



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

# Request for Quotation

RFO NUMBER  
**6611C015**

PAGE  
**1**

ADDRESS CORRESPONDENCE TO ATTENTION OF  
 BUYER 33  
 304-558-2402

VENDOR

**TOME BROWN INC**  
**224 GEORGETOWN ROAD**  
**LAWRENCE PA 15055**

SHIP TO

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

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
03/24/2011	<i>Net 30 Days</i>	<i>Best Way</i>	<i>Destination</i>	<i>Allowed.</i>

BID OPENING DATE: **04/21/2011** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	LS		395-30-99-002		<i>\$117,116.40</i>
<p>TO FURNISH COMPONENTS OF THE X.J.S EXPANSION JOINT</p> <p>REQUEST FOR QUOTATION (RFQ) OPEN END CONTRACT</p> <p>THE WEST VIRGINIA STATE PURCHASING DIVISION FOR THE AGENCY, THE WEST VIRGINIA DIVISION OF HIGHWAYS, IS SOLICITING BIDS FOR AN OPEN END CONTRACT TO PROVIDE COMPONENTS OF THE X.J.S. EXPANSION JOINT SYSTEM AND THE EXP EXPANSION JOINT SYSTEM PER THE ATTACHED SPECIFICATIONS.</p> <p>TECHNICAL QUESTIONS CONCERNING THIS SOLICITATION MUST BE SUBMITTED IN WRITING TO SHERI SLONE IN THE WEST VIRGINIA STATE PURCHASING DIVISION VIA MAIL AT THE ADDRESS SHOWN IN THE BODY OF THIS RFQ, VIA FAX AT 304-558-4115, OR VIA EMAIL AT SHERI.D.SLONE@WV.GOV. DEADLINE FOR ALL TECHNICAL QUESTIONS IS 04/05/2011 AT THE CLOSE OF BUSINESS. ANY TECHNICAL QUESTIONS RECEIVED WILL BE ANSWERED BY FORMAL ADDENDUM TO BE ISSUED BY THE PURCHASING DIVISION AFTER THE DEADLINE HAS LAPSED.</p> <p>EXHIBIT 10</p> <p>REQUISITION NO.: .....</p>						

RECEIVED

2011 APR 21 AM 8:16

WV PURCHASING DIVISION

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE: *[Signature]* TELEPHONE: **724-743-2121** DATE: **4/19/11**

TITLE: *Sales Manager* FEIN: **6837** ADDRESS CHANGES TO BE NOTED ABOVE

WHEN RESPONDING TO RFO, INSERT NAME AND ADDRESS IN SPACE ABOVE LABELLED '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. Prior to any award, the apparent successful vendor must be properly registered with the Purchasing Division and have paid the required \$125 fee.
  4. 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.
  5. Payment may only be made after the delivery and acceptance of goods or services.
  6. Interest may be paid for late payment in accordance with the *West Virginia Code*.
  7. Vendor preference will be granted upon written request in accordance with the *West Virginia Code*.
  8. The State of West Virginia is exempt from federal and state taxes and will not pay or reimburse such taxes.
  9. The Director of Purchasing may cancel any Purchase Order/Contract upon 30 days written notice to the seller.
  10. The laws of the State of West Virginia and the *Legislative Rules* of the Purchasing Division shall govern the purchasing process.
  11. Any reference to automatic renewal is hereby deleted. The Contract may be renewed only upon mutual written agreement of the parties.
  12. **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.
  13. **HIPAA BUSINESS ASSOCIATE ADDENDUM:** The West Virginia State Government HIPAA Business Associate Addendum (BAA), approved by the Attorney General, is available online at [www.state.wv.us/admin/purchase/vrc/hipaa.htm](http://www.state.wv.us/admin/purchase/vrc/hipaa.htm) and 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.
  14. **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>.
  15. **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, and the West Virginia Insurance Commission. 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.
  16. **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 material, 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.

**INSTRUCTIONS TO BIDDERS**

1. Use the quotation forms provided by the Purchasing Division. Complete all sections of the quotation form.
2. 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. Unit prices shall prevail in case of discrepancy. All quotations are considered F.O.B. destination unless alternate shipping terms are clearly identified in the quotation.
4. 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
5. Communication during the solicitation, bid, evaluation or award periods, except through the Purchasing Division, is strictly prohibited (W.Va. C.S.R. §148-1-6.6).



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 Department of Administration  
 Purchasing Division  
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ADDRESS CORRESPONDENCE TO ATTENTION OF  
 BUYER 33  
 304-558-2402

RFQ COPY  
 TYPE NAME/ADDRESS HERE  
*Tom Brown, Inc*

DIVISION OF HIGHWAYS  
 VARIOUS LOCALES AS INDICATED  
 BY ORDER

DATE PRINTED	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS
03/24/2011				

BID OPENING DATE: 04/21/2011 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 .....</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><i>Tom Brown</i>            .....            SIGNATURE  <i>Tom Brown Inc</i>            .....            COMPANY</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE TELEPHONE DATE

TITLE FEIN ADDRESS CHANGES TO BE NOTED ABOVE



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ADDRESS CORRESPONDENCE TO ATTENTION OF  
**BUYER 33**  
**304-558-2402**

VENDOR

RFQ COPY  
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DIVISION OF HIGHWAYS  
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03/24/2011				

BID OPENING DATE: **04/21/2011** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
DATE						
<p>NOTE: THIS ADDENDUM ACKNOWLEDGEMENT SHOULD BE SUBMITTED WITH THE BID.</p> <p>REV. 09/21/2009</p> <p>EXHIBIT 3</p> <p>LIFE OF CONTRACT: THIS CONTRACT BECOMES EFFECTIVE UPON AWARD 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 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</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

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



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BUYER 33 304-558-2402

VENDOR	RFQ COPY
	TYPE NAME/ADDRESS HERE
	<i>Tom Brown Inc</i>

SHIP TO	DIVISION OF HIGHWAYS
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03/24/2011				

BID OPENING DATE: 04/21/2011 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>NOTICE TO THE VENDOR IF THE COMMODITIES AND/OR SERVICES SUPPLIED ARE OF AN INFERIOR QUALITY OR DO NOT CONFORM TO THE SPECIFICATIONS OF THE BID AND CONTRACT HEREIN.</p> <p>OPEN MARKET CLAUSE: THE DIRECTOR OF PURCHASING MAY AUTHORIZE A SPENDING UNIT TO PURCHASE ON THE OPEN MARKET, WITHOUT THE FILING OF A REQUISITION OR COST ESTIMATE, ITEMS SPECIFIED ON THIS CONTRACT FOR IMMEDIATE DELIVERY IN EMERGENCIES DUE TO UNFORESEEN CAUSES (INCLUDING BUT NOT LIMITED TO DELAYS IN TRANSPORTATION OR AN UNANTICIPATED INCREASE IN THE VOLUME OF WORK.)</p> <p>QUANTITIES: QUANTITIES LISTED IN THE REQUISITION ARE APPROXIMATIONS ONLY, BASED ON ESTIMATES SUPPLIED BY THE STATE SPENDING UNIT. IT IS UNDERSTOOD AND AGREED THAT THE CONTRACT SHALL COVER THE QUANTITIES ACTUALLY ORDERED FOR DELIVERY DURING THE TERM OF THE CONTRACT, WHETHER MORE OR LESS THAN THE QUANTITIES SHOWN.</p> <p>ORDERING PROCEDURE: SPENDING UNIT(S) SHALL ISSUE A WRITTEN STATE CONTRACT ORDER (FORM NUMBER WV-39) TO THE VENDOR FOR COMMODITIES COVERED BY THIS CONTRACT. THE ORIGINAL COPY OF THE WV-39 SHALL BE MAILED TO THE VENDOR AS AUTHORIZATION FOR SHIPMENT, A SECOND COPY MAILED TO THE PURCHASING DIVISION, AND A THIRD COPY 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</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

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RFQ COPY

TYPE NAME/ADDRESS HERE

VENDOR

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<b>03/24/2011</b>				

BID OPENING DATE: **04/21/2011** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
				DOCUMENTS SUCH AS PRICE LISTS, ORDER FORMS, SALES AGREEMENTS OR MAINTENANCE AGREEMENTS, INCLUDING ANY ELECTRONIC MEDIUM SUCH AS CD-ROM.  REV. 05/26/2009  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.  EXHIBIT 4  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.  REV. 3/88  NOTICE  A SIGNED BID MUST BE SUBMITTED TO:		

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE		TELEPHONE		DATE
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE		

WHEN RESPONDING TO REQ. INSERT NAME AND ADDRESS IN SPACE ABOVE LABELED 'VENDOR'



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03/24/2011				

BID OPENING DATE: **04/21/2011** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
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:		SHERI SLONE - FILE 33				
RFQ. NO.:		6611C015				
BID OPENING DATE:		04/21/2011				
BID OPENING TIME:		1:30 PM				
PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID:					724-743-0251	
CONTACT PERSON (PLEASE PRINT CLEARLY):					ROGER BURRIS	

SEE REVERSE SIDE FOR TERMS AND CONDITIONS		
SIGNATURE <i>[Signature]</i>	TELEPHONE 724-743-2121	DATE 4/19/11
TITLE Sales Manager	FEIN [REDACTED] 6837	ADDRESS CHANGES TO BE NOTED ABOVE



State of West Virginia  
 Department of Administration  
 Purchasing Division  
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DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
03/24/2011				

BID OPENING DATE: **04/21/2011** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
***** THIS IS THE END OF RFQ 6611C015 ***** TOTAL:						<u>117,116.40</u>

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE *[Signature]* TELEPHONE **724-743-2121** DATE **4/19/11**

TITLE *Sales Manager* FEM **6837** ADDRESS CHANGES TO BE NOTED ABOVE

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



## 1. SPECIFICATIONS

The following sections of the West Virginia Department of Transportation, Division of Highways Standard Specifications, Roads and Bridges, adopted 2010, as modified by the current Supplemental Specifications at time of bid opening shall apply to the administration of this contract: Sections 101, 102.4, 102.5, 105.1, 105.3, 105.4, 105.10, 105.11, 105.12, 105.13, 106.3, 106.4, 106.5, 106.6, 106.7, 106.9, 107.1, 107.2, 107.3, 107.14, 107.19, 107.20, 108.8, 109.1, 109.2 and 109.20.

The terms "Contractor and Vendor" used in the above specifications of this Contract are interchangeable. Contractor shall mean Vendor and Vendor shall mean Contractor.

West Virginia Department of Transportation, Division of Highways' Standard Specifications Roads and Bridges, adopted 2000, and the current Supplemental Specifications at time of bid opening may be obtained from:

West Virginia Department of Transportation  
Division of Highways, Building 5, Room A729  
1900 Kanawha Blvd., East  
Charleston, West Virginia 25305

### 1.1 COMPONENTS OF X.J.S. EXPANSION JOINT SYSTEM, EXP EXPANSION JOINT SYSTEM, "or Equal".

- A. Carboguard 635 -Crossed-linked epoxy polymeric amine primer for priming of plain carbon steel and weathering steel. The material shall have the following physical properties:

Color: Gray  
Gloss: Satin  
VOC: 2.47 lbs/gal mixed  
Coverage: 260 sq ft/gal @ 4 mils.  
Volume Solids: 65% ± 2% mixed  
Flash Point: 66° F Part and A 80° F part B  
Packaging: 1-Gal Kit  
Drying Time @ 75° F; 50% relative humidity:  
Recoat 45 hours minimum  
Surface Temperature and relative humidity for application:  
Temperature: 5° F above dew point

- B. Dow Corning® 1200 OS Primer for priming Silspec 900 Nosing and concrete substrates. Shelf life of unopened material shall be one and one-half (1.5) years when stored at or below 77° F. The material shall have the following physical properties:

Color: Clear  
Flash Point: 80.6° F  
Dry Time: 90 min cold conditions  
15 min warm conditions

- C. SSI Silspec® 900 Polymer Nosing System  
The polymer material shall be a three-component (polymer resin, curing agent, engineered blend of graded aggregates), rapid curing liquid polymer

that cures to a dense, semi-flexible, weather, abrasion, and impact resistant polymer mortar. The polymer material shall cure sufficiently to accept traffic in four (4) hours at a substrate temperature of 70° F. Shelf life of unopened material shall be two (2) years when stored between 50° F and 90° F. The material shall have the following physical properties:

**Mixed Epoxy Without Aggregate:**

Mixing Ratio:	1:1 by Volume	
Color:	Black	
Tensile Strength:	900 PSI min.	ASTM D 638*
Elongation at Break:	45% min.	ASTM D 638*
Shore D Hardness:	45-75 (at 77° F)	ASTM D 2240
Gel Time:	20-60 minutes	AAASHTO M200

\*Molded Specimens, 0.25 in Thickness

**Mixed Epoxy With Aggregate:**

Compressive Strength:	2500 PSI min	ASTM C 579 Method B @ 24 Hours
Bond Shear Strength:	700 PSI min	ASTM C 882
Abrasion Resistance:	1.0 max	ASTM C 501, Taber H22
Resilience:	70% min	OKLA Test Procedure OHD L6
Thermal Compatibility	PASS	ASTM C 884

Aggregate: Supplied by the manufacturer. It shall be well graded, clean and dry.

- C.1 SSI Silspec® 1000 Polymer Nosing System (cold weather alternate nosing)  
The polymer material shall be a 4-component (polymer resin, curing agent, engineered blend of silica aggregate, large aggregates), very rapid curing liquid polymer that cures to a dense, semi-flexible, weather, abrasion, and impact resistant polymer mortar at temperatures below 60° F. The polymer will cure sufficiently to accept traffic in 55 minutes at a substrate temperature of 60° F. Shelf life of unopened material shall be one (1) year when stored below 85° F. The material will have the following properties:

**Mixed Polymer Without Aggregate:**

Mixing Ratio:	1:1 by Volume	
Color:	Tan	
Pot Life:	3 min.	ASTM C881 (100 grams) 70° F
Viscosity:	250 cps.	
Hardness:	60-70D	ASTM D2240
Tensile:	1500 psi	ASTM D412
Elongation:	30%	ASTM D412

**Mixed Polymer With Aggregate:**

Compressive Strength:	3500 psi	ASTM C579
Bond Strength:	2000 psi	ASTM C882
Adhesion:	400 psi	ACI 503R

- D. Dow Corning 902 Silicone Sealant  
The silicone sealant shall be a cold-applied, self leveling, ultra-low-modulus, two-part, rapid curing, 100 percent, silicone rubber sealant. The silicone sealant shall cure sufficiently to accept traffic within one (1) hour. Shelf life of

unopened material shall be one (1) year when stored between 32° F and 90° F. Sealant shall meet the following physical requirements:

<b>As Supplied</b>	<b>Parts A &amp; B</b>	
Flow	Self Leveling	ASTM C 639 Type I
Extrusion Rate	200-550 grams/min	MIL-S-8802
Specific Gravity	1.25 to 1.34	ASTM D 792 Method A
<b>As Cured (at 77° F &amp; 50% Relative Humidity)</b>		
Mixing Ratio:	1:1 by Volume	
Color:	Gray	
Skin-Over Time:	20 min max	MIL-S-8802
Tack-Free Time:	90 min max	
Elongation	600 % min	ASTM D 3583, Sec 14 Mod
Modulus @ 100%	3 to 12 PSI	ASTM D 3583, Sec 14 Mod

**1.2 SOFT TYPE BACKER ROD as Manufactured by Nomaco Inc., and Industrial Thermo Polymers "or Equal".**

Backer rod shall be non-exuding, chemically inert extruded polyolefin foam with a non-absorbing outer skin and a resilient interior network of open and closed cells, which does not out-gas when ruptured. The material shall have the following physical properties:

Water Absorption:	0.5% (by volume % max)	ASTM D 5249
Density:	6 lb/ft <sup>3</sup> max	ASTM D 1622
Outgassing:	<1 (No. of bubbles)	ASTM C 1253
Comp. Recovery:	90% min	ASTM D 5249
25% Compression		
deflection force:	15 psi max	ASTM D 5249
Tensile Strength:	20 psi min	ASTM D 1623
Temp. Limits:	-45° F to 160° F	

**2. CONTRACT REQUIREMENTS**

The purpose of this contract is to establish unit prices for following Items;

Items 1, through 7 which are to be used as the basis for requisitioning components of the X.J.S. Expansion Joint System, (635 primer, 1200 primer, polymer nosing material, silicone sealant), for use in the repair and construction of sealed bridge expansion joints. All components bid as equal, must be part of a complete expansion joint system approved as equal to the X.J.S. Expansion Joint System and not a single component approved as an equal to a component of the X.J.S. Expansion Joint System.

Item 8 which is to be used as the basis for requisitioning soft type backer rod material for use in bridge expansion joints.

Bid price for Items 1 thru 8 shall be "F.O.B." Division of Highways storage sites as indicated on the Approved Release Order. Refer to bid schedule for a listing of the Division of Highways storage sites.

Any qualification of bids or modification of the specification or conditions governing the bid may be cause to reject bids.

3. **CONTRACT AWARD**

Vendor shall bid all items in the bid schedule, by not bidding all items necessary to build a complete joint system the Vendors bid may be disqualified.

In the event a Vendor fails to conform to the requirements of this contract document or the governing specifications the contract may be canceled and re-awarded to the next lowest bidder.

4. **DELIVERY**

Upon receipt of a Release Order the requested item(s) shall be delivered or available for Division of Highways pick-up within fifteen (15) calendar days.

5. **VENDOR'S INVOICE**

Vendor's invoice must be submitted in original and one (1) copy and contain the following:

- a. Division of Highways' Release Order Number and this contract number.
- b. Total quantity and unit price with the extended total cost of each item purchased.

Under no circumstances will the West Virginia Division of Highways accept, or pay for quantities in excess of the quantities stated on the Release Order.

## 6. BID SCHEDULE

Division of Highways Storage Sites

Districts 1-10 &amp; Maintenance Division

6611C0015

Item No.	Description	Estimated Quantity	Unit/Description	Unit Cost	Amount
1	Carboguard 635 Gray Primer "or Equal"	5	per 1 Gal. Kit	127.95	639.75
2	Dow Corning® 1200 OS Primer "or Equal"	15	per 16.9 oz	41.35	620.25
3	Silspec® 900 Polymer Nosing System "or Equal"	25	per Unit*	271.00	6775.00
4	Silspec® 900 Polymer Nosing System "or Equal"	5	per 30 Unit* Lot	7591.50	37957.50
5	Dow Corning 902 RCS Silicone Sealant (Package with 8 part A & part B Tubes. Total 320 ounces) "or Equal"	60	per Package	456.96	27,417.60
6	Silspec® 1000 Polymer Nosing System "or Equal"	5	per Unit*	276.00	1380. <sup>00</sup>
7	Silspec® 1000 Polymer Nosing System "or Equal"	5	per 30 Unit* Lot	7741.50	38707.50
8	Soft Type Backer Rod "or Equal"				
	3/8" Diameter	50	per L.F.	.039	1.95
	5/8" Diameter	50	per L.F.	.057	2.85
	7/8" Diameter	50	per L.F.	.10	5.00
	1 1/8" Diameter	50	per L.F.	.16	8.00
	1 1/2" Diameter	500	per L.F.	.42	200.00
	2" Diameter	500	per L.F.	.81	405.00
	2 1/2" Diameter	50	per L.F.	1.27	63.50
	3" Diameter	1100	per L.F.	1.85	2035.00
	4 Diameter	250	per L.F.	3.59	897.50

\* Unit equal 1 cubic foot

TOTAL \$117,116.40

## Division of Highways Storage Sites

District One  
1334 Smith Street  
Charleston, WV 25301

District Two  
P.O. Box 880  
Huntington, WV 25712

District Three  
624 Depot Street  
Parkersburg, WV 26101

District Four  
P. O. Box 4220  
Clarksburg, WV 26302-4220

District Five  
P.O. Box 99 (US Route 50)  
Burlington, WV 26710

District Six  
1 DOT Drive  
Moundsville, WV 26041

District Seven  
P.O. Box 1228  
Weston, WV 26452

District Eight  
US Route 219 North  
P.O. Box 1516  
Elkins, WV 26241

District Nine  
103 1/2 Church Street  
Lewisburg, WV 24901

District Ten  
270 Hardwood Lane  
Princeton, WV 24740

Maintenance Division  
I-79 Exit 57  
Coon Knob, WV 26601



# 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: Tom Brown, Inc

Signed: [Signature]

Date: 4/19/11

Title: Sales Manager



RFQ No: 6611C015

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 owed 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: Tom Brown, Inc

Authorized Signature: [Signature] Date: 4/5/2011

State of OH

County of Franklin, to-wit:

Taken, subscribed, and sworn to before me this 5 day of April, 2011.

My Commission expires 06/24/12, 20  .



ANJI MOHAN  
NOTARY PUBLIC, STATE OF OHIO  
MY COMMISSION EXPIRES 06/24/12

NOTARY PUBLIC Anji Mohan