



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  
**RMA11005**

PAGE  
**1**

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

VENDOR

**AMTRAC RR Contractors of MD  
 9436 Earley Drive  
 Hagerstown MD 21740-1737**

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	FOB	FREIGHT TERMS
08/11/2010				

BID OPENING DATE: **09/09/2010** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	EA		550-70	\$ 138,432.00	\$ 138,432.00
<p>REPLACEMENT OF A HIGHWAY-RAILROAD GRADE CROSSING</p> <p>REQUEST FOR QUOTATION (RFQ) CONSTRUCTION</p> <p>THE WEST VIRGINIA STATE PURCHASING DIVISION FOR THE AGENCY, THE WEST VIRGINIA STATE RAIL AUTHORITY, IS SOLICITING BIDS TO PROVIDE THE AGENCY WITH ALL LABOR AND MATERIALS FOR THE REPLACEMENT OF A HIGHWAY-RAILROAD GRADE CROSSING ON THE SOUTH BRANCH VALLEY RAILROAD (SBVR) LOCATED IN PETERSBURG, WEST VIRGINIA PER THE ATTACHED SPECIFICATIONS.</p> <p>A MANDATORY PRE-BID WILL BE HELD ON AUGUST 26, 2010 AT 2:00 PM AT THE SOUTH MAIN STREET CROSSING IN PETERSBURG WV. CONTRACTORS WISHING TO ATTEND SHOULD INFORM FRANK WHITTAKER AT FRANK.M.WHITTAKER@WV.GOV BY AUGUST 24. 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.</p>						

RECEIVED

2010 SEP 28 A 11:04

PURCHASING DIVISION  
 STATE OF WV

SEE REVERSE SIDE FOR TERMS AND CONDITIONS			
SIGNATURE	TELEPHONE	DATE	
	301-797-3730	September 27, 2010	
TITLE	FERN	ADDRESS CHANGES TO BE NOTED ABOVE	
Vice President	351649116		

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



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PURCHASING DIVISION

SHIP TO

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08/11/2010				
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<p>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> <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>TECHNICAL QUESTIONS CONCERNING THIS SOLICITATION MUST BE SUBMITTED IN WRITING TO FRANK WHITTAKER IN THE WEST VIRGINIA STATE PURCHASING DIVISION VIA MAIL AT THE ADDRESS SHOWN IN THE BODY OF THIS RFQ, VIA FAX AT 304-558-4115, OR VIA EMAIL AT FRANK.M.WHITTAKER@WV.GOV. DEADLINE FOR ALL TECHNICAL QUESTIONS IS 08/31/2010 AT THE CLOSE OF BUSINESS. ANY TECHNICAL QUESTIONS RECEIVED WILL BE ANSWERED BY FORMAL ADDENDUM TO BE ISSUED BY THE PURCHASING DIVISION AFTER THE DEADLINE HAS LAPSED.</p> <p>EXHIBIT 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</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE 	TELEPHONE <b>301-797-3730</b>	DATE <b>September 27, 2010</b>
TITLE <b>Vice President</b>	FEN <b>351649116</b>	ADDRESS CHANGES TO BE NOTED ABOVE

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PAGE: **3**

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**304-558-2316**

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SHIP TO  
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**(DBA) SOUTH BRANCH VALLEY**  
**RAILROAD**  
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<p><b>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.</b></p> <p><b>NOTICE TO PROCEED: THIS CONTRACT IS TO BE PERFORMED BY JUNE 30, 2011. THE FULLY EXECUTED PURCHASE WILL CONSIDERED NOTICE TO PROCEED; HOWEVER, THE SUCCESSFUL VENDOR SHOULD COORDINATE ALL WORK WITH THE AGENCY.</b></p> <p><b>CANCELLATION: 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.</b></p> <p><b>WAGE RATES: THE CONTRACTOR OR SUBCONTRACTOR SHALL PAY THE HIGHER OF THE U.S. DEPARTMENT OF LABOR MINIMUM WAGE RATES AS ESTABLISHED FOR GRANT COUNTY, PURSUANT TO WEST VIRGINIA CODE 21-5A, ET, SEQ. (PREVAILING WAGE RATES APPLY TO THIS PROJECT)</b></p> <p><b>ARBITRATION: 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.</b></p> <p><b>WORKERS' COMPENSATION: VENDOR IS REQUIRED TO PROVIDE A CERTIFICATE FROM WORKERS' COMPENSATION IF SUCCESSFUL.</b></p> <p><b>ALL OF THE ITEMS CHECKED BELOW WILL BE A REQUIREMENT OF THIS CONTRACT:</b></p>						

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PROPERTY

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<p>(XX) INSURANCE: 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>( ) BUILDERS RISK INSURANCE: SUCCESSFUL VENDOR SHALL FURNISH PROOF OF BUILDERS RISK - ALL RISK INSURANCE IN AN AMOUNT EQUAL TO 100% OF THE AMOUNT OF THE CONTRACT.</p> <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 ACCEPTABLE 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>						

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<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 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>						

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**6**

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<p><b>EXHIBIT 9</b></p> <p><b>NOTICE FOR ISSUANCE &amp; ACKNOWLEDGEMENT OF CONSTRUCTION PROJECT ADDENDA</b></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> <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>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Paul L. Whittaker</i>	TELEPHONE <b>301-797-3730</b>	DATE <b>September 27, 2010</b>
TITLE <b>Vice President</b>	FEB# <b>351649116</b>	ADDRESS CHANGES TO BE NOTED ABOVE

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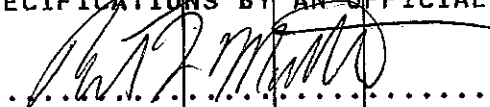
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EXHIBIT 10						
ADDENDUM ACKNOWLEDGEMENT						
I HEREBY ACKNOWLEDGE RECEIPT OF THE FOLLOWING CHECKED ADDENDUM(S) AND HAVE MADE THE NECESSARY REVISIONS TO MY PROPOSAL, PLANS AND/OR SPECIFICATION, ETC.						
ADDENDUM NOS. :						
NO. 1		. Dated August 18, 2010				
NO. 2		. Dated September 3, 2010				
NO. 3		. Dated September 14, 2010				
NO. 4		. . . . .				
NO. 5		. . . . .				
I UNDERSTAND THAT FAILURE TO CONFIRM THE RECEIPT OF THE ADDENDUM(S) MAY BE CAUSE FOR REJECTION OF THE BIDS.						
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.						
 . . . . . SIGNATURE						
Amtrac Railroad Contractors of Maryland, Inc. . . . . COMPANY						

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<p><b>September 27, 2010.....DATE</b></p> <p>REV. 11/96</p> <p><b>CONTRACTORS LICENSE</b></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 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: <b>Amtrac Railroad Contractors of Maryland, Inc.</b></p> <p>CONTRACTORS LICENSE NO.: <b>WV020362</b></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><b>APPLICABLE LAW</b></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</p>						

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<p><b>PROCUREMENT.</b></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><b>BANKRUPTCY:</b> IN THE EVENT THE VENDOR/CONTRACTOR FILES FOR BANKRUPTCY PROTECTION, THE STATE MAY DEEM THE CONTRACT NULL AND VOID, AND TERMINATE SUCH CONTRACT WITHOUT FURTHER ORDER.</p> <p>REV. 5/2009</p> <p style="text-align: center;"><b>NOTICE</b></p> <p><b>A SIGNED BID MUST BE SUBMITTED TO:</b></p> <p style="text-align: center;">DEPARTMENT OF ADMINISTRATION          PURCHASING DIVISION          BUILDING 15          2019 WASHINGTON STREET, EAST          CHARLESTON, WV 25305-0130</p> <p><b>THE BID SHOULD CONTAIN THIS INFORMATION ON THE FACE OF THE ENVELOPE OR THE BID MAY NOT BE CONSIDERED:</b></p> <p><b>SEALED BID</b></p> <p><b>BUYER:</b> FRANK WHITTAKER-FILE 44</p> <p><b>REQ. NO.:</b> RMA11006</p>						

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SIGNATURE <i>[Signature]</i>	TELEPHONE <b>301-797-3730</b>	DATE <b>September 27, 2010</b>
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 MOOREFIELD, WV  
 26836 304-538-2305**

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
08/11/2010				

BID OPENING DATE: **09/09/2010** BID OPENING TIME: **01:30PM**

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
BID OPENING DATE: 09/09/2010 BID OPENING TIME: 1:30 PM PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID: <u>301-797-3740</u> PLEASE PRINT OR TYPE NAME OF PERSON TO CONTACT CONCERNING THIS QUOTE: <u>Robert L. Matthews</u>						
***** THIS IS THE END OF RFQ RMA11005 ***** TOTAL:						\$ 138,432.00

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE 	TELEPHONE <b>301-797-3730</b>	DATE <b>September 27, 2010</b>
TITLE <b>Vice President</b>	FEIN <b>351649116</b>	ADDRESS CHANGES TO BE NOTED ABOVE

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

## **Request for Quote**

The West Virginia Purchasing Division, for the West Virginia State Rail Authority (SRA), is soliciting bids for the replacement of a highway-railroad grade crossing on the South Branch Valley Railroad (SBVR).

### DESCRIPTION OF WORK

The South Main Street grade crossing in Petersburg, West Virginia is where U.S. 220 crosses the tracks of the SBVR. The highway is 48 feet wide with two traffic lanes and a sidewalk on each side of the road. The railroad has three tracks, the main track and a side track on each side of the main. The crossing surface is asphalt with rubber flangeway material. The crossing is equipped with flashing lights. The main track has an island circuit and two approach circuits. The depot side track has an island circuit only. The Mathias side track is not signaled.

The crossing is to receive a new LT Resources composite surface (Attachment A). The existing 100RB rail will be replaced with 115RE rail welded so that there are no joints in the crossing. New 10' crossties will be installed in the crossing and spaced according to the manufacturer's specifications. The 10' ties shall extend five ties beyond both ends of the crossing on all tracks. A second drain pipe will be installed between two of the tracks. All three tracks will be tamped solid within the crossing. Each track will also be tamped for 100 feet on each side of the road to run off the change in elevation of the new crossing surface. Tamping of the main track south of the crossing shall run all the way through the crossover. WVDOH will pave the approaches but the contractor will be responsible for paving between the tracks.

### CONDUCT OF WORK

#### General

The crossing will be closed over a weekend (Friday evening to Monday morning) and traffic will be detoured onto a side street for this project. WVDOH will handle traffic control. The contractor must inform the SBVR of the weekend on which the contractor would like to do the work. The railroad will determine if there are any previously scheduled activities in the area that may conflict this date and inform the contractor as to the availability of the date.

There will be a mandatory pre-construction meeting held with the successful contractor prior to the start of work. This meeting will be held with SRA and SBVR employees and the contractor's project manager. The purpose of this meeting is to assure that everyone understands the entire scope of work as outlined in the awarded purchase order.

A final inspection of all completed work will be conducted by the contractor, SRA and SBVR to assure that all work is completed as stated in the specifications. Final payment will be withheld until this inspection is complete.

The contractor will comply with all safety rules and regulations as required by the Federal railroad Administration, SBVR and other parties as applicable. An SBVR employee will obtain the necessary work authorities and provide radio communication.

The contractor is responsible for clean-up of the work site. All materials removed from the old crossing, except the asphalt pavement, will remain the property of the SBVR and be placed along the right of way clear of tracks. The contractor is responsible for disposal of the old pavement and any other refuse. (Contact Region 8 Solid Waste Authority at 304-257-2644).

Materials and equipment can be stored at Petersburg inside the wye track. No materials or equipment may be placed on property adjacent to the SBVR right of way without the property owner's permission.

The contractor will use Heavy & Highway Construction Rates as established for Grant County. 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). The contractor will be responsible for submitting certified payrolls to the SRA.

### Crossties

New ties will be spaced according to crossing surface manufacturer's specifications. Ties outside the crossing must be adzed, when necessary, to give the tie plate a full bearing across the tie and parallel with the plane of the track. Spike holes shall be plugged prior to placement of rail. Before placing tie plates on the tie, dirt and other substances shall be removed from the bottom of the tie plate and the top of the tie. Care must be taken that canted tie plates incline toward the center of the track and that plates having a different amount of cant or flat plates are not mixed.

### Rail

Rails shall be placed so that the joints in each line of rail shall be within the middle half of the opposite length of rail. To minimize the cutting of full length rails, short rails may be used in adjusting for proper spacing of joints, but no less than 33 feet in curves or 19'6" on tangents shall be used.

Flame cutting of rail shall not be permitted. Rail shall be cut with a rail saw. Bolt holes shall be drilled, not torch cut.

The 115RE rail shall be welded and installed in accordance with AREMA specifications and the SBVR CWR Program (Attachment B). Rails will have bolt holes removed by cutting the rail ends with a rail saw. The quality of all welds shall be checked by the contractor using magnetic particle or ultrasound inspection in accordance with AREMA specifications. Test results are to be provided to the SBVR.

The bottom of the rail shall be cleaned before rail is laid. Rails shall be laid one at a time and, to ensure good adjustment, the rail ends brought squarely together against suitable rail expansion shims and bolted before spiking.

Bolted joints are to be centered between ties when possible. Field welded joints are to be centered between ties. Rail joints will not be placed in grade crossings, including road shoulders.

#### Gaging

Rail will be gaged to 56 ½ inches plus or minus ¼ inch measured on a plane 5/8 inch below top of rail.

#### Spiking

All ties shall be spiked with new spikes in the appropriate patten as indicated by crossing surface manufacturer's specifications and SBVR standards. Spikes shall be started and driven vertically and square with the rail. Spikes shall have full bearing against the side of the rail base. Spikes shall not be overdriven; a gap of 1/8 to 3/16 inch shall remain between the underside of the spike and the top of the rail base.

#### Rail Anchoring

Rails shall be anchored according to the crossing surface manufacturer's specifications. Rail anchors shall be securely fastened to the rail and have a solid bearing against the ties. They shall not be moved by driving them along the rail.

#### Road Crossing

All three tracks shall maintain a constant and true tangent through the crossing. All crossties will be tamped tight to avoid any settlement. The surface of the new crossing will be level across all three tracks and two inches higher than the existing surface.

## MATERIALS

SBVR will provide the 115RE rail, drain pipe and ballast.

Contractor will provide the following:

All materials must conform to AREMA design specifications where applicable.

1. Composite Crossing Panels: LT Resources "Endurance", 10' wide, for 115RE rail, including flangeway filler, shims and all necessary hardware. Quantity: 18 (six per track).
2. Crossties: Ties shall be 7"x 9"x 10' Grade 5 ties. The specifications set forth in Chapter 3 of the AREMA specifications will govern. The ties will be 100% end-plated, mixed hardwoods and oak, creosote pressure-treated to 7# or refusal.
3. Insulated Joints: Eight poly insulated joints for 115RE
4. Compromise Joint Bars: 115RE/100RB, 12 pairs
5. Tie Plates: Tie plates for the 115RE rail shall be double shouldered and inclined-surfaced with all plates having 1:40 cant. They shall have eight square spike holes. Round holes are not acceptable. Plates shall not be bent or have excessively worn spike holes. They shall be a minimum of 12 inches in length and 7-3/4 inches in width.
6. Weld Kits: 115RE
7. Tie Plugs: Tie plugs shall be 5/8 inch and creosote-treated. Foam spike hole filler is not to be used.
8. Track Spikes: Spikes shall be new 5/8 inch by 6 inch
9. Rail Anchors: These shall be new drive-on design and be the proper size for the rail to which they are applied.
10. Track Bolts: New standard heat-treated carbon steel track bolts and nuts shall conform to the type and weight of the track material being used. Spring washers of the appropriate size shall be used on each bolt.
11. Asphalt: Bituminous paving material shall conform to the requirements of WVDOH Standard Specifications, Section 401. Each layer of bituminous paving will be compacted to avoid future settlement.

No materials or equipment may be placed on property adjacent to the right of way without the property owner's permission. All debris, refuse and other materials

### COMPLETION DATE

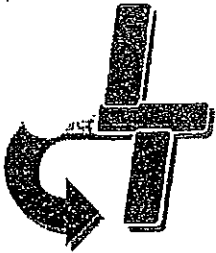
The completion date for this project is June 30, 2011. The cost to the SBVR for the administration of the contract as well as train delays that will be incurred after that date make it necessary for the SBVR to assess liquidated damages against the contractor for each calendar day any work remains uncompleted after that date. The charge will be \$500.00 per day.

### BID REQUIREMENTS

Interested bidders must attend a mandatory prebid meeting to be held on August 19, 2010 at 10:00 am at the South Main Street crossing in Petersburg. Contractors wishing to attend should inform Frank Whittaker at 304-558-2316 by August 24, 2010. Questions prior to the prebid meeting must be submitted in writing and will be addressed at the meeting. Please e-mail any questions to Frank Whittaker at [frank.m.whittaker@wv.gov](mailto:frank.m.whittaker@wv.gov). All questions prior to the prebid meeting and all questions after the prebid meeting are to go to Frank Whittaker at the Purchasing Division. Other than questions addressed the day of the prebid meeting, contractors are not to contact the State Rail Authority directly.

The contractor must have previous experience with railroad track maintenance and construction.

Bid must be one lump sum including all associated costs for the project. The project will be awarded to the lowest qualified bidder.



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"

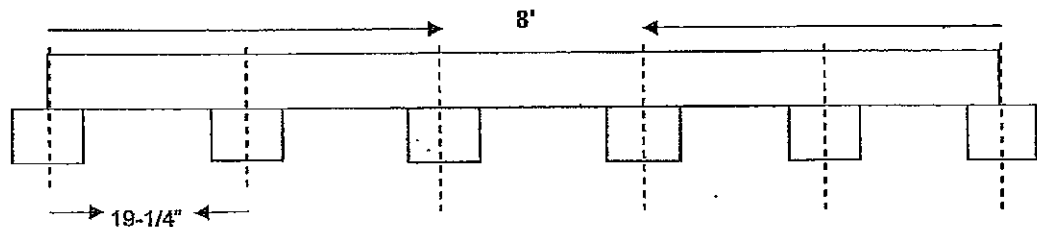
**IMPORTANT NOTE:** Refer to "Installation Manual for Contractors" for  
(1) Storage Recommendations Prior to Use, and  
(2) Detailed Installation Instructions.

**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 cross-ties.



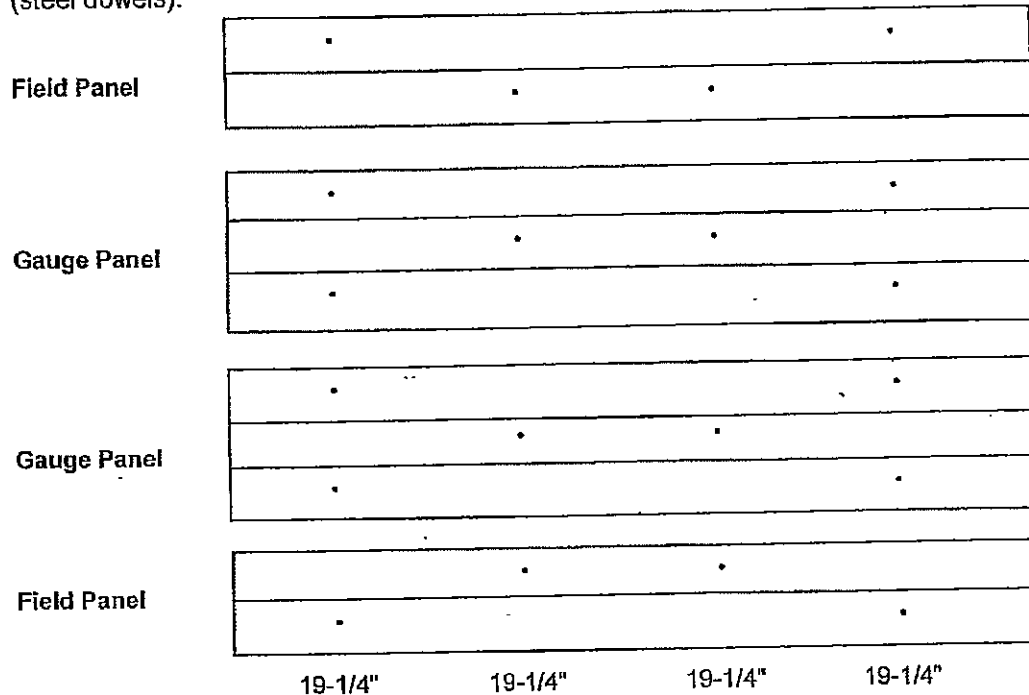
- A low RPM pneumatic drill should be used to reduce excess heat during the drilling process and to extend the life of the bit. The carbide masonry bit will allow the material to be ejected from the hole and the carbide material allows the bit to be sharpened for repeated use.

(continued)



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

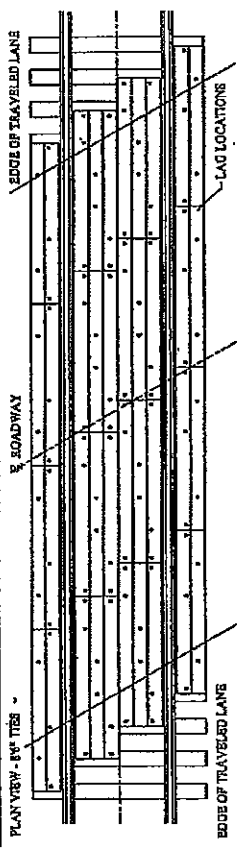
- Once the **ENDURANCE™** Composite Crossing panels are positioned, the fastener holes and countersinks can be pre-drilled.
  - The 1-3/4" bit should be used to countersink to a depth of 1". (Note: A one-step drill bit/countersink bit can also be used.)
  - A 5/8" hole (using the carbide masonry bit) 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)**



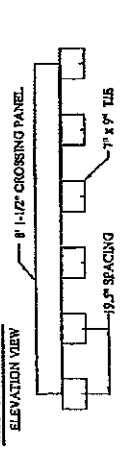
**NOTES:**

- 1) APPLICATION IS DIVIDED BETWEEN 5 1/2" AND 6" BASE RAIL. EACH CATEGORY IS SUITABLE FOR ALL AREMA STANDARD RAIL SECTION WITH HEAD DIMENSIONS WITH AREMA PLANT PLATES.
- 2) THE MARKER LOCATIONS WITH AREMA PLANT PLATES.
- 3) CONSULT MANUFACTURER WHEN USING PLATES LARGER THAN 16".
- 4) THE LAYOUTS ARE SHOWN WITH UNIT RAIL ANCHOR LOW PROFILE DRIVE ON AND SPLITTING ANCHORS EITHER OF WHICH IS REQUIRED WHEN USING POLYCORP REPLER FLANGEWAY FILLER.
- 5) 6" BASE RAIL APPLICATIONS REQUIRE EITHER 8 1/2" PANELS OR THE USE OF AN SHIM SYSTEM.
- 6) 5 1/2" BASE RAIL APPLICATIONS REQUIRE EITHER 8 1/2" PANELS OR THE USE OF AN SHIM SYSTEM.
- 7) TIES SHOULD BE CONSIDERED WHEN SELECTING SHIMS FOR COMBINATION ALTERNATIVES AND PROPER APPLICATION OF THE FILLER MATERIALS.

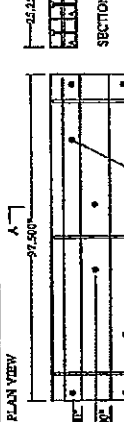
**MATERIALS & FABRICATION**

- 1) PANELS ARE COMPOSED OF INDIVIDUAL PIECES DOWELED TOGETHER WITH TWISTED 3/8" DIAMETER STEEL BARS. THE TWISTED BAR MEASURES 3/4" DIAMETER.
- 2) PANELS FOR 1/2" AND 1 1/2" TIES ARE SEPARATE PANELS FOR OTHER TIE TYPES.
- 3) PANELS HAVE A SKID RESISTANT SURFACE.
- 4) PANELS TO ASSEMBLY, 20" HOLE LOCATIONS FOR THE DOWELS ARE PRE-DRILLED THROUGH THE PANEL 3/8" ABOVE THE BOTTOM OF THE PANEL AT THE LOCATIONS SHOWN.
- 5) DOWELS FOR TWO AND THREE PIECE PANELS ARE 1/2" AND 3/4" LONG RESPECTIVELY.
- 6) ASSEMBLED PANELS ARE DIMENSIONED TO MEASURE 8 1/2" BY 44 1/4" (10' 0" OVERALL).
- 7) Holes FOR THE PANEL FASTENERS ARE PRE-DRILLED PRIOR TO FABRICATION.
- 8) WHEN SPECIFIED, LIFTING DEVICES ARE PRE-INSTALLED, CONSULT MANUFACTURER FOR UTILIZATION DETAILS.
- 9) WHEN SPECIFIED, CROSSINGS PANEL ENDS MAY BE BEVELLED.
- 10) EACH PANEL IS MARKED WITH "ENDURANCE-XL".
- 11) SEALANT TAPE IS RECOMMENDED FOR USE BETWEEN ENDS OF ADJACENT PANELS SUBJECT TO MOVEMENT FROM THERMAL EXPANSION AND CONTRACTION.

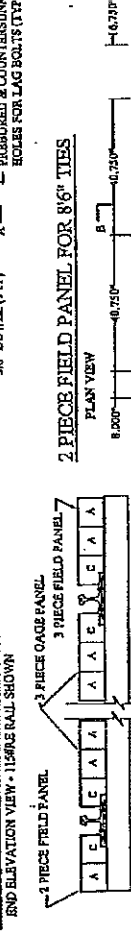
**TIE SPACING**



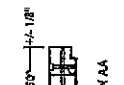
**LAYOUT FOR 5 1/2" BASE RAIL / 8 1/2" & 10" TIES**



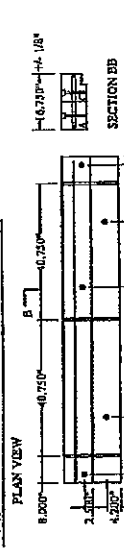
**LAYOUT FOR 6" BASE RAIL / 8 1/2" & 10" TIES**



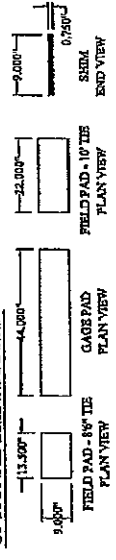
**3 PIECE GAGE PANEL / FIELD PANEL FOR 10" TIES**



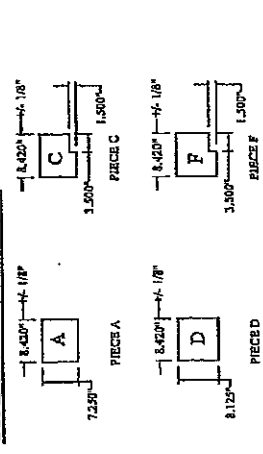
**2 PIECE FIELD PANEL FOR 8 1/2" TIES**



**OPTIONAL SHIM SYSTEM**



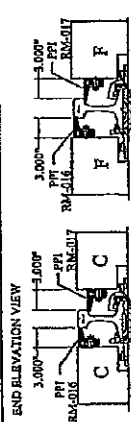
**COMPONENT DIMENSIONS**



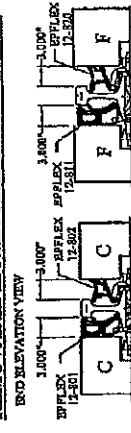
**INSTALLATION:**

- 1) THIS DRAWING ASSUMES INSTALLATION ON TANGENT TRACK. FOR INSTALLATION ON CURVED TRACK, CONTACT THE MANUFACTURER FOR INSTALLATION RECOMMENDATIONS. ADDRESS TO RECOMMENDED 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) INDIVIDUAL RAIL JOINT STANDARDS WITH ALL NEW 7" X 2" TIES ON 18" SPACING ENSURING THE TRACK IS WELL TAMPED. SPAN DOES NOT EXCEED MANUFACTURER'S RECOMMENDATIONS.
- 4) TRACK THROUGH THE CROSSING SHOULD BE ANCHORED IN ACCORDANCE WITH AREMA STANDARDS OR THE INDIVIDUAL RAILROAD'S SPECIFICATIONS. THE ANCHORS MUST BE CLOSE TO THE TIE AS POSSIBLE WORKING FROM FLANGEWAY FILLER.
- 5) 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.
- 6) SEPARATE TIES SHOULD BE POSITIONED TOGETHER WITH ANY RESULTING GAP BETWEEN THE RAIL AND THE PANELS SHOULD BE DISTRIBUTED BETWEEN THE TWO SEPARATE TIES.
- 7) FACTORY DRILLING OF LAG SCREW HOLES IS RECOMMENDED.
- 8) FOR FIELD DRILLING OF LAG SCREW HOLES, ANCHORS ARE PROPERLY POSITIONED BEFORE DRILLING 3/8" DIAMETER HOLES THROUGH THE PANEL IN THE PATTERN INDICATED. COUNTERSINK THESE HOLES 1 3/4" DIAMETER BY 1" DEEP. A ONE STEP DRILL/COUNTERSINK BIT IS AVAILABLE. AVOID DRILLING INTO THE TIES MORE THAN 1/2".
- 9) IN THE ABSENCE OF SPECIFIC RAILROAD DRILLING STANDARDS, TIES SHOULD BE PRE-DRILLED WITH 3/8" HOLES AT LEAST 3/8" FROM DRILL AND COUNTERSINK BITS WITH A LOW SPEED DRILL ARE RECOMMENDED FOR DRILLING THE FLANGEWAY FILLER.
- 10) 5/8" RECESSED HEAD LAG SCREWS ARE THE RECOMMENDED HOLD-DOWN FASTENER FOR THE PANELS. 1 1/2" LAGS SHOULD BE USED FOR 7 1/4" PANEL HEIGHT AND 1 3/4" LAGS SHOULD BE USED FOR 8 1/2" PANEL HEIGHT.
- 11) SHIMS AND FLANGEWAY FILLER SHOULD BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS.
- 12) SEALANT TAPE SHOULD BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS.
- 13) WHEN SPECIFIED, OPTIONAL END OF CROSSING PANELS SHOULD BE 1 1/2" PANEL HEIGHT AND 10 1/2" FOR 8" AND 1 1/2" PANEL HEIGHT.

**PPI BOLT-ON FLANGEWAY FILLER**



**REMOVABLE EPEPLEX FLANGEWAY FILLER**



REV	DATE	APPROVED	CHANGE
4	19 OCT 09	LT	ADD BEVELLED ENDS
3	9 OCT 09	LT	REVISED LAG PATTERN
2	8 AUG 09	LT	ADD EXPANSION FILLER
1	3 AUG 09	LT	REVISED LAG PATTERN

**LT Resources, Inc.**  
 1514 Columbia Road, Hill  
 Phone: 201-463-3151 Fax: 201-463-3155

**ENDURANCE-XL COMPOSITE CROSSING FOR 5 1/2" & 6" BASE RAIL**  
 DRAWN: WSR DATE: 11 MAR 09  
 CHECKED: LT  
 APPROVED: LT  
 SHEET: 1 of 1  
 PROJECT: 002 - 20  
 TITLE: Four Lane Endurance Crossing.dwg

## CONTINUOUS WELDED RAIL

### 1. INSTALLATION

#### A. RAIL

1. If tie renewal and track surfacing are to be undertaken in conjunction with the laying of continuous welded rail, the tie and surfacing work must precede the rail laying.
2. A full ballast section is required where continuous welded rail is to be installed. Tie cribs must be full to within 1 inch of the top of tie and extend at that elevation at least 6 inches from the end of tie to the edge of slope on tangent track and on the inside of curves, and 12 inches from the end of tie to the edge of slope on the outside of curves. Ballast slope should not be less than 2 to 1.
3. Continuous welded rail must be installed at a temperature to minimize track buckling in the summer due to high compressive forces in the rail and rail pull-aparts in the winter when the rail is in tension. The rail, at the time rail anchors are applied, must be in neither compression nor tension and is referred to as being in a stress-free state and at a temperature referred to as the rail neutral temperature. (See Section 1.A.4)
4. Continuous welded rail should be installed at a temperature not less than 90 degrees nor more than 100 degrees Fahrenheit. Rail temperature will be measured with at least two rail thermometers placed on the web of the rail on the shaded side. Rail thermometers must be checked on a regular basis by placing two thermometers adjacent to each other. If the readings vary by more than 5 degrees, a third thermometer must be used to determine which of the two is accurate. Inaccurate rail thermometers must be replaced.
5. When rail heaters, or equivalent, are not available, and it becomes necessary to install and anchor rail at a temperature less than 90 degrees, a report must be made to the Superintendent indicating the location of the installed rail and the installation temperature. This location must be identified for rail temperature adjustment before a target temperature arrives.
6. CWR installation should be avoided, if possible, during periods of very low ambient temperature. However, if rail must be installed without rail heaters, or equivalent, a report of the location and the installation temperature must be made to the Superintendent.

## **B. RAIL FASTENERS**

1. Two rail holding spikes will be driven in each tie plate on tangent and curves less than 2 degrees. Three rail holding spikes and one hold-down spike on the field side shall be driven in each tie plate on curves of 2 degrees and less than 6 degrees. For curves of 6 degrees or more, three rail holding spikes and two hold-down spikes shall be driven in each tie plate.
2. On all welded rail, 200 feet must be box anchored on each side of bolted joints, rail to rail crossings, highway crossings at grade, and open deck bridges. In addition, 200 feet will be box anchored ahead of the point of switch and behind the heel of the frog on the main track and on the turnout side if the siding has continuous welded rail. At all other locations, every other tie will be box anchored. Box anchored means the application of four rail anchors in such a manner that an anchor is bearing against each side of the tie on each rail.
3. When anchors are applied, care must be taken to ensure that anchors have full bearing against the tie and that the anchors are not over driven. When an anchor is applied to the rail, there must be an anchor applied to the opposite rail with bearing on the same side of the tie.
4. At locations where continuous welded rail joins bolted jointed rail, the welded rail must be box anchored on every tie for 200 feet from the end of the bolted rail. The number of anchors applied to the bolted rail will be uniformly decreased over a distance of eight rail lengths from the box anchored pattern at the joining point to the existing anchor pattern of the bolted rail.
5. Turnouts in areas where continuous welded has been laid will be box anchored on every tie on both the main line and turnout side where it is possible to install the anchors. This pattern is to be applied to both welded and bolted turnouts.
6. Continuous welded rail on ballast deck bridges will be anchored with the same pattern as the rail adjacent to the bridge. On open-deck timber bridges, anchors will be applied to all ties fastened to the stringers. On open-deck steel bridges, anchors shall be applied as directed by Superintendent.
7. At the completion of rail installation, with all rail fasteners in place, the date and rail installation temperature will be marked with paint on both sides of the rail web at the end of the rail as delivered to the railroad.

## **II. ADJUSTING NEUTRAL TEMPERATURE**

### **A. TRACK CONDITIONS REQUIRING ADJUSTMENT**

1. Where CWR has been installed at a temperature lower than the minimum allowable temperature range, the Superintendent should have been notified as required in Section I.A.5 and I.A.6 and the rail scheduled for temperature adjustment. It is important to complete any temperature adjustments before the onset of a target temperature. Any rail not installed and anchored at a temperature of at least 90 degrees should be scheduled for adjustment.
2. The neutral temperature of the rail can only change if the rail moves or if a rail repair improperly performed. Rail installed in track can move when subjected to temperature changes or train movements. As these forces are applied to track, rail movement occurs through anchors wearing into the ties, ties moving in the ballast, or rail moving through the anchors or clips.
3. Rail movement can also occur in areas where trains routinely apply brakes. These areas include signal locations, descending grades, permanent speed restrictions, approaching yards, or similar locations on the railroad. At some locations, such as road crossings and turnouts, rail is more resistant to longitudinal creep than in open track. Rail with high longitudinal forces is often found at these locations.
4. Curved track has a tendency to move laterally when subjected to temperature changes. In cold weather, rail will contract and pull toward the inside of a curve. This is more pronounced where there is insufficient ballast on the low side of the curve. When this occurs, the curve will have a lower neutral temperature and therefore will develop high compressive forces when the rail temperature increases.
5. Many maintenance activities can affect the neutral temperature of the rail. When rail defects are repaired, care must be exercised to be sure that the length of rail installed is the same as the rail removed. Also, any work that significantly disturbs the ballast, such as surfacing, tie renewal, and undercutting, can allow the track to shift in response to traffic and temperature changes until the ballast section is again stabilized.

## **B. PROCEDURES FOR ADJUSTING NEUTRAL TEMPERATURE**

1. Rail should not be cut more often than absolutely necessary. But de-stressing long distances per cut reduces the chances that reasonably uniform neutral temperature will be achieved. Rail cannot be easily adjusted on track that is overfilled with ballast, track that is uneven in surface or alignment, or on curved track, and attempting to de-stress rail under these conditions should be avoided.
2. The length of rail to be adjusted should be no less than 390 feet nor more than 1170 feet depending on the condition to be remedied. Where a repair rail was installed in cool weather, the amount of rail to be de-stressed is likely to be relatively short, and a distance of 390 feet should be used. Where longer lengths of CWR are to be de-stressed, working in 1170 foot segments would be appropriate.
3. The rail should be cut in the middle of the length of rail to be de-stressed. Prior to cutting the rail, make two marks on the base of the rail with paint marker approximately 3 feet each side of the location where the cut will be made. Measure and record the distance between the two marks before the rail is cut so the total length adjustment can be measured after the de-stress operation is completed. If the rail temperature is less than the existing neutral temperature, the rail will be in tension and a rail saw may be used to cut the rail. If the rail temperature is higher than the existing neutral temperature, the rail will be in compression and will have to be torch cut. If a torch is used in Class III or higher territory, the rail ends must be cut again with a rail saw unless a weld is made within one hour.
4. After the rail is cut, remove the anchors from the rail over the entire length of rail to be de-stressed. If the rail was in compression, the rail ends will have to be offset so the rail is free to expand. The frictional resistance on the base of the rail should be relieved by vibrating the rail or tapping the tie plates. Avoid striking the rail during the process.
5. After the stress in the rail has been relieved, measure the rail temperature with a rail thermometer. Table 1 (below) gives the length of rail adjustment required for various lengths of rail being adjusted and temperature differentials.

**TABLE 1**

Temp Difference Degree F	390 ft. 10 Rail Lengths	585 ft. 15 Rail Lengths	780 ft. 20 Rail Lengths	975 ft. 25 Rail Lengths	1170 ft. 30 Rail Lengths
5 degrees	1/4 Inch	1/4 Inch	1/4 Inch	1/4 Inch	1/2 Inch
10 degrees	1/4 Inch	1/2 Inch	1/2 Inch	3/4 Inch	1 Inch
15 degrees	1/2 Inch	3/4 Inch	1 Inch	1-1/4 Inch	1-1/4 Inch
20 degrees	1/2 Inch	1 Inch	1-1/4 Inch	1-1/2 Inch	1-3/4 Inches
25 degrees	3/4 Inch	1-1/4 Inch	1-1/2 Inch	1-3/4 Inches	2-1/4 inches
30 degrees	1 Inch	1-1/4 Inch	1-3/4 Inches	2-1/4 Inches	2-3/4 Inches
35 degrees	1 Inch	1-1/2 Inch	2-1/4 Inches	2-3/4 Inches	3-1/4 Inches
40 degrees	1-1/4 Inch	1-3/4 Inch	2-1/2 Inches	3 Inches	3-1/2 Inches
45 degrees	1-1/2 Inch	2 Inches	2-3/4 Inches	3-1/4 Inches	4 Inches
50 degrees	1-1/2 Inch	2-1/4 Inches	3 Inches	3-3/4 Inches	4-1/2 Inches
55 degrees	1-3/4 Inch	2-1/2 Inches	3-1/4 Inches	4-1/4 Inches	5 Inches
60 degrees	1-3/4 Inch	2-3/4 Inches	3-1/2 Inches	4-1/2 Inches	5-1/2 Inches

For example: If the rail temperature was 70 degrees the temperature differential, for a desired neutral temperature of 95 degrees, would be 25 degrees. If the unrestrained rail length was 1170 feet, the amount of rail length adjustment would be found in the table at the intersection of the 25 degrees differential row and the column heading of 1170 ft. In this example, the rail end gap should be 2-1/4 inches. If the rail was saw cut originally, it must be cut again so that the overall rail end gap is 2-1/4 inches. If the rail was originally torch cut in Class II or higher track, the rail must have a minimum 3/8 inch saw cut off the end of each rail so that the overall rail-end gap is 2-1/4 inches. If the rail is to be field welded, an additional 1 inch of rail must be removed to accommodate the 1 inch thermite weld.

6. A rail expander can now be used to close the rail end gap for application of joint bars for a bolted joint, or for preparation of the field weld for a welded joint. As the rail expander applies tension to the rail, it is desirable to reduce friction at the rail and tieplate interface by using a rail vibrator or tapping the tie plates. When de-stressing long sections of rail, it is advisable to make match marks on the

base of the rail and tie plate at equal increments along the section of rail so that rail movement can be monitored to verify uniform expansion.

7. Reapply all rail anchors and other fastenings. Measure the instance between the pain marks made on the base of the rail and record the amount or rail removed on the report of rail neutral temperature adjustment. This report will also include the location of the rail and the date the rail was adjusted.
8. Adjust the neutral temperature in the opposite rail using the same procedures. Do not assume that the opposite rail will require the same amount of adjustment.
9. At the completion of rail temperature adjustment, the rail will be marked with paint on both sides of the rail web with the date work was accomplished, the adjusted neutral temperature, and the length of rail adjusted.





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

# Request for Quotation

BFO NUMBER: RMA11005

PAGE: 1

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

VENDOR

\*709023822 301-797-3730  
 AMTRAC RAILROAD CONTRACTORS OF  
 9436 EARLEY DRIVE  
 HAGERSTOWN MD 21740-1737

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
08/18/2010				

BID OPENING DATE: 09/09/2010 BID OPENING TIME: 01:30PM

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
***** ADDENDUM NO. 1 *****						
THIS ADDENDUM IS ISSUED TO CLARIFY THE DATE AND TIME FOR THE MANDATORY PRE-BID MEETING.						
THE MANDATORY PRE-BID MEETING WILL BE HELD ON AUGUST 26, 2010 AT 2:00 PM AT THE SOUTH MAIN STREET CROSSING IN PETERSBURG, WV.						
***** END ADDENDUM NO. 1 *****						
0001	1	EA		550-70	\$ 138,432.00	\$ 138,432.00
REPLACEMENT OF A HIGHWAY-RAILROAD GRADE CROSSING						
***** THIS IS THE END OF RFQ RMA11005 ***** TOTAL:						\$ 138,432.00

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE:  TELEPHONE: 301-797-3730 DATE: September 27, 2010

TITLE: Vice President FEIN: 351649116 ADDRESS CHANGES TO BE NOTED ABOVE

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



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

**request for  
 Quotation**

RFQ NUMBER: RMA11005

1

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

AMTRAC RAILROAD CONTRACTORS OF

\*709023822 301-797-3730  
 AMTRAC RAILROAD CONTRACTORS OF  
 9436 EARLEY DRIVE  
 HAGERSTOWN MD 21740-1737

WV STATE RAIL AUTHORITY

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	PCB	FREIGHT TERMS
09/03/2010				

BID OPENING DATE: 09/28/2010	BID OPENING TIME: 01:30PM
------------------------------	---------------------------

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
***** ADDENDUM NO. 2 *****						
THIS ADDENDUM IS ISSUED TO PROVIDE THE ATTACHED MANDATORY PRE-BID SIGN IN SHEET AND TO EXTEND THE BID OPENING DATE AND TIME.  THE BID OPENING DATE AND TIME ARE CHANGED TO: 09/28/2010 AT 1:30 PM  TECHNICAL QUESTIONS AND ANSWERS WILL BE ISSUED IN A SUBSEQUENT ADDENDUM.						
0001	1	EA		550-70	\$ 138,432.00	\$ 138,432.00
REPLACEMENT OF A HIGHWAY-RAILROAD GRADE CROSSING						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE:	TELEPHONE: 301-797-3730	DATE: September 27, 2010
TITLE: Vice President	FEIN: 351649116	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]

Request for Proposal No.: RMA 11005- Replacement of Grade Crossing on SRV2 in Petersburg Date: 8/26/10

<u>Firm &amp; Representative Name</u>	<u>Mailing Address</u>	<u>Telephone &amp; FAX Numbers</u>
1. <u>ACME Construction Inc</u> <u>Zachary Custer</u>	<u>7695 Bond St</u> <u>Cleveland Ohio, 44139</u>	T: <u>440-232-4474</u> F: <u>440-232-7477</u>
2. <u>Jim McAdams</u> <u>Clayton Railroad Const.</u>	<u>500 Lane rd</u> <u>West-Union, Oh 45693</u>	T: <u>937-515-1644</u> F: <u>937-549-8812</u>
3. <u>AMTRAC RR OF MD</u> <u>GEORGE ANDERSON</u>	<u>9430 EARLEY DR.</u> <u>HAGERSTOWN, MD 21740</u>	T: <u>301-797-3730</u> F: <u>301-797-3740</u>
4. <u>Baldwin Berry Rail</u> <u>LEE Williams</u>	<u>1600 Rte 136</u> <u>WORTHINGTON, PA 15301</u>	T: <u>724-228-7636</u> F: <u>724-884-0085</u>
5. <u>J.K. Peoples Inc.</u> <u>Johnny Wharolz</u>	<u>600 Bell Ave Suite 210</u> <u>Carnegie PA 15106</u>	T: <u>412-276-2342</u> F: <u>412-276-2325</u>
6. <u>Jim Moore</u> <u>Bob Works</u>	<u>9305 Union Hill</u> <u>DUPHRETTA GA 30504</u>	T: <u>770-740-0284</u> F: <u>770-740-0354</u>
7. <u>Richard Hall</u> <u>American Railroad</u>	<u>2870 Normandy Dr.</u> <u>Atlanta, GA 30305</u>	T: <u>404-915-3124</u> F: <u>770-393-0110</u>
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.



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  
**RMA11005**

PAGE  
**1**

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

PROPERTY

\*709023822 301-797-3730  
 AMTRAC RAILROAD CONTRACTORS OF  
 9436 EARLEY DRIVE  
 HAGERSTOWN MD 21740-1737

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
09/14/2010				

BID OPENING DATE: **09/28/2010** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	QAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
ADDENDUM #03						
THIS ADDENDUM IS ISSUED TO ANSWER QUESTIONS FROM THE PRE-BID HELD 8/26/2010 AND ISSUE REVISED BID FORM PER THE ATTACHED DOCUMENTATION.						
NO ADDITIONAL QUESTIONS WILL BE ACCEPTED OR ACKNOWLEDGED.						
0001	1	EA		550-70	\$ 138,432.00	\$ 138,432.00
REPLACEMENT OF A HIGHWAY-RAILROAD GRADE CROSSING						

**RECEIVED SEP 21 2010**

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE 	TELEPHONE 301-797-3730	DATE September 27, 2010
TITLE Vice President	FAX 351649116	ADDRESS CHANGES TO BE NOTED ABOVE

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



Joe Manchin III  
Governor

West Virginia Department of Transportation  
**State Rail Authority**  
120 Water Plant Drive, Moorefield, West Virginia 26836  
304-538-2305 TDD 800-742-6991 Fax 304-538-7474  
E-mail: John.J.Philbrick@wv.gov

To: All Attendees of the August 26, 2010 Prebid Meeting for the Replacement of South Main Street Crossing in Petersburg on the South Branch Valley Railroad

From: John Philbrick, Superintendent

Date: September 9, 2010

RE: Addendum #3 to RFQ #RMA11005 – Replacement of Highway-Railroad Grade Crossing

Any items not specifically addressed in this addendum remain the same as stated in the original RFQ and any preceding addendum.

1. Rail: All rail required for this project will be stacked in Petersburg by the SBVR.
2. Signals: SBVR will be responsible for all work associated with the signal system in this project.
3. Compromise Joint Bars: These shall have six holes and may be cast or forged.
4. Sidewalks: The new crossing surface includes both sidewalks.
5. Crossing Edges: Asphalt will be placed along each outer edge of the crossing to provide a beveled edge to deflect dragging equipment.
6. Location of Rail Joints: The attached diagram shows the location of insulated and compromise joints in all three tracks (Attachment A). Any variances must be approved by SBVR.
7. Paving: The weekend window will include time on Monday following installation for paving. Contractor shall pave between tracks and along edges of crossing. WVDOH will only pave approaches.

## SBVR South Main Street Crossing Replacement Cost Sheet

Line Item	Description	Unit Cost	Unit of Measure	Quantity	Extended Cost
	<b>Grade Crossing</b>				
1	Complete three track crossing	\$46,144.00	per track	3	\$ 138,432.00
			<b>Total Bid:</b>		<b>\$138,432.00</b>

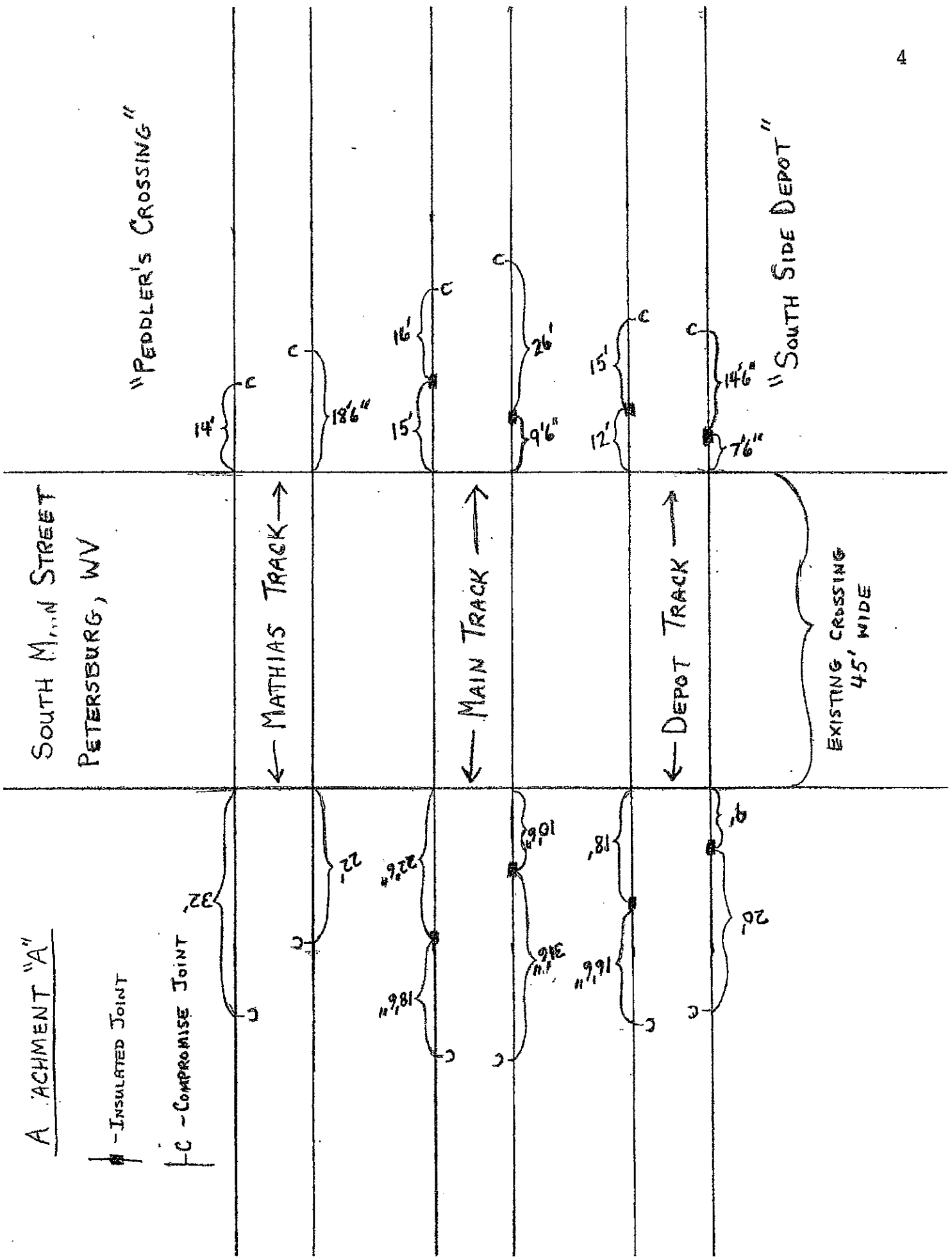
**Notes:**

- 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.

A. ACHMENT "A"

— INSULATED JOINT

— C — COMPROMISE JOINT



BID BOND

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, Amtrac Railroad Contractors of Maryland, Inc.  
of 9436 Earley Drive, Hagerstown, MD 21740, as Principal, and Ohio Farmers Insurance Company  
of 1 Park Circle/PO Bx 5001, Westfield Ctr, Ohio, 44251-5001, a corporation organized and existing under the laws of the State of OHIO  
with its principal office in the City of Westfield Center, as Surety, are held and firmly bound unto the State  
of West Virginia, as Obligee, in the penal sum of FIVE Percent of Total Bid (\$ ---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.

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  
Contract: RMA 11005  
Replacement of Highway Grade Crossing on the SBVRR in Petersburg, WV;

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  
give 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  
9th day of September, 20 10.

Principal Corporate Seal

Amtrac Railroad Contractors of Maryland,  
(Name of Principal) Inc.

By Jacqueline L. Manzini  
(Must be President or  
Vice President)

Jacqueline L. Manzini, President  
(Title)

Surety Corporate Seal

Ohio Farmers Insurance Company  
(Name of Surety)

S. Annette Mullett  
Attorney-in-Fact  
S. Annette Mullett, Attorney-in-Fact

**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.



General Power of Attorney

Westfield Insurance Co. Westfield National Insurance Co. Ohio Farmers Insurance Co. Westfield Center, Ohio

CERTIFIED COPY

Know All Men by These Presents, That WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY, corporations, hereinafter referred to individually as a "Company" and collectively as "Companies," duly organized and existing under the laws of the State of Ohio, and having its principal office in Westfield Center, Medina County, Ohio, do by these presents make, constitute and appoint S. ANNETTE MULLET, STEVEN M. GARRETT, JOINTLY OR SEVERALLY

of INDIANAPOLIS and State of IN its true and lawful Attorney(s)-in-Fact, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver any and all bonds, recognizances, undertakings, or other instruments or contracts of suretyship-

LIMITATION: THIS POWER OF ATTORNEY CANNOT BE USED TO EXECUTE NOTE GUARANTEE, MORTGAGE DEFICIENCY, MORTGAGE GUARANTEE, OR BANK DEPOSITORY BONDS.

and to bind any of the Companies thereby as fully and to the same extent as if such bonds were signed by the President, sealed with the corporate seal of the applicable Company and duly attested by its Secretary, hereby ratifying and confirming all that the said Attorney(s)-in-Fact may do in the premises. Said appointment is made under and by authority of the following resolution adopted by the Board of Directors of each of the WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY:

"Be It Resolved, that the President, any Senior Executive, any Secretary or any Fidelity & Surety Operations Executive or other Executive shall be and is hereby vested with full power and authority to appoint any one or more suitable persons as Attorney(s)-in-Fact to represent and act for and on behalf of the Company subject to the following provisions:

The Attorney-in-Fact. may be given full power and authority for and in the name of and on behalf of the Company, to execute, acknowledge and deliver, any and all bonds, recognizances, contracts, agreements of indemnity and other conditional or obligatory undertakings and any and all notices and documents canceling or terminating the Company's liability thereunder, and any such instruments so executed by any such Attorney-in-Fact shall be as binding upon the Company as if signed by the President and sealed and attested by the Corporate Secretary."

"Be it Further Resolved, that the signature of any such designated person and the seal of the Company heretofore or hereafter affixed to any power of attorney or any certificate relating thereto by facsimile, and any power of attorney or certificate bearing facsimile signatures or facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached." (Each adopted at a meeting held on February 8, 2000).

In Witness Whereof, WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY have caused these presents to be signed by their Senior Executive and their corporate seals to be hereto affixed this 13th day of AUGUST A.D., 2007.

Corporate Seals Affixed



WESTFIELD INSURANCE COMPANY WESTFIELD NATIONAL INSURANCE COMPANY OHIO FARMERS INSURANCE COMPANY

Signature of Richard L. Kinnaird, Jr.

By: Richard L. Kinnaird, Jr., Senior Executive

State of Ohio County of Medina ss.:

On this 13th day of AUGUST A.D., 2007, before me personally came Richard L. Kinnaird, Jr. to me known, who, being by me duly sworn, did depose and say, that he resides in Medina, Ohio; that he is Senior Executive of WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY, the companies described in and which executed the above instrument; that he knows the seals of said Companies; that the seals affixed to said instrument are such corporate seals; that they were so affixed by order of the Boards of Directors of said Companies; and that he signed his name thereto by like order.

Notarial Seal Affixed



Signature of William J. Kahelin

William J. Kahelin, Attorney at Law, Notary Public My Commission Does Not Expire (Sec. 147.03 Ohio Revised Code)

State of Ohio County of Medina ss.:

I, Frank A. Carrino, Secretary of WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney, executed by said Companies, which is still in full force and effect; and furthermore, the resolutions of the Boards of Directors, set out in the Power of Attorney are in full force and effect.

In Witness Whereof, I have hereunto set my hand and affixed the seals of said Companies at Westfield Center, Ohio, this 9th day of September A.D., 2010



Signature of Frank A. Carrino, Secretary

Frank A. Carrino, Secretary



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

STATE OF Maryland

COUNTY OF Washington, TO-WIT:

I, Robert L. Matthews, after being first duly sworn, depose and state as follows:

- 1. I am an employee of Amtrac Railroad Contractors of Maryland, Inc.; and,  
(Company Name)
- 2. I do hereby attest that Amtrac Railroad Contractors of Maryland, 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.

Amtrac Railroad Contractors of Maryland, Inc.  
(Company Name)

By:   
Robert L. Matthews


Title: Vice President

Date: September 27, 2010

Taken, subscribed and sworn to before me this 27th day of September.

By Commission expires November 22, 2011

(Seal)

  
(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.**

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.

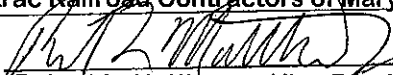
"Debtor" means any individual, corporation, partnership, association, limited liability company or any other form or business association owing a debt to the state or any of its political subdivisions. "Political subdivision" means any county commission; municipality; county board of education; any instrumentality 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: Amtrac Railroad Contractors of Maryland, Inc.

Authorized Signature:  Date: September 27, 2010  
Robert L. Matthews - Vice President

State of Maryland

County of Washington, to-wit:

Taken, subscribed, and sworn to before me this 27th day of September, 2010.

My Commission expires November 22, 2011.

AFFIX SEAL HERE

NOTARY PUBLIC 