>
P	Riprap	<u>\$13.50</u>	<u>          </u>	<u>          </u>
Q	Shot Rock	<u>\$12.50</u>	<u>          </u>	<u>          </u>
R	AASHTO #8 Modified	<u>\$12.90</u>	<u>          </u>	<u>          </u>
S	AASHTO #9 Modified	<u>\$12.90</u>	<u>          </u>	<u>          </u>
T	Pea Gravel	<u>-----</u>	<u>          </u>	<u>          </u>
U	#11 Limestone Abrasives	<u>-----</u>	<u>          </u>	<u>          </u>
V	Haul by Vendor (Except Items Q and P):			
	@	<u>\$1.75</u>	\$ for First Ton-Mile	
	@	<u>\$ .75</u>	\$ for Each Additional Ton Mile	
W	Haul by Vendor (Items Q and/or P):			
	@	<u>\$3.05</u>	\$ for First Ton-Mile	
	@	<u>\$ .85</u>	\$ for Each Additional Ton-Mile	

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

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

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

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

HAMPSHIRE COUNTY

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

LIMESTONE SANDSTONE GRAVEL, SAND	BLAST FURNACE SLAG	STEEL SLAG
\$17.50		
\$17.50		
\$22.00		
\$26.25		
\$19.25		
\$22.00		
\$23.00		
\$22.00		
\$22.50		

HAMPSHIRE COUNTY

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

\$14.95		
\$14.95		
\$18.95		
\$18.95		
\$22.05		
\$16.20		
\$18.95		
\$19.95		
\$18.95		
\$19.35		

HAMPSHIRE COUNTY

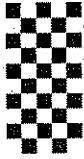
A	Class 1	2000	Romney
B	Class 2	3000	Romney
E	No. 3	1000	Romney
J	No. 7	3000	Romney
K	No. 8 Modified	1000	Romney
L	No. 9	1000	Romney
M	Gabion Stone	500	Romney
O	Standard Abr.	3000	Romney
P	Modified Abr.	3000	Romney
Q	Riprap	500	Romney
R	Shot Rock	500	Romney
S	No. 8 Modified	1800	Romney
T	No. 9 Modified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

\$12.70		
\$12.70		
\$17.20		
\$17.20		
\$17.60		
\$17.60		
\$20.75		
\$14.45		
\$17.20		
\$18.50		
\$17.50		
\$17.60		
\$17.60		









# ALLEGANY AGGREGATES, INC.

P O Box 127  
Cumberland Maryland 21501-0127

FAX: 1 (301) 478-3008

Short Gap Quarry  
Short Gap, WV  
1 (304) 726-4857

Bedrock Quarry  
Pilotstone, MD  
1 (301) 478-2400

## FACSIMILE COVER

TO: MICHAEL AUSTIN FROM: BOB SMITH  
 COMPANY: WVA. PURCHASING DATE: JUNE 14, 2010  
 FAX NO.: 1-304-558-3970 TIME: 1:15 PM  
 NUMBER OF PAGES (INCLUDING COVER): 5


Should you have any difficulties during transmission, kindly contact the person sending the facsimile via the above-listed number.

MESSAGES/COMMENTS: \_\_\_\_\_

ADDENDUMS No. 4 & No 5

RECEIVED  
 210 JUN 14 P 1:21  
 PURCHASING DIVISION  
 STATE OF WV

**CONFIDENTIALITY NOTICE:** This facsimile contains confidential information which may also be legally privileged and which is intended only for the use of the addressee(s) named above. If you are not the intended recipient, or the employee or agent responsible for delivering it to the intended recipient, you are hereby notified that any dissemination or copying of this facsimile, or this telecopied information, may be strictly prohibited. If you have received this facsimile in error, please notify us immediately by telephone and return the entire facsimile to us at the above address via the U.S. Postal Service.

SENT BY:   
EXC VR2000



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ORDER

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 BY ORDER

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
06/08/2010				
BID OPENING DATE		BID OPENING TIME		
06/16/2010		01:30PM		

LINE	QUANTITY	UOP	CAT. NO	ITEM NUMBER	UNIT PRICE	AMOUNT
				ADDENDUM NO. 4		
				BID OPENING DATE AND TIME CHANGED		
				FROM: 06/09/10 @ 1:30 P.M		
				TO: 06/16/10 @ 1:30 P.M.		
				NO OTHER CHANGES		
0001	1	EA		770-06		
				STONE & AGGREGATE		
***** THIS IS THE END OF RFQ 6610C025 ***** TOTAL:						

*1-504-558-3970*

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
<i>[Signature]</i>	301-777-1777	6/14/10
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE
Vice President	52-1641964	

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DIVISION OF HIGHWAYS  
 VARIOUS LOCALES AS INDICATED  
 BY ORDER

TODD R

SHIP TO

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
06/11/2010				

BID OPENING DATE 06/16/2010 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
				ADDENDUM NO. 5		
				REPLACE PAGES 18 & 19 WITH THE ATTACHED PAGES 18 & 19.		
				BID OPENING DATE AND TIME REMAINS 06/16/10 @ 1:30 P.M.		
				NO OTHER CHANGES.		
0001	1	EA		770-06		
				STONE & AGGREGATE		
***** THIS IS THE END OF RFQ 6610C025 ***** TOTAL:						

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<i>[Signature]</i>	301-777-1777	6/14/10
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE
Vice President	52-1641964	

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**12. BIDDING SCHEDULE**

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

- a) **SOURCE OF MATERIAL** (State all sources for which bid prices apply) (e.g., Quarry location if Sandstone or Limestone; dredging or pit location if Gravel; production plant name and location if Slag)

SHORT GAP QUARRY BEDROCK QUARRY  
WAXLER ROAD 21235 OLD NATIONAL PIKE NE  
SHORT GAP, WV. FLINTSTONE, MD 21530

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

SHORT GAP QUARRY BEDROCK QUARRY  
WAXLER ROAD 21235 OLD NATIONAL PIKE NE  
SHORT GAP, WV. FLINTSTONE, MD. 21530

Contract Item	Description of Aggregate	Bid Price Per Ton F.O.B. Vendor's Storage Site		
		LIMESTONE SANDSTONE, GRAVEL, SAND	BLAST FURNACE SLAG	STEEL SLAG
A	Class 1 Aggregate	8.50		
B	Class 2 Aggregate	8.50		
C	Class 10 Aggregate	8.50		
D	AASHTO #1 Aggregate	12.50		
E	AASHTO #3 Aggregate	12.50		
F	AASHTO #4 Aggregate	12.50		
G	AASHTO #467 Aggregate			
H	AASHTO #57 Aggregate	12.50		
I	AASHTO #67 Aggregate	12.50		
J	AASHTO #7 Aggregate	12.50		
K	AASHTO #8 Aggregate	12.50		
L	AASHTO #9 Aggregate	12.50		

**BIDDING SCHEDULE (Continued)**

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

M	Stone for Gablons	<u>13.75</u>	_____	_____
N	Fine Aggregate	_____	_____	_____
O	Standard Abrasives	<u>9.75</u>	_____	_____
P	Modified Abrasives	<u>12.50</u>	_____	_____
Q	Riprap	<u>13.50</u>	_____	_____
R	Shot Rock	<u>12.50</u>	_____	_____
S	AASHTO #8 Modified	<u>12.90</u>	_____	_____
T	AASHTO #8 Modified	<u>12.90</u>	_____	_____
U	Pea Gravel	_____	_____	_____
V	#11 Limestone Abrasives	_____	_____	_____
W	Haul by Vendor (Except Items R and Q):			
	@	<u>1.75</u>	\$ for First Ton-Mile	
	@	<u>.75</u>	\$ for Each Additional Ton Mile	
X	Haul by Vendor (Items R and/or Q):			
	@	<u>3.05</u>	\$ for First Ton-Mile	
	@	<u>.85</u>	\$ 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	<u>N/A</u>

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



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PO BOX 127**

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

VENDOR

SHIP TO

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS		
05/24/2010						
BID OPENING DATE <b>06/09/2010</b>		BID OPENING TIME <b>01:30PM</b>				
LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
				ADDENDUM NO. 3		
				ADD: BIDDING SCHEDULE ATTACHED INADVERTENTLY LEFT OFF THE ORIGINAL REQUEST FOR QUOTATION.		
				BID OPENING DATE AND TIME REMAINS 06/09/10 @ 1:30 P.M.		
				NO OTHER CHANGES.		
0001	1	EA		770-06		
				STONE & AGGREGATE		
***** THIS IS THE END OF RFQ 6610C025 ***** TOTAL:						

*Rec'd  
5/28/10  
9:50 AM*

2010 MAY 28 A 11:53  
PURCHASING DIVISION  
STATE OF WV

RECEIVED

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE: *[Signature]* TELEPHONE: **301-777-1777** DATE: **5/28/10**

TITLE: *Vice President* FEIN: **52-1641964** ADDRESS CHANGES TO BE NOTED ABOVE

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





# ALLEGANY AGGREGATES, INC.

P O Box 127  
Cumberland Maryland 21501 0127  
FAX 1 (301) 478-3008

Short Gap Quarry  
Short Gap WV  
1 (304) 726 4857

Bedrock Quarry  
Flintstone, MD  
1 (301) 478-2400


## FACSIMILE COVER

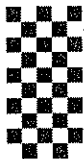
TO: MICHAEL AUSTIN FROM: BOB SMITH  
 COMPANY: WVA PURCHASING DATE: 5/28/10  
 FAX NO.: 1-304-558-3970 TIME: 11:55 AM  
 NUMBER OF PAGES (INCLUDING COVER): 2

Should you have any difficulties during transmission, kindly contact the person sending the facsimile via the above-listed number.

MESSAGES/COMMENTS: \_\_\_\_\_  
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**CONFIDENTIALITY NOTICE:** This facsimile contains confidential information which may also be legally privileged and which is intended only for the use of the addressee(s) named above. If you are not the intended recipient, or the employee or agent responsible for delivering it to the intended recipient, you are hereby notified that any dissemination or copying of this facsimile, or this telecopied information, may be strictly prohibited. If you have received this facsimile in error, please notify us immediately by telephone and return the entire facsimile to us at the above address via the U.S. Postal Service.

SENT BY   
 1 x VR200X1



# ALLEGANY AGGREGATES, INC.

P O Box 127  
Cumberland Maryland 21501-0127  
FAX: 1 (301) 478-3000

Short Gap Quarry  
Short Gap WV  
1 (304) 726-4857

Bedrock Quarry  
Flintstone, MD  
1 (301) 478-2400

## FACSIMILE COVER

TO: Michael Austin FROM: Bob Smith  
 COMPANY: NVA Purchasing DATE: 6/27/10  
 FAX NO.: 1-304-558-3970 TIME: 1:45 PM  
 NUMBER OF PAGES (INCLUDING COVER): 2

Should you have any difficulties during transmission, kindly contact the person sending the facsimile via the above-listed number.

MESSAGES/COMMENTS: \_\_\_\_\_  
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RECEIVED  
 MAR 27 P 1:47  
 WASHINGTON DIVISION  
 STATE OF WV

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SENT BY:

FACV2000



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  
6610C025

PAGE  
1

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

CUMBERLAND

\*709033011 301-478-2400  
ALLEGANY AGGREGATES INC  
PO BOX 127  
CUMBERLAND MD 21502

SHIP TO

DIVISION OF HIGHWAYS  
VARIOUS LOCALES AS INDICATED  
BY ORDER

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS		
05/24/2010						
BID OPENING DATE: 06/09/2010		BID OPENING TIME: 01:30PM				
LINE	QUANTITY	UOP	CAT NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	EA		770-06		
ADDENDUM NO. 2 BID OPENING DATE AND TIME CHANGED FROM: 05/26/10 @ 1:30 P.M. TO: 06/09/10 @ 1:30 P.M. NO OTHER CHANGES.						
***** THIS IS THE END OF RFQ 6610C025 ***** TOTAL:						

*Recd*  
*5-27-10*  
*9:30 AM*  
*FAX*  
*304-558-3970*

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE

TELEPHONE

301-777-1777

DATE

5/27/10

TITLE

Vice President

FAX

52-1641964

ADDRESS CHANGES TO BE NOTED ABOVE

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

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. 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,
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: 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: ALLEGANY ABBOTT & ASSOCIATES, INC. Signed: [Signature]
Date: May 24, 2010 Title: Vice President

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

STATE OF WEST VIRGINIA  
Purchasing Division  
**PURCHASING AFFIDAVIT**

West Virginia Code §5A-3-10a states: No contract or renewal of any contract may be awarded by the state or any of its political subdivisions to any vendor or prospective vendor when the vendor or prospective vendor or a related party to the vendor or prospective vendor is a debtor and the debt owned is an amount greater than one thousand dollars in the aggregate

**DEFINITIONS:**

"Debt" means any assessment, premium, penalty, fine, tax or other amount of money owed to the state or any of its political subdivisions because of a judgment, fine, permit violation, license assessment, defaulted workers' compensation premium, penalty or other assessment presently delinquent or due and required to be paid to the state or any of its political subdivisions, including any interest or additional penalties accrued thereon.

"Debtor" means any individual, corporation, partnership, association, Limited Liability Company or any other form or business association owing a debt to the state or any of its political subdivisions. "Political subdivision" means any county commission; municipality; county board of education; any instrumentality established by a county or municipality; any separate corporation or instrumentality established by one or more counties or municipalities, as permitted by law; or any public body charged by law with the performance of a government function or whose jurisdiction is coextensive with one or more counties or municipalities. "Related party" means a party, whether an individual, corporation, partnership, association, limited liability company or any other form or business association or other entity whatsoever, related to any vendor by blood, marriage, ownership or contract through which the party has a relationship of ownership or other interest with the vendor so that the party will actually or by effect receive or control a portion of the benefit, profit or other consideration from performance of a vendor contract with the party receiving an amount that meets or exceed five percent of the total contract amount.

**EXCEPTION:** The prohibition of this section does not apply where a vendor has contested any tax administered pursuant to chapter eleven of this code, workers' compensation premium, permit fee or environmental fee or assessment and the matter has not become final or where the vendor has entered into a payment plan or agreement and the vendor is not in default of any of the provisions of such plan or agreement.

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.

**WITNESS THE FOLLOWING SIGNATURE**

Vendor's Name: ALLEGANY ALUMINUMS, Inc

Authorized Signature: [Signature] Date: MAY 24, 2010

State of Maryland

County of Allegany, to-wit:

Taken, subscribed, and sworn to before me this 24 day of May, 2010.

My Commission expires November 5<sup>th</sup>, 2014.

NOTARY PUBLIC [Signature: Paul J McFarland]

AFFIX SEAL HERE