



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
DNR210050

PAGE
1

ADDRESS CORRESPONDENCE TO ATTENTION OF
FRANK WHITTAKER 304-558-2316

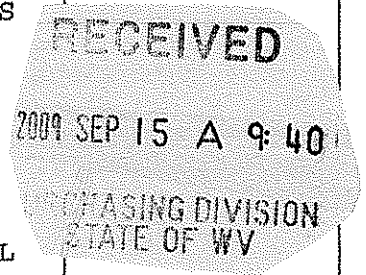
BIDDING

*709022703 304-296-1751
 GREER INDUSTRIES, INC.
 PO BOX 1900
 MORGANTOWN, WV 26507-1900

SHIP TO

DIVISION OF NATURAL RESOURCES
 VARIOUS LOCALES AS INDICATED
 BY ORDER

DATE PRINTED	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS		
09/10/2009	Net 30 days	Motorfreight	Dogway Fork/North Fork	Pre-paid		
BID OPENING DATE: 09/17/2009		BID OPENING TIME: 01:30PM				
LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	LS		750-77		
LIMESTONE AGGREGATE						
<p>THE WEST VIRGINIA PURCHASING DIVISION, FOR THE AGENCY, THE WEST VIRGINIA DIVISION OF NATURAL RESOURCES, IS SOLICITATION BIDS FOR AN OPEN END CONTRACT TO PROVIDE LIMESTONE AGGREGATE FOR USE IN ROTARY DRUM STREAM NEUTRALIZATION STATIONS.</p> <p>EXHIBIT 3</p> <p>LIFE OF CONTRACT: THIS CONTRACT BECOMES EFFECTIVE ON AND EXTENDS FOR A PERIOD OF ONE (1) YEAR OR UNTIL SUCH "REASONABLE TIME" THEREAFTER AS IS NECESSARY TO OBTAIN A NEW CONTRACT OR RENEW THE ORIGINAL CONTRACT. THE "REASONABLE TIME" PERIOD SHALL NOT EXCEED TWELVE (12) MONTHS. DURING THIS "REASONABLE TIME" THE VENDOR MAY TERMINATE THIS CONTRACT FOR ANY REASON UPON GIVING THE DIRECTOR OF PURCHASING 30 DAYS WRITTEN NOTICE.</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</p>						
SEE REVERSE SIDE FOR TERMS AND CONDITIONS						
SIGNATURE		Charles Bolyard		TELEPHONE	304-296-1751	DATE
Vice President		FEIN	34-073-7241	ADDRESS CHANGES TO BE NOTED ABOVE		



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



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

Request for Quotation

RFQ NUMBER
DNR210050

PAGE
2

ADDRESS CORRESPONDENCE TO ATTENTION OF
FRANK WHITTAKER 304-558-2316

PURCHASING

*709022703 304-296-1751
 GREER INDUSTRIES, INC.
 PO BOX 1900
 MORGANTOWN, WV 26507-1900

SHIP TO

DIVISION OF NATURAL RESOURCES
 VARIOUS LOCALES AS INDICATED
 BY ORDER

DATE PRINTED	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS		
09/10/2009						
BID OPENING DATE: 09/17/2009		BID OPENING TIME: 01:30PM				
LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>ORIGINAL CONTRACT AND SHALL BE LIMITED TO TWO (2) ONE (1) YEAR PERIODS.</p> <p>CANCELLATION: THE DIRECTOR OF PURCHASING RESERVES THE RIGHT TO CANCEL THIS CONTRACT IMMEDIATELY UPON WRITTEN NOTICE TO THE VENDOR IF THE COMMODITIES AND/OR SERVICE SUPPLIED ARE OF AN INFERIOR QUALITY OR DO NOT CONFORM TO THE SPECIFICATIONS OF THE BID AND CONTRACT HEREIN.</p> <p>OPEN MARKET CLAUSE: THE DIRECTOR OF PURCHASING MAY AUTHORIZE A SPENDING UNIT TO PURCHASE ON THE OPEN MARKET, WITHOUT THE FILING OF A REQUISITION OR COST ESTIMATE, ITEMS SPECIFIED ON THIS CONTRACT FOR IMMEDIATE DELIVERY IN EMERGENCIES DUE TO UNFORESEEN CAUSES (INCLUDING BUT NOT LIMITED TO DELAYS IN TRANSPORTATION OR AN UNANTICIPATED INCREASE IN THE VOLUME OF WORK.)</p> <p>QUANTITIES: QUANTITIES LISTED IN THE REQUISITION ARE APPROXIMATIONS ONLY, BASED ON ESTIMATES SUPPLIED BY THE STATE SPENDING UNIT. IT IS UNDERSTOOD AND AGREED THAT THE CONTRACT SHALL COVER THE QUANTITIES ACTUALLY ORDERED FOR DELIVERY DURING THE TERM OF THE CONTRACT, WHETHER MORE OR LESS THAN THE QUANTITIES SHOWN.</p> <p>ORDERING PROCEDURE: SPENDING UNIT(S) SHALL ISSUE A WRITTEN STATE CONTRACT ORDER (FORM NUMBER WV-39) TO THE VENDOR FOR COMMODITIES COVERED BY THIS CONTRACT. THE ORIGINAL COPY OF THE WV-39 SHALL BE MAILED TO THE VENDOR AS AUTHORIZATION FOR SHIPMENT, A SECOND COPY MAILED TO THE PURCHASING DIVISION, AND A THIRD COPY 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</p>						
SEE REVERSE SIDE FOR TERMS AND CONDITIONS						
SIGNATURE			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
 Department of Administration
 Purchasing Division
 2019 Washington Street East
 Post Office Box 50130
 Charleston, WV 25305-0130

Request for Quotation

RFQ NUMBER
 DNR210050

PAGE
 3

ADDRESS CORRESPONDENCE TO ATTENTION OF
 FRANK WHITTAKER
 304-558-2316

S U P P L I E R

*709022703 304-296-1751
 GREER INDUSTRIES, INC.
 PO BOX 1900
 MORGANTOWN, WV 26507-1900

S U P P L I E R

DIVISION OF NATURAL RESOURCES
 VARIOUS LOCALES AS INDICATED
 BY ORDER

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
09/10/2009				

BID OPENING DATE: 09/17/2009 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
WITHOUT FURTHER ORDER. 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. REV. 05/26/2009 NOTICE A SIGNED BID MUST BE SUBMITTED TO: DEPARTMENT OF ADMINISTRATION PURCHASING DIVISION BUILDING 15 2019 WASHINGTON STREET, EAST CHARLESTON, WV 25305-0130 THE BID SHOULD CONTAIN THIS INFORMATION ON THE FACE OF THE ENVELOPE OR THE BID MAY NOT BE CONSIDERED: SEALED BID BUYER: 44 RFQ. NO.: DNR210027 BID OPENING DATE: 09/17/09 BID OPENING TIME: 1:30 PM						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

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

Request for Quotation

RFQ NUMBER:
 DNR210050

PAGE
 4

ADDRESS CORRESPONDENCE TO ATTENTION OF:
 FRANK WHITTAKER
 304-558-2316

ZIP CODE

*709022703 304-296-1751
 GREER INDUSTRIES, INC.
 PO BOX 1900
 MORGANTOWN, WV 26507-1900

SHIP TO

DIVISION OF NATURAL RESOURCES
 VARIOUS LOCALES AS INDICATED
 BY ORDER

DATE PRINTED	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS
09/10/2009				

BID OPENING DATE: 09/17/2009 BID OPENING TIME: 01:30PM

LINE	QUANTITY	UOP	QAT NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID: ----- 304-594-2158 ----- CONTACT PERSON (PLEASE PRINT CLEARLY): ----- Charles Bolyard -----						
***** THIS IS THE END OF RFQ DNR210050 ***** TOTAL: _____						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE		TELEPHONE	DATE
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE	

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

Specifications for DNR210050

Limestone shall meet the following specifications:

1. Actual calcium carbonate content (**not calcium carbonate equivalent**) must exceed 95 percent.
2. The Los Angeles (LA) abrasion test result must exceed 30.
3. Limestone must be crushed and sized using a 1 ½ inch upper screen and ¾ -inch lower screen.

A material test report confirming that the material meets or exceeds specifications 1 and 2 above must be submitted with the vendor's bid.

Limestone shall be delivered to site and in amounts as directed by personnel of the WV Division of Natural Resources, Wildlife Resources Section. Station sites include Dogway Fork of the Cranberry River and North Fork of the Cranberry River.

Limestone to be ordered as needed for the rotary drum stream neutralization stations.

The estimated annual need for limestone is approximately 1,000 tons per year.

*709022703 304-296-1751
GREER INDUSTRIES, INC.
PO BOX 1900
MORGANTOWN, WV 26507-1900

Pricing Sheet			
RFQ: DNR210050			
Description	Unit Price Per Ton	Estimated Quantity	Extended Price
Limestone: greater than 95% calcium carbonate content and be crushed and sized using a 1 1/2 inch upper screen and 3/4 inch lower screen.	\$42.00	1000 tons per year	\$42,000.00
** The above quantity is estimated for bid purposes only. Actual quantities will be given to the successful vendor upon order releases.			

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: Greer Industries, Inc. dba Greer Lime Company Signed: 
Date: September 14, 2009 Title: Charles Bolyard 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****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: Greer Industries, Inc. dba Greer Lime Company

Authorized Signature:  Date: September 14, 2009



GRLC-0601

January 23, 2009

Mr. David L. Bennett, Lab Manager
Greer Lime Company
HC 78, Box 93A
Riverton, WV 26814

Re: Limestone Chemical Analysis

Dear Mr. Bennett:

The following are results of an analysis of a limestone sample submitted by you and identified as indicated below.

Laboratory No. 10-71956

	Riverton Raw Limestone (% by Weight)
Total Silica as SiO ₂	0.70
Total Iron as Fe ₂ O ₃	0.066
Aluminum as Al ₂ O ₃	0.16
Total Calcium as CaO	54.59
Total Calcium as CaCO ₃	97.25
Total Magnesium as MgO	0.48
Total Magnesium as MgCO ₃	1.00
Total Sulfur as S	0.012
Total Phosphorus as P	0.004
Loss on Ignition	56.91
Insoluble Residue	0.013
Arsenic as As	<0.001
Barium as Ba	<0.001
Cadmium as Cd	<0.001
Chromium as Cr	0.001
Copper as Cu	0.010
Iron as Fe	0.046
Lead as Pb	<0.001
Mercury as Hg	<0.0001
Molybdenum as Mo	<0.001
Nickel as Ni	<0.001
Selenium as Se	<0.001
Silver as Ag	<0.001
Zinc as Zn	0.001

MATERIALS TEST REPORTING

LAB NO.	M CODE	MATERIAL	TRANSMIT	RECEIVED
1304830	1 1751	AGG LIMESTONE COARSE	04 07 99	03 25 99
PROJ. ALP.	NUMPROJ/AUTH C	PROJECT		DIST

DATE SAM	SAMPLED BY	FLD SAMP	BRIDGE	TEST REQUIRED
03 25 99	BAIRD, HENSON	CD30A		703
S CODE	SOURCE		LOCATION	
G012B	GREER LIME (GERMANY VALLEY)		RIVERTON W VA	
ITEM 1	ITEM 2	QUANTITY	UNITS -	CM/G/KG/KM/L/M/MG/MM/OT/PC/SM
		0.00		CF/CY/GA/LB/LF/OT/PC/SF/SY/TN
STATION NUMBERS	ELEVATION	OFFSET	OFFSET INFORMATION	
TO	0.0 TO 0.0	0.0	BL/CL/EL/EP/NL/OT/SL/WL	
TAG NUMBERS	LOT NUMBER	HEAT NUMBER		S/D/R/U/M
REM:	QUALITY			

SPECS: 1 1-MEETS 2-D N MEET 3-LAB INFO 4-NET P/F 5-UNABLE 6-CONCUR 7-NONCNCR

MATERIALS TEST REPORTING

LAB NO.	MATERIAL							
1304830	AGG LIMESTONE COARSE							
FLD DESCRIPT	RESULT R A	FLD DESCRIPT	RESULT R A	FLD DESCRIPT	RESULT R A	FLD DESCRIPT	RESULT R A	
F01 LA	32 0	F02 SOUNDNESS	0.8 1	F03 T OR E PCS	0.1 1			
F04 SHALE	0.0 1	F05 COAL/LTWTS	0.0 1	F06 FRIABLES	0.00 2			
F07 TOTAL DELT	4 0	F08 I/R +200	4 0	F09 I/R TOTAL	4 0			
F10 CHLORIDES	4 3	F11 T-11	4 1	F12				
F13	0	F14	0	F15				
F16	0	F17	0	F18				
F19	0	F20	0	F21				
F22	0	F23	0	F24				
F25	0	F26	0	F27				
F28	0	F29	0	F30				
F31	0	F32	0	F33				
F34	0	F35	0	F36				
F37	0	F38	0	F39				
F40	0							

R CODE: 1-ABOVE 2-BELOW 3-UNSUITABLE 4-NOT REQD 6-EXC VAR