



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:  
**RMA10030**

PAGE  
**1**

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

VENDOR

RFQ COPY  
 TYPE NAME/ADDRESS HERE  
**Balfour Beatty Rail Inc  
 1600 RTE 136  
 WASHINGTON, Pa 15301**

SHIP TO

**WV STATE RAIL AUTHORITY  
 (DBA) SOUTH BRANCH VALLEY  
 RAILROAD  
 120 WATER PLANT DRIVE  
 MOOREFIELD, WV  
 26836 304-538-2305**

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
05/19/2010				

BID OPENING DATE: **07/08/2010** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	FT		570-48		<b>\$438,573.00</b>
<p>THE WEST VIRGINIA PURCHASING DIVISION FOR THE AGENCY</p> <p>THE WEST VIRGINIA PURCHASING DIVISION, FOR THE AGENCY, THE WEST VIRGINIA STATE RAIL AUTHORITY IS SOLICITING, BIDS FOR CROSSTIE REPLACEMENT, SURFACING, REGULATING, WELDING OF RAIL JOINTS, CULVERT REPLACEMENT AND HIGHWAY RAILROAD GRADE CROSSING REPLACEMENT. ALL WORK IS LOCATED ON THE WEST VIRGINIA CENTRAL RAILROAD (WVCR).</p> <p><b>MANDATORY PRE-BID</b></p> <p>A MANDATORY PRE-BID WILL BE HELD ON 06/15/10 AT 10:00 AM AT THE ELKINS DEPOT, ELKINS WV. ALL INTERESTED PARTIES ARE REQUIRED TO ATTEND THIS MEETING. FAILURE TO ATTEND THE MANDATORY PRE-BID SHALL RESULT I 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 MANDATOR 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>						

**RECEIVED**

2010 JUL 22 A 10: 16

PURCHASING DIVISION  
 STATE OF WV

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE: *Archie Williams* TELEPHONE: **724-228-7636** DATE: **7/20/10**

TITLE: **Regional Manager** FEIN: **39-1611003** ADDRESS CHANGES TO BE NOTED ABOVE

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



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PAGE  
**2**

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

RFQ COPY  
 TYPE NAME/ADDRESS HERE

*BALFOUR BEATTY RAIL*

**WV STATE RAIL AUTHORITY  
 (DBA) SOUTH BRANCH VALLEY  
 RAILROAD  
 120 WATER PLANT DRIVE  
 MOOREFIELD, WV  
 26836 304-538-2305**

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
05/19/2010				

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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>ALL TECHNICAL QUESTIONS MUST BE SUBMITTED IN WRITING TO FRANK WHITTAKER IN THE WEST VIRGINIA PURCHASING DIVISION VIA EMAIL AT FRANK.M.WHITTAKER@WV.GOV OR VIA FAX AT 304-558-4115. DEADLINE FOR TECHNICAL QUESTIONS IS 05/18/10 AT 4:00 PM. ALL TECHNICAL QUESTIONS WILL BE ADDRESSED BY ADDENDUM AFTER THE DEADLINE.</p> <p>EXHIBIT 5</p> <p>WEST VIRGINIA CODE 21-1D-5 PROVIDES THAT: ANY SOLICITATION FOR A PUBLIC IMPROVEMENT CONSTRUCTION CONTRACT REQUIRES EACH VENDOR THAT SUBMITS A BID FOR THE WORK TO SUBMIT AT THE SAME TIME AN AFFIDAVIT OF COMPLIANCE WITH THE BID. THE ENCLOSED DRUG-FREE WORKPLACE AFFIDAVIT MUST BE SIGNED AND SUBMITTED WITH THE BID AS EVIDENCE OF THE VENDOR'S COMPLIANCE WITH THE PROVISIONS OF ARTICLE 1D, CHAPTER 21 OF THE WEST VIRGINIA CODE. FAILURE TO SUBMIT THE SIGNED DRUG-FREE WORKPLACE AFFIDAVIT WITH THE BID SHALL RESULT IN DISQUALIFICATION OF SUCH BID.</p> <p>NOTICE TO PROCEED: THIS CONTRACT IS TO BE COMPLETED BY 05/31/2011.          UNLESS OTHERWISE SPECIFIED, THE FULLY EXECUTED PURCHASE ORDER WILL BE CONSIDERED NOTICE TO PROCEED.</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE *Relia Williams* TELEPHONE DATE

TITLE *RELIA MGR.* FEIN ADDRESS CHANGES TO BE NOTED ABOVE

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ADDRESS CORRESPONDENCE TO ATTENTION OF:  
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*BALFOUR BEATTY RAIL INC*

**WV STATE RAIL AUTHORITY  
 (DBA) SOUTH BRANCH VALLEY  
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LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
<p><b>CANCELLATION:</b> THE DIRECTOR OF PURCHASING RESERVES THE RIGHT TO CANCEL THIS CONTRACT IMMEDIATELY UPON WRITTEN NOTICE TO THE VENDOR IF THE MATERIALS OR WORKMANSHIP SUPPLIED ARE OF AN INFERIOR QUALITY OR DO NOT CONFORM WITH THE SPECIFICATIONS OF THE BID AND CONTRACT HERE IN.</p> <p><b>WAGE RATES:</b> THE CONTRACTOR OR SUBCONTRACTOR SHALL PAY THE HIGHER OF THE U.S. DEPARTMENT OF LABOR MINIMUM WAGE RATES AS ESTABLISHED FOR EACH COUNTY, PURSUANT TO WEST VIRGINIA CODE 21-5A, ET, SEQ. (PREVAILING WAGE RATES APPLY TO THIS PROJECT)</p> <p><b>ARBITRATION:</b> ANY REFERENCES MADE TO ARBITRATION OR INTEREST FOR PAYMENTS DUE (EXCEPT FOR ANY INTEREST REQUIRED BY STATE LAW) CONTAINED IN THIS CONTRACT OR IN ANY AMERICAN INSTITUTE OF ARCHITECTS DOCUMENTS PERTAINING TO THIS CONTRACT ARE HEREBY DELETED.</p> <p><b>WORKERS' COMPENSATION:</b> VENDOR IS REQUIRED TO PROVIDE A CERTIFICATE FROM WORKERS' COMPENSATION IF SUCCESSFUL.</p> <p><b>ALL OF THE ITEMS CHECKED BELOW WILL BE A REQUIREMENT OF THIS CONTRACT:</b></p> <p><input checked="" type="checkbox"/> <b>INSURANCE:</b> SUCCESSFUL VENDOR SHALL FURNISH PROOF OF COMMERCIAL GENERAL LIABILITY INSURANCE PRIOR TO ISSUANCE OF CONTRACT. UNLESS OTHERWISE SPECIFIED IN THE BID DOCUMENTS, THE MINIMUM AMOUNT OF INSURANCE COVERAGE REQUIRED IS \$250,000.</p> <p><input type="checkbox"/> <b>BUILDERS RISK INSURANCE:</b> SUCCESSFUL VENDOR SHALL FURNISH PROOF OF BUILDERS RISK - ALL RISK INSURANCE IN AN AMOUNT EQUAL TO 100% OF THE AMOUNT OF THE CONTRACT.</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>W. Williams</i>	TELEPHONE	DATE
TITLE <i>RELATION MGR.</i>	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE

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*BALSOUR BEATTY RAIL INC*

WV STATE RAIL AUTHORITY  
 (DBA) SOUTH BRANCH VALLEY  
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 26836 304-538-2305

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LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>(XX) BONDS: FIVE PERCENT (5%) OF THE TOTAL AMOUNT OF THE BID PAYABLE TO THE STATE OF WEST VIRGINIA, SHALL BE SUBMITTED WITH EACH BID AS A BID BOND. THE SUCCESSFUL BIDDER SHALL ALSO FURNISH A PERFORMANCE BOND AND LABOR/MATERIAL BOND FOR 100% OF THE AMOUNT OF THE CONTRACT. BONDS MAY BE PROVIDED IN THE FORM OF A CERTIFIED CHECK IRREVOCABLE LETTER OF CREDIT, OR BOND FURNISHED BY A SOLVENT SURETY COMPANY AUTHORIZED TO DO BUSINESS IN THE STATE OF WEST VIRGINIA. A LETTER OF CREDIT SUBMITTED IN LIEU OF A BOND WILL ONLY BE ALLOWED FOR PROJECTS UNDER \$100,000. PERSONAL OR BUSINESS CHECKS ARE NOT ACCEPCTABLE IN LIEU OF THE 5% BID BOND, PERFORMANCE BOND, OR LABOR AND MATERIAL BOND.</p> <p>( ) MAINTENANCE BOND: A TWO (2) YEAR MAINTENANCE BOND COVERING THE ROOFING SYSTEM WILL BE A REQUIREMENT OF THE SUCCESSFUL VENDOR.</p> <p>REV. 11/00</p> <p>EXHIBIT 7</p> <p>DOMESTIC ALUMINUM, GLASS &amp; STEEL IN PUBLIC WORKS PROJECTS</p> <p>IN ACCORDANCE WITH WEST VIRGINIA CODE 5-19-1 ET., SEQ., EVERY CONTRACT FOR CONSTRUCTION, RECONSTRUCTION, ALTERATION, REPAIR, IMPROVEMENT OR MAINTENANCE OF PUBLIC WORKS, WHERE THE COST IS MORE THAN \$50,000 AND, IN THE CASE OF STEEL ONLY, WHERE THE COST OF STEEL IS MORE THAN \$50,000 OR WHERE MORE THAN 10,000 POUNDS OF STEEL ARE REQUIRED, THE STATE WILL ACCEPT ONLY ALUMINUM GLASS, OR STEEL PRODUCTS PRODUCED IN THE UNITED STATES. IN ADDITION, ITEMS OF MACHINERY OR EQUIPMENT PURCHASED FOR USE AT THE SITE OF PUBLIC WORKS SHALL BE MADE OF</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE: *Frank Whittaker* TELEPHONE: DATE:

TITLE: *Regional Mgr.* FEIN: ADDRESS CHANGES TO BE NOTED ABOVE

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*BALFOUR BEATTY RAIL IUSE*

WV STATE RAIL AUTHORITY  
 (DBA) SOUTH BRANCH VALLEY  
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<p>DOMESTIC ALUMINUM, GLASS OR STEEL, UNLESS THE COST OF THE PRODUCT IS LESS THAN \$50,000 OR LESS THAN 10,000 POUNDS OF STEEL ARE USED IN PUBLIC WORKS PROJECTS.</p> <p>FOREIGN MADE ALUMINUM, GLASS OR STEEL PRODUCTS MAY BE ACCEPTED ONLY IF THE COST OF DOMESTIC PRODUCTS IS FOUND TO BE UNREASONABLE. SUCH COST IS UNREASONABLE IF IT IS 20% OR MORE HIGHER THAN THE BID PRICE FOR FOREIGN MADE PRODUCTS. IF THE DOMESTIC ALUMINUM, GLASS OR STEEL PRODUCTS TO BE SUPPLIED OR PRODUCED IN A "SUBSTANTIAL LABOR SURPLUS AREA", AS DEFINED BY THE UNITED STATES DEPARTMENT OF LABOR, FOREIGN PRODUCTS MAY BE SUPPLIED ONLY IF DOMESTIC PRODUCTS ARE 30% OR MORE HIGHER IN PRICE THAN THE FOREIGN MADE PRODUCTS.</p> <p>IF, PRIOR TO THE AWARD OF A CONTRACT UNDER THE ABOVE PROVISIONS, THE SPENDING OFFICER OF THE SPENDING UNIT DETERMINES THAT THERE EXISTS A BID FOR LIKE FOREIGN ALUMINUM, GLASS OR STEEL THAT IS REASONABLE AND LOWER THAN THE LOWEST BID DOMESTIC PRODUCTS, THE SPENDING OFFICE MAY REQUEST, IN WRITING, A REEVALUATION AND REDUCTION IN THE LOWEST BID FOR SUCH DOMESTIC PRODUCTS. ALL VENDORS MUST INDICATE IN THEIR BID IF THEY ARE SUPPLYING FOREIGN ALUMINUM, GLASS OR STEEL.</p> <p>REV. 3/88</p> <p>EXHIBIT 9</p> <p>NOTICE FOR ISSUANCE &amp; ACKNOWLEDGEMENT OF CONSTRUCTION PROJECT ADDENDA</p> <p>THE ARCHITECT/ENGINEER AND/OR AGENCY SHALL BE REQUIRED TO ABIDE BY THE FOLLOWING SCHEDULE IN ISSUING CONSTRUCTION PROJECT ADDENDA FOR STATE AGENCIES:</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Michael Williams</i>	TELEPHONE	DATE
TITLE <i>REGIONAL MGR.</i>	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE

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

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*BALANCE BERTY RAIL INC*

WV STATE RAIL AUTHORITY  
 (DBA) SOUTH BRANCH VALLEY  
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 120 WATER PLANT DRIVE  
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 26836 304-538-2305

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<p>(1) THE ARCHITECT/ENGINEER SHALL PREPARE THE ADDENDUM AND A LIST OF ALL PARTIES THAT HAVE PROCURED DRAWINGS AND SPECIFICATIONS FOR THE PROJECT. THE ADDENDUM AND LIST SHALL BE FORWARDED TO THE BUYER IN THE STATE PURCHASING DIVISION. THE ARCHITECT/ENGINEER SHALL ALSO SEND A COPY OF THE ADDENDUM TO THE STATE AGENCY FOR WHICH THE CONTRACT IS ISSUED.</p> <p>(2) THE BUYER SHALL SEND THE ADDENDUM TO ALL INTERESTED PARTIES AND, IF NECESSARY, EXTEND THE BID OPENING DATE. ANY ADDENDUM SHOULD BE RECEIVED BY THE BUYER WITHIN FOURTEEN (14) DAYS PRIOR TO THE BID OPENING DATE.</p> <p>(3) ALL ADDENDA SHOULD BE FORMALLY ACKNOWLEDGED BY ALL BIDDERS AND SUBMITTED TO THE STATE PURCHASING DIVISION. THE SAME RULES AND REGULATIONS THAT APPLY TO THE ORIGINAL BIDDING DOCUMENT SHALL ALSO APPLY TO AN ADDENDUM DOCUMENT. THE ONLY EXCEPTION MAY BE FOR AN ADDENDUM THAT IS ISSUED FOR THE SOLE PURPOSE OF CHANGING A BID OPENING TIME AND/OR DATE.</p> <p>REV. 11/96</p> <p>EXHIBIT 10</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 NOS.:</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE: *John Williams* TELEPHONE: DATE:

TITLE: *REGIONAL MGR.* FEIN: ADDRESS CHANGES TO BE NOTED ABOVE

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ADDRESS CORRESPONDENCE TO ATTENTION OF  
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**304-558-2316**

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VENDOR

*BALFOUR BEATTY RAIL INC*  
*1600 RTE 136*  
*WASHINGTON, PA 15301*

SHIP TO

**WV STATE RAIL AUTHORITY**  
**(DBA) SOUTH BRANCH VALLEY**  
**RAILROAD**  
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LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
NO. 1						
NO. 2						
NO. 3						
NO. 4						
NO. 5						
<p>I UNDERSTAND THAT FAILURE TO CONFIRM THE RECEIPT OF TH ADDENDUM(S) MAY BE CAUSE FOR REJECTION OF THE BIDS.</p> <p>VENDOR MUST CLEARLY UNDERSTAND THAT ANY VERBAL REPRESENTATION MADE OR ASSUMED TO BE MADE DURING ANY ORAL DISCUSSION HELD BETWEEN VENDOR'S REPRESENTATIVES AND ANY STATE PERSONNEL IS NOT BINDING. ONLY THE INFORMATION ISSUED IN WRITING AND ADDED TO THE SPECIFICATIONS BY AN OFFICIAL ADDENDUM IS BINDING.</p> <p>.....<i>Alex Williams</i>.....SIGNATURE            .....<i>BALFOUR BEATTY RAIL INC</i>.....COMPANY            .....<i>7/21/10</i>.....DATE</p> <p>REV. 11/96</p> <p>CONTRACTORS LICENSE</p> <p>WEST VIRGINIA STATE CODE 21-11-2 REQUIRES THAT ALL PERSONS DESIRING TO PERFORM CONTRACTING WORK IN THIS STATE MUST BE LICENSED. THE WEST VIRGINIA CONTRACTORS</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Alex Williams</i>	TELEPHONE <i>724-228-7636</i>	DATE <i>7/21/10</i>
TITLE <i>REGIONAL MANAGER</i>	FEIN <i>39-1611003</i>	ADDRESS CHANGES TO BE NOTED ABOVE

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ADDRESS CORRESPONDENCE TO ATTENTION OF  
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*BALFOUR BEATTY RAIL INC*

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WV STATE RAIL AUTHORITY  
 (DBA) SOUTH BRANCH VALLEY  
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<p>LICENSING BOARD IS EMPOWERED TO ISSUE THE CONTRACTORS LICENSE. APPLICATIONS FOR A CONTRACTORS LICENSE MAY BE MADE BY CONTACTING THE WEST VIRGINIA DIVISION OF LABOR CAPITOL COMPLEX, BUILDING 3, ROOM 319, CHARLESTON, WV 25305. TELEPHONE: (304) 558-7890.</p> <p>WEST VIRGINIA STATE CODE 21-11-11 REQUIRES ANY PROSPECTIVE BIDDER TO INCLUDE THE CONTRACTORS LICENSE NUMBER ON THEIR BID.</p> <p>BIDDER TO COMPLETE:</p> <p>CONTRACTORS NAME: .... <i>BALFOUR BEATTY RAIL INC</i> .....</p> <p>CONTRACTORS LICENSE NO.: <i>WV 041917</i> .....</p> <p>THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FURNISH A COPY OF THEIR CONTRACTORS LICENSE PRIOR TO ISSUANCE OF A PURCHASE ORDER/CONTRACT</p> <p>APPLICABLE LAW</p> <p>THE WEST VIRGINIA STATE CODE, PURCHASING DIVISION RULES AND REGULATIONS, AND THE INFORMATION PROVIDED IN THE "REQUEST FOR QUOTATION" ISSUED BY THE PURCHASING DIVISION IS THE SOLE AUTHORITY GOVERNING THIS PROCUREMENT.</p> <p>ANY INFORMATION PROVIDED IN SPECIFICATION MANUALS, OR ANY OTHER SOURCE, VERBAL OR WRITTEN, WHICH CONTRADICTS OR ALTERS THE INFORMATION PROVIDED FROM THE SOURCES AS DESCRIBED IN THE ABOVE PARAGRAPH IS VOID AND OF NO EFFECT.</p> <p>BANKRUPTCY: IN THE EVENT THE VENDOR/CONTRACTOR FILES FOR BANKRUPTCY PROTECTION, THE STATE MAY DEEM THE</p>						

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SIGNATURE <i>R. Williams</i>	TELEPHONE <i>724-228-7636</i>	DATE <i>7/21/10</i>	
TITLE <i>Regional Manager</i>	FEIN <i>39-1611003</i>	ADDRESS CHANGES TO BE NOTED ABOVE	

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*BALFOUR BEATTY RAIL INC*

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<p>CONTRACT NULL AND VOID, AND TERMINATE SUCH CONTRACT WITHOUT FURTHER ORDER.</p> <p>REV. 5/2009</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          BUILDING 15          2019 WASHINGTON STREET, EAST          CHARLESTON, WV 25305-0130</p> <p>THE BID SHOULD CONTAIN THIS INFORMATION ON THE FACE OF THE ENVELOPE OR THE BID MAY NOT BE CONSIDERED:</p> <p>SEALED BID</p> <p>BUYER: 44</p> <p>REQ. NO.: RMA10030</p> <p>BID OPENING DATE: 07/08/2010</p> <p>BID OPENING TIME: 1:30 PM</p> <p>PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID:</p> <p style="text-align: center;">-----724-824-0025-----</p> <p>PLEASE PRINT OR TYPE NAME OF PERSON TO CONTACT</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Ok Williams</i>	TELEPHONE	DATE
TITLE <i>REGIONAL MGR.</i>	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE

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**10**

ADDRESS CORRESPONDENCE TO ATTENTION OF  
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**304-558-2316**

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TYPE NAME/ADDRESS HERE

**BALFOUR BEATTY RAIL INC**  
**1602 Rte 136**  
**WASHINGTON, PA 15301**

SHIP TO

**WV STATE RAIL AUTHORITY**  
**(DBA) SOUTH BRANCH VALLEY**  
**RAILROAD**  
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BID OPENING DATE: **07/08/2010** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>CONCERNING THIS QUOTE:</p> <p>----- <b>LEE WILLIAMS</b> -----</p> <p>***** THIS IS THE END OF RFQ RMA10030 ***** TOTAL: <b>\$438,573.00</b></p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <b>Lee Williams</b>	TELEPHONE <b>724-228-7636</b>	DATE <b>7/21/10</b>
TITLE <b>REGIONAL MANAGER</b>	FEIN <b>39-1141003</b>	ADDRESS CHANGES TO BE NOTED ABOVE

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

The West Virginia Purchasing Division for the agency, The West Virginia State Rail Authority is soliciting bids for crosstie replacement, surfacing, regulating, welding of rail joints, culvert replacement and highway-railroad grade crossing replacement. All work is located on the West Virginia Central Railroad (WVCR).

### DESCRIPTION OF WORK

**4000 TIES:** MP 3.0 to MP 16.0 – 2500 ties and MP 45.0 to MP 53.0 – 1500 ties. (75% of the 4000 ties are in curves)

1. Tie Replacement
  - a. Ties will be handled carefully to avoid damage in accordance with AREMA specifications.
  - b. The contractor will replace only those ties marked for replacement by WVCR.
  - c. The contractor will remove and properly dispose of old ties. Ties must be stacked clear of tracks and must not be stacked on property other than WVCR right-of-way.
  - d. New and old ties can be stored at Belington, Elkins, Bowden and Cheat Bridge until removed.
2. Spiking of Ties
  - a. New ties will be spiked to a gage of 56 ½ inches, plus or minus ¼ inch. Additional ties will be plugged and respiked to correct gage to ensure there is no abrupt change in gage where ties are replaced.
  - b. All ties replaced or respiked will have new spikes. Old spikes will not be reused. Spikes shall be started and driven vertically and square with the rail. They shall have full bearing against the side of the rail base. Spikes shall not be overdriven. Ties on tangents will get four spikes per tie. Ties on curves will get six spikes per tie. The correct spiking pattern will be used on all new ties and any adjacent ties that are respiked to correct gage.
3. Rail Anchors
  - a. All rail anchors will be reapplied in their existing location and properly fitted against ties.
4. Tamping
  - a. Tie gang will tamp all newly inserted ties as they are placed in the track and ballast will be replaced at ends of ties. Final tamping for tie replacement will be done as described in section 5 of these specifications.
5. Final Surfacing, Alinement and Ballast Regulating
  - a. Contractor will use a Jackson 6700, Mark IV or equivalent tamper to give the track within the designated area a “skin lift” and establish best fit for curves including appropriate spirals. Surfacing will taper into bridges and grade crossings.

- b. Track needs to be restored to proper surface with a minimum of two insertions for each tie.
- c. WVCR will provide information on superelevation of curves.
- d. When surfacing a turnout, tamping will continue for a distance of at least 100 feet onto the side track to ensure uniform surface through the turnout.
- e. A ballast regulator will follow the tamper to regulate ballast and reshape shoulders. Contractor will place any additional ballast where it may be needed after surfacing. All curves with welded rail will have a ballast shoulder of at least 12 inches on the outside of the curve.

### **SURFACING & BALLAST REGULATION:**

In addition to areas where ties and ballast are installed, additional regulating will be needed from MP 14.0 to MP 15.0. There is adequate ballast at these locations just needs to be dressed with the regulator.

In addition to areas where ties and ballast are installed, an additional 10 miles of track will be surfaced between MP 72 – MP 82. The West Virginia Central Railroad will be responsible for proper ballast at these locations. The contractor will have to regulate and surface this area. There are three (3) turnouts in this section.

### **CULVERT INSTALLATION: (Depth of each culvert is listed below)**

#### Replaced Culverts:

MP 0.6 – Replace box culvert with 24” x 20’ culvert – 2 feet deep  
 MP 1.2 - Replace box culvert with 24” x 20’ culvert – 2 feet deep  
 MP 1.4 - Replace box culvert with 24” x 20’ culvert – 2 feet deep  
 MP 1.5 - Replace box culvert with 24” x 20’ culvert – 2 feet deep  
 MP 2.8 - Replace box culvert with 24” x 20’ culvert – 2 feet deep  
 MP 3.1 - Replace box culvert with 24” x 20’ culvert – 2 feet deep  
 MP 14.8 – Replace 24” culvert with 24” x 20’ culvert – 2 feet deep  
 MP 15.7 – Replace 24” culvert with 24” x 20’ culvert – 1 foot deep  
 MP 20.3 – Replace 24” culvert with 24” x 20’ culvert – 2 feet deep  
 MP 72.7 – Replace 24” culvert with 24” x 20’ culvert – 2 feet deep  
 MP 72.8 – Replace 24” culvert with 24” x 20’ culvert – 2 feet deep  
 MP 74.5 - Replace 2- 12” concrete culvert with 24” x 20’ culvert – 2 feet deep  
 MP 83.7 – Replace 24” culvert with 24” x 20’ culvert – 2 feet deep

#### Additional Culverts:

MP 17.0 – Add 24” x 20’ culvert – 2 feet deep  
 MP 22.3 – Add 24” x 20’ culvert – 2 feet deep

## DITCHING

The six box culverts that are being replaced between MP 0.6 and MP 3.1 each need ditching of 200 feet in each direction from the culvert (400 feet per culvert). This is simple ditching for proper drainage, for a total of 2,400 feet. Contractor is responsible to properly dispose of ditch material. Material can be disposed of over the bank at ditching sites.

## WELD RAIL JOINTS:

There are 61 rail joints between MP 0 – 12. These joints are to be thermite welded per manufacturer's instructions. The rail size is: 4 joints in 131# rail, 28 joints in 115# rail and 29 joints in #112 rail.

## REPLACEMENT OF HIGHWAY-RAILROAD GRADE CROSSING:

This crossing is at WVCR MP 28.3 at the industrial park in Elkins, WV. The crossing is located in tangent track and is 30 feet long. It currently has a timber surface. This crossing will receive the LT Resources composite crossing surface. The existing crossing timbers, rail, ties and ballast will be removed and the site excavated to the depth specified by the manufacturer. Filter fabric, drain pipes and signal conduit will be installed. New wood ties will be sized and spaced according to the manufacturer's specifications. New ballast will be installed and tamped tight. The existing rail (131# RE) will be reused. Four welds will be required to place the welded rail back through the crossing. Contractor will be responsible to contact Mayor Duke Talbott, 304-636-5889, [duke.talbott@glennville.edu](mailto:duke.talbott@glennville.edu) to coordinate traffic flow, closure and/or detour alternatives. The road will be milled and paved for 20 feet off each edge of the crossing.

## CONDUCT OF WORK

Train Traffic: Freight trains run from MP 0 to 29. During late winter and spring, freight trains typically operate five days a week. Excursion trains run weekends thru Memorial Day, and Thursday, Friday, Saturday and Sunday during June. Additional excursions may be scheduled during weekdays or weekends on an as needed basis. Updated schedules will be provided to the contractor by DGVR. The track must be made safe for train traffic on those days. Contractor will need to coordinate work with the Durbin & Greenbrier Valley Railroad, the operator of the WVCR. Contact for track access is Mark Smith, 304-642-3050 or [wcvtrack@yahoo.com](mailto:wcvtrack@yahoo.com).

Contractor will be responsible to provide a radio or radios capable of communicating with the DGVR. The radio must be a minimum of 40 watts. The contractor can get a radio from Hammicks Radios, 304-636-6210 and have it programmed with the same frequency as the DGVR. Each work crew must be equipped with a radio stationed to road channel 160.455. Cell service is limited so a radio is required for all crews.

All work will be subject to inspection by the SRA and WVCR.

The contractor will comply with all safety rules and regulations as required by the Federal Railroad Administration, WVCR and other parties as applicable.

The successful bidder will be required to have ALL employees that will be working on this project attend a ½ day class on track safety and track access. Also a mandatory preconstruction meeting will be held with all employees working on the project, the WVCR operator and their employees and a representative from the SRA. This meeting will assure that everyone understands the entire scope of work as outlined in the awarded purchase order. Also, it will be mandatory that a weekly status report be submitted to the SRA. This report will be signed by the contractor and railroad representative and will list the work completed for the week. A final inspection of all completed work will be conducted by the contractor, the DGVR and an SRA representative to assure all work is completed as stated in the specifications. Final payment will be withheld until this inspection is complete.

Contractor will use Heavy and Highway Construction Rates as established for Barbour, Randolph and Pocahontas Counties. These rates are pursuant to WV Code 21-5A, et. Seq. and are available at [www.wvsos.com/adlaw/wagerates](http://www.wvsos.com/adlaw/wagerates). Contractor will be responsible for submitting certified payrolls to the SRA.

There are sidings at Belington, Elkins, Bowden, Bemis and Cheat Bridge that can be used to tie-up equipment. These locations can also be used to stack old ties until removal.

Contractor will be responsible for clean-up of the work site. All debris and refuse will be removed from WVCR property and disposed of properly. This includes old crossties, switch ties and spikes removed during this project.

### MATERIALS

Contractor will be responsible for all materials meeting the specs below:

Culvert pipe will be polyethylene pipe with smooth interior.

4 – 131 # thermite weld kits

28 – 115 # thermite weld kits

29 – 112# thermite weld kits

Contractor is to follow the detailed manufacturer's instructions for the specific thermite process being used without deviation.

Ties will be new 7" x 9" x 8'6" industrial grade ties. Specifications in AREMA Chapter 3 will govern. Ties will be mixed hardwoods and oak, 100% end plated and creosote

treated to 7# retention or refusal. Contractor will provide treated tie plugs. Contractor will be responsible for all ties. Tie plates will be provided by the State Rail Authority where existing ties plates are defective or missing. (4000 ties)

Spikes must be new 5/8" x 6" and conform to AREMA specifications.

Bolts and washers must be new and conform to AREMA specifications.

Anchors shall be the proper size for the rail to which they are applied. Anchors will be new or reformed and be compatible with industry rail anchor machines.

Ballast shall be crushed stone or slag and shall conform to the current AREMA "Specifications of Prepared Stone, Slag, and Gravel Ballast". Size of ballast shall be AREMA #3 as indicated below:

Size of Opening	Percent Passing by Weight
2 1/2"	100
2"	90 - 100
1 1/2"	35 - 70
1"	0 - 15
1/2"	0

The phone number of JF Allen Company is 304-636-6095. This quarry is located on the mainline track.

All materials required for the LT Resources composite crossing at MP 28.3. Rail can be re-used. Four thermite weld kits for 131# RE rail. All material will meet AREMA specifications.

Paving will be HMA wearing skid mix and be installed by a paving contractor.

### **BIDDING REQUIREMENTS**

The contractor MUST have previous experience in crosstie replacement, joint welding with thermite welds, culvert installation, track surfacing and regulating and installation of composite highway-railroad grade crossings. References may be required to prove past experience.

A mandatory pre-bid meeting will be held on June 15, 2010 at 10:00 am. Everyone will meet at the Elkins Depot in Elkins, WV. This meeting includes an inspection trip of the portion of railroad where the work will be completed. SRA and DGVR will not provide vendor transportation for the inspection trip. All potential vendors must make provision for their own hy-rail transportation. All vendors not participating in the inspection trip

will be disqualified. Vendors will not be allowed to ride with DGVR or SRA employees. Technical questions must be submitted in writing to Frank Whittaker in the Purchasing Division via email at [Frank.m.whittaker@wv.gov](mailto:Frank.m.whittaker@wv.gov) or via fax at 304-558-2316. All technical questions will be addressed by addendum.

For bidding purposes, contractor is to give a unit cost for each item listed on cost sheet. Low bid will be determined by the lowest total amount for all unit costs multiplied by the quantities as listed on attached cost sheet:





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  
 RMA10030

PAGE  
 1

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

**VENDOR**  
 \*709032228 01 724-228-7636  
 BALFOUR BEATTY RAIL INC  
 1600 ROUTE 136  
 WASHINGTON PA 15301  
*Attn Lew Williams*  
*724-884-0025*

**SHIP TO**  
 WV STATE RAIL AUTHORITY  
 (DBA) SOUTH BRANCH VALLEY  
 RAILROAD  
 120 WATER PLANT DRIVE  
 MOOREFIELD, WV  
 26836 304-538-2305

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
07/06/2010				

BID OPENING DATE: 07/22/2010 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
***** ADDENDUM NO. 1 *****						
THIS ADDENDUM IS ISSUED TO PROVIDE THE ATTACHED REVISED SPECIFICATIONS, ATTACHEMENT A, ATTACHMENT B, ATTACHMENT C (MANDATORY PRE-BID SIGN IN SHEET) AND TO EXTEND THE BID OPENING DATE AND TIME.						
BID OPENING CHANGED TO: 07/22/10 AT 1:30 PM.						
***** END ADDENDUM NO.1 *****						
0001	1	FT		570-48		\$438,573.00
CROSSTIE REPLACEMENT AND SURFACING						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Lew Williams</i>	TELEPHONE 724-228-7636	DATE 7/21/10
TITLE REGIONAL MANAGER	FEIN 39-1611003	ADDRESS CHANGES TO BE NOTED ABOVE

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

## Addendum #1

**This addendum will completely replace the original RFQ for RMA10030. All changes from the original will be in italics. Removed sections will be shown as strikethroughs.**

The West Virginia Purchasing Division for the agency, The West Virginia State Rail Authority is soliciting bids for crosstie replacement, surfacing, regulating, welding of rail joints, culvert replacement and highway-railroad grade crossing replacement. All work is located on the West Virginia Central Railroad (WVCR).

### DESCRIPTION OF WORK

~~4000 TIES: MP 3.0 to MP 16.0 – 2500 ties and MP 45.0 to MP 53.0 – 1500 ties. (75% of the 4000 ties are in curves)~~ *MP 0 – MP 13.0 – 1900 ties, MP 21.8 Norton Industrial Track – 100 ties, MP 24.5 – MP 28.5 – 500 ties and MP 45.0 to MP 50.0 – 1500 ties. (75% of the 4000 ties are in curves)*

#### 1. Tie Replacement

- a. Ties will be handled carefully to avoid damage in accordance with AREMA specifications.
- b. The contractor will replace only those ties marked for replacement by WVCR.
- c. The contractor will remove and properly dispose of old ties. Ties must be stacked clear of tracks and must not be stacked on property other than WVCR right-of-way.
- d. New and old ties can be stored at Belington, Elkins, Bowden and Cheat Bridge until removed.

#### 2. Spiking of Ties

- a. New ties will be spiked to a gage of 56 ½ inches, plus or minus ¼ inch. Additional ties will be plugged and respiked to correct gage to ensure there is no abrupt change in gage where ties are replaced.
- b. All ties replaced or respiked will have new spikes. Old spikes will not be reused. Spikes shall be started and driven vertically and square with the rail. They shall have full bearing against the side of the rail base. Spikes shall not be overdriven. Ties on tangents will get four spikes per tie. Ties on curves will get six spikes per tie. The correct spiking pattern will be used on all new ties and any adjacent ties that are respiked to correct gage.

#### 3. Rail Anchors

- a. All rail anchors will be reapplied in their existing location and properly fitted against ties.

#### 4. Tamping

- a. Tie gang will tamp all newly inserted ties as they are placed in the track and ballast will be replaced at ends of ties. *Ballast regulator will be used to regulate ballast and reshape shoulders. Track needs to be restored to proper surface with a minimum of two insertions for each tie. Final tamping for tie replacement will be done as described in section 5 of these specifications.*

#### 5. ~~Final Surfacing, Alinement and Ballast Regulating~~

- a. ~~Contractor will use a Jackson 6700, Mark IV or equivalent tamper to give the track within the designated area a "skin lift" and establish best fit for curves including appropriate spirals. Surfacing will taper into bridges and grade crossings.~~
- b. ~~Track needs to be restored to proper surface with a minimum of two insertions for each tie.~~
- c. ~~WVCR will provide information on superelevation of curves.~~
- d. ~~When surfacing a turnout, tamping will continue for a distance of at least 100 feet onto the side track to ensure uniform surface through the turnout.~~
- e. ~~A ballast regulator will follow the tamper to regulate ballast and reshape shoulders. Contractor will place any additional ballast where it may be needed after surfacing. All curves with welded rail will have a ballast shoulder of at least 12 inches on the outside of the curve.~~

### SURFACING & BALLAST REGULATION:

In addition to areas where ties and ballast are installed, additional regulating will be needed from MP 14.0 to MP 15.0. There is adequate ballast at these locations just needs to be dressed with the regulator.

~~In addition to areas where ties and ballast are installed, An additional 10 miles of track will be surfaced between MP 72 – MP 82. The West Virginia Central Railroad will be responsible for proper ballast at these locations. The contractor will have to regulate and surface this area. There are three (3) turnouts in this section. Surfacing will be completed as follows:~~

- *Final Surfacing, Alinement and Ballast Regulating*
  - a. *Contractor will use a Jackson 6700, Mark IV or equivalent tamper to give the track within the designated area a "skin lift" and establish best fit for curves including appropriate spirals. Surfacing will taper into bridges and grade crossings.*
  - b. *Track needs to be restored to proper surface with a minimum of two insertions for each tie.*
  - c. *WVCR will provide information on superelevation of curves.*

- d. *When surfacing a turnout, tamping will continue for a distance of at least 100 feet onto the side track to ensure uniform surface through the turnout.*
- e. *A ballast regulator will follow the tamper to regulate ballast and reshape shoulders. Contractor will place any additional ballast where it may be needed after surfacing. All curves with welded rail will have a ballast shoulder of at least 12 inches on the outside of the curve.*
- f. *The contractor is responsible for repair of any damage done to grade crossing signal systems. Repairs must be done that same day.*

**CULVERT INSTALLATION: (Depth of each culvert is listed below)**

Replaced Culverts: *All culverts are 2-5 feet deep.*

MP 0.6 – Replace box culvert with 24” x 20’ culvert – 2 feet deep  
 MP 1.2 - Replace box culvert with 24” x 20’ culvert – 2 feet deep  
 MP 1.4 - Replace box culvert with 24” x 20’ culvert – 2 feet deep  
 MP 1.5 - Replace box culvert with 24” x 20’ culvert – 2 feet deep  
 MP 2.8 - Replace box culvert with 24” x 20’ culvert – 2 feet deep  
 MP 3.1 - Replace box culvert with 24” x 20’ culvert – 2 feet deep  
 MP 14.8 – Replace 24” culvert with 24” x 20’ culvert – 2 feet deep  
 MP 15.7 – Replace 24” culvert with 24” x 20’ culvert – 4 foot deep  
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 MP 74.5 - Replace 2- 12” concrete culvert with 24” x 20’ culvert – 2 feet deep  
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Additional Culverts:

MP 17.0 – Add 24” x 20’ culvert – 2 feet deep  
 MP 22.3 – Add 24” x 20’ culvert – 2-feet deep

**DITCHING**

The six box culverts that are being replaced between MP 0.6 and MP 3.1 each need ditching of 200 feet in each direction from the culvert (400 feet per culvert). This is simple ditching for proper drainage, for a total of 2,400 feet. Contractor is responsible to properly dispose of ditch material. Material can be disposed of over the bank at ditching sites.

**WELD RAIL JOINTS:**

There are 61 rail joints between MP 0 – 12. These joints are to be thermitic welded per manufacturer’s instructions. The rail size is: 4 joints in 131# rail, 28 joints in 115# rail and 29 joints in #112 rail. *The quality of all welds shall be checked by the contractor*

*using magnetic particle or ultrasound inspection in accordance with AREMA Specifications for Fabrication of Continuous Welded Rail. Test results are to be provided to the WV State Rail Authority.*

### **REPLACEMENT OF HIGHWAY-RAILROAD GRADE CROSSING:**

This crossing is at WVCR MP 28.3 at the industrial park in Elkins, WV. The crossing is located in tangent track and is ~~30~~ 32 feet long. It currently has a timber surface. This crossing will receive the LT Resources composite crossing surface. The existing crossing timbers, rail, ties and ballast will be removed and the site excavated to the depth specified by the manufacturer. Filter fabric, drain pipes and signal conduit will be installed. *For the conduit, 4 inch- Schedule 80 pipe will be used. One on signal box side and one running under the crossing.* New 10' wood ties will be sized and spaced according to the manufacturer's specifications. *(attachment A) The 10' ties shall extend for three ties beyond each end of the crossing.* New ballast will be installed and tamped tight. The existing rail (131# RE) will be reused. ~~Four welds will be required to place the welded rail back through the crossing.~~ Contractor will be responsible to contact Mayor Duke Talbott, 304-636-5889, [duke.talbott@glenville.edu](mailto:duke.talbott@glenville.edu) to coordinate traffic flow, closure and/or detour alternatives. The road will be milled and paved for 20 feet off each edge of the crossing.

### **CONDUCT OF WORK**

Train Traffic: Freight trains run from MP 0 to 29 during late winter and spring, freight trains typically operate five days a week. *During this time the contractor will be give a 10 hour window to work everyday.* Excursion trains run weekends thru Memorial Day, and Thursday, Friday, Saturday and Sunday during June. Additional excursions may be scheduled during weekdays or weekends on an as needed basis. Updated schedules will be provided to the contractor by DGVR. The track must be made safe for train traffic on those days. Contractor will need to coordinate work with the Durbin & Greenbrier Valley Railroad, the operator of the WVCR. Contact for track access is Mark Smith, 304-642-3050 or [wcvtrack@yahoo.com](mailto:wcvtrack@yahoo.com).

Contractor will be responsible to provide a radio or radios capable of communicating with the DGVR. The radio must be a minimum of 40 watts. The contractor can get a radio from Hammicks Radios, 304-636-6210 and have it programmed with the same frequency as the DGVR. Each work crew must be equipped with a radio stationed to road channel 160.455. Cell service is limited so a radio is required for all crews.

All work will be subject to inspection by the SRA and WVCR.

The contractor will comply with all safety rules and regulations as required by the Federal Railroad Administration, WVCR and other parties as applicable.

The successful bidder will be required to have ALL employees that will be working on this project attend a ½ day class on track safety and track access. Also a mandatory preconstruction meeting will be held with all employees working on the project, the WVCR operator and their employees and a representative from the SRA. This meeting will assure that everyone understands the entire scope of work as outlined in the awarded purchase order. Also, it will be mandatory that a weekly status report be submitted to the SRA. This report will be signed by the contractor and railroad representative and will list the work completed for the week. A final inspection of all completed work will be conducted by the contractor, the DGVR and an SRA representative to assure all work is completed as stated in the specifications. Final payment will be withheld until this inspection is complete.

Contractor will use Heavy and Highway Construction Rates as established for Barbour, Randolph and Pocahontas Counties. These rates are pursuant to WV Code 21-5A, et. Seq. and are available at [www.wvsos.com/adlaw/wagerates](http://www.wvsos.com/adlaw/wagerates). Contractor will be responsible for submitting certified payrolls to the SRA.

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Contractor will be responsible for clean-up of the work site. All debris and refuse will be removed from WVCR property and disposed of properly. This includes old crossties, switch ties and spikes removed during this project. *All materials are to be disposed of offsite with the exception of ditching materials which can be disposed on the railroad right-of-way.*

*Track charts are provided as attachment B.*

*Attachment C is a copy of the pre-bid sign-in sheet.*

### MATERIALS

Contractor will be responsible for all materials meeting the specs below:

Culvert pipe will be polyethylene pipe with smooth interior.

4 – 131 # thermite weld kits

28 – 115 # thermite weld kits

29 – 112# thermite weld kits

Contractor is to follow the detailed manufacturer's instructions for the specific thermite process being used without deviation.

Ties will be new 7" x 9" x 8'6" industrial grade ties. Specifications in AREMA Chapter 3 will govern. Ties will be mixed hardwoods and oak, 100% end plated and creosote treated to 7# retention or refusal. Contractor will provide treated tie plugs. Contractor will

be responsible for all ties. Tie plates will be provided by the State Rail Authority where existing ties plates are defective or missing. (4000 ties)

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Ballast shall be crushed stone or slag and shall conform to the current AREMA "Specifications of Prepared Stone, Slag, and Gravel Ballast". Size of ballast shall be AREMA #3 as indicated below:

Size of Opening	Percent Passing by Weight
2 1/2"	100
2"	90 – 100
1 1/2"	35 – 70
1"	0 – 15
1/2"	0

The phone number of JF Allen Company is 304-636-6095. This quarry is located on the mainline track.

All materials required for the LT Resources composite crossing at MP 28.3. Rail can be re-used. ~~Four thermite weld kits for 131# RE rail.~~ All material will meet AREMA specifications.

Paving will be HMA wearing skid mix and be installed by a paving contractor.

### **BIDDING REQUIREMENTS**

The contractor MUST have previous experience in crosstie replacement, joint welding with thermite welds, culvert installation, track surfacing and regulating and installation of composite highway-railroad grade crossings. References may be required to prove past experience.

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Technical questions must be submitted in writing to Frank Whittaker in the Purchasing Division via email at [Frank.m.whittaker@wv.gov](mailto:Frank.m.whittaker@wv.gov) or via fax at 304-558-2316. All technical questions will be addressed by addendum.

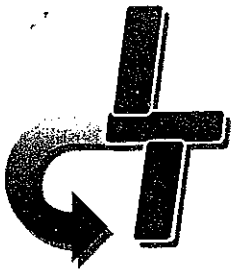
For bidding purposes, contractor is to give a unit cost for each item listed on cost sheet. Low bid will be determined by the lowest total amount for all unit costs multiplied by the quantities as listed on attached cost sheet:



## RMA Cost Sheet

Line Item	Description	Unit Cost	Unit of Measure	Quantity	Extended Cost
	<b>Tie Replacement</b> <i>(including gaging of inserted tie)</i>				
1	Ties	\$ 74.05	per tie	4,000	\$ 296,200.00
	<b>Additional Surfacing/Ballast Regulation</b>				
2	Additional Surfacing	\$ .83	per track foot	52,800 (10 miles)	\$ 43,824.00
3	Additional Regulating	\$ .20	per track foot	5,280 (1 miles)	\$ 1,056.00
	<b>Culvert Replacement</b>				
4	Culvert (24 inch) x 20' Long -	\$ 1,460.00	per culvert	13	\$ 18,980.00
	<b>New Culvert Installation</b>				
5	Culvert (24 inch) x 20' Long	\$ 1,460.00	per culvert	2	\$ 2,920.00
6	<b>Ditching</b>				
	Ditching - MP 0.6 - MP 3.1	\$ 2.65	per ft	2400	\$ 6,336.00
	<b>Rail Joint Welding</b>				
7	Thermite Joint Welds	\$ 557.00	Per Weld	61	\$ 33,977.00
8	<b>Replace Highway-Railroad Grade Crossing</b>				
	Replace crossing with new LT Resources				
	Composite crossing	\$ 35,280.00	each	1	\$ 35,280.00
				<b>Total Bid:</b>	\$ 438,573.00

- Notes:**
- 1.) The above quantities are the agency's best estimate for the amount of work to be completed. Any variation in the actual quantities will be determine based on the unit price shown above for the given work.
  - 2.) Vendors should complete this form in its entirety in lieu of submitting other quote forms. Submitted form should be provided in a legible form. (Typewritten form preferred.)
  - 3.) Vendors must submit unit prices for all line items. Failure to provide unit prices will result in the disqualification of the vendor's bid.



LT Resources, Inc.

16690 Champion Forest Dr.,

#360

Spring, TX 77379

281/444.3494

toll free: 800/440.1517

fax: 281/444.3495

www.ltresources.com

## ENDURANCE™ Composite Crossings Installation Recommendations

Rail Size	Panel Thickness	Drill Bit Size	Fastener Size
85-100#	6"	5/8" x 12"	5/8" x 10-1/2"
110-133#	7-1/2"	5/8" x 12"	5/8" x 12"

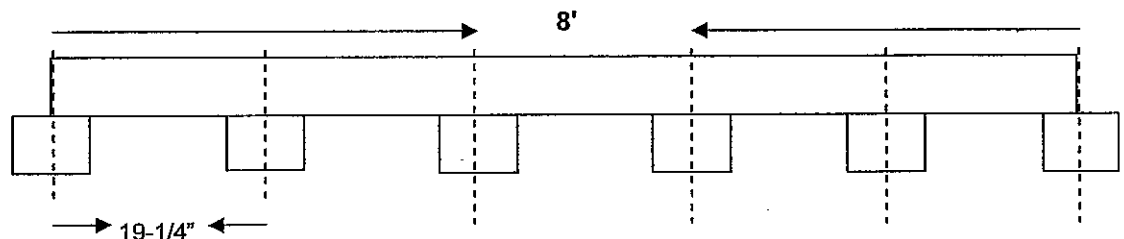
**IMPORTANT NOTE: Refer to "Installation Manual for Contractors" for  
(1) Storage Recommendations Prior to Use, and  
(2) Detailed Installation Instructions.**

**CROSS TIES:** New - 8' 6" Long or 10' Long

**EQUIPMENT:** Low RPM pneumatic drill  
Standard track tools  
5/8" carbide tip percussion rotary masonry bit  
1/2" x 16" drill bit for wood  
1-3/4" countersinking bit with carbide tip, or  
one-step drill bit/countersink bit

**FASTENER:** 5/8" Recessed-head lag screws, or Dome-head screws

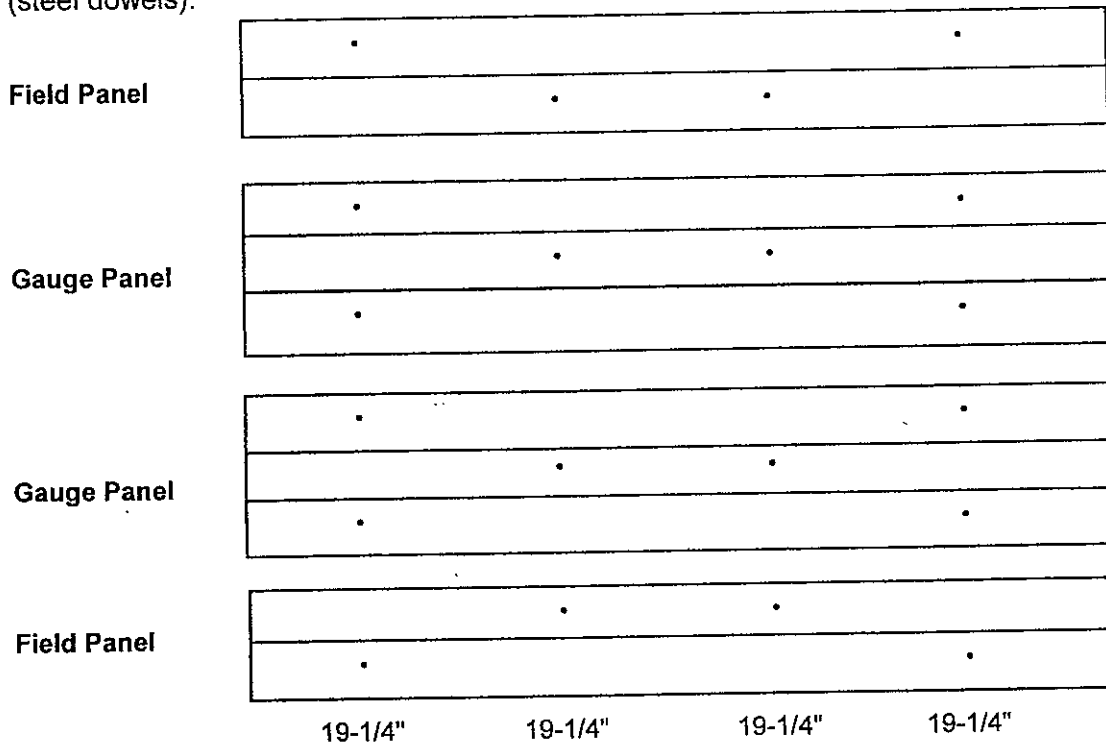
- **ENDURANCE™** Composite Crossings are designed for tangent track. However, with slight modifications, the crossings can easily be applied to track with 9° or less curve. Information as to the degree of the curve should be given to the supplier prior to order placement.
- The crossing bed should be prepared in accordance with recommended track construction practices.
- New cross ties should be used in new construction as well as replacement crossings.
- One 8' section of crossing consists of four (4) panels per **Figure 1**.
- Panel design includes a 3-1/2" wide x 1-1/2" deep notch on each side of each rail, allowing the panels to clear the tie plates.
- The outer edges of the panels have a radius to eliminate any damage by vehicular traffic.
- Cross ties should be positioned on 19-1/4" centers, making sure the ends of the **ENDURANCE™** Composite Crossing panels are centered and rest securely on crossties.



- A low RPM pneumatic drill should be used to reduce excess heat during the drilling process and to extend the life of the bit. The carbide masonry bit will allow the material to be ejected from the hole and the carbide material allows the bit to be sharpened for repeated use. *(continued)*

**Installation Recommendations** (continued from previous page)

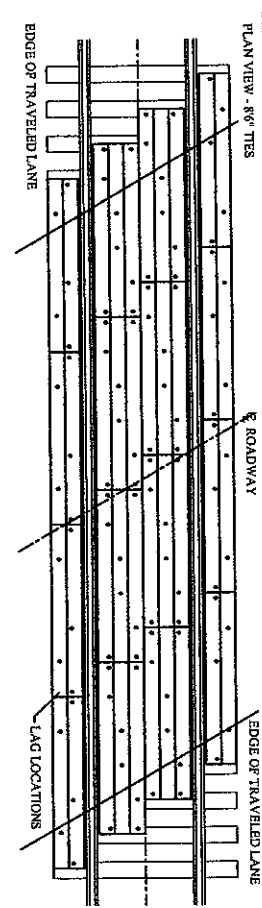
- Once the **ENDURANCE™** Composite Crossing panels are positioned, the fastener holes and countersinks can be pre-drilled.
  - The 1-3/4" bit should be used to countersink to a depth of 1". (Note: A one-step drill bit/countersink bit can also be used.)
  - A 5/8" hole (using the carbide masonry bit) should be drilled through the composite material and into tie no more than 1", being careful not to strike the assembly hardware (steel dowels).



**Figure 1 - Suggested Fastener Pattern**

- Recessed-head lag screws can then be screwed into the holes to attach the crossing to the crossties underneath. Recessed-head lag screws with the larger number and greater depth of threads are recommended to provide a more superior "crossing-to-cross tie" attachment. **Figure 1** illustrates the suggested fastener pattern.
- Dome-head screws can be used in main entrance and heavy traffic areas; however, they should not be hammered into the crossing, as is the practice with wood crossings.
  - The appropriate length 5/8" drill bit should be used to pre-bore the holes in the crossing material, again, avoiding the assembly hardware (steel dowels) and being careful not to drill into the crosstie.
  - A 1/2" x 16" wood bit should be used to drill a 4" hole into the crosstie.
  - A 4-prong drill attachment should then be used to secure the dome-head screw into the crossing until the fastener head is flush with the crossing surface.
- Gauge panels are beveled slightly the entire length of the panel on the sides adjacent to the rail. Additional beveling on the jobsite may be needed to accommodate wheel hunting and prevent damage to the crossing panels. See instructions in "Installation Manual for Contractors".
- Flangeway filler is recommended to extend the life of the crossing.
- Factory pre-drilling and countersinking for installation hardware available at an additional charge.

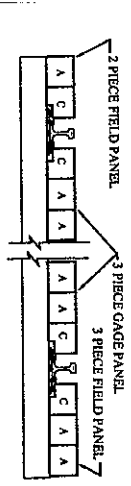
**TYPICAL 24' ROADWAY ON 30° SKEW (32 CROSSING)**



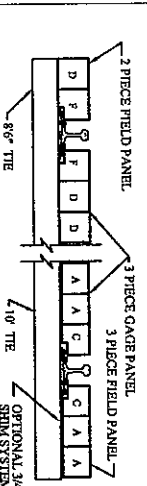
**THE SPACING**



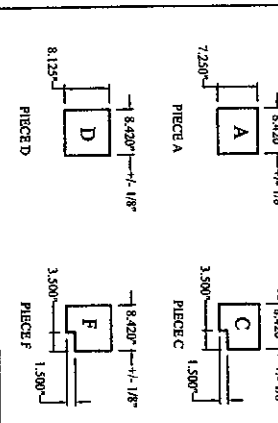
**LAYOUT FOR 5 1/2\"/>**



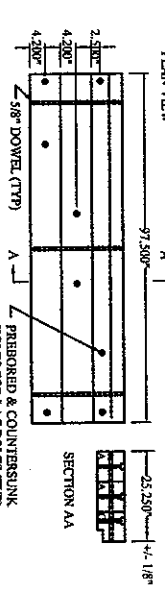
**LAYOUT FOR 6\"/>**



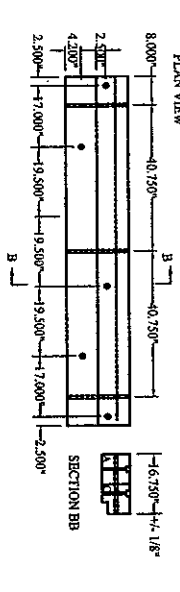
**COMPONENT DIMENSIONS**



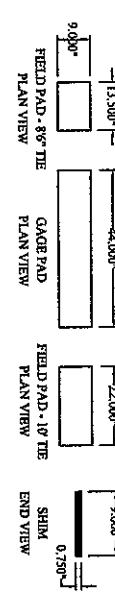
**3 PIECE GAGE PANEL / FIELD PANEL FOR 10\"/>**



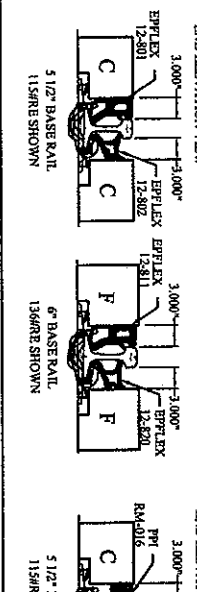
**2 PIECE FIELD PANEL FOR 8 6\"/>**



**OPTIONAL SHIM SYSTEM**



**REMOVABLE EPFLEX FLANGEWAY FILLER**

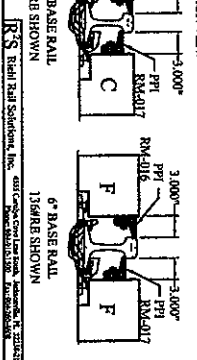


**INSTALLATION:**

- 1) THIS DRAWING ASSUMES INSTALLATION ON TANGENT TRACK. FOR INSTALLATION ON CURVED TRACK CONTACT THE MANUFACTURER FOR RECOMMENDATIONS. ADHERERS TO RECOMMENDATIONS, THE SPACING AND MAKE CERTAIN PANEL ENDS ARE PROPERLY SUPPORTED. IF THIS CANNOT BE DONE, INSTALLATION ON CURVED TRACK IS NOT RECOMMENDED.
- 2) END OF CROSSING SHOULD BE AT LEAST 12' BEYOND THE EDGE OF TRAVELED LANE.
- 3) TRACK THROUGH THE CROSSING SHOULD BE CONSTRUCTED IN ACCORDANCE WITH AREMA STANDARDS OR THE INDIVIDUAL RAILROAD STANDARDS WITH ALL NEW 7" X 9" TIES ON 19 1/2" SPACING ENSURING THE TRACK IS WELL TAMPED.
- 4) PROPER THE SPACING IS CRITICAL TO ASSURE ENDS OF PANELS ARE PROPERLY CENTERED ON TIES AND UNSUPPORTED SPAN DOES NOT EXCEED MANUFACTURER'S RECOMMENDATIONS.
- 5) TRACK THROUGH THE CROSSING SHOULD BE ANCHORED IN ACCORDANCE WITH AREMA STANDARDS OR THE INDIVIDUAL RAILROAD SPECIFICATIONS. THE ANCHORS MUST BE RIGID AND ARE REQUIRED WITH POLYURETHANE RUBBER FLANGEWAY FILLER.
- 6) PANELS SHOULD BE POSITIONED WITH THEIR ENDS AS CLOSE TO THE CENTER OF THE TIE AS POSSIBLE WORKING FROM THE CENTER OF THE CROSSING OUTWARD.
- 7) STAGGERING OF THE PANELS IS RECOMMENDED IN ALL INSTALLATIONS.
- 8) GAGE PANELS SHOULD BE POSITIONED TOGETHER WITH ANY RESULTING GAP BETWEEN THE RAIL AND THE PANELS EVENLY DISTRIBUTED BETWEEN THE TWO SIDES.
- 9) FACTORY DRILLING OF LAG SCREW HOLES IS RECOMMENDED.
- 10) FOR FIELD DRILLING OF LAG SCREW HOLES, ENSURE THE PANELS ARE PROPERLY POSITIONED BEFORE DRILLING 3/8" DIAMETER HOLES THROUGH THE PANEL IN THE PATTERN INDICATED. COUNTERSINK THESE HOLES 3/4" DIAMETER BY 1" DEEP. A ONE STEP DRILL/COUNTERSINK BIT IS AVAILABLE. AVOID DRILLING INTO THE TIES WORE THAN 1/2".
- 11) IN THE ABSENCE OF SPECIFIC RAILROAD, THIS SHOULD BE PRE-DRILLED WITH 3/8" HOLES AT LEAST 5' DEEP.
- 12) COMBINATION DRILL AND COUNTERSINK BITS WITH A LOW SPEED DRILL ARE RECOMMENDED FOR DRILLING THE 1/2" X 5/8" DEEP HEADS.
- 13) 5/8" DEEP HEADS FOR THE LAG SCREWS ARE THE RECOMMENDED HOLD-DOWN FASTENERS FOR THE PANELS. 1/2" LAGS SHOULD BE USED FOR 7 1/4" PANEL HEIGHT AND 1 1/2" LAGS SHOULD BE USED FOR 8' AND 8 1/8" PANEL HEIGHT.
- 14) SHIMS AND FLANGEWAY FILLER SHOULD BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS.
- 15) SEALANT TAPE SHOULD BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS.
- 16) WHEN SPECIFIED, OPTIONAL 45° END BEVEL IS MANUFACTURED IN THE END PANELS STARTING 2" ABOVE THE BASE. THE END LAGS ON PANELS WITH BEVELED ENDS SHALL BE 7 1/2" FOR 7 1/4" PANEL HEIGHT AND 10 1/2" FOR 8' AND 8 1/8" PANEL HEIGHT.

**MATERIALS & FABRICATION**

- 1) PANELS ARE COMPOSED OF INDIVIDUAL PIECES DOWNLOADED TOGETHER WITH TWISTED 5/8" DIAMETER STEEL BAR. THE TWISTED BAR MEASURES 3/4" DIAMETER.
- 2) PANELS FOR 8' AND 10' TIES ARE SHOWN. PANELS FOR OTHER TIE LENGTHS MAY BE AVAILABLE UPON REQUEST.
- 3) PANELS MAKE A VALUABLE USE OF RECYCLED MATERIALS.
- 4) 5/8" DIAMETER STEEL BAR HOLES FOR THE DOWELS ARE PRE-DRILLED THROUGH THE PANEL 3 5/8" ABOVE THE BOTTOM OF THE PANEL AT THE LOCATIONS SHOWN.
- 5) DOWELS FOR TWO AND THREE DECK PANELS ARE 16' AND 24' LONG RESPECTIVELY.
- 6) ASSEMBLED PANELS ARE TRIMMED TO MEASURE 8'-1 1/2" x 11'-6".
- 7) 5/8" HOLES FOR THE PANEL FASTENERS ARE PRE-DRILLED AND COUNTERSUNK 1 3/4" BY 1" DEEP IN THE PATTERN INDICATED PRIOR TO SHIPMENT.
- 8) WHEN SPECIFIED, LIFTING DEVICES ARE PRE-INSTALLED. CONSULT MANUFACTURER FOR UTILIZATION DETAILS.
- 9) WHEN SPECIFIED, CROSSINGS PANEL ENDS MAY BE BEVELED.
- 10) EACH PANEL IS MARKED WITH "ENDURANCE-XI".
- 11) SEALANT TAPE IS RECOMMENDED FOR USE BETWEEN ENDS OF ADJACENT PANELS SUBJECT TO MOVEMENT FROM THERMAL EXPANSION AND CONTRACTION.



REV	DATE	APPROVED	CHANGED
4	9 OCT 09	LT	ADD BEVELED ENDS
3	9 OCT 09	LT	REVISED LAG PATTERN
2	3 AUG 09	LT	ADD EXPANSION FILLER
1	9 AUG 09	LT	REVISED LAG PATTERN

**LT Resources, Inc.**  
 15811 Chapman Forest Dr., Suite 3302  
 Dallas, TX 75244-4435  
 Phone: 214-444-3304 Fax: 214-444-3495

**ENDURANCE-XI COMPOSITE CROSSING FOR 5 1/2" & 6" BASE RAIL**

DATE: 11 MAR 09  
 SCALE: NTS  
 SHEET: 1 OF 1  
 PROJECT: Endurance Crossing (DVE)  
 002 - 20

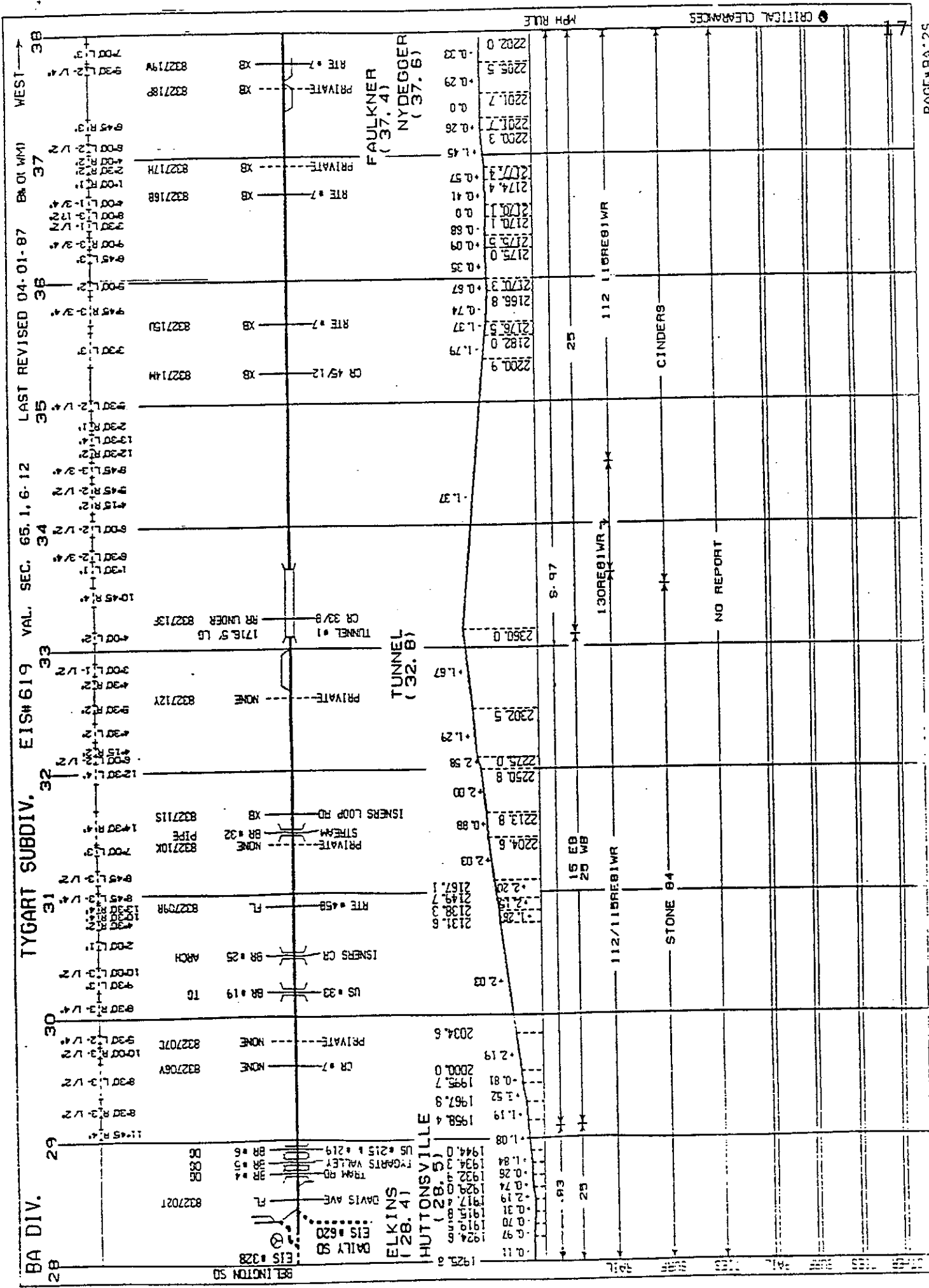






















## Attachment C

Page 1 of 2

Pre-Bid Conference

**SIGN IN SHEET**

[Please Print]

Request for Proposal No.: RMA100030 Date: 6-15-10

<u>Firm &amp; Representative Name</u>	<u>Mailing Address</u>	<u>Telephone &amp; FAX Numbers</u>
1. <u>G.W Peoples Cont Co</u> <u>Johnny Wharton</u>	<u>600 N. Bell Ave</u> <u>Bld. 1 Suite 210 Carnegie PA</u>	T: <u>412-276-2342</u> F: <u>412-276-2325</u>
2. <u>Atlas Railroad Const.</u> <u>Dave Snyder</u>	<u>P.O. Box 8</u> <u>Eighty Four, PA 15330</u>	T: <u>724-228-4500</u> F: <u>724-228-3183</u>
3. <u>Railroad Constructors Inc.</u> <u>Dave Luvaru</u>	<u>705 Mantua Ave.</u> <u>Paulsboro, NJ. 08066</u>	T: <u>856-423-9385</u> F: <u>" " 9386</u>
4. <u>Balfour Beatty Rail</u> <u>LEE WILLIAMS</u>	<u>1600 Rte 136</u> <u>WASHINGTON, PA 15301</u>	T: <u>724-228-7636</u> F: <u>724-884-0025</u>
5. <u>Bob Matthews</u> <u>AMTRAK RAILROAD CONTRACTORS</u>	<u>9436 EARLEY DRIVE</u> <u>HAGERSTOWN, MD 21740</u>	T: <u>301-797-3730</u> F: <u>301-797-3740</u>
6. <u>JIM MOORE</u> <u>Rail Works</u>	<u>985 UNION HILL RD</u> <u>ALPHARETTA GA 30004</u>	T: <u>770 740 0284</u> F: <u>770 740 0384</u>
7. <u>William Russell</u> <u>Russell cont INC</u>	<u>5672 Chestnut Grove Hwy</u> <u>Gettysburg PA 16838</u>	T: <u>814-583-7875</u> F: <u>814-583-7875</u>
8. <u>Balfour Beatty Rail</u> <u>TONY GARRET</u>	<u>8630 Brookville Rd</u> <u>Indianapolis, I.N. 46239</u>	T: <u>317-375-1688</u> F: <u>317-375-2998</u>
9. <u>Acme CONSTRUCTION</u> <u>DAVID M. HORTH</u>	<u>7695 BOND STREET</u> <u>Cleveland, OH 44139</u>	T: <u>440-232-7474</u> F: <u>440-232-7477</u>
10. <u>TRAKSPEC RR CORP.</u> <u>ROGER LIPSCOMB</u>	<u>PO BOX 782</u> <u>HURRICANE, WV 25526</u>	T: <u>(304)562-2473</u> F: <u>(304)562-0111</u>

Please print or write legibly. The fax number is essential to contact the attendees in a timely manner.

Pre-Bid Conference  
**SIGN IN SHEET**

[Please Print]

Request for Proposal No.: RMA100030 Date: 6-15-10

<u>Firm &amp; Representative Name</u>	<u>Mailing Address</u>	<u>Telephone &amp; FAX Numbers</u>
1. <u>American Railroad</u> <u>Richard Hall</u>	<u>2870 Normandy Dr.</u> <u>Atlanta, GA 30305</u>	T: <u>404-915-3124</u> F: <u>770-393-0110</u>
2. <u>Jeff Jolly</u> <u>Hinkle CONTRACTING</u>	<u>605 Blue Sky Parkway</u> <u>Lexington KY 40509</u>	T: <u>859-263-7558</u> F: <u>859-264-9334</u>
3. <u>J V Brown, JR</u> <u>Hinkle Contracting</u>	<u>1930 N. Teby St</u> <u>Florence, SC 29501</u>	T: <u>843-569-5107</u> F: <u>843-569-5108</u>
4. _____ _____	_____ _____	T: _____ F: _____
5. _____ _____	_____ _____	T: _____ F: _____
6. _____ _____	_____ _____	T: _____ F: _____
7. _____ _____	_____ _____	T: _____ F: _____
8. _____ _____	_____ _____	T: _____ F: _____
9. _____ _____	_____ _____	T: _____ F: _____
10. _____ _____	_____ _____	T: _____ F: _____

Please print or write legibly. The fax number is essential to contact the attendees in a timely manner.



BID BOND

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, Balfour Beatty Rail, Inc.  
of Jacksonville Florida, as Principal, and Travelers Casualty and Surety Company of America  
of Hartford Connecticut, a corporation organized and existing under the laws of the State of CT  
with its principal office in the City of Hartford, as Surety, are held and firmly bound unto the State  
of West Virginia, as Obligee, in the penal sum of \* See Below (\$ 5% ) for the payment of which,  
well and truly to be made, we jointly and severally bind ourselves, our heirs, administrators, executors, successors and assigns.  
\* Five (5) Percent of Amount Bid

The Condition of the above obligation is such that whereas the Principal has submitted to the Purchasing Section of the  
Department of Administration a certain bid or proposal, attached hereto and made a part hereof, to enter into a contract in writing for  
Crosstie Replacement, Surfacing, Regulating, Welding of Rail Joints, Culvert Replacement and  
Highway Railroad Grade Crossing Replacement

NOW THEREFORE,

- (a) If said bid shall be rejected, or
- (b) If said bid shall be accepted and the Principal shall enter into a contract in accordance with the bid or proposal attached  
hereto and shall furnish any other bonds and insurance required by the bid or proposal, and shall in all other respects perform the  
agreement created by the acceptance of said bid, then this obligation shall be null and void, otherwise this obligation shall remain in full  
force and effect. It is expressly understood and agreed that the liability of the Surety for any and all claims hereunder shall, in no event,  
exceed the penal amount of this obligation as herein stated.

The Surety, for the value received, hereby stipulates and agrees that the obligations of said Surety and its bond shall be in no  
way impaired or affected by any extension of the time within which the Obligee may accept such bid, and said Surety does hereby  
waive notice of any such extension.

IN WITNESS WHEREOF, Principal and Surety have hereunto set their hands and seals, and such of them as are corporations  
have caused their corporate seals to be affixed hereunto and these presents to be signed by their proper officers, this  
8th day of July, 20 10

Principal Corporate Seal

Balfour Beatty Rail, Inc.  
(Name of Principal)

By [Signature]  
(Must be President or Vice President)

MARK SNAILHAM  
VICE PRESIDENT, RAIL SERVICES  
(Title)

Travelers Casualty and Surety Company  
of America  
(Name of Surety)

Surety Corporate Seal

[Signature]  
Rebecca E. Howard Attorney-in-Fact  
WV Non-Resident License No. 495268

IMPORTANT - Surety executing bonds must be licensed in West Virginia to transact surety insurance. Raised corporate seals  
must be affixed, a power of attorney must be attached.



POWER OF ATTORNEY

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

Attorney-In Fact No. 221219

Certificate No. 003475798

KNOW ALL MEN BY THESE PRESENTS: That St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company and St. Paul Mercury Insurance Company are corporations duly organized under the laws of the State of Minnesota, that Farmington Casualty Company, Travelers Casualty and Surety Company, and Travelers Casualty and Surety Company of America are corporations duly organized under the laws of the State of Connecticut, that United States Fidelity and Guaranty Company is a corporation duly organized under the laws of the State of Maryland, that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc., is a corporation duly organized under the laws of the State of Wisconsin (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint

William G. Moody III, Patty L. Mills, Normandy Sutton, and Rebecca E. Howard

of the City of Atlanta, State of Georgia, their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 14th day of May, 2009

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company



State of Connecticut
City of Hartford ss.

By: [Signature]
George W. Thompson, Senior Vice President

On this the 14th day of May, 2009, before me personally appeared George W. Thompson, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

In Witness Whereof, I hereunto set my hand and official seal.
My Commission expires the 30th day of June, 2011.



[Signature]
Marie C. Tetreault, Notary Public



State of West Virginia  
DRUG FREE WORKPLACE CONFORMANCE AFFIDAVIT  
West Virginia Code §21-1D-5

STATE OF PENNSYLVANIA

COUNTY OF WASHINGTON, TO-WIT:

I, A. LEE WILLIAMS, after being first duly sworn, depose and state as follows:

- 1. I am an employee of BALFOUR BEATTY RAIL INC; and,  
(Company Name)
- 2. I do hereby attest that BALFOUR BEATTY RAIL INC  
(Company Name)

maintains a valid written drug free workplace policy and that such policy is in compliance with *West Virginia Code* §21-1D-5.

The above statements are sworn to under the penalty of perjury.

BALFOUR BEATTY RAIL INC  
(Company Name)

By: A. Lee Williams

Title: REGIONAL MANAGER

Date: 7/21/10

Taken, subscribed and sworn to before me this 21 day of July, 2010.

By Commission expires August 8, 2011

(Seal) **NOTARIAL SEAL**  
**ELAINE M DZIMIERA**  
 Notary Public  
**SOUTH STRABANE TWP, WASHINGTON COUNTY**  
 My Commission Expires Aug 8, 2011

Elaine M. Dzimiera  
(Notary Public)

**THIS AFFIDAVIT MUST BE SUBMITTED WITH THE BID IN ORDER TO COMPLY WITH WV CODE PROVISIONS. FAILURE TO INCLUDE THE AFFIDAVIT WITH THE BID SHALL RESULT IN DISQUALIFICATION OF THE BID.**

RFQ No. \_\_\_\_\_

STATE OF WEST VIRGINIA  
Purchasing Division

**PURCHASING AFFIDAVIT**

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

**DEFINITIONS:**

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

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

Authorized Signature: Arlee Williams Date: 7/21/10

State of PENNSYLVANIA

County of WASHINGTON, to-wit:

Taken, subscribed, and sworn to before me this 21 day of July, 2010.

My Commission expires August 8, 2011.

AFFIX SEAL HERE

NOTARY PUBLIC Elaine M. Dzimiera

