



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
7010EC11

PAGE
1

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

VENDOR

\*516130239 330-922-3630  
 DJL MATERIAL & SUPPLY INC  
 PO BOX 5293  
 AKRON OH 44334-0293

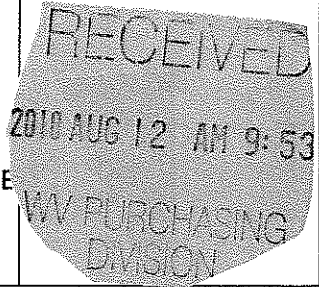
SHIP TO

DIVISION OF HIGHWAYS  
 EQUIPMENT DIVISION  
 ROUTE 33  
 BRUSHY FORK ROAD  
 BUCKHANNON, WV  
 26201 472-1750

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
06/13/2010	Net 30	Reg	WVDOT Location	Included

BID OPENING DATE: 08/04/2010 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	EA		370-33	\$29734.95	\$28734.95
<p>PROVIDE TRAILER MOUNTED ASPHALT KETTLE</p> <p>OPEN END CONTRACT</p> <p>TO PROVIDE TRAILER MOUNTED ASPHALT KETTLE FOR THE WEST VIRGINIA DIVISION OF HIGHWAYS PER THE ATTACHED SPECIFICATIONS.</p> <p>MANDATORY PRE-BID</p> <p>A MANDATORY PRE-BID WILL BE HELD ON THURSDAY, 07/22/10 AT 10 AM IN BUILDING 15, CAPITAL COMPLEX, CHAS. WV. ALL INTERESTED PARTIES ARE REQUIRED TO ATTEND THIS MEETING FAILURE TO ATTEND THE MANDATORY PRE-BID SHALL RESULT IN DISQUALIFICATION OF THE BID. NO ONE PERSON MAY REPRESENT MORE THAN ONE BIDDER.</p> <p>AN ATTENDANCE SHEET WILL BE MADE AVAILABLE FOR ALL POTENTIAL BIDDERS TO COMPLETE. THIS WILL SERVE AS THE OFFICIAL DOCUMENT VERIFYING ATTENDANCE AT THE MANDATORY PRE-BID. FAILURE TO PROVIDE YOUR COMPANY AND REPRESENTATIVE NAME ON THE ATTENDANCE SHEET WILL RESULT IN DISQUALIFICATION OF THE BID. THE STATE WILL NOT ACCEPT ANY OTHER DOCUMENTATION TO VERIFY ATTENDANCE. THE BIDDER IS RESPONSIBLE FOR ENSURING THEY HAVE COMPLETED THE INFORMATION REQUIRED ON THE ATTENDANCE SHEET. THE PURCHASING DIVISION AND THE STATE AGENCY WILL NOT ASSUME ANY RESPONSIBILITY FOR A BIDDER'S FAILURE TO COMPLETE THE PRE-BID ATTENDANCE SHEET. IN ADDITION, WE REQUEST THAT ALL POTENTIAL BIDDERS INCLUDE THEIR E-MAIL ADDRESS AND FAX NUMBER.</p>						



SEE REVERSE SIDE FOR TERMS AND CONDITIONS			
SIGNATURE	TELEPHONE	DATE	
<i>[Signature]</i>	330-922-3630	8/13/2010	
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE	
AVP	34-1318958		

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. 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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**2**

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

VENDOR

\*516130239      330-922-3630  
 DJL MATERIAL & SUPPLY INC  
 PO BOX 5293  
 AKRON OH 44334-0293

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06/13/2010	Net 30	Reg	WVDOT Location	Included

BID OPENING DATE: **08/04/2010**      **BID OPENING TIME 01:30PM**

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>ALL POTENTIAL BIDDERS ARE REQUESTED TO ARRIVE PRIOR TO THE STARTING TIME FOR THE PRE-BID. BIDDERS WHO ARRIVE LATE, BUT PRIOR TO THE DISMISSAL OF THE TECHNICAL PORTION OF THE PRE-BID WILL BE PERMITTED TO SIGN IN. BIDDERS WHO ARRIVE AFTER CONCLUSION OF THE TECHNICAL PORTION OF THE PRE-BID, BUT DURING ANY SUBSEQUENT PART OF THE PRE-BID WILL NOT BE PERMITTED TO SIGN THE ATTENDANCE SHEET.</p> <p>QUESTIONS: WRITTEN QUESTIONS WILL BE ACCEPTED THROUGH CLOSE OF BUSINESS (5:00 PM, EST) ON THURSDAY, 07/08/10</p> <p>SEND YOUR QUESTIONS TO: PURCHASING DIVISION            ATTENTION MICHAEL AUSTIN            2019 WASHINGTON ST., E.,            CHARLESTON, WV 25305</p> <p>QUESTIONS MAY BE SENT VIA FAX, E-MAIL, OR REGULAR MAIL.            E-MAIL: MICHAEL.D.AUSTIN@WV.GOV            FAX: 304-558-4115</p> <p>IT IS THE VENDORS RESPONSIBILITY TO VERIFY THAT THEIR QUESTIONS HAVE BEEN RECEIVED BY CALLING 304-558-2402.</p> <p>EXHIBIT 2</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 THIRTY (30) DAYS WRITTEN NOTICE.</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
<i>Michael Austin</i>	330-922-3630	8/3/2010
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE
AVP	34-1318958	

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<p>UNLESS SPECIFIC PROVISIONS ARE STIPULATED 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 NOTICE TO THE VENDOR IF THE COMMODITIES AND/OR SERVICES SUPPLIED ARE OF AN INFERIOR QUALITY OR DO NOT CONFORM WITH 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 SUPPLIES 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 CONTRACT, WHETHER MORE OR LESS THAN THE QUANTITIES SHOWN.</p> <p>ORDERING PROCEDURE: SPENDING UNIT(S) SHALL ISSUE A WRITTEN EQUIPMENT CONTRACT ORDER (FORM NUMBER WV-35)</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
<i>[Signature]</i>	330-922-3630	8/13/2010

TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE
AVP	34-1318958	

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**4**

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06/13/2010	Net 30	Reg	WVDOT	Included

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LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>FOR COMMODITIES COVERED BY THIS CONTRACT. THE ORIGINAL WV-35 MUST BE SENT TO THE PURCHASING DIVISION OF THE DEPARTMENT OF ADMINISTRATION. AFTER APPROVAL AND ENCUMBRANCE, ONE COPY OF THE PURCHASE ORDER WILL BE RETURNED TO THE SPENDING UNIT AND ONE COPY FORWARDED TO THE VENDOR AS AUTHORIZATION FOR SHIPMENT. NO ORDER IS VALID UNLESS APPROVED AND ENCUMBERED BY THE PURCHASING DIVISION.</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 FUTHER ORDER.</p> <p>REV. 5/2009</p> <p>EXHIBIT 10</p> <p style="text-align: right;">REQUISITION NO.: ..7010EC11.....</p> <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 ..XX.....</p> <p>NO. 2 ..XX.....</p> <p>NO. 3 ..XX.....</p> <p>NO. 4 ..XXXX..</p>						

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<i>[Signature]</i>	330-922-3630	8/3/2010	
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 Purchasing Division  
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**Request for  
 Quotation**

RFP NUMBER
7010EC11

PAGE
5

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

RECEIVED

\*516130239      330-922-3630  
 DJL MATERIAL & SUPPLY INC  
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 AKRON OH 44334-0293

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DATE PRINTED	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS
06/13/2010				

BID OPENING DATE: **08/04/2010**                      BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
NO. 5 .....						
<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: center;">..... <i>M. D. Luty</i> .....            SIGNATURE            DJL Material &amp; Supply, Inc.            .....            COMPANY            ..... 8/3/2010 .....            DATE</p> <p>NOTE: THIS ADDENDUM ACKNOWLEDGEMENT SHOULD BE SUBMITTED WITH THE BID.</p> <p>REV. 09/21/2009</p> <p style="text-align: center;">NOTICE</p> <p>A SIGNED BID MUST BE SUBMITTED TO:</p> <p style="text-align: center;">DEPARTMENT OF ADMINISTRATION            PURCHASING DIVISION</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS			
SIGNATURE	TELEPHONE	DATE	
<i>M. D. Luty</i>	330-922-3630	8/3/2010	
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06/13/2010				

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LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
	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: 33 RFQ. NO.: 7010EC11 BID OPENING DATE: 08/04/2010 BID OPENING TIME: 1:30 PM  PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID: 330-922-8070 ----- CONTACT PERSON (PLEASE PRINT CLEARLY): Michael Leahy -----					

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Michael Leahy</i>	TELEPHONE 330-922-3630	DATE 8/13/2010
TITLE AVP	FAX 34-1318958	ADDRESS CHANGES TO BE NOTED ABOVE

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



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**7**

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BID OPENING DATE: <b>08/04/2010</b>		BID OPENING TIME <b>01:30PM</b>		

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
***** THIS IS THE END OF RFQ 7010EC11 ***** TOTAL:						\$28734.95

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>[Signature]</i>	TELEPHONE 330-922-3630	DATE 8/3/2010
TITLE AVP	FEIN 34-1318958	ADDRESS CHANGES TO BE NOTED ABOVE

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WEST VIRGINIA DEPARTMENT OF TRANSPORTATION  
DIVISION OF HIGHWAYS  
EQUIPMENT DIVISION

PROCUREMENT SPECIFICATIONS  
NO. 521-1-F

TRAILER MOUNTED ASPHALT KETTLE

1.0 PURPOSE

It is the purpose of these specifications to describe a Trailer Mounted Asphalt Kettle (hereinafter referred to as an "applicator" or a "unit") to be purchased for use by the West Virginia Division of Highways (DOH) on an Open End Contract basis.

2.0 BIDDING PROCEDURES

**The current purchasing procedures regarding bidding as established by the Department of Administration, Purchasing Division, shall apply.** Failure to submit the "Request for Quotation" forms, complete in its entirety and according to directions indicated, may subject the bidder to disqualification. **Each bid submitted shall also be accompanied by a Bidder's Evaluation Report completed in detail.** Addendums in order, along with exception sheets, should be with Bidder's Evaluation Report. **FAILURE TO SUBMIT THE BIDDER'S EVALUATION REPORT, COMPLETE IN ITS ENTIRETY, MAY RESULT IN AUTOMATIC DISQUALIFICATION.**

3.0 SPECIFICATIONS

The specifications named herein, mandatory and non-mandatory, establish the acceptable level of quality only and are not intended to reflect a preference or favor any particular brand or vendor.

3.1 EXCEPTIONS TO NON-MANDATORY SPECIFICATIONS

Exception to a non-mandatory unit specification may be made by the bidder, providing the exception is not available from the manufacturer. **Any such exception must be noted on the bidder's evaluation report and should be accompanied by supporting documentation/literature from the manufacturer. Any exception must be indicated on a separate attachment to the bidder's evaluation report and labeled as "Exception to Specifications".** The state reserves the right to determine whether the stated exception does or does not reduce the quality and performance of the unit. Failure to provide information for any exceptions may be grounds for rejection of the bid. The state reserves the right to waive minor irregularities in bids or specifications in accordance with §148-1-4(f) of the WV Legislative Rules and Regulations.

### 3.2 MANDATORY SPECIFICATIONS

All specifications preceded by "shall, will, and/or must" or are stated as a "minimum and/or maximum" are mandatory as stated in Purchasing Divisions Policies and Procedures. Any bid failing to meet any mandatory item shall be immediately disqualified. Failure to respond in the appropriate evaluation section may also be grounds for immediate disqualification at the discretion of the State.

A mandatory pre-bid conference is scheduled for this equipment purchase as stated in the RFQ. Vendors having products with variations or exceptions in specified mandatory items are expected to address any such variations or exceptions during the pre-bid conference. **The State shall review and consider any such variation or exception, and may at its sole discretion, issue an addendum to change mandatory specifications deemed to be in the State's best interest. Bids from any vendor failing to attend the mandatory pre-bid shall be disqualified. Bids containing any variation or exception to a mandatory specification that was not addressed during the pre-bid conference and accepted by the issuance of an Addendum shall be disqualified.**

### 4.0 REPRESENTATIVE UNIT FOR TEST

**The successful vendor must (if specified) provide DOH one (1) completed representative unit to be observed and evaluated on each order to insure compliance with specification. If requested, the time period for testing and evaluation shall be seven (7) working days following receipt of the unit. DOH will incur no obligation for deterioration of surfaces, finishes, seals, and mechanical or electrical parts on the unit resulting from operation and testing within the limits of these specifications; nor will DOH incur obligation for damage to the unit resulting from failure to meet specifications when due care and attention is given by DOH and testing is done within the limits of these specifications. Failure of the pilot unit to satisfactorily meet specifications as bid shall be cause for cancellation of the purchase order, and return of the delivered unit along with all associated equipment to the vendor at the vendor's expense.**

### 4.1 CONDITION OF UNIT(S) UPON DELIVERY

**All units must arrive at the prescribed delivery point having been completely preserviced with oil, lubricants, and coolant. All prescribed precautions pertaining to first operations and break-in of the unit are to be posted conspicuously on the unit for ready observance by the operator.**

### 4.2 DELIVERY

Delivery point of the completely assembled representative unit will be the DOH, Equipment Division, Route 33 at Brushy Fork Road, Buckhannon, West Virginia (26201).

The vendor is responsible for guaranteeing delivery of the completed units within the time specified and agreed to by the State. Delivery is preferred within 90 days after receipt of purchase agreement. The vendor is responsible for establishing and coordinating delivery terms with allied manufacturers or suppliers. **Delivery terms shall be stated in the bid and the State reserves the right to accept or negotiate such terms.** Failure to reach an agreement may result in rejection of the bid. **The successful bidder shall provide their manufacturer's confirmation of the order to the WVDOH contact person within seven (7) working days after receiving the approved purchase order.**

**A completed pilot model for inspection must be provided within 45 calendar days after receipt of the purchase agreement by the successful vendor.**

Delivery is an integral part of this specification and failure to comply will be cause to initiate a D.O.T. Administrative Form WV-82, Vendor Performance Form. The WV-82 Form will provide a means of officially notifying the Purchasing Division and the vendor of unsatisfactory performance; such as late deliveries, poor service, inadequate parts supplies, etc.

The decision to initiate subject Form will be at the sole discretion of the D.O.H. Commissioner's established Equipment Review Board.

Issuance of the WV-82 Vendor Complaint Form on unsatisfactory delivery against any vendor will be cause to refuse to consider similar items from those vendors on future Request For Quotations.

(NOTE: Delivery time could be altered due to labor strikes, severe inclement weather conditions, etc.)

## 5.0 AWARD CRITERIA

5.1 DOH will recommend the award in accordance with the RFQ evaluation criteria described in the requisition. **The award shall be made to the lowest unit cost vendor that meets or exceeds the specifications.** DOH reserves the right to place multiple orders in any quantity.

## 6.0 SPECIFICATIONS AND GUIDELINES - GENERAL

### 6.1 IDENTIFICATION OF THE UNIT BEING PROPOSED

**The bidder must identify the unit by manufacturer, model, series, and year of manufacture, in the bid to enable identification by DOH in the manufacturer's specifications of the proposed unit.** The bidder will submit complete descriptive literature of the proposed unit, to establish that the bid is the manufacturer's most current model, including latest engineering improvements, which have been, or will imminently

be, regularly advertised and sold on the open market. The unit specified herein and offered to be manufactured after January 1, 2010 and be clearly identified and marked with date of manufacture.

6.2 OPERATING AND SERVICE MANUALS AND PARTS LISTS

**An operator's manual must be included with each unit upon delivery. A "line sheet" (if applicable) and Equipment Preventative Maintenance Questionnaire (as shown in X6.2 of the Bidder's Evaluation Report) must be with pilot unit upon delivery. In addition, there must be 12 service, shop, or maintenance manuals; ten (10) to be distributed to the Districts and two (2) for the Equipment Division. Also, there must be 14 parts manuals; ten (10) to be distributed to the Districts and four (4) for Equipment Division use. CD ROM is preferred in lieu of parts or service manuals.**

\* **NOTE: MANUALS SHALL BE DELIVERED UPON COMPLETION OF DELIVERY OF TOTAL UNITS. FAILURE TO DO SO WILL DELAY PAYMENT.**

6.3 TRAINING:

Manufacturers and/or dealers will be required to stage a thorough seminar on the subjects of Preventative Maintenance, Operator and Mechanic Training. **In order to keep the operators and mechanics updated, the successful vendor shall conduct training with each purchase order against this open end contract.** Training is preferred within 2 working days after delivery of the pilot unit on the individual purchase order.

**Manufacturers and/or dealers shall be required to furnish the Training Academy with one (1) Operator's Manual to be shipped direct to WVDOH Training Academy, Post Office Box 610, Buckhannon, West Virginia 26201 prior to delivery of the pilot.**

The seminar to be held at the W. Va. Division of Highways, Equipment Division, Buckhannon, West Virginia.

6.4 PREVENTIVE MAINTENANCE AND OPERATOR PROCEDURES:

**Manufacturers and/or dealers will be required to submit to the Equipment Division, in addition to the operating and service manuals, booklets and pamphlets explaining the Preventive Maintenance and Operator Procedures to be used by the operators of this equipment, and must include such things as daily prestart inspection procedure, service schedule, and routine maintenance required, safety precautions, etc.**

**The successful vendor shall furnish all training aids; i.e., videos, projectors, etc. required in conducting the training.**

## 6.5 WARRANTY AND SERVICE POLICY

The Manufacturers warranty or service policy is to apply to the unit. Such warranty or service policy is to be recognized at any authorized unit dealer, representing manufacturer of proposed unit throughout the State of West Virginia. The applicable warranty or service policy will not be contingent upon obtaining routine service, lubrication, and servicing of the unit from factory authorized agencies. It will be the responsibility of the bidder to have available labor to repair or replace any defective replacement parts, components and materials, and to have available those replacement parts, components, and/or materials found to be defective during the terms of the warranty period. The bidder should state the labor rates, locations where parts will be stocked, availability of parts, and discounts offered for parts, when terms of the warranty offer a pro-rated cost for parts and labor. In addition, the successful bidder should offer field work to repair or replace defective parts, components, and materials found to be defective during the terms of the warranty and should provide mechanic's travel rates, mileage charges, field mechanic rates, and any surcharge for miscellaneous items, if applicable, for field work during the warranty period. Submit to Division of Highways any technical or engineering improvements during the term of the warranty. **The unit must be accompanied upon delivery by the unit's manufacturer's executed warranty or service policy.**

**A mandatory minimum two (2) year bumper to bumper basic parts and labor warranty excluding abuse and normal wear items is required for this unit.**

**THE "WARRANTY AND SERVICE POLICY QUESTIONNAIRE" ATTACHED IN THE BIDDER'S EVALUATION REPORT MUST BE COMPLETED IN ITS ENTIRETY BY THE SUCCESSFUL BIDDER OR MANUFACTURER PRIOR TO DELIVERY OF THE PILOT MODEL. (SEE SECTION X6.5 OF BIDDER'S EVALUATION REPORT).**

## 6.6 EVALUATION COMMITTEE REQUIREMENTS

Detailed component specifications, product literature, component models, required for specification compliance determination by the Evaluation Committee should be provided with each bid. Any information supplied that is contrary to/or conflicting with the specifications and/or attached Bidders Evaluation Report may be sufficient cause for rejection of bid.

## 6.7 UNSPECIFIED ACCESSORIES & FEATURES

**All parts, equipment, accessories, material, design and performance characteristics not specified herein, but which are necessary to provide a complete unit, must be**

furnished with each unit and required to conform to strength, quality of material, and quality of workmanship to those which are advertised and provided to the market in general by the unit industry.

All parts and accessories advertised and regularly supplied as standard shall be included, except those which would represent duplication of these specified, and except those which, by specification, are not to be furnished. All standard safety features, required by Federal and State Law, shall be included.

7.0 SPECIFICATIONS OF THE QUOTED UNIT ARE AS FOLLOWS:

It is the purpose of the following specifications to describe a Double Drum Boiler Type Asphalt Melter Applicator that shall be the manufacturer's current production model. This unit shall be capable of heating and applying, without any further equipment modifications, all grades of asphalt rubber sealants, specification joint sealants, and fiber modified sealants. The machine shall be capable of starting at ambient temperature and bringing the sealant material to application temperature in one (1) hour or less. All bidders shall have and maintain a complete inventory of repair parts; as well as having experience service personnel available to service the equipment.

8.0 Frame:

- 8.1 This unit shall be trailer mounted. The tongue to be equipped with a 2 ½ inch pintle hitch; the center of which shall be a minimum of 25 inches from the nearest obstruction on the tongue.
- 8.1.2 Trailer tongue shall be adjustable in height above ground level from a minimum of 20 inches to a maximum of 28 inches permitting practically level towing with a variety of towing vehicles.
- 8.1.3 The towing hitch must be bolted to the hitch plate for easy height adjustment and/or conversion to other type hitches.
- 8.1.4 Longitudinal side frames and tongue members should be of one (1) continuous piece construction.
- 8.1.5 The configuration of the channels should be cold formed with the flanges on the outside resulting in a one (1) piece frame member with no cross welding of or on the flanges to avoid any possibility of flange stress cracking.

8.2 Trailer:

- 8.2.1 **The unit shall be equipped with dual axle; each axle to have a safe load capacity of 3500 lbs.**
- 8.2.2 **Axles shall be equipped with four (4) underslung multi-leaf springs or torsion type.**
- 8.2.3 **Unit shall be equipped with electric brakes and safety break-away switch.**
- 8.2.4 **Wheels to be drop center steel disc type.**
- 8.2.5 **Tires should be Tubeless Type Load Range D adequate for specified unit.**
- 8.2.6 **Tongue jack shall be provided; tongue jack capacity shall be minimum of 5,000 lbs. preferably side mounted.**
- 8.2.7 **Trailer tongue shall include two (2) safety chains not less than 48 inches length of 3/8 inch coil proof .**
- 8.2.8 **Total weight of unit (less material in tank) to be no less than 3,500 lbs.**

8.3 Lights:

- 8.3.1 **Unit shall have dual taillights, stop lights, right and left turn signals.**
- 8.3.2 **License plate holder shall be attached to the left rear taillight.**
- 8.3.3 **Lighting plug to be Cole Hersee Part #12081 male or equal**

8.4 Material Tank:

- 8.4.1 **Material tank capacity of 260 U.S. gallons at ambient temperature.**
- 8.4.2 **Unit shall have a double boiler type jacket which creates a reservoir that shall hold a minimum of 38 U.S. gallons of heat transfer oil at 70°F.**
- 8.4.3 **The jacket shall wrap around 100% of the outside area of the circular material tank and allow for complete circulation of the heated transfer oil.**

8.5 Loading Hatch:

- 8.5.1 **A low profile opening for loading of material provided at the top of the tank and located on the curb side of the unit for operator safety.**

- 8.5.2 Loading height should not exceed 50 inches.
- 8.5.3 The opening should provide approximately 380 square inches (16" x 24" approximate) capable of accepting blocks of material.
- 8.5.4 Lid should be hinged and provided with a shelf to put material on in order to provide easy anti splash loading as well as a locking pin.
- 8.5.5 **The heating tank shall be adequately insulated with 1 1/2 inch thick high temperature ceramic insulation** or equivalent and covered by a 16 gauge steel (approximate) outer wrapper.
- 8.5.6 A cold seal tank to be provided to minimize oil oxidation and prevent moisture condensation into the heat transfer oil.
- 8.6 Heating:
  - 8.6.1 Heat transfer oil to be adequately heated by high efficiency forced air diesel fired burner directly to the bottom of the heat transfer oil tank.
  - 8.6.2 **Total area exposed to the burner shall be a minimum of 6,560 square inches (45.5 square feet).**
  - 8.6.3 **The material tank shall have a minimum of 5,708 square inches (39.6 square feet) of contact with the heat transfer oil.**
  - 8.6.4 **Burner shall be lighted via a constant duty high voltage transformer powering an electric spark igniter.**
  - 8.6.5 **The ignition shall work in conjunction with a sensor that will detect a lack of burn or ignition and shut down fuel supply in that event.**
  - 8.6.6 Thermostatic control should be located on the curbside of the machine for operator safety.
- 8.7 Pumping Unit and Piping:
  - 8.7.1 **Material pump shall be on demand. Pump shall be controlled by a switch located on the wand.**
  - 8.7.2 **Material pump shall be mounted outside tank for best service and replacement.**
  - 8.7.3 **Pump shall not be submerged pumps or continuous run.**



8.8 Temperature Control:

- 8.8.1 **Melter applicator shall have a digital temperature control device with a high temperature limit switch which will automatically shut off the burner if the heat transfer oil reaches 575°F. Forced air diesel fuel burner rated at 372,000 BTU.**
- 8.8.2 **Unit shall provide two (2) dial type temperature gauges to visually indicate actual temperature of heat transfer oil and material temperature. Gauges should be located on top curbside of the unit.**
- 8.8.3 **Melter shall have infinite control of temperature for the broad range of sealants to be applied.**

8.9 Agitation:

- 8.9.1 The sealant material to be mixed by a bi-directional vertical agitator with two (2) paddles with vertical riser on each end to be included. Auto shut-off when material door is opened.
- 8.9.2 **Unit shall have continuous sealant agitation.**
- 8.9.3 Agitator to rotate in either direction with infinite speed control.

8.10 Engine:

**The unit shall be equipped with a diesel fueled engine complying with the following specifications.**

- 8.10.1 Engine: 23 HP Approximate
- 8.10.2 **Engine shall be electric start and equipped with engine manufacturers recommended maintenance free battery and charging system.**
- 8.10.3 **Engine shall be equipped with manufacturers heavy duty oil and air filter systems.**
- 8.10.4 Diesel engine to be water cooled.
- 8.10.5 **Cooling system shall be capable of maintaining the engine temperature within the manufacturers recommended temperature range during continuous operation under maximum speed and load combinations.**
- 8.10.6 **Coolant system shall be filled with permanent type Dex-Cool extended life or equal anti-freeze rated to a minus 50°F.**

- 8.10.7 Engine shall be equipped with manufacturers recommended mechanical governor.**
- 8.10.8 Engine noise level not to exceed 85 dba at a distance of 6 feet from the unit while in operation.**
- 8.10.9 Unit shall provide a minimum 25 U.S. gallon fuel tank for operation of diesel engine and burner.**
- 8.11 Sealant Hose and Applicator Wand:**
- 8.11.1 Hose shall have a Teflon core a minimum of ¾ inches inside diameter.**
- 8.11.2 Heated hose will be able to flow a minimum of ten (10) gallon per minute**
- 8.11.3 The heated hose shall be electrically heated 0° to 450° temperature at 300 PSI work pressure.**
- 8.11.4 The heated hose shall have multi layers of insulation, a polyester braid cover, and a high-visibility optic yellow protective safety cover will surround the heated hose.**
- 8.11.5 The hose will be heated by using a generator belt driven to the diesel engine and will incorporate a floating ground to avoid any electrical hazard during use.**
- 8.11.6 The heated hose generator will have a gauge located on the control panel.**
- 8.11.7 The sealant wand shall hold the material hose and have a 360 degree live swivel.**
- 8.11.8 Electrically heated hose shall run the full length, Melter to Sealant tip.**
- 8.11.9 A variety of nozzles shall be provided and shall be attachable to the applicator wand.**
- 8.12 Shoe Box:**
- 8.12.1 An external box shall be supplied capable of holding and recirculating a wand tip or shoe of at least six inches (6") in diameter.**
- 8.12.2 A locking device shall also be incorporated that will lock the hand wand to the "shoe box" or the re-circulating tube.**
- 8.13 Paint shall be manufacturers standard for model bid.**

- 8.14 Vendor must certify that unit offered will meet or exceed the "Occupational Safety and Health Act of 1970" or subsequent changes that are in effect at time of manufacture of the unit.
- 8.15 Advertising: No visible decals or nameplates or painted on names representing the manufacturer or model number of trademark should appear on the exterior surfaces of the unit. Such logos created through the stamping or casting process of manufacture are expected.
- 8.16 Preventive Maintenance & Operator's Training School:

Manufacturers and/or dealers shall be required to stage a thorough seminar on the subjects Preventive Maintenance and Operator Training. The seminar to be conducted at Division of Highways Equipment Division, Buckhannon, W. Va.

To make the program complete, in addition to the operating and service manuals, booklets and pamphlets explaining the Preventive Maintenance and Operator Training procedures to be used by the operators of this equipment, must include such things as daily prestart inspection procedure, service schedule and routing maintenance required, safety precautions, etc.

Bidder shall attach a copy of the proposed program with his bid, state the time required to perform the program, and briefly describe his program.

WEST VIRGINIA DEPARTMENT OF TRANSPORTATION  
DIVISION OF HIGHWAYS  
EQUIPMENT DIVISION

BIDDER'S EVALUATION REPORT

PROCUREMENT SPECIFICATIONS FOR OPEN END CONTRACT  
NO. 521-1-F

TRAILER MOUNTED ASPHALT KETTLE

NOTE TO BIDDER: Procurement Specification No. 521-1-F, Paragraph 2.0 recommends the completion and submittal of this Report with your bid. Purpose of this Report is to enable the West Virginia Division of Highways Evaluation Committee to make full and fair evaluation of the bid. Addendums in order, along with a summary of exception as a separate attachment, should be with Bidder's Evaluation Report. FAILURE TO SUBMIT THIS REPORT, COMPLETE IN ITS ENTIRETY, MAY SUBJECT THE BIDDER TO DISQUALIFICATION.

Reference Requisition No.: \_\_\_\_\_ 7010EC11 \_\_\_\_\_

Bidder's Name: DJL Material & Supply, Inc.

Address: PO Box 5293, Akron, OH 44334

Telephone Number: 330-922-3630

Years Bidder has been registered to do business with the State of West Virginia: 14 YRS.

Years Company has been an authorized dealer for proposed unit: \_\_\_\_\_ 4 \_\_\_\_\_ YRS.

X3.2 Have you complied with all mandatory specifications?  YES  NO

\*\*\*See Exception Page

X4.2 DELIVERY:

X4.2.1 Delivery date of completed representative unit: \_\_\_\_\_ 45 \_\_\_\_\_ Calendar Days After  
Receipt of Purchase Agreement

X4.2.2 Delivery date of balance of completed units: \_\_\_\_\_ 85 \_\_\_\_\_ Calendar Days After Receipt of  
Purchase Agreement

X5.0 AWARD CRITERIA;

X5.1 Price per unit:

\_\_\_\_\_ \$28734.95 \_\_\_\_\_ per unit

X6.0 SPECIFICATIONS - GENERAL

X6.1 Manufacturer, model, series, and date of manufacture of proposed unit:

Crafco EZ Series II 1000 Electric, P/N 46200EB, 2010

Is descriptive literature, fully describing proposed unit attached to your bid?  YES  NO

If not, why? \_\_\_\_\_

X6.2 Will the required number of service manuals, and complete parts list be delivered to the Equipment Division at Buckhannon upon completion of delivery of total units?

YES  NO

Will the required Equipment Preventive Maintenance Form (Section X6.2 of Bidders Evaluation Report) be provided upon inspection of the pilot unit?  YES  NO

X6.2  
2-10-00

EQUIPMENT PREVENTATIVE MAINTENANCE QUESTIONNAIRE

THIS FORM MUST BE COMPLETED IN ITS ENTIRETY BY SUCCESSFUL BIDDER OR MANUFACTURER'S TECHNICAL REPRESENTATIVE PRIOR TO DELIVERY OF PILOT MODEL TO THE WVD0H.

DESCRIPTION: \_\_\_\_\_ MAKE: \_\_\_\_\_

MODEL: \_\_\_\_\_ YEAR: \_\_\_\_\_ PURCHASE AMOUNT: \_\_\_\_\_

ENGINE: MAKE: \_\_\_\_\_ MODEL: \_\_\_\_\_ FUEL TYPE: \_\_\_\_\_

HORSEPOWER: \_\_\_\_\_ CYLINDER: \_\_\_\_\_ ENGINE SERIAL: \_\_\_\_\_

COOLING SYSTEM CAPACITY: \_\_\_\_\_

BELTS: DESCRIPTION: \_\_\_\_\_ PART NUMBERS: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

GVW: \_\_\_\_\_ AXLE CAPACITY: FRONT: \_\_\_\_\_ REAR: \_\_\_\_\_

TIRES: FRONT MAKE & SIZE: \_\_\_\_\_

REAR MAKE & SIZE: \_\_\_\_\_

DIMENSIONS OF UNIT: LENGTH: \_\_\_\_\_ WIDTH: \_\_\_\_\_ LENGTH: \_\_\_\_\_

VENDOR CONTACT PERSON: \_\_\_\_\_ PHONE: \_\_\_\_\_

PARTS:

BATTERY MAKE: \_\_\_\_\_ MODEL: \_\_\_\_\_ CCA: \_\_\_\_\_

TOP OR SIDE POST: \_\_\_\_\_ DIMENSIONS: LENGTH \_\_\_\_\_ WIDTH \_\_\_\_\_ HEIGHT \_\_\_\_\_

SPARK PLUGS OR FUEL INJECTORS MAKE: \_\_\_\_\_ PART # \_\_\_\_\_

FUEL PUMP OR INJECTION PUMP MAKE: \_\_\_\_\_ MODEL: \_\_\_\_\_

ALTERNATOR MAKE: \_\_\_\_\_ PART #: \_\_\_\_\_

STARTER MAKE: \_\_\_\_\_ PART #: \_\_\_\_\_

TURBO CHARGER MAKE: \_\_\_\_\_ PART #: \_\_\_\_\_

TRANS. MAKE: \_\_\_\_\_ MODEL: \_\_\_\_\_ AUTO/MANUAL: \_\_\_\_\_

HYDRAULIC PUMP MAKE: \_\_\_\_\_ MODEL: \_\_\_\_\_

FILTERS	MAKE	PART NO.	LUBRICANT	MANUFACTURER TYPE
OIL	_____	_____	ENGINE	_____
AIR INNER	_____	_____	TRANSMISSION	_____
AIR OUTER	_____	_____	POWER STEERING	_____
FUEL PRIMARY	_____	_____	HYDRAULIC	_____
FUEL SECONDARY	_____	_____	DIFFERENTIALS	_____
COOLANT	_____	_____	BRAKE FLUID	_____
HYDRAULIC	_____	_____	COOLANT	_____
OTHER	_____	_____	OTHER	_____

X6.3 TRAINING:

Will training seminar be conducted on Preventive Maintenance, Operator and Mechanic Training  YES  NO

Will you conduct training with each purchase order against this open end contract?  YES  NO

Will training be conducted within 2 working days from the delivery of the pilot unit on the individual purchase order?  YES  NO

If NO, explain time frame \_\_\_\_\_

Will an Operator's Manual be furnished directly to Training Academy prior to the delivery of the pilot?  YES  NO

X6.4 If you are the successful vendor, will you furnish all training aids, i.e., videos, projectors, required in conducting the training?  YES  NO

X6.4.1 Will all manuals, booklets, etc. explaining preventive maintenance, operator procedures, and service schedule be delivered with each unit?  YES  NO  
If NO, explain \_\_\_\_\_

X6.5 WARRANTY AND SERVICE POLICY

Will the warranty and service you provide comply with all areas as stated in Section 6.5 of specifications  YES  NO

Is warranty literature attached?  YES  NO

Is a minimum two (2) year bumper to bumper basic parts and labor warranty excluding abuse and normal wear items included?  YES  NO

Describe:

\_\_\_\_\_  
\_\_\_\_\_

**X6.5 WARRANTY AND SERVICE POLICY QUESTIONNAIRE**

**THIS FORM MUST BE COMPLETED IN ITS ENTIRETY AND SUBMITTED WITH YOUR BID.**

(If additional lines are needed, make copies of form.)

1. Define the terms of the standard warranty. If not offered, so state. (Attach copy)

Two Year Warranty Excluding Normal Wear Parts

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2. Define warranty service to be performed at DOH facilities and warranty service to be performed at manufacturer's representative facility. List name and location of manufacturer's representative.

Warranty will be done at DOH Facilities. Engine Warranty made in Akron, OH at DJL Facility. Larry Fritsch, WV & OH and Michael Leahy OH

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3. List locations for parts inventories that are within the State of West Virginia. Also, list availability levels, if known.

Parts are stocked in Akron, OH; Halls, TN; Allentown, PA; and Phoenix, AZ. Parts are also kept in vehicles of representatives working in WV.

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4. During the term of warranty, list the guarantee discount to manufacturer's published list price for parts that bidder will sell the parts to owner.

- A. Terms: Net 30            Manufacturer's published list price less:  0  % discount
- B. Terms: Net 60            Manufacturer's published list price less:  0  % discount
- C. Terms: Net 90            Manufacturer's published list price less:  0  % discount

5. During the term of warranty, will all manufacturers or engineering improvements be submitted to Division of Highways?      X  YES        NO

6. During the term of warranty, list the guaranteed rates charged for repair to the unit.

- A. Shop Rate                         \$  0  per mechanic hour
- B. Travel Time Charge             \$  0  per mechanic hour  
(Specify if one-way)                  Akron, OH ; port to port  WV DOH Facility
- C. Mileage Charge                   \$  0  per vehicle mile  
(Specify if one-way)                 \_\_\_\_\_; port to port \_\_\_\_\_
- D. Field Mechanic Rate              \$  0  per mechanic hour
- E. Specify period of time that prices are in effect:  0
- F. Surcharge for miscellaneous items:  0  %



X6.6 EVALUATION COMMITTEE REQUIREMENTS

Is all component specifications, product literature, component models provided for Evaluation Committee bid determination?  YES  NO

X6.7 Will all parts, equipment, accessories, material, design and performance characteristics not specified herein, but which are necessary to provide a complete unit, be furnished with the unit and conform in strength, quality of material, and quality of workmanship to those which are advertised and provided to the market in general by the unit industry?  YES  NO

X6.7.1 Are all parts and accessories adequate and regularly supplied as standard to be included except those which may be duplications of specifications herein, and except these by specification are not to be furnished?  YES  NO

X6.7.2 Are all standard safety features that are required by Federal and State statutes of law included?  YES  NO

X7.0 SPECIFICATIONS OF THE QUOTED UNIT

The bidder should complete the following schedule in order for the Division to compare the actual bid unit to the specifications. Should the bidder except a requirement, then such exception may be only on the basis that such feature is not offered by the manufacturer. The Division will have the sole discretion as to whether the bidder's substitution meets the requirements of the specifications.

Manufacturer:  Crafcoc Inc.  Model: EZ Series II 1000 Electric

Is Double Drum Boiler Type Asphalt Metter Applicator manufacturer's current production model?  YES  NO

Is unit capable of heating and applying, without further modifications, all grades of asphalt rubber sealants, specification joint sealants, and fiber modified sealants?  YES  NO

Is the machine capable of starting at ambient temperature and bring sealant material application temperature within one (1) hour?  YES  NO

Will you have and maintain a complete inventory of repair parts and have experienced service personnel available to service the equipment?  YES  NO

X8.0 Frame:

X8.1 Is the unit trailer mounted?  YES  NO

Is the tongue equipped with a 2 ½ inch pintle hitch?  YES  NO

The center is 25 inches from the nearest obstruction on the tongue.

X8.1.2 The trailer tongue is adjustable in height above ground level from 14 inches to 32 inches.

Will level towing be permitted with a variety of towing vehicles?  YES  NO

X8.1.3 Is the towing hitch bolted to the hitch plate for easy height adjustment and/or conversion to other type hitches?  YES  NO

X8.1.4 Are longitudinal side frames and tongue members one (1) continuous piece construction?  YES  NO

X8.1.5 Is the configuration of the channels cold formed with the flanges on the outside resulting in a one (1) piece frame member with no cross welding of or on the flanges to avoid any possibility of flange stress cracking?  YES  NO

X8.2 Trailer:

X8.2.1 Is the unit equipped with dual axle; each axle having a safe load capacity of 3500 lbs.?  YES  NO

X8.2.2 Are axles equipped with four (4) underslung multi-leaf springs or torsion type  YES  NO

X8.2.3 Is the unit equipped with electric brakes and safety break-away switch?  YES  NO

X8.2.4 Are wheels drop center steel disc type?  YES  NO

X8.2.5 Tire Size: ST225/75R15 Type: Tubeless Load Range: D

X8.2.6 Is a tongue jack provided?  YES  NO

Tongue jack capacity: 7000 lbs. Side mounted?  YES  NO

X8.2.7 Does trailer tongue include two (2) safety chains?  YES  NO

Length: 48 inches of .38 inch coil proof

X8.2.8 Total weight of unit (less material in tank): 5632 lbs.

X8.3 Lights:

X8.3.1 Does unit have dual taillights, stop lights, right and left turn signals?  YES  NO

X8.3.2 Is license plate holder attached to the left rear taillight?  YES  NO

X8.3.3 Lighting plug manufacturer and part number: We will use your specification

X8.4 Material Tank:

X8.4.1 Capacity: 265 U.S. gallons at ambient temperature.

X8.4.2 Does unit have a double boiler type jacket which creates a reservoir?  YES  NO

Reservoir holds 33.5 U.S. gallons of heat transfer oil at 70°

X8.4.3 Does the jacket wrap around 100% of the outside area of the circular material tank and allow for complete circulation of the heated transfer oil?  YES  NO

X8.5 Loading Hitch:

X8.5.1 Is a low profile opening for loading of material at the top of the tank located on the curb side of the unit for operator safety provided?  YES  NO

X8.5.2 Loading height 56 inches.

X8.5.3 The opening provides 252 square inches ( 14 inch x 18 inch) capable of accepting blocks of material.

X8.5.4 Is lid hinged and have a shelf to put material on to provide anti splash loading?  YES  NO

Is there a locking pin?  YES  NO

X8.5.5 Is heating tank adequately insulated?  YES  NO

Is insulation 1 1/2 inch thick high temperature ceramic?  YES  NO

If NO, explain \_\_\_\_\_

Covered by 22 gauge steel outer wrapper.

X8.5.6 Is a cold seal tank provided to minimize oil oxidation and prevent moisture condensation into the heat transfer oil?  YES  NO

X8.6 Heating:

X8.6.1 Heat transfer oil heated by high efficiency forced air diesel fired burner directly to the bottom of the heat transfer oil tank.  YES  NO

X8.6.2 Total area exposed to the burner: 7676 square inches (53.3 sq. ft.)

X8.6.3 Material tank has 7406 square inches (51.43 sq. ft.) of contact with the heat transfer oil.

X8.6.4 Is burner lighted via a constant duty high voltage transformer powering an electric spark igniter?  YES  NO

X8.6.5 Does the ignition work in conjunction with a sensor that will detect a lack of burn or ignition and shut down fuel supply?  YES  NO

X8.6.6 Is the thermostatic control located on the curbside of the machine for operator safety?  YES  NO

X8.7 Pumping Unit and Piping:

X8.7.1 Material pump is on demand?  YES  NO

Pump is controlled by a switch located on the wand.  YES  NO

X8.7.2 Material pump is mounted on outside tank for best service and replacement  YES  NO

X8.7.3 Is pump submerged pump or continuous run?  YES  NO

X8.8 Temperature Control:

X8.8.1 Does the melter applicator have a temperature control device with a high temperature limit switch which will automatically shut off the burner if the heat transfer oil reaches 575°F?  YES  NO

Forced air diesel fuel burner rated at 290,000 BTU

X8.8.2 Does the unit provide two (2) dial type temperature gauges to visually indicate actual temperature of heat transfer oil and material temperature?  YES  NO

Are gauges located on top curbside of the unit?  YES  NO

X8.8.3 Does the melter have infinite control of temperature for the broad range of sealants to be applied?  YES  NO

X8.9 Agitation:

X8.9.1 Is the sealant material mixed by a bi-directional vertical agitator with two (2) paddles with vertical riser on each end included?  YES  NO

Is there auto shut-off when material door is opened  YES  NO

X8.9.2 Does unit have continuous sealant agitation?  YES  NO

X8.9.3 Does the agitator rotate in either direction with infinite speed control?  YES  NO

X8.10 Engine:

Manufacturer: Isuzu Three Cylinder Model: 3CB1

Type: **Diesel**

X8.10.1 Engine HP: 27.5 BHP @ 3600 RPM

X8.10.2 Is engine electric start and equipped with engine manufacturers recommended maintenance free battery and charging system?  YES  NO

X8.10.3 Is engine equipped with manufacturers heavy duty oil and air filter system?  YES  NO

X8.10.4 Is the diesel engine water cooled?  YES  NO

X8.10.5 Is cooling system capable of maintaining the engine temperature within the manufacturers recommended temperature range during continuous operation under maximum speed and load combinations?  YES  NO

X8.10.6 Is coolant system filled with permanent type Dex-Cool extended life anti-freeze rated to a minus 50°F.  YES  NO

X8.10.7 Is engine equipped with manufacturers recommended mechanical governor?  YES  NO

X8.10.8 Engine noise level at a distance of 6 feet from the unit while in operation: 3 Feet =88      dba

**X8.10.9 Fuel tank for operation of diesel engine and burner:   30   U.S. gallons**

**X8.11 Sealant Hose and Applicator Wand:**

**X8.11.1 Does hose have a teflon core a minimum of  $\frac{3}{4}$  inches inside diameter   X   YES        NO**

**X8.11.2 Will heated hose be able to flow a minimum of 10 gallons per minute?   X   YES        NO**

**X8.11.3 Is heated hose electrically heated 0° to 450° temperature at 300 PSI work pressure?  
       X        YES        NO**

**X8.11.4 Does heated hose have multi layers of insulation, a polyester braid cover, and a high visibility optic yellow protective safety cover that will surround the heated hose?   X   YES        NO**

**X8.11.5 Will the hose be heated by using a generator belt driven to the diesel engine and incorporate a floating ground to avoid any electrical hazard during use?   X   YES        NO**

**X8.11.6 Will the heated hose generator have a gauge located on the control panel?   X   YES        NO**

**X8.11.7 Will the sealant wand hold the material hose and have a 360 degree live swivel?  
       X        YES        NO**

**X8.11.8 Will electrically heated hose run the full length, Melter to Sealant tip?   X   YES        NO**

**X8.11.9 Is there a variety of nozzles provided and attachable to the applicator wand?  
       X        YES        NO**

**X8.12 Shoe Box:**

**X8.12.1 Is an external box supplied capable of holding and recirculating a wand tip or shoe of at least six inches (6") in diameter?        X        YES        NO**

**X8.12.2 Is a locking device incorporated that will lock the hand wand to the "shoe box" or the recirculating tube?        X        YES        NO**

**X8.13 Paint: (Describe the method of painting)**

**All painted surfaces shall be coated with Dupont tow-part epoxy paint applied by DuPont Certified Painters**

**X8.14 Does the proposed unit meet or exceed the "OSHA of 1970" and/or subsequent changes?**  
 **YES**  **NO**

**X8.15 Does the unit conform to the advertising guidelines? (Describe)**

Yes  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**X8.16 Training:**

**X8.16.1 Will preventative maintenance and operator's training seminar be provided?**  
 **YES**  **NO**

**X8.16.2 Will all manuals, booklets, etc. explaining preventive maintenance, operator procedures, and service schedule be delivered with each unit?**  
 **YES**  **NO** If NO, explain \_\_\_\_\_  
\_\_\_\_\_

**X8.16.3 Is proposed program attached with bid?**  **YES**  **NO**



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
7010EC11

PAGE
1

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

RFQ COPY

TYPE NAME/ADDRESS HERE

SHIP TO

DIVISION OF HIGHWAYS  
 EQUIPMENT DIVISION  
 ROUTE 33  
 BRUSHY FORK ROAD  
 BUCKHANNON, WV  
 26201 472-1750

DATE PRINTED	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS
06/17/2010	Net 30	Reg	WVDOT Location	Included
BID OPENING DATE: 08/04/2010		BID OPENING TIME 01:30PM		

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
ADDENDUM NO. 1						
WRITTEN QUESTIONS CONTACT INFORMATION CHANGED TO:						
ATTN: CHUCK BOWMAN PURCHASING DIVISION 2019 WASHINGTON STREET, EAST CHARLESTON, WV 25305 QUESTIONS MAY BE SENT VIA FAX, E-MAIL, OR REGULAR MAIL. E-MAIL: CHARLES A. BOWMANJR@WV.GOV FAX: 304-558-4115						
IT IS THE VENDORS RESPONSIBILITY TO VERIFY THAT THEIR QUESTIONS HAVE BEEN RECEIVED BY CALLING 304-558-2157. BID OPENING DATE AND TIME REMAINS 08/04/10@ 1:30 P.M. NO OTHER CHANGES						
0001	1	EA		370-33	\$28734.95	\$28734.95
PROVIDE TRAILER MOUNTED ASPHALT KETTLE						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
<i>[Signature]</i>	330-922-3630	8/3/2010
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE
AVP	34-1318958	

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  
 7010EC11

PAGE  
 1

ADDRESS CORRESPONDENCE TO ATTENTION OF  
 BUYER 33  
 B04-558-2402

VENDOR

\*516130239 330-922-3630  
 DJL MATERIAL & SUPPLY INC  
 PO BOX 5293  
 AKRON OH 44334-0293

SHIP TO

DIVISION OF HIGHWAYS  
 EQUIPMENT DIVISION  
 ROUTE 33  
 BRUSHY FORK ROAD  
 BUCKHANNON, WV  
 26201 472-1750

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
08/03/2010	Net 30	Reg	WVDOT Location	Incl.

BID OPENING DATE: 08/04/2010 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
***** ADDENDUM NO. 2 *****						
ADDENDUM ISSUED FOR THE REQUISITION FOR TRAILER MOUNTED ASPHALT KETTLES TO DISTRIBUTE THE PRE-BID SIGN-IN SHEETS, THE Q/A, AND REVISED SPECIFICATIONS RESULTING FROM THE MANDATORY PRE-BID MEETING OF 07/22/2010.						
BID OPENING DATE AND TIME ARE EXTENDED FROM 08/04/10 TO 08/12/2010 AT 1:30 PM.						
***** NO OTHER CHANGES *****						
0001	1	EA		370-33	\$28734.95	\$28734.95
PROVIDE TRAILER MOUNTED ASPHALT KETTLE						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>[Signature]</i>	TELEPHONE 330-922-3630	DATE 8/10/2010
TITLE Manager	FEIN 34-1318958	ADDRESS CHANGES TO BE NOTED ABOVE

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

**Pre-Bid Conference  
SIGN IN SHEET**  
(Please print legibly)

Request for Proposal No: 7010 E C 11

Date: 7/22/2010

<u>Representative &amp; Firm Name</u>	<u>Mailing Address</u>	<u>Telephone &amp; Fax Number</u> <u>Email Address</u>
EX: _____ Chuck Bowman WV State Purchasing Division	PO Box 50130 2019 Washington Street, East Charleston, WV 25305	T: 304-558-2157 F: 304-558-4115 Email: cbowman@wvadmin.gov
1. <u>MARLIN Loe</u>	<u>DOT</u>	T: <u>473-5503</u> F: _____ Email: _____
2. <u>Luan Cochran</u>	<u>DOT</u>	T: <u>473-5327</u> F: _____ Email: _____
3. <u>Bill Leahy</u> <u>DJL MATERIAL SUPPLY</u>	<u>P.O. Box 5315</u> <u>Akron, Ohio 44334</u>	T: <u>330-922-3630</u> F: <u>330-922-8070</u> Email: <u>DJL Material@yahoo.net</u>
4. <u>Larry Fritsch</u> <u>DJL Material &amp; Supply</u>	<u>PO Box 5293</u> <u>Akron OH 44334</u>	T: <u>330-922-3630</u> F: <u>330-922-8070</u> Email: <u>DJL Material@yahoo.net</u>
5. <u>JOE HOOVER</u> <u>ROPE, INC.</u>	<u>PO Box 99</u> <u>FALLING ROCK, WV 25079</u>	<u>OFFICE</u> T: <u>304-548-6701</u> <u>CELL</u> <u>304-389-7804</u> F: <u>304-548-7186</u> Email: <u>joe@ropeincorporated.com</u>
6. <u>GARY GRADY</u> <u>WEST VIRGINIA</u> <u>TRACTOR CO.</u>	<u>P.O. 800473</u> <u>Charleston WV</u> <u>25322</u>	T: <u>304-346-5301</u> F: <u>304-346-5305</u> Email: <u>WVtractor@msk.com</u>
7. <u>David Brewer</u> <u>BREWPRO Inc.</u>	<u>P.O. Box 62065</u> <u>Cincinnati, OH 45262</u>	T: <u>513-577-7200</u> F: <u>513-577-7210</u> Email: <u>dbrewer@brewerproducts.com</u>
8. <u>FRED JORDAN</u> <u>CIMLINE IN</u>	<u>2000 Old Whitfield</u> <u>WALSON, MS</u>	T: <u>601-209-0589</u> F: <u>501-868-7034</u> Email: <u>FJORDAN@DUBADENTALCO.</u>
9. <u>KEVIN RILEY</u> <u>ANGIE MOORMAN</u>	<u>HIGHWAYS</u> <u>D.O.H.</u>	T: _____ F: _____ Email: _____

Please PRINT legibly. All information is essential to contact attendees in a timely manner.  
If possible, please provide a company business card.

PREBID ADDENDUM  
OPEN END CONTRACT  
7010EC11

TRAILER MOUNTED ASPHALT KETTLE

CHANGES TO SPECIFICATIONS:

LEAVE AS WRITTEN:

4.2 DELIVERY (3<sup>rd</sup> Paragraph)

**A completed pilot model for inspection must be provided within 45 calendar days after receipt of the purchase agreement by the successful vendor.**

FROM:

**8.4.2 Unit shall have a double boiler type jacket which creates a reservoir that shall hold a minimum of 38 U.S. gallons of heat transfer oil at 70°F.**

TO: ✓

**8.4.2 Unit shall have a double boiler type jacket which creates a reservoir that shall hold a minimum of 30 U.S. gallons of heat transfer oil at 70°F.**

LEAVE AS WRITTEN:

**8.7.2 Material pump shall be mounted outside tank for best service and replacement.**

FROM:

**8.7.3 Pump shall not be submerged pumps or continuous run.**

TO:

8.7.3 Pump may be continuous run.

LEAVE AS WRITTEN:

**8.8.2 Unit shall provide two (2) dial type temperature gauges to visually indicate actual temperature of heat transfer oil and material temperature. Gauges should be located on top curbside of the unit.**

FROM:

8.10.4 Diesel engine to be water cooled.

TO:

**8.10.4 Diesel engine shall be water cooled.**

**Prebid Addendum  
70-10-EC11**

**FROM:**

**8.11.3 The heated hose shall be electrically heated 0° to 450° temperature at 300 PSI work pressure.**

**TO:**

**8.11.3 The heated hose shall be electrically heated 0° to 400° temperature at 300 PSI work pressure.**

**LEAVE AS WRITTEN:**

**8.11.7 The sealant wand shall hold the material hose and have a 360 degree live swivel.**

**FROM:**

**8.11.8 Electrically heated hose shall run the full length, Melter to Sealant tip.**

**TO:**

**8.11.8 Electrically heated hose shall run the full length, Melter to Sealant tip. Shall be minimum 18 feet long and have a minimum reach of 14 feet.**

**FROM:**

**8.11.9 A variety of nozzles shall be provided and shall be attachable to the applicator wand.**

**TO:**

**8.11.9 Nozzles shall include, but not be limited to, standard rectangular shoe, 360° swivel disc and straight threaded pipe for concrete joints.**

PREBID ADDENDUM  
OPEN END CONTRACT  
7010EC11

TRAILER MOUNTED ASPHALT KETTLE

CHANGES TO BIDDER'S EVALUATION REPORT:

LEAVE AS WRITTEN:

X4.2 DELIVERY (3<sup>rd</sup> Paragraph)

X4.2.1 Delivery date of completed representative unit: 45 Calendar Days after  
Receipt of Purchase Agreement

NO CHANGE REQUIRED:

X8.4.2 Does unit have a double boiler type jacket which creates a reservoir?  
  x   YES        NO

LEAVE AS WRITTEN:

X8.7.2 Material pump is mounted on outside tank for best service and replacement  
  x   YES        NO

FROM:

X8.7.3 Is pump submerged pump or continuous run?        YES   x   NO

TO:

X8.7.3 Is pump continuous run?        YES   x   NO

LEAVE AS WRITTEN:

X8.8.2 Does the unit provide two (2) dial type temperature gauges to visually indicate  
actual temperature of heat transfer oil and material temperature?  
  x   YES        NO

Are gauges located on top curbside of the unit?   x   YES        NO

FROM:

X8.10.4 Is the diesel engine water cooled?   x   YES        NO

TO:

X8.10.4 Is the diesel engine water cooled?   x   YES        NO

Prebid Addendum  
7010EC11

**FROM:**

**X8.11.3** Is heated hose electrically heated 0° to 450° temperature at 300 PSI work pressure?  YES  NO

**TO:**

**X8.11.3** Is heated hose electrically heated 0° to 400° temperature at 300 PSI work pressure?  YES  NO

**LEAVE AS WRITTEN:**

**X8.11.7** Will the sealant wand hold the material hose and have a 360 degree live swivel?  YES  NO

**FROM:**

**X8.11.8** Will electrically heated hose run the full length, Melter to Sealant tip?  YES  NO

**TO:**

**X8.11.8** Will electrically heated hose run the full length, Melter to Sealant tip?  YES  NO

Length of hose: 18' feet and Reach of hose: 16.3 feet

**FROM:**

**X8.11.9** Is there a variety of nozzles provided and attachable to the applicator wand?  YES  NO

**TO:**

**X8.11.9** Do nozzles include, but not limited to, standard rectangular shoe, 360° swivel disc and straight threaded pipe for concrete joints  YES  NO



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

# Request for Quotation

RFC NUMBER
7010EC11

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1

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

**VENDOR**  
 \*516130239 330-922-3630  
 DJL MATERIAL & SUPPLY INC  
 PO BOX 5293  
 AKRON OH 44334-0293

**SHIP TO**  
 DIVISION OF HIGHWAYS  
 EQUIPMENT DIVISION  
 ROUTE 33  
 BRUSHY FORK ROAD  
 BUCKHANNON, WV  
 26201 472-1750

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
08/04/2010	Net 30	Reg	WVDOT Location	Included

BID OPENING DATE: 08/12/2010 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
ADDENDUM NO. 3						
ADDENDUM #3 ISSUED TO CORRECT BID OPENING DATE AND TIME.						
BID OPENING DATE AND TIME CHANGED						
FROM: 08/04/10 @1:30 P.M.						
TO: 08/12/10 @1:30 P.M.						
NO OTHER CHANGES.						
0001	1	EA		370-33	\$28734.95	\$28734.95
PROVIDE TRAILER MOUNTED ASPHALT KETTLE						
***** THIS IS THE END OF RFQ 7010EC11 ***** TOTAL:						\$28734.95

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
<i>[Signature]</i>	330-922-3630	8/10/2010
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE
Manager	34-1318958	

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

**1000 Liter (265 Gallon) Oil Jacketed, Thermostatically  
Controlled, Melter Applicator with Electric Hose**

<b>GENERAL DESCRIPTION</b>	<b>Are you in compliance with this specification?</b>	
The purpose of these specifications is to describe a double-boiler type melter applicator that is specifically designed for and shall be capable of heating and applying all grades of asphalt rubber sealant, asphalt fiber blends and specification hot pour crack and joint sealants without further equipment modification. This unit shall be the manufacturer's current production model.	Yes	No
The machine shall be capable of starting at ambient temperature and bringing the sealant material up to application temperature in less than one hour at a 70° ambient temperature.	Yes	No
All qualified bidders must have and maintain a complete inventory of repair parts and have experienced factory-trained service personnel for this equipment.	Yes	No
A comprehensive safety manual, operational/maintenance and DVD manual shall be supplied with each unit.	Yes	No
A factory-trained person shall be made available for initial start-up and training in the operation of the melter.	Yes	No
Temperature indicating devices shall have intervals no greater than 1°F and shall be calibrated as required to assure accuracy.	Yes	No
The melter shall have continuous sealant agitation and a mixing system to provide uniform viscosity and temperature of material being applied.	Yes	No
<b>REQUIRED SAFETY FEATURES</b>		
The unit shall have a safety shut-off on both loading doors that automatically stops the agitator when the lid is opened. When equipped with a conveyor loading option the safety shut off will lock out the conveyor operation when the loading door is open.	Yes	No
The applicator wand shall be equipped with an automatic shut-off feature that will stop the rotation of the sealant pump, sealant flow, and all line pressure when the handle is released or dropped.	Yes	No
There shall be no valves to allow interruption or diversion of sealant flow away from the applicator hose and wand. Sealant flow will be controlled by stopping and starting of the pump rotation. Units that maintain sealant flow of any type when the handle is released are unacceptable.	Yes	No
<b>TOWING FRAME AND JACK</b>		
This unit shall be trailer mounted. The longitudinal side frames and tongue members of the trailer shall be of one continuous piece construction composed of hot rolled steel channel having the minimum dimensions of 5 inches (12.7 cm) depth, .325 inch (.825 cm) web thickness with 1.885 inch (4.789 cm) flange width.	Yes	No
The configuration of the channels shall be cold formed with the flanges on the outside resulting in a one-piece frame member with no cross welding of or on the flanges to avoid any possibility of flange stress cracking.	Yes	No



## 1000 Liter (265 Gallon) Oil Jacketed, Thermostatically Controlled, Melter Applicator with Electric Hose

The tongue shall be equipped with an appropriate heavy-duty ball or pintle hitch, the center of which shall be a minimum of 25 inches (63.5 cm) from the nearest obstruction on the tongue. It shall be adjustable in height above ground level from a minimum of 14 inches (35.6 cm), to a maximum of 32 inches (81.3 cm), permitting practically level towing with a wide range of towing vehicles. The towing hitch shall be bolted to the hitch plate for easy height adjustment and/or conversion to other type hitches.	Yes	No
A screw-post tongue jack shall be furnished. It shall be a heavy-duty type with a load capacity of 7,000 pounds (3,175 kg) and it shall be side mounted and swing away for positive road clearance while under tow.	Yes	No
<b>TRAILER RUNNING GEAR</b>		
The unit shall be equipped with a dual independent rubber torsional suspension each having a safe load capacity of 5,200 pounds (2,359 kg), electric brakes, drop center disc wheels and ST225/75R15 tubeless tires (Load Range D). Trailers with springs and shackles are unacceptable as they require more maintenance and reduce ground clearance.	Yes	No
The melter shall have dual LED taillights, stoplights and turn signals. The lighting shall be ICC approved. A license plate holder shall be attached to the driver's side taillight.	Yes	No
All melter fluid tanks shall be positioned no lower than the deck level and be mounted on the top of channel frame members to assure proper ground clearance. Units that have components that extent below the trailer frame are unacceptable.	Yes	No
The unit shall also be equipped with two safety chains not less than 48 inches (121.9 cm) of .38 inch (.97 cm) coil proof chain, attached to the tongue with a drilled type clevis pin on the end attached to the frame and screw type clevis pin on the opposite end.	Yes	No
Total shipping weight is approximately 5,632 pounds (2,507 kg). Gross Vehicle weight shall be 7,753 pounds (3,526 kg).	Yes	No
<b>HEATING TANK</b>		
The material heating tank shall be cylindrical with a minimum of 53.38 inches (135.5 cm) in diameter by 28.5 inches (72.39 cm) deep having a capacity of 265 gallons (1000 l) at ambient temperature. Oval or square sided tanks are unacceptable as they allow for uneven agitation resulting in a non-homogenous sealant and uneven heating of sealant.	Yes	No
The tank will have a rear discharge to the pump and rear outlet. A double boiler type jacket with internal oil column shall create a reservoir that shall hold a minimum of 33 gallons (124.9 l) of heat transfer oil at 70° F (21° C). (Note: at 500° F (260° C) the heating oil will expand approximately 18 %.)	Yes	No
The jacket shall wrap around 100% of the outside area of the circular material tank and bottom and allow for complete circulation of the heated transfer oil.	Yes	No
The heat transfer oil tank design shall provide a center tower of a minimum 18 inches (7.08 cm) in height to provide efficient melting and uniform product heating. At no point in the tank shall there be a distance of greater than 12 inches (30.48 cm) from a heat surface.	Yes	No

## 1000 Liter (265 Gallon) Oil Jacketed, Thermostatically Controlled, Melter Applicator with Electric Hose

The tank and jacket shall be made of not less than 3/16 inch (.94 cm) rolled sheet steel.	Yes	No
There shall be a plug to allow the entire heat transfer oil system to be drained.	Yes	No
The heat transfer oil shall be of ISO grade 68.	Yes	No
The efficiency rating shall be a minimum of 96% as determined by the ratio of the material tank surface area to the HTO tank surface area. Units with an efficiency ratio of less than 96% are unacceptable.	Yes	No
<b>HEAT TRANSFER OIL EXPANSION TANK</b>		
A sealed expansion tank for heat transfer oil shall be provided to minimize oil oxidation and prevent moisture condensation into the heat transfer oil. The tank shall have a filtered breather to allow pressure to vent to the atmosphere. Overflow down tubes are unacceptable.	Yes	No
<b>HYDRAULIC SYSTEM</b>		
The hydraulic system shall incorporate a single hydraulic pump to power the agitation.	Yes	No
All valves shall be solenoid operated by toggle switch and/or wand handle switch.	Yes	No
The controls will allow for bi-directional operation of both the sealant pump and agitator	Yes	No
A flow control valve will be mounted on the rear of the unit to allow the operator to adjust the pump operational speed.	Yes	No
All controls shall be mounted at the curb side rear on the trailer for easy access by the operator. Hydraulic controls located at the side or forward portion of the trailer are unacceptable.	Yes	No
The minimum 24-gallon (90.8 l) hydraulic tank will be equipped with an internal 10-micron full flow filter. The filter shall be equipped with a restriction indicator to indicate the need for service. A sight gauge level indicator equipped with a thermometer to measure oil temperature will be mounted on the tank and located where it is easily viewed.	Yes	No
<b>TANK INSULATION</b>		
The heating tank shall be insulated with a minimum of 1 1/2-inch (3.81 cm) thick high temperature ceramic insulation and covered by a 22 gauge steel outer wrapper. Fiberglass and rock wool insulation are unacceptable due to their moisture retention properties resulting in a significant loss in insulating value over an eighteen-month period.	Yes	No
<b>LOADING HATCHES</b>		
Two low profile angled lid openings for loading shall be required at the top of the material tank. The loading height shall not be less than 56 inches for operator safety. Loading heights below 50 inches may expose the operator to splash hazards and fume exposure when loading and are unacceptable.	Yes	No
One loading door will allow the operation of the equipment, including sealant loading, from curbside even when equipped with a conveyor loading system. Loading systems that require the operator to step onto the melter are unacceptable.	Yes	No

## 1000 Liter (265 Gallon) Oil Jacketed, Thermostatically Controlled, Melter Applicator with Electric Hose

The dual opening shall have a minimum area of 252 square inches (1,625 square cm) approximately 14 inches (35.56 cm) by 18 inches (45.72 cm) and both shall be hinged to allow placement of a block of sealant onto it to simply close the lid for easy anti-splash loading.	Yes	No
Each loading door will have an insulated handle for opening and closing while the unit is hot.	Yes	No
The driver side loading hatch shall be easily adaptable for the addition of a retrofit powered loading conveyor with anti-splash tower.	Yes	No
<b>HEATING SYSTEM</b>		
The heat transfer oil is heated by one 290,000 BTU high efficiency forced air diesel fired burner directly at the bottom of the heat transfer oil tank.	Yes	No
The burner shall fire into an easy access removable burner combustion box. The box will be insulated by a high temperature flexible insulation that is resistant to damage from vibration and over road travel. Ridged insulation is unacceptable.	Yes	No
The total area of the heat transfer oil tank exposed to the burner shall be a minimum of 7,676 square inches (49,522 square cm). The material tank shall have a minimum of 7,406 square inches (47,780 square cm) of contact with the heat transfer oil. This provides for a melt rate of 2,100 pounds (952.5 kg) per hour.	Yes	No
The burner shall be lit by a constant duty high voltage transformer powering an electric spark igniter. This igniter shall work in conjunction with a sensor that detects a lack of burn or ignition and shuts down the fuel supply.	Yes	No
The burner shall be controlled by a thermostat control located on the rear curbside of the machine and shall have a toggle switch shut off for operator safety.	Yes	No
<b>OPERATION CONTROLS</b>		
The melter applicator shall have a thermostatic control device that will automatically regulate each the hot oil, material, and hose temperature.	Yes	No
The control shall have digital readouts for temperatures of hot oil, material, and hose.	Yes	No
The thermostat shall control burner ignition for a temperature range from a low of 200°F (93.3°C) up to a high of 425°F (218.3°C) for a wide variety of sealants.	Yes	No
The controls shall be activated by a single power switch.	Yes	No
The control system shall automatically turn on each function; agitation, heated hose and sealant pump, at the proper temperature without any action by the operator.	Yes	No
The control will have an interlock for the agitation system, which will not allow the agitator to be activated by the operator until the material temperature reaches 275°. Units without a positive agitation control lockouts based on appropriate temperature are unacceptable	Yes	No
It will also have an interlock for the pumping system, which will not allow the pump to be activated by the operator until the hose temperature reaches 325°. Units without a positive sealant pump control lockouts based on appropriate temperature are unacceptable	Yes	No

## 1000 Liter (265 Gallon) Oil Jacketed, Thermostatically Controlled, Melter Applicator with Electric Hose

All controls including engine operation shall be contained in a single weatherproof control box located at the rear passenger side of machine for operator's safety and convenience. Any operational controls located at the side or forward portion of the trailer are unacceptable.	Yes	No
<b>AGITATION AND PUMP DRIVE AND DRIVE CONTROLS</b>		
The motive force to the agitator and material pump shall be hydraulic motor driven by a double hydraulic pump.	Yes	No
A non-adjustable hydraulic valve shall control the rotational speed of the agitator. The agitator speed shall be set at 250 ft/min tip speed per ASTM D5167 specification for sealant melting equipment.	Yes	No
The drive controls governing the speed of the material pump shall be controlled by an adjustable hydraulic valve from the rear passenger side of the machine.	Yes	No
The material pump will have infinite speed control and is electronically actuated by a switch on the hand wand or recirculation port switch.	Yes	No
Material pump can be reversed by a toggle switch on the control panel as required.	Yes	No
Material pump will also be activated when wand is inserted into the shoebox for recirculation of material. This function shall be controlled by a switch that can be turn on or off by the operator as desired from the control box. Recirculation shall not be required to operate the unit.	Yes	No
<b>AGITATION</b>		
A hydraulically driven full sweep vertical agitator with two opposing horizontal paddles with vertical risers attached to the ends shall mix the sealant material at an ASTM specified tip speed of 250 ft/min. Variable speed agitation is unacceptable.	Yes	No
The agitator drive shaft shall stand vertically attached to a hydraulic motor on the top surface of the tank.	Yes	No
The surface area of the agitator paddles shall be a minimum of 513 square inches (3310 square cm). Surface areas of less than 250 inches are unacceptable.	Yes	No
The distance between that tank wall and the edge of agitator paddles shall never exceed three inches. This feature ensures that material remains in complete suspension and that the hot material stays in the lower area of the tank and does not get splashed or thrown to the upper areas of the tank. Units that do not comply are unacceptable.	Yes	No
The agitation system shall be direct driven by a hydraulic motor.	Yes	No
The agitator shall rotate in either direction.	Yes	No
For additional safety the agitator will shut off automatically when either loading hatch is opened.	Yes	No
<b>BI-DIRECTIONAL VARIABLE SPEED PUMPING UNIT</b>		
The material pump shall be a 2 inch (5.1cm) positive displacement helical gear pump rated at 20 GPM.	Yes	No
Pump and tank valve are heated by an enclosed insulated heating chamber.	Yes	No
Heat flow to this chamber shall be controlled with a slide gate that will separate this chamber from the tank air jacket.	Yes	No
The insulated heating chamber shall have a removable panel for easy access to the pump.	Yes	No

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The heating chamber shall have an insulated door hinged and notched for sealant hose access.	Yes	No
The heating chamber shall provide storage for a sealant hose.	Yes	No
Pumping of material is controlled by a switch on the hand wand and output is controlled hydraulically.	Yes	No
Sealant pump operation shall be on demand. The pump rotation shall stop when sealant application wand trigger is not activated. Units that divert sealant flow without stopping the pump rotation are not ON DEMAND and are unacceptable.	Yes	No
Only one valve shall be required in the pumping system. This valve will be accessible from outside of heat chamber and will separate the material tank from the application system.	Yes	No
No recirculation back into the tank shall be needed to operate the unit. The unit will allow recirculation back to the tank through the applicator wand at the operator's discretion.	Yes	No
No internal or external valves shall be used between the pump and the sealant delivery to the pavement. Units with valves that divert flow to stop sealant from flowing to the application are unacceptable.	Yes	No
The pump shall be capable of delivering sealant at a rate that exceeds the melt rate of the unit.	Yes	No
<b>SEALANT HOSE AND APPLICATOR WAND</b>		
Unit shall be capable of using both heated and non-heated hose and wand applicator.	Yes	No
Both the hose and wand are heated by low voltage electric current and are temperature regulated. Due to weight and safety considerations, an oil-jacketed hose is unacceptable.	Yes	No
Both the hose and wand will be serviceable (designed to be factory rebuilt). The manufacture must have an established re-build program to service these components.	Yes	No
The hose shall be specifically manufactured for handling liquid asphalt products up to 400° F (204.4° C) at 350 psi working pressure.	Yes	No
Hose and wand shall not be less than 19 feet (5.8 m) in length. The hose and wand shall have a working radius of 16' 6" from the center of the machine.	Yes	No
For maximum operator safety it shall be made of 3/4 inch (1.91 cm) inside diameter PTFE Teflon® inner core and reinforced with a stainless steel outer braid. This braid serves a dual purpose, it provides a protective covering for the inner core and allows the hose to carry pressure. It shall also be insulated and have a cover to prevent damage to the hose or allow hot material from leaking out. Further, it shall have an abrasive sleeve to protect the operator from heat.	Yes	No
The total weight of the hose shall not exceed 19 pounds (8.61 kg).	Yes	No
The hose and wand shall be heated with a minimum of three electrical wires with terminal ends. The wires will be capable of heating the hose to 400°F (204°C) in less than 45 minutes and have variable temperature control capability.	Yes	No

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The hand wand shall be constructed of steel with sufficient strength to withstand normal day-to-day operation. Material flow is activated by a trigger switch. For greater operator mobility, the connection between the wand and hose shall be through a 360° swivel.	Yes	No
There shall be no obstruction or valves between the material pump and the wand end. The applicator wand shall have a self closing silicone valve at the delivery point of the sealant delivery. This valve will automatically close when sealant application pressure stops and shall not require the operator to manually close any valves.	Yes	No
The hose is supported by a 7ft. 2 in. boom (2.18m), which swivels side to side on dual pillow block bearings. The hose carriage at the end of the boom shall pivot and have 7ft. (2.13m) of horizontal linear movement on roller bearing wheels for further operator comfort.	Yes	No
There shall be a minimum of 6ft. 6in. (1.98m) clearance under boom. Fixed carriage hose booms are unacceptable as they do not allow for easy maneuverability.	Yes	No
<b>ENGINE</b>		
The unit shall be equipped with a diesel engine complying with the following specifications: Electric Start Three Cylinder 25.4 HP (18.94kw) @ 3000 RPM 3.14" (79.7 mm) Stroke Constant Speed Mechanical Governor 68.6 cu. In, (1.12l) Displacement Full Flow Oil Filter 3.05" (77.4 mm) Bore 22 to 1 Compression Ratio Water Cooled The engine speed is preset at the factory for optimal alternator output to power the heated wand and hose.	Yes	No
<b>FUEL CAPACITY</b>		
The melter shall have a 30 gallon (113.56 l) diesel fuel tank for operation of the entire unit.	Yes	No
The unit will be capable of operating for a minimum of 12 hours on one tank of fuel.	Yes	No
The tank shall be equipped with a full length sight gauge for fuel level indication protected in a steel cover	Yes	No
<b>PAINT</b>		
All painted surfaces shall be coated with DuPont two-part epoxy paint applied by DuPont certified painters.	Yes	No

## 1000 Liter (265 Gallon) Oil Jacketed, Thermostatically Controlled, Melter Applicator with Electric Hose

<p><b>OPTIONS REQUIRED</b> (Customer to insert quantity for each option required)</p> <p><input type="checkbox"/> 2-5/16 inch (5.9cm) Ball Hitch</p> <p><input type="checkbox"/> 2 inch (5cm) Pintle Hitch</p> <p><input type="checkbox"/> 3 inch (7.6cm) Pintle Hitch</p> <p><input type="checkbox"/> Dripless Sealant Tip Adapter</p> <p><input type="checkbox"/> 3 inch (7.6cm) Swivel Applicator Disk</p> <p><input type="checkbox"/> 4 inch (25.8cm) Swivel Applicator Disk</p> <p><input type="checkbox"/> V-shaped Squeegee (Qty. <input type="text"/>)</p> <p><input type="checkbox"/> 1/2 inch Round Sealing Tip</p> <p><input type="checkbox"/> Extra Electric Hose</p> <p><input type="checkbox"/> Extra Hydraulic Filter</p> <p><input type="checkbox"/> Lockable Battery Cover</p> <p><input type="checkbox"/> Lockable Engine cover</p> <p><input type="checkbox"/> Fire Extinguisher Mounted on the Trailer Frame</p> <p><input type="checkbox"/> Tool Box</p> <p><input type="checkbox"/> Mast Mounted Strobe Light</p> <p><input type="checkbox"/> 18ft. Electric Hose Option</p> <p><input type="checkbox"/> Auto Loader</p> <p><input type="checkbox"/> Overnight Heater</p>		
<p><b>AWARD</b> Equipment is for use by the highway department and must meet the requirements of that agency as interpreted by the highway commissioner. Prior to award the purchasing agency may require a visit to the supplier's facility to assure supplier has plant capacity to manufacturer and deliver equipment on time as required. Purchasing agency may require a list of references and a demonstration of the unit to be bid prior to award of the bid. If it is determined that the supplier cannot supply as requested, the proposal will be declared non-responsive for this bid.</p>		
<p><b>WARRANTY</b> The manufacturer shall warranty the equipment against defects for a minimum of one year.</p>	Yes	No
<p><b>QUALIFICATIONS OF BIDDERS</b> No bid will be considered unless the bidder can meet the following conditions:</p> <ol style="list-style-type: none"> <li>1. That it has in operation a parts/service location and keeps a sufficient stock of parts on hand at all times.</li> <li>2. That it is bidding upon the stock model chassis that meets the requirements of the specifications without material changes or modifications. The model is regularly advertised and sold as having a capacity of not less than called for herein. The bidder has been engaged in the manufacture of equipment of the type bid upon for at least twenty-four months.</li> </ol>		

## 1000 Liter (265 Gallon) Oil Jacketed, Thermostatically Controlled, Melter Applicator with Electric Hose

### **APPROVED EQUAL**

These specifications are not intended to be restrictive, but are meant to describe the kind and size of unit desired to be purchased in detail. If a bidder is basing his proposal on other equipment than what is specified in these bid documents and wishes the equipment he proposed to be considered as an "approved equal," he will submit on a separate sheet attached to the Technical Specifications contained herein, an item by item description of that which he proposes. For purposes of comparison, include only those items on each sheet as given in these technical specifications. Such bidders shall also include, but not as a substitute for the above, any manufacturer's literature or specifications. In addition, if the bidder takes exception to any item, he will note the item and describe in detail the exception. Failure to carry out the provisions noted herein may be cause to deem the bid "non-responsive."

Prior to bid award, the agency may request an on-site demonstration of a like model unit. Upon request from the agency, prospective bidders will have no more than 30 days to provide a demonstration at a location designated by the agency.



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: \_\_\_\_\_ Signed: \_\_\_\_\_

Date: \_\_\_\_\_ Title: \_\_\_\_\_

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

RFQ No. 7010EC11

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: DJL Material & Supply, Inc.

Authorized Signature: *[Signature]* Date: \_\_\_\_\_

State of Ohio

County of Summit, to-wit:

Taken, subscribed, and sworn to before me this 11 day of August, 2010

My Commission expires April 1, 2014.

AFFIX SEAL HERE

NOTARY PUBLIC *Melinda Patterson*