



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

Solicitation

| NUMBER |
|----------|
| 6613C001 |

| PAGE |
|------|
| 1 |

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

*709060334 304-946-2326

PATTERSON EXCAVATING INC
 PO BOX 376

MT GAY WV 25637

VENDOR

SHIP TO

DIVISION OF HIGHWAYS
 VARIOUS LOCALES AS INDICATED
 BY ORDER

| DATE PRINTED |
|--------------|
| 08/15/2012 |

BID OPENING DATE: 08/29/2012 BID OPENING TIME 1:30PM

| LINE | QUANTITY | UOP | CAT. NO. | ITEM NUMBER | UNIT PRICE | AMOUNT |
|--|----------|-----|----------|-------------|------------|--------|
| 0001 | 1 | EA | | 770-06 | | |
| STONE AND AGGREGATE - FALL/WINTER | | | | | | |
| OPEN-END CONTRACT | | | | | | |
| THE WEST VIRGINIA STATE PURCHASING DIVISION FOR THE AGENCY, THE WEST VIRGINIA DIVISION OF HIGHWAYS, IS SOLICITING BIDS TO PROVIDE THE AGENCY WITH AN OPEN-END CONTRACT TO FURNISH ALL LABOR, MATERIALS AND EQUIPMENT NECESSARY TO SUPPLY STONE AND AGGREGATE TO DISTRICTS 1 THRU 10 AS WELL AS CINDERS TO DISTRICTS 1,3,4,6 AND 7 PER THE ATTACHED SPECIFICATIONS. | | | | | | |
| ***** THIS IS THE END OF RFQ 6613C001 ***** TOTAL: _____ | | | | | | |



| | | |
|---------------------------------------|---------------------------|-----------------------------------|
| SIGNATURE <i>Charmie Patterson</i> | TELEPHONE 304-946-2326 | DATE 8-23-12 |
| TITLE PRESIDENT | FEIN 55-0691972 | ADDRESS CHANGES TO BE NOTED ABOVE |

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

The bid should contain the information listed below on the face of the envelope or the bid may not be considered:

SEALED BID
 BUYER: Alan Cummings File 33
 SOLICITATION NO.: 6613C 001
 BID OPENING DATE: 8-29-2012
 BID OPENING TIME: 1:30 pm
 FAX NUMBER: 304-239-3990

In the event that Vendor is responding to a request for proposal, the Vendor shall submit one original technical and one original cost proposal plus _____ convenience copies of each to the Purchasing Division at the address shown above. Additionally, the Vendor should identify the bid type as either a technical or cost proposal on the face of each bid envelope submitted in response to a request for proposal as follows:

BID TYPE: | Technical
 | Cost

- 7. **BID OPENING:** Bids submitted in response to this Solicitation will be opened at the location identified below on the date and time listed below. Delivery of a bid after the bid opening date and time will result in bid disqualification. For purposes of this Solicitation, a bid is considered delivered when time stamped by the official Purchasing Division time clock.

Bid Opening Date and Time: 08/29/2012 - 1:30 P.M.

Bid Opening Location: Department of Administration, Purchasing Division
 2019 Washington Street East
 P.O. Box 50130,
 Charleston, WV 25305-0130

- 8. **ADDENDUM ACKNOWLEDGEMENT:** Changes or revisions to this Solicitation will be made by an official written addendum issued by the Purchasing Division. Vendor should acknowledge receipt of all addenda issued with this Solicitation by completing an Addendum Acknowledgment Form, a copy of which is included herewith. Failure to acknowledge addenda may result in bid disqualification. The addendum acknowledgement should be submitted with the bid to expedite document processing.
- 9. **BID FORMATTING:** Vendor should type or electronically enter the information onto its bid to prevent errors in the evaluation. Failure to type or electronically enter the information may result in bid disqualification.

GENERAL TERMS AND CONDITIONS:

1. **CONTRACTUAL AGREEMENT:** Issuance of a Purchase Order signed by the Purchasing Division Director, or his designee, and approved as to form by the Attorney General's office constitutes acceptance of this Contract made by and between the State of West Virginia and the Vendor. Vendor's signature on its bid signifies Vendor's agreement to be bound by and accept the terms and conditions contained in this Contract.

2. **DEFINITIONS:** As used in this Solicitation / Contract, the following terms shall have the meanings attributed to them below. Additional definitions may be found in the specifications included with this Solicitation / Contract.
 - 2.1 **"Agency" or "Agencies"** means the agency, board, commission, or other entity of the State of West Virginia that is identified on the first page of the Solicitation or any other public entity seeking to procure goods or services under this Contract.

 - 2.2 **"Contract"** means the binding agreement that is entered into between the State and the Vendor to provide the goods and services requested in the Solicitation.

 - 2.3 **"Director"** means the Director of the West Virginia Department of Administration, Purchasing Division.

 - 2.4 **"Purchasing Division"** means the West Virginia Department of Administration, Purchasing Division.

 - 2.5 **"Purchase Order"** means the document signed by the Agency and the Purchasing Division, and approved as to form by the Attorney General, that identifies the Vendor as the successful bidder and Contract holder.

 - 2.6 **"Solicitation"** means the official solicitation published by the Purchasing Division and identified by number on the first page thereof.

 - 2.7 **"State"** means the State of West Virginia and/or any of its agencies, commissions, boards, etc. as context requires.

 - 2.8 **"Vendor" or "Vendors"** means any entity submitting a bid in response to the Solicitation, the entity that has been selected as the lowest responsible bidder, or the entity that has been awarded the Contract as context requires.

CERTIFICATION AND SIGNATURE PAGE

By signing below, I certify that I have reviewed this Solicitation in its entirety; understand the requirements, terms and conditions, and other information contained herein; that I am submitting this bid or proposal for review and consideration; that I am authorized by the bidder to execute this bid or any documents related thereto on bidder's behalf; that I am authorized to bind the bidder in a contractual relationship; and that to the best of my knowledge, the bidder has properly registered with any State agency that may require registration.

Patterson Excavating, Inc.
(Company)

Clarence Patterson
(Authorized Signature)

Clarence Patterson, PRESIDENT
(Representative Name, Title)

304-946-2326 304-239-3990
(Phone Number) (Fax Number)

8-23-12
(Date)

ADDITIONAL TERMS AND CONDITIONS (Architectural and Engineering Contracts Only)

1. **PLAN AND DRAWING DISTRIBUTION:** All plans and drawings must be completed and available for distribution at least five business days prior to a scheduled pre-bid meeting for the construction or other work related to the plans and drawings.
2. **PROJECT ADDENDA REQUIREMENTS:** The Architect/Engineer and/or Agency shall be required to abide by the following schedule in issuing construction project addenda:
 - a. The Architect/Engineer shall prepare any addendum materials for which it is responsible, and a list of all vendors that have obtained drawings and specifications for the project. The Architect/Engineer shall then send a copy of the addendum materials and the list of vendors to the State Agency for which the contract is issued to allow the Agency to make any necessary modifications. The addendum and list shall then be forwarded to the Purchasing Division buyer by the Agency. The Purchasing Division buyer shall send the addendum to all interested vendors and, if necessary, extend the bid opening date. Any addendum should be received by the Purchasing Division at least fourteen (14) days prior to the bid opening date.
3. **PRE-BID MEETING RESPONSIBILITIES:** The Architect/Engineer shall be available to attend any pre-bid meeting for the construction or other work resulting from the plans, drawings, or specifications prepared by the Architect/Engineer.
4. **AIA DOCUMENTS:** Contracts for architectural and engineering services will be governed by the AIA document B101-2007, as amended by the Supplementary Conditions for the State of West Virginia, in addition to the terms and conditions contained herein when procured under Chapter 5G of the West Virginia Code.
5. **GREEN BUILDINGS MINIMUM ENERGY STANDARDS:** In accordance with West Virginia Code § 22-29-4, all new building construction projects of public agencies that have not entered the schematic design phase prior to July 1, 2012, or any building construction project receiving state grant funds and appropriations, including public schools, that have not entered the schematic design phase prior to July 1, 2012, shall be designed and constructed complying with the ICC International Energy Conservation Code, adopted by the State Fire Commission, and the ANSI/ASHRAE/IESNA Standard 90.1-2007: *Provided*, That if any construction project has a commitment of federal funds to pay for a portion of such project, this provision shall only apply to the extent such standards are consistent with the federal standards.

ADDENDUM ACKNOWLEDGEMENT FORM
SOLICITATION NO.: 6613C001

Instructions: Please acknowledge receipt of all addenda issued with this solicitation by completing this addendum acknowledgment form. Check the box next to each addendum received and sign below. Failure to acknowledge addenda may result in bid disqualification.

Acknowledgment: I hereby acknowledge receipt of the following addenda and have made the necessary revisions to my proposal, plans and/or specification, etc.

Addendum Numbers Received:

(Check the box next to each addendum received)

- | | |
|---|--|
| <input type="checkbox"/> Addendum No. 1 | <input type="checkbox"/> Addendum No. 6 |
| <input type="checkbox"/> Addendum No. 2 | <input type="checkbox"/> Addendum No. 7 |
| <input type="checkbox"/> Addendum No. 3 | <input type="checkbox"/> Addendum No. 8 |
| <input type="checkbox"/> Addendum No. 4 | <input type="checkbox"/> Addendum No. 9 |
| <input type="checkbox"/> Addendum No. 5 | <input type="checkbox"/> Addendum No. 10 |

I understand that failure to confirm the receipt of addenda may be cause for rejection of this bid. I further 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.

Patterson Excavating, Inc.
 Company
Clarence Patterson
 Authorized Signature

8-23-12
 Date

NOTE: This addendum acknowledgement should be submitted with the bid to expedite document processing.

Exhibit A.1 Pricing Schedule

VENDOR NAME: Patterson Excavating, Inc.

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)

Patterson Excavating, Inc. - Patterson Quarry + Mill
Logan County Route 44 Pinecreek Rd.
Omar, WV - Sandstone

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

1 mile up Pine Creek Road off Route 44, Omar, WV

| 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 | _____ | _____ | _____ |
| B | Class 2 Aggregate | _____ | _____ | _____ |
| C | Class 10 Aggregate | _____ | _____ | _____ |
| D | AASHTO #1 Aggregate | _____ | _____ | _____ |
| E | AASHTO #3 Aggregate | _____ | _____ | _____ |
| F | AASHTO #4 Aggregate | _____ | _____ | _____ |
| G | AASHTO #467 Aggregate | _____ | _____ | _____ |
| H | AASHTO #57 Aggregate | _____ | _____ | _____ |
| I | AASHTO #67 Aggregate | _____ | _____ | _____ |
| J | AASHTO #7 Aggregate | _____ | _____ | _____ |
| K | AASHTO #8 Aggregate | _____ | _____ | _____ |
| L | AASHTO #9 Aggregate | _____ | _____ | _____ |
| M | Stone for Gabions | <u>10.00</u> | _____ | _____ |
| N | Fine Aggregate | _____ | _____ | _____ |
| OA | Limestone Standard Abrasives | _____ | _____ | _____ |
| OB | Sandstone Standard Abrasives | _____ | _____ | _____ |
| PA | Limestone Modified Abrasives | _____ | _____ | _____ |
| PB | Sandstone Modified Abrasives | _____ | _____ | _____ |
| Q | Riprap | <u>11.00</u> | _____ | _____ |
| R | Shot Rock | <u>10.00</u> | _____ | _____ |

Exhibit A.1 Pricing Schedule

VENDOR NAME: Patterson Excavating, Inc.

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 | _____ | _____ | _____ |
| V | #11 Limestone Abrasives | _____ | _____ | _____ |
| W | Quarry Waste | _____ | _____ | _____ |
| X | Haul by Vendor (Items A-W Except for Items Q and R): @ <u>2.00</u> \$ for First Ton-Mile @ <u>.30</u> \$ for Each Additional Ton Mile | | | |
| Y | Haul by Vendor (Items R and/or Q only): @ <u>2.00</u> \$ for First Ton-Mile @ <u>.30</u> \$ 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.

F.O.B. Division's Storage Site - DISTRICT 2

6613C001

| Contract Item | Description of Aggregate | Estimated Quantity (TONS) | Location of DOH Storage Site | Bid Price (\$/Ton) F.O.B. DOH Storage Site | | |
|----------------------|--------------------------|---------------------------|------------------------------|--|--------------------|------------|
| | | | | LIMESTONE SANDSTONE GRAVEL, SAND | BLAST FURNACE SLAG | STEEL SLAG |
| <u>CABELL COUNTY</u> | | | | | | |
| A | Class 1 | 6000 | Barboursville Lot | | | |
| E | AASHTO #3 | 1000 | Barboursville Lot | | | |
| G | AASHTO #467 | 1000 | Barboursville Lot | | | |
| H | AASHTO #57 | 5000 | Barboursville Lot | | | |
| I | AASHTO #67 | 500 | Barboursville Lot | | | |
| K | AASHTO #8 | 2500 | Barboursville Lot | | | |
| L | AASHTO #9 | 1000 | Barboursville Lot | | | |
| M | Gabion Stone | 1000 | Barboursville Lot | | | |
| OA | Limestone Std Abr. | 2000 | Barboursville Lot | | | |
| OB | Sandstone Std Abr. | 2000 | Barboursville Lot | | | |
| PA | Limestone Mod Abr. | 500 | Barboursville Lot | | | |
| PB | Sandstone Mod Abr. | 500 | Barboursville Lot | | | |
| Q | Rip Rap | 2000 | Barboursville Lot | | | |
| R | Shot Rock | 1000 | Barboursville Lot | | | |
| V | #11 Limestone Abr. | 3000 | Barboursville Lot | | | |

LINCOLN COUNTY

| | | | | | | |
|----|--------------------|------|-------------|-------|--|--|
| A | Class 1 | 5000 | West Hamlin | | | |
| B | Class 2 | 1000 | West Hamlin | | | |
| E | AASHTO #3 | 1500 | West Hamlin | | | |
| H | AASHTO #57 | 2000 | West Hamlin | | | |
| I | AASHTO #67 | 1000 | West Hamlin | | | |
| K | AASHTO #8 | 2000 | West Hamlin | | | |
| M | Gabion Stone | 1500 | West Hamlin | 22.50 | | |
| OA | Limestone Std Abr. | 1000 | West Hamlin | | | |
| OB | Sandstone Std Abr. | 1000 | West Hamlin | | | |
| Q | Rip Rap | 2000 | West Hamlin | 22.80 | | |
| R | Shot Rock | 1000 | West Hamlin | 22.50 | | |
| V | #11 Limestone Abr. | 2000 | West Hamlin | | | |

F.O.B. Division's Storage Site - DISTRICT 2

6613C001

| Contract Item | Description of Aggregate | Estimated Quantity (TONS) | Location of DOH Storage Site | Bid Price (S/Ton) F.O.B. DOH Storage Site | | |
|-----------------------|--------------------------|---------------------------|------------------------------|---|--------------------|------------|
| | | | | LIMESTONE SANDSTONE GRAVEL, SAND | BLAST FURNACE SLAG | STEEL SLAG |
| <u>LINCOLN COUNTY</u> | | | | | | |
| A | Class 1 | 2000 | Yawkey | | | |
| B | Class 2 | 500 | Yawkey | | | |
| E | AASHTO #3 | 2000 | Yawkey | | | |
| H | AASHTO #57 | 1000 | Yawkey | | | |
| K | AASHTO #8 | 2000 | Yawkey | | | |
| M | Gabion Stone | 500 | Yawkey | 20.90 | | |
| OA | Limestone Std Abr. | 1000 | Yawkey | | | |
| OB | Sandstone Std Abr. | 1000 | Yawkey | | | |
| Q | Rip Rap | 500 | Yawkey | 20.90 | | |
| R | Shot Rock | 1000 | Yawkey | 20.75 | | |
| V | #11 Limestone Abr. | 1000 | Yawkey | | | |

LINCOLN COUNTY

| | | | | | | |
|----|--------------------|------|-------|-------|--|--|
| A | Class 1 | 1000 | Harts | | | |
| B | Class 2 | 500 | Harts | | | |
| E | AASHTO #3 | 500 | Harts | | | |
| H | AASHTO #57 | 500 | Harts | | | |
| K | AASHTO #8 | 1000 | Harts | | | |
| M | Gabion Stone | 1000 | Harts | 20.90 | | |
| OA | Limestone Std Abr. | 1000 | Harts | | | |
| OB | Sandstone Std Abr. | 1000 | Harts | | | |
| Q | Rip Rap | 500 | Harts | 20.90 | | |
| R | Shot Rock | 1000 | Harts | 20.75 | | |
| V | #11 Limestone Abr. | 1000 | Harts | | | |

F.O.B. Division's Storage Site - DISTRICT 2

6613C001

| Contract Item | Description of Aggregate | Estimated Quantity (TONS) | Location of DOH Storage Site | Bid Price (S/Ton) F.O.B. DOH Storage Site | | |
|---------------------|--------------------------|---------------------------|------------------------------|---|--------------------|------------|
| | | | | LIMESTONE SANDSTONE GRAVEL, SAND | BLAST FURNACE SLAG | STEEL SLAG |
| <u>LOGAN COUNTY</u> | | | | | | |
| A | Class 1 | 5000 | Wilkinson | | | |
| D | AASHTO #1 | 1000 | Wilkinson | | | |
| E | AASHTO #3 | 1000 | Wilkinson | | | |
| H | AASHTO #57 | 1000 | Wilkinson | | | |
| K | AASHTO #8 | 2000 | Wilkinson | | | |
| M | Gabion Stone | 1500 | Wilkinson | 13.35 | | |
| OA | Limestone Std Abr. | 2000 | Wilkinson | | | |
| OB | Sandstone Std Abr. | 2000 | Wilkinson | | | |
| PA | Limestone Mod Abr. | 500 | Wilkinson | | | |
| PB | Sandstone Mod Abr. | 500 | Wilkinson | | | |
| R | Shot Rock | 1500 | Wilkinson | 14.75 | | |
| V | #11 Limestone Abr. | 2000 | Wilkinson | | | |

LOGAN COUNTY

| | | | | | | |
|----|--------------------|------|-----|-------|--|--|
| A | Class 1 | 1000 | Man | | | |
| D | AASHTO #1 | 1000 | Man | | | |
| E | AASHTO #3 | 500 | Man | | | |
| H | AASHTO #57 | 500 | Man | | | |
| K | AASHTO #8 | 2000 | Man | | | |
| M | Gabion Stone | 1000 | Man | 16.90 | | |
| OA | Limestone Std Abr. | 1000 | Man | | | |
| OB | Sandstone Std Abr. | 1000 | Man | | | |
| PA | Limestone Mod Abr. | 500 | Man | | | |
| PB | Sandstone Mod Abr. | 500 | Man | | | |
| R | Shot Rock | 1000 | Man | 16.90 | | |
| V | #11 Limestone Abr. | 1000 | Man | | | |

Exhibit A.2 Pricing Schedule

VENDOR NAME Patterson Excavating, Inc.

F.O.B. Division's Storage Site - DISTRICT 2

6613C001

| Contract Item | Description of Aggregate | Estimated Quantity (TONS) | Location of DOH Storage Site | Bid Price (\$/Ton) F.O.B. DOH Storage Site | | |
|---------------------|--------------------------|---------------------------|------------------------------|--|--------------------|------------|
| | | | | LIMESTONE SANDSTONE GRAVEL, SAND | BLAST FURNACE SLAG | STEEL SLAG |
| <u>LOGAN COUNTY</u> | | | | | | |
| A | Class 1 | 2000 | Chapmanville Corr. G | | | |
| D | AASHTO #1 | 1000 | Chapmanville Corr. G | | | |
| E | AASHTO #3 | 500 | Chapmanville Corr. G | | | |
| K | AASHTO #8 | 1500 | Chapmanville Corr. G | | | |
| M | Gabion Stone | 1000 | Chapmanville Corr. G | 16.50 | | |
| OA | Limestone Std Abr. | 1000 | Chapmanville Corr. G | | | |
| OB | Sandstone Std Abr. | 1000 | Chapmanville Corr. G | | | |
| PA | Limestone Mod Abr. | 500 | Chapmanville Corr. G | | | |
| PB | Sandstone Mod Abr. | 500 | Chapmanville Corr. G | | | |
| R | Shot Rock | 1000 | Chapmanville Corr. G | 16.15 | | |
| V | #11 Limestone Abr. | 3000 | Chapmanville Corr. G | | | |

MINGO COUNTY

| | | | | | | |
|----|--------------------|------|--------------|-------|--|--|
| A | Class 1 | 5000 | Miller Creek | | | |
| D | AASHTO #1 | 500 | Miller Creek | | | |
| E | AASHTO #3 | 1000 | Miller Creek | | | |
| H | AASHTO #57 | 1000 | Miller Creek | | | |
| K | AASHTO #8 | 1500 | Miller Creek | | | |
| M | Gabion Stone | 800 | Miller Creek | 17.30 | | |
| OA | Limestone Std Abr. | 2000 | Miller Creek | | | |
| OB | Sandstone Std Abr. | 2000 | Miller Creek | | | |
| PA | Limestone Mod Abr. | 500 | Miller Creek | | | |
| PB | Sandstone Mod Abr. | 500 | Miller Creek | | | |
| R | Shot Rock | 1000 | Miller Creek | 17.20 | | |
| V | #11 Limestone Abr. | 3000 | Miller Creek | | | |

F.O.B. Division's Storage Site - DISTRICT 2

6613C001

| Contract Item | Description of Aggregate | Estimated Quantity (TONS) | Location of DOH Storage Site | Bid Price (\$/Ton) F.O.B. DOH Storage Site | | |
|---------------------|--------------------------|---------------------------|------------------------------|--|--------------------|------------|
| | | | | LIMESTONE SANDSTONE GRAVEL, SAND | BLAST FURNACE SLAG | STEEL SLAG |
| <u>MINGO COUNTY</u> | | | | | | |
| A | Class 1 | 1000 | Gilbert | | | |
| D | AASHTO #1 | 1000 | Gilbert | | | |
| E | AASHTO #3 | 500 | Gilbert | | | |
| H | AASHTO #57 | 500 | Gilbert | | | |
| K | AASHTO #8 | 500 | Gilbert | | | |
| M | Gabion Stone | 1000 | Gilbert | 15.65 | | |
| OA | Limestone Std Abr. | 200 | Gilbert | | | |
| OB | Sandstone Std Abr. | 200 | Gilbert | | | |
| PA | Limestone Mod Abr. | 200 | Gilbert | | | |
| PB | Sandstone Mod Abr. | 200 | Gilbert | | | |
| R | Shot Rock | 500 | Gilbert | 16.05 | | |
| V | #11 Limestone Abr. | 1000 | Gilbert | | | |

WAYNE COUNTY

| | | | | | | |
|----|--------------------|------|-------|--|--|--|
| A | Class 1 | 9000 | Wayne | | | |
| B | Class 2 | 8000 | Wayne | | | |
| E | AASHTO #3 | 1000 | Wayne | | | |
| G | AASHTO #467 | 2000 | Wayne | | | |
| H | AASHTO #57 | 5000 | Wayne | | | |
| I | AASHTO #67 | 2000 | Wayne | | | |
| K | AASHTO #8 | 3000 | Wayne | | | |
| M | Gabion Stone | 1000 | Wayne | | | |
| OA | Limestone Std Abr. | 2000 | Wayne | | | |
| OB | Sandstone Std Abr. | 2000 | Wayne | | | |
| PA | Limestone Mod Abr. | 200 | Wayne | | | |
| PB | Sandstone Mod Abr. | 200 | Wayne | | | |
| Q | Rip Rap | 1500 | Wayne | | | |
| R | Shot Rock | 500 | Wayne | | | |
| S | AASHTO #8M | 2000 | Wayne | | | |
| V | #11 Limestone Abr. | 2000 | Wayne | | | |

Exhibit A.2 Pricing Schedule

VENDOR NAME Patterson Excavating, Inc.

F.O.B. Division's Storage Site - DISTRICT 2

6613C001

| Contract Item | Description of Aggregate | Estimated Quantity (TONS) | Location of DOH Storage Site | Bid Price (\$/Ton) F.O.B. DOH Storage Site |
|---------------|--------------------------|---------------------------|------------------------------|--|
|---------------|--------------------------|---------------------------|------------------------------|--|

WAYNE COUNTY

| | | | | LIMESTONE SANDSTONE GRAVEL, SAND | BLAST FURNACE SLAG | STEEL SLAG |
|----|--------------------|------|-----------|----------------------------------|--------------------|------------|
| A | Class 1 | 2000 | Pritchard | | | |
| E | AASHTO #3 | 1000 | Pritchard | | | |
| G | AASHTO #467 | 1000 | Pritchard | | | |
| H | AASHTO #57 | 2000 | Pritchard | | | |
| I | AASHTO #67 | 2000 | Pritchard | | | |
| K | AASHTO #8 | 2000 | Pritchard | | | |
| M | Gabion Stone | 3000 | Pritchard | 26.75 | | |
| OA | Limestone Std Abr. | 2000 | Pritchard | | | |
| OB | Sandstone Std Abr. | 2000 | Pritchard | | | |
| PA | Limestone Mod Abr. | 500 | Pritchard | | | |
| PB | Sandstone Mod Abr. | 500 | Pritchard | | | |
| R | Shot Rock | 1000 | Pritchard | 26.50 | | |
| S | AASHTO #8M | 1000 | Pritchard | | | |
| V | #11 Limestone Abr. | 2000 | Pritchard | | | |

WAYNE COUNTY

| | | | | | | |
|----|--------------------|------|------|-------|--|--|
| A | Class 1 | 2000 | Crum | | | |
| E | AASHTO #3 | 2000 | Crum | | | |
| G | AASHTO #467 | 2000 | Crum | | | |
| H | AASHTO #57 | 2000 | Crum | | | |
| I | AASHTO #67 | 2000 | Crum | | | |
| K | AASHTO #8 | 2000 | Crum | | | |
| M | Gabion Stone | 1000 | Crum | 21.35 | | |
| OA | Limestone Std Abr. | 1000 | Crum | | | |
| OB | Sandstone Std Abr. | 1000 | Crum | | | |
| PA | Limestone Mod Abr. | 500 | Crum | | | |
| PB | Sandstone Mod Abr. | 500 | Crum | | | |
| R | Shot Rock | 1000 | Crum | 22.35 | | |
| S | AASHTO #8M | 1000 | Crum | | | |
| V | #11 Limestone Abr. | 1000 | Crum | | | |

Exhibit A.2 Pricing Schedule

VENDOR NAME Patterson Excavating, Inc.

F.O.B. Division's Storage Site - DISTRICT 2

6613C001

Bid Price (\$/Ton)

F.O.B.

DOH Storage Site

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

| |
|-----------------------|
| <u>LIMESTONE ONLY</u> |
|-----------------------|

CABELL COUNTY

| | | | | | |
|---|------------|-----------|------|---------------|--|
| E | AASHTO #3 | Limestone | 1000 | Barboursville | |
| H | AASHTO #57 | Limestone | 5000 | Barboursville | |
| I | AASHTO #67 | Limestone | 500 | Barboursville | |

LINCOLN COUNTY

| | | | | | |
|---|------------|-----------|------|-------------|--|
| E | AASHTO #3 | Limestone | 1500 | West Hamlin | |
| H | AASHTO #57 | Limestone | 2000 | West Hamlin | |
| I | AASHTO #67 | Limestone | 1000 | West Hamlin | |

LINCOLN COUNTY

| | | | | | |
|---|------------|-----------|------|--------|--|
| E | AASHTO #3 | Limestone | 2000 | Yawkey | |
| H | AASHTO #57 | Limestone | 1000 | Yawkey | |

LINCOLN COUNTY

| | | | | | |
|---|------------|-----------|-----|-------|--|
| E | AASHTO #3 | Limestone | 500 | Harts | |
| H | AASHTO #57 | Limestone | 500 | Harts | |

LOGAN COUNTY

| | | | | | |
|---|------------|-----------|------|-----------|-------|
| D | AASHTO #1 | Limestone | 1000 | Wilkinson | |
| E | AASHTO #3 | Limestone | 1000 | Wilkinson | |
| H | AASHTO #57 | Limestone | 1000 | Wilkinson | 30.50 |

LOGAN COUNTY

| | | | | | |
|---|------------|-----------|-----|-----|-------|
| H | AASHTO #57 | Limestone | 500 | Man | 33.95 |
|---|------------|-----------|-----|-----|-------|

Exhibit A.2 Pricing Schedule

VENDOR NAME Patterson Excavating, Inc.

F.O.B. Division's Storage Site - DISTRICT 2

6613C001

Bid Price (\$/Ton)

F.O.B.

DOH Storage Site

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

| |
|-----------------------|
| LIMESTONE ONLY |
|-----------------------|

LOGAN COUNTY

| | | | | | |
|---|-----------|-----------|------|----------------------|--|
| D | AASHTO #1 | Limestone | 1000 | Chapmanville Corr. G | |
| E | AASHTO #3 | Limestone | 500 | Chapmanville Corr. G | |

MINGO COUNTY

| | | | | | |
|---|------------|-----------|------|--------------|-------|
| D | AASHTO #1 | Limestone | 500 | Miller Creek | |
| E | AASHTO #3 | Limestone | 1000 | Miller Creek | |
| H | AASHTO #57 | Limestone | 1000 | Miller Creek | 33.50 |

MINGO COUNTY

| | | | | | |
|---|------------|-----------|------|---------|-------|
| D | AASHTO #1 | Limestone | 1000 | Gilbert | |
| E | AASHTO #3 | Limestone | 500 | Gilbert | |
| H | AASHTO #57 | Limestone | 500 | Gilbert | 32.05 |

WAYNE COUNTY

| | | | | | |
|---|------------|-----------|------|-------|--|
| E | AASHTO #3 | Limestone | 1000 | Wayne | |
| H | AASHTO #57 | Limestone | 5000 | Wayne | |
| I | AASHTO #67 | Limestone | 2000 | Wayne | |

WAYNE COUNTY

| | | | | | |
|---|------------|-----------|------|-----------|--|
| E | AASHTO #3 | Limestone | 1000 | Pritchard | |
| H | AASHTO #57 | Limestone | 2000 | Pritchard | |
| I | AASHTO #67 | Limestone | 2000 | Pritchard | |

WAYNE COUNTY

| | | | | | |
|---|------------|-----------|------|------|--|
| E | AASHTO #3 | Limestone | 2000 | Crum | |
| H | AASHTO #57 | Limestone | 2000 | Crum | |
| I | AASHTO #67 | Limestone | 2000 | Crum | |



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

Solicitation

| |
|----------|
| NUMBER |
| 6613C001 |

| |
|------|
| PAGE |
| 1 |

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

| | |
|----------------------------|------------------------------|
| V E N D O R | *709060334 304-946-2326 |
| | PATTERSON EXCAVATING INC |
| | PO BOX 376 |
| | MT GAY WV 25637 |

| | |
|----------------------------|------------------------------|
| S H I P T O | DIVISION OF HIGHWAYS |
| | VARIOUS LOCALES AS INDICATED |
| | BY ORDER |
| | |

| |
|--------------|
| DATE PRINTED |
| 08/24/2012 |

BID OPENING DATE: 09/05/2012 BID OPENING TIME 1:30PM

| LINE | QUANTITY | UOP | CAT. NO. | ITEM NUMBER | UNIT PRICE | AMOUNT |
|--|----------|-----|----------|--|------------|--------|
| | | | | ADDENDUM NO. 01 | | |
| | | | | ISSUED TO CHANGE BID OPENING DATE AND TIME PER THE ATTACHED DOCUMENTATION. | | |
| 0001 | 1 | EA | | 770-06 | | |
| | | | | STONE AND AGGREGATE - FALL/WINTER | | |
| ***** THIS IS THE END OF RFQ 6613C001 ***** TOTAL: | | | | | | |

| | | |
|---------------------------------------|---------------------------|-----------------------------------|
| SIGNATURE <i>Darlene Patterson</i> | TELEPHONE 304-946-2326 | DATE 8-28-12 |
| TITLE PRESIDENT | FEIN 55-0691972 | ADDRESS CHANGES TO BE NOTED ABOVE |

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

SOLICITATION NUMBER: 6613C001

Addendum Number: 1

The purpose of this addendum is to modify the solicitation identified as ("Solicitation") to reflect the change(s) identified and described below.

Applicable Addendum Category:

- Modify bid opening date and time
- Modify specifications of product or service being sought
- Attachment of vendor questions and responses
- Attachment of pre-bid sign-in sheet
- Correction of error
- Other

Description of Modification to Solicitation:

Issued to change bid opening date and time:

From: 08/29/2012 - 1:30 P.M.

To: 09/05/2012 - 1:30 P.M.

Additional Documentation: Documentation related to this Addendum (if any) has been included herewith as Attachment A and is specifically incorporated herein by reference.

Terms and Conditions:

1. All provisions of the Solicitation and other addenda not modified herein shall remain in full force and effect.
2. Vendor should acknowledge receipt of all addenda issued for this Solicitation by completing an Addendum Acknowledgment, a copy of which is included herewith. Failure to acknowledge addenda may result in bid disqualification. The addendum acknowledgement should be submitted with the bid to expedite document processing.

ATTACHMENT A

ADDENDUM ACKNOWLEDGEMENT FORM
SOLICITATION NO.: 6613C001

Instructions: Please acknowledge receipt of all addenda issued with this solicitation by completing this addendum acknowledgment form. Check the box next to each addendum received and sign below. Failure to acknowledge addenda may result in bid disqualification.

Acknowledgment: I hereby acknowledge receipt of the following addenda and have made the necessary revisions to my proposal, plans and/or specification, etc.

Addendum Numbers Received:

(Check the box next to each addendum received)

- | | |
|--|--|
| <input checked="" type="checkbox"/> Addendum No. 1 | <input type="checkbox"/> Addendum No. 6 |
| <input type="checkbox"/> Addendum No. 2 | <input type="checkbox"/> Addendum No. 7 |
| <input type="checkbox"/> Addendum No. 3 | <input type="checkbox"/> Addendum No. 8 |
| <input type="checkbox"/> Addendum No. 4 | <input type="checkbox"/> Addendum No. 9 |
| <input type="checkbox"/> Addendum No. 5 | <input type="checkbox"/> Addendum No. 10 |

I understand that failure to confirm the receipt of addenda may be cause for rejection of this bid. I further 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.

Patterson Excavating, Inc.
Company

Clarence Patterson
Authorized Signature

8-29-12
Date

NOTE: This addendum acknowledgement should be submitted with the bid to expedite document processing.
Revised 6/8/2012

State of West Virginia VENDOR PREFERENCE CERTIFICATE

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

1. **Application is made for 2.5% resident vendor preference for the reason checked:**
 Bidder is an individual resident vendor and has resided continuously in West Virginia for four (4) years immediately preceding the date of this certification; or,
 Bidder is a partnership, association or corporation resident vendor and has maintained its headquarters or principal place of business continuously in West Virginia for four (4) years immediately preceding the date of this certification; or 80% of the ownership interest of Bidder is held by another individual, partnership, association or corporation resident vendor who has maintained its headquarters or principal place of business continuously in West Virginia for four (4) years immediately preceding the date of this certification; or,
 Bidder is a nonresident vendor which has an affiliate or subsidiary which employs a minimum of one hundred state residents and which has maintained its headquarters or principal place of business within West Virginia continuously for the four (4) years immediately preceding the date of this certification; or,
2. **Application is made for 2.5% resident vendor preference for the reason checked:**
 Bidder is a resident vendor who certifies that, during the life of the contract, on average at least 75% of the employees working on the project being bid are residents of West Virginia who have resided in the state continuously for the two years immediately preceding submission of this bid; or,
3. **Application is made for 2.5% resident vendor preference for the reason checked:**
 Bidder is a nonresident vendor employing a minimum of one hundred state residents or is a nonresident vendor with an affiliate or subsidiary which maintains its headquarters or principal place of business within West Virginia employing a minimum of one hundred state residents who certifies that, during the life of the contract, on average at least 75% of the employees or Bidder's affiliate's or subsidiary's employees are residents of West Virginia who have resided in the state continuously for the two years immediately preceding submission of this bid; or,
4. **Application is made for 5% resident vendor preference for the reason checked:**
 Bidder meets either the requirement of both subdivisions (1) and (2) or subdivision (1) and (3) as stated above; or,
5. **Application is made for 3.5% resident vendor preference who is a veteran for the reason checked:**
 Bidder is an individual resident vendor who is a veteran of the United States armed forces, the reserves or the National Guard and has resided in West Virginia continuously for the four years immediately preceding the date on which the bid is submitted; or,
6. **Application is made for 3.5% resident vendor preference who is a veteran for the reason checked:**
 Bidder is a resident vendor who is a veteran of the United States armed forces, the reserves or the National Guard, if, for purposes of producing or distributing the commodities or completing the project which is the subject of the vendor's bid and continuously over the entire term of the project, on average at least seventy-five percent of the vendor's employees are residents of West Virginia who have resided in the state continuously for the two immediately preceding years.
7. **Application is made for preference as a non-resident small, women- and minority-owned business, in accordance with *West Virginia Code* §5A-3-59 and *West Virginia Code of State Rules*.**
 Bidder has been or expects to be approved prior to contract award by the Purchasing Division as a certified small, women- and minority-owned business.

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: Patterson Excavating, Inc.
Date: 8-23-12

Signed: Carmona Patterson
Title: PRESIDENT

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: Patterson Excavating, Inc.

Authorized Signature: Carona Patterson Date: 8-23-12

State of West Virginia

County of Logan, to-wit:

Taken, subscribed, and sworn to before me this 23rd day of August, 2012

My Commission expires Feb. 25, 2017.

AFFIX SEAL HERE

NOTARY PUBLIC Debra L. Dillon

