



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
6612C018

PAGE
1

ADDRESS CORRESPONDENCE TO ATTENTION OF:
ALAN CUMMINGS 304-558-2402

VENDOR

\*207111133      304-845-3151  
 OHIO RIVER AGGREGATES INC  
 PO BOX 871  
 1601 LAFAYETTE AVENUE  
 MOUNDSVILLE WV 26041

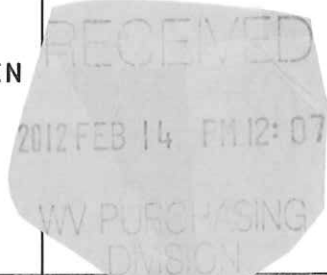
SHIP TO

DIVISION OF HIGHWAYS  
 VARIOUS LOCALES AS INDICATED  
 BY ORDER

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
01/12/2012				

BID OPENING DATE: 02/08/2012      BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	EA		750-35		
<p>CRUSHED STONE AND AGGREGATE</p> <p>OPEN END CONTRACT</p> <p>THE WEST VIRGINIA STATE PURCHASING DIVISION FOR THE AGENCY, THE WEST VIRGINIA DIVISION OF HIGHWAYS, IS SOLICITING BIDS FOR AN OPEN END CONTRACT TO FURNISH ALL LABOR, MATERIAL AND EQUIPMENT TO SUPPLY STONE AND AGGREGATE FOR DISTRICTS 1 THRU 10 PER THE ATTACHED SPECIFICATIONS, AND SUPPLY LABOR, MATERIAL AND EQUIPMENT NECESSARY TO SUPPLY CINDERS FOR DISTRICTS 1, 3, 4, 6 AND 7, PER THE ATTACHED SPECIFICATIONS.</p> <p>TECHNICAL QUESTIONS CONCERNING THIS SOLICITATION MUST BE SUBMITTED IN WRITING TO ALAN CUMMINGS IN THE WEST VIRGINIA STATE PURCHASING DIVISION VIA FAX AT 304-558-4115 OR VIA EMAIL AT ALAN.W.CUMMINGS@WV.GOV.</p> <p>DEADLINE FOR TECHNICAL QUESTIONS IS 01/26/12 AT THE CLOSE OF BUSINESS.</p> <p>ANY TECHNICAL QUESTIONS RECEIVED WILL BE ANSWERED BY FORMAL ADDENDUM TO BE ISSUED BY THE PURCHASING DIVISION AFTER THE DEADLINE HAS LAPSED.</p> <p>VERBAL COMMUNICATION: ANY VERBAL COMMUNICATION BETWEEN THE VENDOR AND ANY STATE PERSONNEL IS NOT BINDING. ONLY INFORMATION ISSUED IN WRITING AND ADDED TO THE RFQ SPECIFICATIONS BY AN OFFICIAL WRITTEN ADDENDUM BY PURCHASING IS BINDING.</p>						



SEE REVERSE SIDE FOR TERMS AND CONDITIONS			
SIGNATURE	TELEPHONE	DATE	
<i>[Signature]</i>	304-845-3151	2/10/12	
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE	
OWNER	55-0783591		

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

## GENERAL TERMS & CONDITIONS REQUEST FOR QUOTATION (RFQ) AND REQUEST FOR PROPOSAL (RFP)

1. Awards will be made in the best interest of the State of West Virginia.
2. The State may accept or reject in part, or in whole, any bid.
3. Prior to any award, the apparent successful vendor must be properly registered with the Purchasing Division and have paid the required \$125 fee.
4. All services performed or goods delivered under State Purchase Order/Contracts are to be continued for the term of the Purchase Order/Contracts, contingent upon funds being appropriated by the Legislature or otherwise being made available. In the event funds are not appropriated or otherwise available for these services or goods this Purchase Order/Contract becomes void and of no effect after June 30.
5. Payment may only be made after the delivery and acceptance of goods or services.
6. Interest may be paid for late payment in accordance with the *West Virginia Code*.
7. Vendor preference will be granted upon written request in accordance with the *West Virginia Code*.
8. The State of West Virginia is exempt from federal and state taxes and will not pay or reimburse such taxes.
9. The Director of Purchasing may cancel any Purchase Order/Contract upon 30 days written notice to the seller.
10. The laws of the State of West Virginia and the *Legislative Rules* of the Purchasing Division shall govern the purchasing process.
11. Any reference to automatic renewal is hereby deleted. The Contract may be renewed only upon mutual written agreement of the parties.
12. **BANKRUPTCY:** In the event the vendor/contractor files for bankruptcy protection, the State may deem this contract null and void, and terminate such contract without further order.
13. **HIPAA BUSINESS ASSOCIATE ADDENDUM:** The West Virginia State Government HIPAA Business Associate Addendum (BAA), approved by the Attorney General, is available online at [www.state.wv.us/admin/purchase/vrc/hipaa.html](http://www.state.wv.us/admin/purchase/vrc/hipaa.html) and is hereby made part of the agreement provided that the Agency meets the definition of a Cover Entity (45 CFR §160.103) and will be disclosing Protected Health Information (45 CFR §160.103) to the vendor.
14. **CONFIDENTIALITY:** The vendor agrees that he or she will not disclose to anyone, directly or indirectly, any such personally identifiable information or other confidential information gained from the agency, unless the individual who is the subject of the information consents to the disclosure in writing or the disclosure is made pursuant to the agency's policies, procedures, and rules. Vendor further agrees to comply with the Confidentiality Policies and Information Security Accountability Requirements, set forth in <http://www.state.wv.us/admin/purchase/privacy/noticeConfidentiality.pdf>.
15. **LICENSING:** Vendors must be licensed and in good standing in accordance with any and all state and local laws and requirements by any state or local agency of West Virginia, including, but not limited to, the West Virginia Secretary of State's Office, the West Virginia Tax Department, and the West Virginia Insurance Commission. The vendor must provide all necessary releases to obtain information to enable the director or spending unit to verify that the vendor is licensed and in good standing with the above entities.
16. **ANTITRUST:** In submitting a bid to any agency for the State of West Virginia, the bidder offers and agrees that if the bid is accepted the bidder will convey, sell, assign or transfer to the State of West Virginia all rights, title and interest in and to all causes of action it may now or hereafter acquire under the antitrust laws of the United States and the State of West Virginia for price fixing and/or unreasonable restraints of trade relating to the particular commodities or services purchased or acquired by the State of West Virginia. Such assignment shall be made and become effective at the time the purchasing agency tenders the initial payment to the bidder.

I certify that this bid is made without prior understanding, agreement, or connection with any corporation, firm, limited liability company, partnership, or person or entity submitting a bid for the same material, supplies, equipment or services and is in all respects fair and without collusion or fraud. I further certify that I am authorized to sign the certification on behalf of the bidder or this bid.

### INSTRUCTIONS TO BIDDERS

1. Use the quotation forms provided by the Purchasing Division. Complete all sections of the quotation form.
2. Items offered must be in compliance with the specifications. Any deviation from the specifications must be clearly indicated by the bidder. Alternates offered by the bidder as **EQUAL** to the specifications must be clearly defined. A bidder offering an alternate should attach complete specifications and literature to the bid. The Purchasing Division may waive minor deviations to specifications.
3. Unit prices shall prevail in case of discrepancy. All quotations are considered F.O.B. destination unless alternate shipping terms are clearly identified in the quotation.
4. All quotations must be delivered by the bidder to the office listed below prior to the date and time of the bid opening. Failure of the bidder to deliver the quotations on time will result in bid disqualifications: Department of Administration, Purchasing Division, 2019 Washington Street East, P.O. Box 50130, Charleston, WV 25305-0130
5. Communication during the solicitation, bid, evaluation or award periods, except through the Purchasing Division, is strictly prohibited (W.Va. C.S.R. §148-1-6.6).



State of West Virginia  
 Department of Administration  
 Purchasing Division  
 2019 Washington Street East  
 Post Office Box 50130  
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PAGE  
 3

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VENDOR

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 OHIO RIVER AGGREGATES INC  
 PO BOX 871  
 1601 LAFAYETTE AVENUE  
 MOUNDSVILLE WV 26041

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IMMEDIATE DELIVERY IN EMERGENCIES DUE TO UNFORESEEN CAUSES (INCLUDING BUT NOT LIMITED TO DELAYS IN TRANSPORTATION OR AN UNANTICIPATED INCREASE IN THE VOLUME OF WORK).

QUANTITIES: QUANTITIES LISTED IN THE REQUISITION ARE APPROXIMATIONS ONLY, BASED ON ESTIMATES SUPPLIED BY THE STATE SPENDING UNIT. IT IS UNDERSTOOD AND AGREED THAT THE CONTRACT SHALL COVER THE QUANTITIES ACTUALLY ORDERED FOR DELIVERY DURING THE TERM OF THE CONTRACT, WHETHER MORE OR LESS THAN THE QUANTITIES SHOWN.

ORDERING PROCEDURE: SPENDING UNIT(S) SHALL ISSUE A WRITTEN STATE CONTRACT ORDER (FORM NUMBER WV-39) TO THE VENDOR FOR COMMODITIES COVERED BY THIS CONTRACT. THE ORIGINAL COPY OF THE WV-39 SHALL BE MAILED TO THE VENDOR AS AUTHORIZATION FOR SHIPMENT, A SECOND COPY MAILED TO THE PURCHASING DIVISION, AND A THIRD COPY RETAINED BY THE SPENDING UNIT.

BANKRUPTCY: IN THE EVENT THE VENDOR/CONTRACTOR FILES FOR BANKRUPTCY PROTECTION, THE STATE MAY DEEM THE CONTRACT NULL AND VOID, AND TERMINATE SUCH CONTRACT WITHOUT FURTHER ORDER.

THE TERMS AND CONDITIONS CONTAINED IN THIS CONTRACT SHALL SUPERSEDE ANY AND ALL SUBSEQUENT TERMS AND CONDITIONS WHICH MAY APPEAR ON ANY ATTACHED PRINTED DOCUMENTS SUCH AS PRICE LISTS, ORDER FORMS, SALES AGREEMENTS OR MAINTENANCE AGREEMENTS, INCLUDING ANY ELECTRONIC MEDIUM SUCH AS CD-ROM.

REV. 05/26/2009

EXHIBIT 4

SEE REVERSE SIDE FOR TERMS AND CONDITIONS			
SIGNATURE	TELEPHONE	DATE	
	304-845-3151	2/10/12	
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE	
owner	550783591		

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



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**2**

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<p><b>EXHIBIT 3</b></p> <p>LIFE OF CONTRACT: THIS CONTRACT BECOMES EFFECTIVE ON AWARD AND EXTENDS FOR A PERIOD OF SIX (6) MONTHS OR UNTIL SUCH "REASONABLE TIME" THEREAFTER AS IS NECESSARY TO OBTAIN A NEW CONTRACT OR RENEW THE ORIGINAL CONTRACT. THE "REASONABLE TIME" PERIOD SHALL NOT EXCEED TWELVE (12) MONTHS. DURING THIS "REASONABLE TIME" THE VENDOR MAY TERMINATE THIS CONTRACT FOR ANY REASON UPON GIVING THE DIRECTOR OF PURCHASING 30 DAYS WRITTEN NOTICE.</p> <p>UNLESS SPECIFIC PROVISIONS ARE STIPULATED ELSEWHERE IN THIS CONTRACT DOCUMENT, THE TERMS, CONDITIONS AND PRICING SET HEREIN ARE FIRM FOR THE LIFE OF THE CONTRACT.</p> <p>RENEWAL: THIS CONTRACT MAY BE RENEWED UPON THE MUTUAL WRITTEN CONSENT OF THE SPENDING UNIT AND VENDOR, SUBMITTED TO THE DIRECTOR OF PURCHASING THIRTY (30) DAYS PRIOR TO THE EXPIRATION DATE. SUCH RENEWAL SHALL BE IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE ORIGINAL CONTRACT AND SHALL BE LIMITED TO TWO (2) ONE (1) YEAR PERIODS.</p> <p>CANCELLATION: THE DIRECTOR OF PURCHASING RESERVES THE RIGHT TO CANCEL THIS CONTRACT IMMEDIATELY UPON WRITTEN NOTICE TO THE VENDOR IF THE COMMODITIES AND/OR SERVICES SUPPLIED ARE OF AN INFERIOR QUALITY OR DO NOT CONFORM TO THE SPECIFICATIONS OF THE BID AND CONTRACT HEREIN.</p> <p>OPEN MARKET CLAUSE: THE DIRECTOR OF PURCHASING MAY AUTHORIZE A SPENDING UNIT TO PURCHASE ON THE OPEN MARKET, WITHOUT THE FILING OF A REQUISITION OR COST ESTIMATE, ITEMS SPECIFIED ON THIS CONTRACT FOR</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
<i>[Signature]</i>	304-845-3151	2/10/12
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE
OWNER	55-0783591	

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<p>LOCAL GOVERNMENT BODIES: UNLESS THE VENDOR INDICATES IN THE BID HIS REFUSAL TO EXTEND THE PRICES, TERMS, AND CONDITIONS OF THE BID TO COUNTY, SCHOOL, MUNICIPAL AND OTHER LOCAL GOVERNMENT BODIES, THE BID SHALL EXTEND TO POLITICAL SUBDIVISIONS OF THE STATE OF WEST VIRGINIA. IF THE VENDOR DOES NOT WISH TO EXTEND THE PRICES, TERMS, AND CONDITIONS OF THE BID TO ALL POLITICAL SUBDIVISIONS OF THE STATE, THE VENDOR MUST CLEARLY INDICATE SUCH REFUSAL IN HIS BID. SUCH REFUSAL SHALL NOT PREJUDICE THE AWARD OF THIS CONTRACT IN ANY MANNER.</p> <p>REV. 3/88</p> <p>PURCHASING CARD ACCEPTANCE: THE STATE OF WEST VIRGINIA CURRENTLY UTILIZES A VISA PURCHASING CARD PROGRAM WHICH IS ISSUED THROUGH A BANK. THE SUCCESSFUL VENDOR MUST ACCEPT THE STATE OF WEST VIRGINIA VISA PURCHASING CARD FOR PAYMENT OF ALL ORDERS PLACED BY ANY STATE AGENCY AS A CONDITION OF AWARD.</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        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>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
<i>[Signature]</i>	304-845-3151	2/10/12
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE
OWNER	55-0783591	

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5

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LINE	QUANTITY	UOP	CAT NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>BUYER: ALAN CUMMINGS - FILE # 33</p> <p>RFQ. NO.: 6612C018</p> <p>BID OPENING DATE: 02/08/2012</p> <p>BID OPENING TIME: 1:30 P.M.</p> <p>PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID: 740- 671-0594</p> <p>-----</p> <p>CONTACT PERSON (PLEASE PRINT CLEARLY): ROBIN BURKHART</p> <p>-----</p> <p>ANY INDIVIDUAL SIGNING THIS BID IS CERTIFYING THAT:</p> <p>(1) HE OR SHE IS AUTHORIZED BY THE BIDDER TO EXECUTE THE BID OR ANY DOCUMENTS RELATED THERETO ON BEHALF OF THE BIDDER, (2) THAT HE OR SHE IS AUTHORIZED TO BIND THE BIDDER IN A CONTRACTUAL RELATIONSHIP, AND (3) THAT THE BIDDER HAS PROPERLY REGISTERED WITH ANY STATE AGENCIES THAT MAY REQUIRE REGISTRATION.</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS			
SIGNATURE	TELEPHONE 304-845-3151	DATE 2/10/12	
TITLE OWNER	FEIN 55-0783591	ADDRESS CHANGES TO BE NOTED ABOVE	

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

1. SPECIFICATIONS

The following sections of the West Virginia Department of Transportation, Division of Highways Standard Specifications, Roads and Bridges, adopted 2010, as modified by the January 1, 2011 Supplemental Specifications, shall apply to the administration of this contract: Sections 101, 102.4, 102.5, 105.1, 105.3, 105.4, 105.10, 105.11, 105.12, 105.13, 106.3, 106.4, 106.5, 106.6, 106.7, 106.9, 107.1, 107.2, 107.3, 107.14, 107.19, 107.20, 108.8, 109.1, 109.2, and 401.9.3.

The requirements of the West Virginia Department of Transportation, Division of Highways, Standard Specifications, Roads and Bridges, Section 109.20, PRICE ADJUSTMENT FOR LOAD LIMIT VIOLATIONS shall apply to all material supplied under this contract. This will include material loaded by the vendor into Division of Highways owned and/or rented trucks.

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

West Virginia Department of Transportation, Division of Highways' Standard Specifications Roads and Bridges, adopted 2010, and the January 1, 2011 Supplemental Specifications may be obtained from:

West Virginia Division of Highways  
Contract Administration  
Building 5, Room 722  
1900 Kanawha Boulevard, East  
Charleston, West Virginia 25305  
(Phone) 304-558-2885

<http://www.transportation.wv.gov/highways/contractadmin/specifications/2010StandSpec/Pages/default.aspx>

2. SCOPE OF WORK

To provide all labor, materials and equipment to supply Stone and Aggregate for the Division of Highways District 1 through 10 and Cinders for Districts 1, 3, 4, 6 and 7 for approximately six months after inception date of contract for the spring/summer 2012 season. This is NOT a twelve month contract.

3. MATERIALS

<u>MATERIAL (NOTE 1)</u>	<u>SPECIFICATION SECTION</u>
Fine Aggregate	702 (Note 5)
Coarse Aggregate	703 (Note 5)
Riprap	704.2
Stone for Gabions	704.3
Shot Rock	704.8
Abrasives (Note 2)	Note 3
Aggregate for Base and Sub-base	704.6 (Note 5)
No. 8 Modified and No. 9 Modified	Note 4

14. BID SCHEDULEVENDOR NAME: OHIO RIVER AGGREGATE, INC.14.1 Bid F.O.B. Vendor's Storage Site (Items A-W)

- a) SOURCE OF MATERIAL (State all sources for which bid prices apply) (e.g., Quarry location if Sandstone or Limestone; dredging or pit location if Gravel; production plant name and location if Slag)

~~MULZER STONE-CAPE SANDY, AMSTERDAM, CHARLESTOWN QUARRIES  
HILLTOP AGG.-BATTLETOWN, KY - MARTIN MARIETTA-RIVERSIDE  
STONE-WOLFE CREEK, KY  
STOCKER S&G-GNADENHUTTEN, OH YAGER MAT.-OWENSBORO, KY~~

- b) EXACT LOCATION OF VENDOR'S STORAGE SITE(S) A separate bid schedule must be submitted when bid price varies between Vendors' storage sites.

1601 LAFAYETTE AVE. (WV SR2)  
MOUNDSVILLE, WV 26041

Contract Item	Description of Material	Bid Price per Ton Items A-W F.O.B. Vendor's Storage Site		
		LIMESTONE SANDSTONE, GRAVEL, SAND	BLAST FURNACE SLAG	STEEL SLAG
A	Class 1 Aggregate	21.75		
B	Class 2 Aggregate			
C	Class 10 Aggregate	21.75		
D	AASHTO #1 Aggregate	21.20		
E	AASHTO #3 Aggregate	21.20		
F	AASHTO #4 Aggregate	21.20		
G	AASHTO #467 Aggregate	21.75		
H	AASHTO #57 Aggregate	21.20		
I	AASHTO #67 Aggregate	21.20		
J	AASHTO #7 Aggregate			
K	AASHTO #8 Aggregate	23.50		
L	AASHTO #9 Aggregate			
M	Stone for Gabions	22.85		
N	Fine Aggregate	21.75-SAND		
O	Standard Abrasives			
P	Modified Abrasives			
Q	Riprap	26.75		
R	Shot Rock	26.75		

NOTE: VENDOR SHOULD TYPE BID SCHEDULE

The "Bid Schedule" is available for download on Purchasing's Web site at [www.state.wv.us/admin/purchase](http://www.state.wv.us/admin/purchase)



BID SCHEDULE (Continued)      VENDOR NAME: OHIO RIVER AGGREGATE, INC.

14.1 Bid F.O.B. Vendor's Storage Site (Items A-W) (Continued)

<u>Contract Item</u>	<u>Description of Material</u>	<u>Bid Price per Ton Items A-W F.O.B. Vendor's Storage Site</u>		
		<u>LIMESTONE SANDSTONE, GRAVEL, SAND</u>	<u>BLAST FURNACE SLAG</u>	<u>STEEL SLAG</u>
S	AASHTO #8 Modified	_____	_____	_____
T	AASHTO #9 Modified	_____	_____	_____
U	Pea Gravel	22.00	_____	_____
V	#11 Limestone Abrasives	_____	_____	_____
W	Quarry Waste	_____	_____	_____
X	Haul by Vendor (Items A-W Except for Items Q and R): @ 1.30 \$ for First Ton-Mile @ .25 \$ for Each Additional Ton Mile			
Y	Haul by Vendor (Items R and/or Q only): @ 1.35 \$ for First Ton-Mile @ .30 \$ for Each Additional Ton-Mile			

<u>Contract Item</u>	<u>Description of Material</u>	<u>Bid Price per Ton Item AA F.O.B. Vendor's Storage Site</u>
AA	Cinders (See Note 1.)	_____

Note 1: Bid price shall include cost of Vendor Loading Department trucks.

c) SOURCE OF MATERIAL Name and Location of plant which produces material for Item AA:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

d) EXACT LOCATION OF VENDOR'S STORAGE SITE(S) for Item AA. A separate bid schedule must be submitted when bid price varies between Vendors' storage sites.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

14. BID SCHEDULE

VENDOR NAME \_\_\_\_\_ OHIO RIVER AGGREGATE, INC.

14.2 Bidding F.O.B. Division's Storage Site - DISTRICT 6

6612C018

Contract Item	Description of Aggregate	Estimated Quantity (TONS)	Location of DOH Storage Site
---------------	--------------------------	---------------------------	------------------------------

Bid Price (\$/Ton) F.O. B.  
DOH Storage Site

BROOKE COUNTY

A	Class 1	15000	Wellsburg
D	AASHTO #1	1000	Wellsburg
E	AASHTO #3	2000	Wellsburg
G	AASHTO #467	5000	Wellsburg
H	AASHTO #57	2000	Wellsburg
I	AASHTO #67	1000	Wellsburg
M	Gabion Stone	500	Wellsburg
N	Fine Aggregate	500	Wellsburg
O	Standard Abr.	10000	Wellsburg
R	Shot Rock	1000	Wellsburg
S	AASHTO #8M	10000	Wellsburg

LIMESTONE SANDSTONE GRAVEL, SAND	BLAST FURNACE SLAG	STEEL SLAG
29.25		
28.7		
28.7		
29.25		
28.7		
28.7		
30.35		
29.25		
36		
31		

BROOKE COUNTY

N	Fine Aggregate	500	Weirton
O	Standard Abr.	10000	Weirton

30.55		

HANCOCK COUNTY

A	Class 1	15000	New Manchester
D	AASHTO #1	1000	New Manchester
E	AASHTO #3	2000	New Manchester
G	AASHTO #467	5000	New Manchester
H	AASHTO #57	2000	New Manchester
I	AASHTO #67	1000	New Manchester
M	Gabion Stone	500	New Manchester
N	Fine Aggregate	500	New Manchester
O	Standard Abr.	10000	New Manchester
R	Shot Rock	1000	New Manchester
S	AASHTO #8M	10000	New Manchester

33.75		
33.2		
33.2		
33.75		
33.2		
33.2		
34.85		
33.75		
40.1		
35.5		

14. BID SCHEDULE

VENDOR NAME \_\_\_\_\_ OHIO RIVER AGGREGATE, INC.

14.2 Bidding F.O.B. Division's Storage Site - DISTRICT 6

6612C018

Contract Item	Description of Aggregate	Estimated Quantity (TONS)	Location of DOH Storage Site
---------------	--------------------------	---------------------------	------------------------------

Bid Price (\$/Ton) F.O.B.  
DOH Storage Site

MARSHALL COUNTY

A	Class 1	15000	Cameron
D	AASHTO #1	1000	Cameron
E	AASHTO #3	2000	Cameron
G	AASHTO #467	5000	Cameron
H	AASHTO #57	2000	Cameron
I	AASHTO #67	1000	Cameron
M	Gabion Stone	500	Cameron
N	Fine Aggregate	500	Cameron
O	Standard Abr.	10000	Cameron
R	Shot Rock	1000	Cameron
S	AASHTO #8M	10000	Cameron

LIMESTONE SANDSTONE GRAVEL, SAND	BLAST FURNACE SLAG	STEEL SLAG
29.75		
29.2		
29.2		
29.75		
29.2		
29.2		
30.85		
29.75		
35.65		
31.5		

MARSHALL COUNTY

A	Class 1	15000	Glendale
D	AASHTO #1	1000	Glendale
E	AASHTO #3	2000	Glendale
G	AASHTO #467	5000	Glendale
H	AASHTO #57	2000	Glendale
I	AASHTO #67	1000	Glendale
M	Gabion Stone	500	Glendale
N	Fine Aggregate	500	Glendale
O	Standard Abr.	10000	Glendale
R	Shot Rock	1000	Glendale
S	AASHTO #8M	10000	Glendale

24.3		
23.75		
23.75		
24.3		
23.75		
23.75		
25.4		
24.3		
30.1		
26.05		

14. BID SCHEDULE

VENDOR NAME \_\_\_\_\_ OHIO RIVER AGGREGATE, INC.

14.2 Bidding F.O.B. Division's Storage Site - DISTRICT 6

6612C018

Contract Item	Description of Aggregate	Estimated Quantity (TONS)	Location of DOH Storage Site
---------------	--------------------------	---------------------------	------------------------------

Bid Price (\$/Ton) F.O.B. DOH Storage Site

MARSHALL COUNTY

A	Class 1	15000	Lynn Camp
D	AASHTO #1	1000	Lynn Camp
E	AASHTO #3	2000	Lynn Camp
G	AASHTO #467	5000	Lynn Camp
H	AASHTO #57	2000	Lynn Camp
I	AASHTO #67	1000	Lynn Camp
M	Gabion Stone	500	Lynn Camp
N	Fine Aggregate	500	Lynn Camp
O	Standard Abr.	10000	Lynn Camp
R	Shot Rock	1000	Lynn Camp
S	AASHTO #8M	10000	Lynn Camp

LIMESTONE SANDSTONE GRAVEL, SAND	BLAST FURNACE SLAG	STEEL SLAG
29.85		
29.3		
29.3		
29.85		
29.3		
29.3		
30.95		
29.85		
35.75		
31.6		

MARSHALL COUNTY

A	Class 1	15000	Sand Hill
D	AASHTO #1	1000	Sand Hill
E	AASHTO #3	2000	Sand Hill
G	AASHTO #467	5000	Sand Hill
H	AASHTO #57	2000	Sand Hill
I	AASHTO #67	1000	Sand Hill
M	Gabion Stone	500	Sand Hill
N	Fine Aggregate	500	Sand Hill
O	Standard Abr.	10000	Sand Hill
R	Shot Rock	1000	Sand Hill
S	AASHTO #8M	10000	Sand Hill

31.75		
31.2		
31.2		
31.75		
31.2		
31.2		
32.85		
31.75		
37.85		
33.5		



14. BID SCHEDULE

VENDOR NAME \_\_\_\_\_ OHIO RIVER AGGREGATE, INC.

14.2 Bidding F.O.B. Division's Storage Site - DISTRICT 6

6612C018

Contract Item	Description of Aggregate	Estimated Quantity (TONS)	Location of DOH Storage Site
---------------	--------------------------	---------------------------	------------------------------

Bid Price (\$/Ton) F.O.B.  
DOH Storage Site

TYLER COUNTY

A	Class 1	15000	Sistersville
D	AASHTO #1	1000	Sistersville
E	AASHTO #3	2000	Sistersville
G	AASHTO #467	5000	Sistersville
H	AASHTO #57	2000	Sistersville
I	AASHTO #67	1000	Sistersville
M	Gabion Stone	500	Sistersville
N	Fine Aggregate	500	Sistersville
O	Standard Abr.	10000	Sistersville
R	Shot Rock	10000	Sistersville
S	AASHTO #8M	10000	Sistersville

LIMESTONE SANDSTONE GRAVEL, SAND	BLAST FURNACE SLAG	STEEL SLAG
30.55		
30		
30		
30.55		
30		
30		
31.65		
30.55		
37.5		
32.3		

WETZEL COUNTY

A	Class 1	15000	Hundred
D	AASHTO #1	1000	Hundred
E	AASHTO #3	2000	Hundred
G	AASHTO #467	5000	Hundred
H	AASHTO #57	2000	Hundred
I	AASHTO #67	10000	Hundred
M	Gabion Stone	500	Hundred
N	Fine Aggregate	500	Hundred
O	Standard Abr.	10000	Hundred
R	Shot Rock	1000	Hundred
S	AASHTO #8M	10000	Hundred

33.75		
33.2		
33.2		
33.75		
33.2		
33.2		
34.85		
33.75		
40.1		
35.5		

14. BID SCHEDULE

VENDOR NAME \_\_\_\_\_ OHIO RIVER AGGREGATE, INC.

14.2 Bidding F.O.B. Division's Storage Site - DISTRICT 6

6612C018

Contract Item	Description of Aggregate	Estimated Quantity (TONS)	Location of DOH Storage Site
---------------	--------------------------	---------------------------	------------------------------

Bid Price (\$/Ton) F.O.B. DOH Storage Site

WETZEL COUNTY

A	Class 1	15000	New Martinsville
D	AASHTO #1	1000	New Martinsville
E	AASHTO #3	2000	New Martinsville
G	AASHTO #467	5000	New Martinsville
H	AASHTO #57	2000	New Martinsville
I	AASHTO #67	1000	New Martinsville
M	Gabion Stone	500	New Martinsville
N	Fine Aggregate	500	New Martinsville
O	Standard Abr.	10000	New Martinsville
R	Shot Rock	1000	New Martinsville
S	AASHTO #8M	10000	New Martinsville

LIMESTONE SANDSTONE GRAVEL, SAND	BLAST FURNACE SLAG	STEEL SLAG
27.2		
26.65		
26.65		
27.2		
26.65		
26.65		
28.3		
27.2		
33.4		
28.95		

WETZEL COUNTY

A	Class 1	15000	Pine Grove
D	AASHTO #1	1000	Pine Grove
E	AASHTO #3	2000	Pine Grove
G	AASHTO #467	5000	Pine Grove
H	AASHTO #57	2000	Pine Grove
I	AASHTO #67	1000	Pine Grove
M	Gabion Stone	500	Pine Grove
N	Fine Aggregate	500	Pine Grove
O	Standard Abr.	10000	Pine Grove
R	Shot Rock	1000	Pine Grove
S	AASHTO #8M	10000	Pine Grove

33.05		
32.5		
32.5		
33.05		
32.5		
32.5		
34.15		
33.05		
39.3		
34.8		



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
6612C018

PAGE
1

ADDRESS CORRESPONDENCE TO ATTENTION OF:
ALAN CUMMINGS
304-558-2402

\*207111133      304-845-3151  
 OHIO RIVER AGGREGATES INC  
 PO BOX 871  
 1601 LAFAYETTE AVENUE  
 MOUNDSVILLE WV 26041

VENDOR

SHIP TO

DIVISION OF HIGHWAYS  
 VARIOUS LOCALES AS INDICATED  
 BY ORDER

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
01/18/2012				

BID OPENING DATE: 02/15/2012      BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
***** ADDENDUM NO. 1 *****						
ADDENDUM ISSUED FOR STONE AGGREGATE REQUEST FOR QUOTATION TO CHANGE DATE AND TIME OF BID OPENING.						
PREVIOUS BID OPENING DATE & TIME: 02/08/12 1:30 P.M.						
NEW BID OPENING DATE & TIME: 02/15/12 1:30 P.M.						
***** NO OTHER CHANGES *****						
0001	1	EA	750-35	CRUSHED STONE AND AGGREGATE		

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
	304-845-3151	2/10/12
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE
OWNER	55-0783591	

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
6612C018

PAGE
1

ADDRESS CORRESPONDENCE TO ATTENTION OF:
ALAN CUMMINGS
304-558-2402

\*207111133 304-845-3151  
 OHIO RIVER AGGREGATES INC  
 PO BOX 871  
 1601 LAFAYETTE AVENUE  
 MOUNDSVILLE WV 26041

VENDOR

DIVISION OF HIGHWAYS  
 VARIOUS LOCALES AS INDICATED  
 BY ORDER

SHIP TO

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
01/27/2012				

BID OPENING DATE: 02/15/2012 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
				ADDENDUM NO.02 ADD LIMESTONE ON TO BID SCHEDULES FOR DISTRICT 2 BID OPENING AND DATE REMAINS 2/15/12 AT 1:30 P.M. NO OTHER CHANGES		
0001	1	EA		750-35 CRUSHED STONE AND AGGREGATE		

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE 304-845-3151	DATE 2/10/12
TITLE 0 OWNER	FEIN 55-0783591	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  
 6612C018

PAGE  
 1

ADDRESS CORRESPONDENCE TO ATTENTION OF:  
 ALAN CUMMINGS  
 304-558-2402

RFQ COPY

TYPE NAME/ADDRESS HERE

VENDOR

SHIP TO

DIVISION OF HIGHWAYS  
 VARIOUS LOCALES AS INDICATED  
 BY ORDER

DATE PRINTED 02/06/2012	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
----------------------------	---------------	----------	--------	---------------

BID OPENING DATE: 02/15/2012 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
ADDENDUM NO.03						
ISSUED TO ADD EXCEL FILE BID SCHEDULES WHICH HAD BEEN INADVERTENTLY LEFT OFF THE PURCHASING BULLETIN.						
SEE THE WEST VIRGINIA PURCHASING BULLETIN FOR BID SCHEDULES OR CONTACT ALAN.W.CUMMINGS@WV.GOV						
0001	1	EA	750-35	CRUSHED STONE AND AGGREGATE		
***** THIS IS THE END OF RFQ 6612C018 ***** TOTAL:						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Alan W. Cummings</i>	TELEPHONE 304-845-3151	DATE 2/10/12
TITLE OWNER	FEIN 55-0783591	ADDRESS CHANGES TO BE NOTED ABOVE

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

EXHIBIT 10

REQUISITION NO.: 6612C018.....

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 NO.'S:

NO. 1   X  .....

NO. 2   X  .....

NO. 3   X  .....

NO. 4 .....  
.....

NO. 5 .....  
.....

I UNDERSTAND THAT FAILURE TO CONFIRM THE RECEIPT OF THE  
ADDENDUM(S) MAY BE CAUSE FOR REJECTION OF 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

OHIO RIVER AGGREGATE, INC.  
\_\_\_\_\_  
COMPANY

2/10/12  
\_\_\_\_\_  
DATE

# VENDOR PREFERENCE CERTIFICATE

Certification and application\* is hereby made for Preference in accordance with *West Virginia Code*, §5A-3-37. (Does not apply to construction contracts). *West Virginia Code*, §5A-3-37, provides an opportunity for qualifying vendors to request (at the time of bid) preference for their residency status. Such preference is an evaluation method only and will be applied only to the cost bid in accordance with the *West Virginia Code*. This certificate for application is to be used to request such preference. The Purchasing Division will make the determination of the Resident Vendor Preference, if applicable.

1. **Application is made for 2.5% resident vendor preference for the reason checked:**  
 Bidder is an individual resident vendor and has resided continuously in West Virginia for four (4) years immediately preceding the date of this certification; **or**,  
 Bidder is a partnership, association or corporation resident vendor and has maintained its headquarters or principal place of business continuously in West Virginia for four (4) years immediately preceding the date of this certification; **or** 80% of the ownership interest of Bidder is held by another individual, partnership, association or corporation resident vendor who has maintained its headquarters or principal place of business continuously in West Virginia for four (4) years immediately preceding the date of this certification; **or**,  
 Bidder is a nonresident vendor which has an affiliate or subsidiary which employs a minimum of one hundred state residents and which has maintained its headquarters or principal place of business within West Virginia continuously for the four (4) years immediately preceding the date of this certification; **or**,
2. **Application is made for 2.5% resident vendor preference for the reason checked:**  
 Bidder is a resident vendor who certifies that, during the life of the contract, on average at least 75% of the employees working on the project being bid are residents of West Virginia who have resided in the state continuously for the two years immediately preceding submission of this bid; **or**,
3. **Application is made for 2.5% resident vendor preference for the reason checked:**  
 Bidder is a nonresident vendor employing a minimum of one hundred state residents or is a nonresident vendor with an affiliate or subsidiary which maintains its headquarters or principal place of business within West Virginia employing a minimum of one hundred state residents who certifies that, during the life of the contract, on average at least 75% of the employees or Bidder's affiliate's or subsidiary's employees are residents of West Virginia who have resided in the state continuously for the two years immediately preceding submission of this bid; **or**,
4. **Application is made for 5% resident vendor preference for the reason checked:**  
 Bidder meets either the requirement of both subdivisions (1) and (2) or subdivision (1) and (3) as stated above; **or**,
5. **Application is made for 3.5% resident vendor preference who is a veteran for the reason checked:**  
 Bidder is an individual resident vendor who is a veteran of the United States armed forces, the reserves or the National Guard and has resided in West Virginia continuously for the four years immediately preceding the date on which the bid is submitted; **or**,
6. **Application is made for 3.5% resident vendor preference who is a veteran for the reason checked:**  
 Bidder is a resident vendor who is a veteran of the United States armed forces, the reserves or the National Guard, if, for purposes of producing or distributing the commodities or completing the project which is the subject of the vendor's bid and continuously over the entire term of the project, on average at least seventy-five percent of the vendor's employees are residents of West Virginia who have resided in the state continuously for the two immediately preceding years.

Bidder understands if the Secretary of Revenue determines that a Bidder receiving preference has failed to continue to meet the requirements for such preference, the Secretary may order the Director of Purchasing to: (a) reject the bid; or (b) assess a penalty against such Bidder in an amount not to exceed 5% of the bid amount and that such penalty will be paid to the contracting agency or deducted from any unpaid balance on the contract or purchase order.

By submission of this certificate, Bidder agrees to disclose any reasonably requested information to the Purchasing Division and authorizes the Department of Revenue to disclose to the Director of Purchasing appropriate information verifying that Bidder has paid the required business taxes, provided that such information does not contain the amounts of taxes paid nor any other information deemed by the Tax Commissioner to be confidential.

**Under penalty of law for false swearing (West Virginia Code, §61-5-3), Bidder hereby certifies that this certificate is true and accurate in all respects; and that if a contract is issued to Bidder and if anything contained within this certificate changes during the term of the contract, Bidder will notify the Purchasing Division in writing immediately.**

Bidder: OHIO RIVER AGGREGATEF, INC.

Signed: 

Date: 2/10/12

Title: OWNER

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

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: OHIO RIVER AGGREGATE, INC.

Authorized Signature: *[Signature]* Date: 2-13-12

State of Ohio

County of Belmont, to-wit:

Taken, subscribed, and sworn to before me this 13<sup>th</sup> day of February, 2012

My Commission expires February 28, 2014.

AFFIX SEAL HERE

NOTARY PUBLIC *Michelle Williams*



MICHELLE WILLIAMS  
NOTARY PUBLIC  
IN AND FOR THE STATE OF OHIO  
MY COMMISSION EXPIRES: FEBRUARY 28, 2014