



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

# Solicitation

NUMBER
6614C025

PAGE
1

ADDRESS CORRESPONDENCE TO ATTENTION OF:
CRYSTAL RINK 304-558-2306

VENDOR

\*709033011      301-478-2400  
 ALLEGANY AGGREGATES INC  
 PO BOX 127  
 CUMBERLAND MD 21502

SHIP TO

DIVISION OF HIGHWAYS  
 VARIOUS LOCALES AS INDICATED  
 BY ORDER

DATE PRINTED
01/17/2014

BID OPENING DATE: 02/12/2014      BID OPENING TIME 1:30PM

LINE	QUANTITY	UOP	CAT NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	EA		750-35		
STONE, AGGREGATE, & CINDERS						
REQUEST FOR QUOTATION (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 1-10 AND CINDERS TO DISTRICTS 1,3,4,6, AND 7 PER THE ATTACHED SPECIFICATIONS.						
***** THIS IS THE END OF RFQ 6614C025 ***** TOTAL:						
02/11/14 10:22:02AM West Virginia Purchasing Division						

SIGNATURE	TELEPHONE 1-301-777-1777	DATE 2/10/14
TITLE VICE PRESIDENT	FEIN 52-1641964	ADDRESS CHANGES TO BE NOTED ABOVE

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

- (1) Information to show that the education and training service to the requirements of West Virginia Code § 21-1D-5 was provided;
- (2) The name of the laboratory certified by the United States Department of Health and Human Services or its successor that performs the drug tests;
- (3) The average number of employees in connection with the construction on the public improvement;
- (4) Drug test results for the following categories including the number of positive tests and the number of negative tests: (A) Pre-employment and new hires; (B) Reasonable suspicion; (C) Post-accident; and (D) Random.

Vendor should utilize the attached Certified Drug Free Workplace Report Coversheet when submitting the report required hereunder.

4. **AIA DOCUMENTS:** All construction contracts that will be completed in conjunction with architectural services procured under Chapter 5G of the West Virginia Code will be governed by the AIA A101-2007 and A201-2007 or the A107-2007 documents, as amended by the Supplementary Conditions for the State of West Virginia, in addition to the terms and conditions contained herein.
5. **SUBCONTRACTOR LIST SUBMISSION:** In accordance with W. Va. Code § 5-22-1, The apparent low bidder on a contract for the construction, alteration, decoration, painting or improvement of a new or existing building or structure valued at more than \$250,000.00 shall submit a list of all subcontractors who will perform more than \$25,000.00 of work on the project including labor and materials. This provision shall not apply to any other construction projects, such as highway, mine reclamation, water or sewer projects. Additionally, if no subcontractors who will perform more than \$25,000.00 of work are to be used to complete the project, it will be noted on the subcontractor list.
  - a. **Required Information.** The subcontractor list shall contain the following information:
    - i. Bidder's name
    - ii. Name of each subcontractor
    - iii. License numbers as required by W. Va. Code § 21-11-1 et. seq.
    - iv. Notation that no subcontractor will be used to perform more than \$25,000.00 of work, when applicable
  - b. **Submission.** The completed subcontractor list shall be provided to the Purchasing Division within one business day of the opening of bids for review. Failure to submit the subcontractor list within one business day after the deadline for submitting bids shall result in disqualification of the bid.
  - c. **Substitution of Subcontractor.** Written approval must be obtained from the State Spending Unit before any subcontractor substitution is permitted. Substitutions are not permitted unless:

**ADDENDUM ACKNOWLEDGEMENT FORM**  
**SOLICITATION NO.:**

**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.

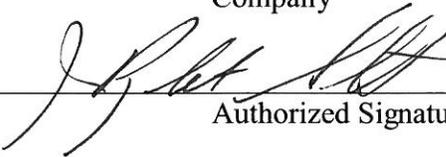
**Addendum Numbers Received:**

(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.

ALLEGANY AGGREGATES, INC  
 Company

  
 Authorized Signature

FEBRUARY 10, 2014  
 Date

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

REQUEST FOR QUOTATION  
6614C025 Stone, Aggregate and Cinders

---

orders within an established acceptable time frame after orders are received. Vendor shall ship all orders in accordance with the above schedule and shall not hold orders until a minimum delivery quantity is met. If the vendor is unable to furnish material in accordance with the established delivery schedule, the WVDOH District Engineer/Manager shall be advised in writing within five (5) working days of the reason for failure to conform to the delivery requirements.

- 6.2 Late Delivery:** The Agency placing the order under this Contract must be notified in writing within five (5) days if orders will be delayed for any reason. Any delay in delivery that could cause harm to an Agency will be grounds for cancellation of the delayed order, and/or obtaining the items ordered from a third party.

Any Agency seeking to obtain items from a third party under this provision must first obtain approval of the Purchasing Division.

- 6.3 Delivery Payment/Risk of Loss:** Standard order delivery shall be F.O.B. destination to the Agency's location. Vendor shall include the cost of standard order delivery charges in its bid pricing/discount and is not permitted to charge the Agency separately for such delivery. The Agency will pay delivery charges on all emergency orders provided that Vendor invoices those delivery costs as a separate charge with the original freight bill attached to the invoice.
- 6.4 Return of Unacceptable Items:** If the Agency deems the Contract Items to be unacceptable, the Contract Items shall be returned to Vendor at Vendor's expense and with no restocking charge. Vendor shall either make arrangements for the return within five (5) days of being notified that items are unacceptable, or permit the Agency to arrange for the return and reimburse Agency for delivery expenses. If the original packaging cannot be utilized for the return, Vendor will supply the Agency with appropriate return packaging upon request. All returns of unacceptable items shall be F.O.B. the Agency's location. The returned product shall either be replaced, or the Agency shall receive a full credit or refund for the purchase price, at the Agency's discretion.
- 6.5 Return Due to Agency Error:** Items ordered in error by the Agency will be returned for credit within 30 days of receipt, F.O.B. Vendor's location. Vendor shall not charge a restocking fee if returned products are in a resalable condition. Items shall be deemed to be in a resalable condition if they are unused and in the original packaging. Any restocking fee for items not in a resalable condition shall be the lower of the Vendor's customary restocking fee or 5% of the total invoiced value of the returned items.

REQUEST FOR QUOTATION  
6614C025 Stone, Aggregate and Cinders

---

**7. MISCELLANIOUS:**

- 7.1 No Substitutions:** Vendor shall supply only Contract Items submitted in response to the RFQ unless a contract modification is approved in accordance with the provisions contained in this Contract.
- 7.2 Vendor Supply:** Vendor must carry sufficient inventory of the Contract Items being offered to fulfill its obligations under this Contract. By signing its bid, Vendor certifies that it can supply the Contract Items contained in its bid response.
- 7.3 Reports:** Vendor shall provide quarterly reports and annual summaries to the Agency showing the Agency's items purchased, quantities of items purchased, and total dollar value of the items purchased. Vendor shall also provide reports, upon request, showing the items purchased during the term of this Contract, the quantity purchased for each of those items, and the total value of purchases for each of those items. Failure to supply such reports may be grounds for cancellation of this Contract.
- 7.4 Contract Manager:** During its performance of this Contract, Vendor must designate and maintain a primary contract manager responsible for overseeing Vendor's responsibilities under this Contract. The Contract manager must be available during normal business hours to address any customer service or other issues related to this Contract. Vendor should list its Contract manager and his or her contact information below.

Contract Manager: J. ROBERT SMITH  
Telephone Number: 1-301-777-1777  
Fax Number: 1-301-478-2717  
Email Address: ROXBUSSMITH@HEREINTOWN.NET

A.1

Vendor's Source Information

2014 Spring and Summer #6614C025

Mandatory - Vendor shall complete this schedule and return with bid documents.

<b>Limestone, Sandstone, Gravel, Sand, Blast Furnance Slag and Steel S</b>	
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)	
SHORT GAP QUARRY	BEDROCK QUARRY
SHORT GAP, WV	FLINTSTONE, MD
b) EXACT LOCATION OF VENDOR'S STORAGE SITE(S) A separate bid schedule must be submitted when bid price varies between Vendors' storage sites.	
SHORT GAP QUARRY	BEDROCK QUARRY
WAXLER ROAD	21295 NATIONAL AVE NE
SHORT GAP, WV	FLINTSTONE, MD 21530

<b>Cinders</b>	
c) SOURCE OF MATERIAL: Name and Location of plant which produces Cinder material.	
d) EXACT LOCATION OF VENDOR'S STORAGE SITE(S) A separate bid schedule must be submitted when bid price varies between Vendors' storage sites.	

Exhibit Pricing Page  
A.2

VENDOR NAME ALLEGANY AGGREGATES, Inc.

**F.O.B. Vendor's Storage Site (Items A-W) 2014 Spring and Summer #6614C025**

If the Vendor chooses to provide pickup pricing to the WVDOH, please complete the schedule below which shall include the loading of WVDOH trucks by the Vendor.

Bid Price per Ton Items A-W F.O.B. Vendor's Storage Site				
Contract Item	Description of Material	Limestone, Sandstone, Gravel, Sand	Blast Furnace Slag	Steel Slag
A	Class 1 Aggregate	9.50		
B	Class 2 Aggregate	9.50		
C	Class 10 Aggregate	9.75		
D	AASHTO #1 Aggregate	13.75		
E	AASHTO #3 Aggregate	13.75		
F	AASHTO #4 Aggregate	13.75		
G	AASHTO #467 Aggregate	—		
H	AASHTO #57 Aggregate	13.75		
I	AASHTO #67 Aggregate	13.75		
J	AASHTO #7 Aggregate	13.75		
K	AASHTO #8 Aggregate	13.75		
L	AASHTO #9 Aggregate	14.50		
M	Stone for Gabions	15.00		
N	Fine Aggregate	11.75		
OA	Limestone Standard Abrasives	9.50		
OB	Sandstone Standard Abrasives	—		
PA	Limestone Modified Abrasives	10.00		
PB	Sandstone Modified Abrasives	—		
Q	Rip Rap	15.00		
R	Shot Rock	10.50		
S	AASHTO #8 Modified	14.75		
T	AASHTO #9 Modified	14.75		
U	Pea Gravel	—		
V	#11 Limestone Abrasives	—		
W	Quarry Waste	6.25		
Haul by Vendor (Items A-W Except for Items Q and R):				
X		\$ for First Ton-Mile	1.95	
		\$ for Each Additional Ton-Mile	.95	
Haul by Vendor (Items Q and/or R only):				
Y		\$ for First Ton-Mile	2.50	
		\$ for Each Additional Ton-Mile	1.00	
AA	Cinders (include cost of Vendor loading WVDOH trucks)		—	

Exhibit Pricing Page Schedule

VENDOR NAME ALLEGANY AGGREGATES, Inc

A.3

F.O.B. Division's Storage Site - DISTRICT 5

2014 Spring & Summer #6614C025

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

GRANT COUNTY

				LIMESTONE SANDSTONE GRAVEL, SAND	BLAST FURNACE SLAG	STEEL SLAG
A	Class 1	3500	Mt. Storm			
B	Class 2	3500	Mt. Storm			
C	Class 10	1000	Mt. Storm			
J	AASHTO #7	2500	Mt. Storm			
K	AASHTO #8	1000	Mt. Storm			
OA	Limestone Std Abr.	2000	Mt. Storm			
OB	Sandstone Std Abr.	2000	Mt. Storm			
PA	Limestone Mod Abr.	2000	Mt. Storm			
PB	Sandstone Mod Abr.	2000	Mt. Storm			
Q	Riprap	500	Mt. Storm			
R	Shot Rock	2000	Mt. Storm			
S	AASHTO #8M	3000	Mt. Storm			
T	AASHTO #9M	250	Mt. Storm			

HAMPSHIRE COUNTY

B	Class 2	3000	Capon Bridge	19.10		
J	AASHTO #7	1500	Capon Bridge	19.10		
M	Gabion Stone	250	Capon Bridge	27.00		
OA	Limestone Std Abr.	2000	Capon Bridge	17.85		
OB	Sandstone Std Abr.	2000	Capon Bridge			
PA	Limestone Mod Abr.	2000	Capon Bridge	17.85		
PB	Sandstone Mod Abr.	2000	Capon Bridge			
Q	Riprap	250	Capon Bridge	24.00		
S	AASHTO #8M	1000	Capon Bridge	19.35		

HAMPSHIRE COUNTY

B	Class 2	3000	Slanesville	15.75		
J	AASHTO #7	1500	Slanesville	17.75		
M	Gabion Stone	250	Slanesville	23.50		
PB	Sandstone Mod Abr.	2000	Slanesville			
S	AASHTO #8M	1500	Slanesville	22.75		

Exhibit Pricing Page Schedule  
A.3

VENDOR NAME ALLEGANY AGGREGATES, INC

F.O.B. Division's Storage Site - DISTRICT 5

2014 Spring & Summer #6614C025

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>HAMPSHIRE COUNTY</u>						
B	Class 2	3000	Romney	15.35		
E	AASHTO #3	1000	Romney	18.85		
J	AASHTO #7	3000	Romney	18.35		
K	AASHTO #8	1000	Romney	18.35		
M	Gabion Stone	500	Romney	22.00		
OA	Limestone Std Abr.	3000	Romney	15.85		
OB	Sandstone Std Abr.	3000	Romney			
PA	Limestone Mod Abr.	3000	Romney	16.35		
PB	Sandstone Mod Abr.	3000	Romney			
Q	Riprap	500	Romney	22.50		
S	AASHTO #8M	1800	Romney	19.30		
W	Quarry Waste	500	Romney	13.85		

HARDY COUNTY

A	Class 1	1000	Baker			
B	Class 2	2500	Baker			
C	Class 10	1000	Baker			
E	AASHTO #3	100	Baker			
H	AASHTO #57	500	Baker			
J	AASHTO #7	2500	Baker			
L	AASHTO #9	1500	Baker			
M	Gabion Stone	500	Baker			
OA	Limestone Std Abr.	5000	Baker			
OB	Sandstone Std Abr.	5000	Baker			
PA	Limestone Mod Abr.	5000	Baker			
PB	Sandstone Mod Abr.	5000	Baker			
Q	Riprap	500	Baker			
R	Shot Rock	500	Baker			
S	AASHTO #8M	4000	Baker			

Exhibit Pricing Page Schedule

VENDOR NAME ALLEGANY AGGREGATES Inc

A.3

F.O.B. Division's Storage Site - DISTRICT 5

2014 Spring &amp; Summer #6614C025

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>MINERAL COUNTY</u>						
Q	Riprap	3000	Burlington			

MINERAL COUNTY

A	Class 1	1000	New Creek	15.25		
B	Class 2	2000	New Creek	15.25		
C	Class 10	1000	New Creek	15.25		
E	AASHTO #3	1000	New Creek	19.90		
J	AASHTO #7	3500	New Creek	19.90		
K	AASHTO #8	3000	New Creek	19.90		
L	AASHTO #9	500	New Creek	26.75		
M	Gabion Stone	500	New Creek	21.75		
OA	Limestone Std Abr.	2500	New Creek	17.00		
OB	Sandstone Std Abr.	2500	New Creek			
PA	Limestone Mod Abr.	2500	New Creek	18.00		
PB	Sandstone Mod Abr.	2500	New Creek			
Q	Riprap	500	New Creek	22.00		
R	Shot Rock	500	New Creek	19.95		
S	AASHTO #8M	3000	New Creek	21.00		
T	AASHTO #9M	1500	New Creek	23.25		
W	Quarry Waste	500	New Creek	11.50		

MINERAL COUNTY

A	Class 1	1500	Short Gap	14.75		
B	Class 2	1000	Short Gap	14.75		
C	Class 10	1000	Short Gap	14.75		
J	AASHTO #7	1000	Short Gap	18.60		
K	AASHTO #8	1000	Short Gap	18.60		
M	Gabion Stone	500	Short Gap	21.25		
OA	Limestone Std Abr.	1500	Short Gap	17.75		
OB	Sandstone Std Abr.	1500	Short Gap			
PA	Limestone Mod Abr.	1500	Short Gap	18.75		
PB	Sandstone Mod Abr.	1500	Short Gap			
Q	Riprap	500	Short Gap	21.25		
R	Shot Rock	500	Short Gap	19.75		
S	AASHTO #8M	1500	Short Gap	20.75		

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

<u>MINERAL COUNTY</u>				LIMESTONE SANDSTONE GRAVEL, SAND	BLAST FURNACE SLAG	STEEL SLAG
A	Class 1	1500	Skyline			
B	Class 2	2000	Skyline			
C	Class 10	1000	Skyline			
J	AASHTO #7	1500	Skyline			
K	AASHTO #8	1000	Skyline			
M	Gabion Stone	500	Skyline			
OA	Limestone Std Abr.	2000	Skyline			
OB	Sandstone Std Abr.	2000	Skyline			
PA	Limestone Mod Abr.	2000	Skyline			
PB	Sandstone Mod Abr.	2000	Skyline			
Q	Riprap	500	Skyline			
R	Shot Rock	500	Skyline			
S	AASHTO #8M	1500	Skyline			

MORGAN COUNTY

A	Class 1	2000	Berkeley Springs	18.75		
B	Class 2	2500	Berkeley Springs	18.75		
C	Class 10	1000	Berkeley Springs	18.75		
E	AASHTO #3	500	Berkeley Springs	21.75		
H	AASHTO #57	500	Berkeley Springs	21.75		
J	AASHTO #7	2500	Berkeley Springs	21.75		
K	AASHTO #8	2000	Berkeley Springs	21.75		
OA	Limestone Std Abr.	1500	Berkeley Springs	17.75		
OB	Sandstone Std Abr.	1500	Berkeley Springs			
PA	Limestone Mod Abr.	1500	Berkeley Springs	19.75		
PB	Sandstone Mod Abr.	1500	Berkeley Springs			
Q	Riprap	500	Berkeley Springs	28.25		
R	Shot Rock	500	Berkeley Springs	19.75		
S	AASHTO #8M	2500	Berkeley Springs	22.75		
T	AASHTO #9M	750	Berkeley Springs	22.75		
W	Quarry Waste	500	Berkeley Springs	15.75		

Exhibit Pricing Page Schedule  
A.3

VENDOR NAME ALLEGANY AGGREGATES, INC

F.O.B. Division's Storage Site - DISTRICT 5

2014 Spring & Summer #6614C025

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>MORGAN COUNTY</u>						
A	Class 1	1000	Largent - SR 9	17.80		
B	Class 2	1000	Largent - SR 9	17.80		
C	Class 10	1000	Largent - SR 9	17.80		
J	AASHTO #7	1000	Largent - SR 9	19.00		
K	AASHTO #8	1000	Largent - SR 9	19.00		
M	Gabion Stone	500	Largent - SR 9	24.50		
OA	Limestone Std Abr.	1000	Largent - SR 9	19.35		
OB	Sandstone Std Abr.	1000	Largent - SR 9			
PA	Limestone Mod Abr.	1000	Largent - SR 9	19.85		
PB	Sandstone Mod Abr.	1000	Largent - SR 9			
Q	Riprap	500	Largent - SR 9	25.00		
R	Shot Rock	500	Largent - SR 9	24.25		
S	AASHTO #8M	1000	Largent - SR 9	20.25		

MORGAN COUNTY

B	Class 2	500	Largent - CR 9/14	17.80		
C	Class 10	1000	Largent - CR 9/14	17.80		
J	AASHTO #7	500	Largent - CR 9/14	18.75		
K	AASHTO #8	500	Largent - CR 9/14	18.75		
M	Gabion Stone	500	Largent - CR 9/14	24.75		

RFQ No. 66140025

STATE OF WEST VIRGINIA  
Purchasing Division

**PURCHASING AFFIDAVIT**

**MANDATE:** Under W. Va. Code §5A-3-10a, 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: (1) the debt owed is an amount greater than one thousand dollars in the aggregate; or (2) the debtor is in employer default.

**EXCEPTION:** The prohibition listed above does not apply where a vendor has contested any tax administered pursuant to chapter eleven of the W. Va. 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.

**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.

**"Employer default"** means having an outstanding balance or liability to the old fund or to the uninsured employers' fund or being in policy default, as defined in W. Va. Code § 23-2c-2, failure to maintain mandatory workers' compensation coverage, or failure to fully meet its obligations as a workers' compensation self-insured employer. An employer is not in employer default if it has entered into a repayment agreement with the Insurance Commissioner and remains in compliance with the obligations under the repayment agreement.

**"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.

**AFFIRMATION:** By signing this form, the vendor's authorized signer affirms and acknowledges under penalty of law for false swearing (W. Va. Code §61-5-3) that neither vendor nor any related party owe a debt as defined above and that neither vendor nor any related party are in employer default as defined above, unless the debt or employer default is permitted under the exception above.

**WITNESS THE FOLLOWING SIGNATURE:**

Vendor's Name: ALLEGANY DISBURGMENTS, INC

Authorized Signature: [Signature] Date: FEBRUARY 7, 2014

State of Maryland

County of Allegany, to-wit:

Taken, subscribed, and sworn to before me this 7<sup>th</sup> day of February, 2014.

My Commission expires 11/3, 2017.

AFFIX SEAL HERE

NOTARY PUBLIC [Signature]

Rev. 07/12

## 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 that 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: ALLEGANY AGGREGATES, INC.

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

Date: FEBRUARY 7, 2014

Title: VICED PRESIDENT



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

**Solicitation**

NUMBER
6614C025

PAGE
1

ADDRESS CORRESPONDENCE TO ATTENTION OF
CRYSTAL RINK
304-558-2306

\*709033011 301-478-2400

VENDOR

ALLEGANY AGGREGATES INC  
 PO BOX 127

CUMBERLAND MD 21502

SHIP TO

DIVISION OF HIGHWAYS  
 VARIOUS LOCALES AS INDICATED  
 BY ORDER

DATE PRINTED
01/24/2014

BID OPENING DATE: 02/12/2014

BID OPENING TIME 1:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
ADDENDUM NO.01						
THIS ADDENDUM HAS BEEN ISSUED TO CORRECT PAGE 8 OF THE ORIGINAL SOLICITATION.						
COMMERICAL GENERAL LIABILITY BOX WAS INADVERTENTLY NOT CHECKED ON THE ORIGINAL VERSION OF THE SOLICITATION.						
0001	1	EA		750-35		
STONE, AGGREGATE, & CINDERS						
***** THIS IS THE END OF RFQ 6614C025 ***** TOTAL:						

SIGNATURE <i>[Signature]</i>	TELEPHONE 301-777-1777	DATE February 10, 2014
TITLE Vice President	FEIN 52-1641964	ADDRESS CHANGES TO BE NOTED ABOVE

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

SOLICITATION NUMBER: 6614C025  
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:**

To reissue page 8 of the solicitation. The Commercial Liability box was inadvertently not checked, proof of insurance is necessary for this RFQ.

**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

**BID BOND:** All Vendors shall furnish a bid bond in the amount of five percent (5%) of the total amount of the bid protecting the State of West Virginia. The bid bond must be submitted with the bid.

**PERFORMANCE BOND:** The apparent successful Vendor shall provide a performance bond in the amount of \_\_\_\_\_ . The performance bond must be issued and received by the Purchasing Division prior to Contract award. On construction contracts, the performance bond must be 100% of the Contract value.

**LABOR/MATERIAL PAYMENT BOND:** The apparent successful Vendor shall provide a labor/material payment bond in the amount of 100% of the Contract value. The labor/material payment bond must be issued and delivered to the Purchasing Division prior to Contract award.

In lieu of the Bid Bond, Performance Bond, and Labor/Material Payment Bond, the Vendor may provide certified checks, cashier's checks, or irrevocable letters of credit. Any certified check, cashier's check, or irrevocable letter of credit provided in lieu of a bond must be of the same amount and delivered on the same schedule as the bond it replaces. A letter of credit submitted in lieu of a performance and labor/material payment bond will only be allowed for projects under \$100,000. Personal or business checks are not acceptable.

**MAINTENANCE BOND:** The apparent successful Vendor shall provide a two (2) year maintenance bond covering the roofing system. The maintenance bond must be issued and delivered to the Purchasing Division prior to Contract award.

**WORKERS' COMPENSATION INSURANCE:** The apparent successful Vendor shall have appropriate workers' compensation insurance and shall provide proof thereof upon request.

**INSURANCE:** The apparent successful Vendor shall furnish proof of the following insurance prior to Contract award and shall list the state as a certificate holder:

**Commercial General Liability Insurance:**  
\$250,000.00  or more.

**Builders Risk Insurance:** builders risk – all risk insurance in an amount equal to 100% of the amount of the Contract.

**Note:** Current Certificate of Liability Insurance and Worker's Compensation should be submitted with bid

**Certificate Holder to Read:**

Division of Highways

1900 Kanawha Blvd. East, Charleston, WV 25305.

**ADDENDUM ACKNOWLEDGEMENT FORM**  
**SOLICITATION NO.: 6614C025**

**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.

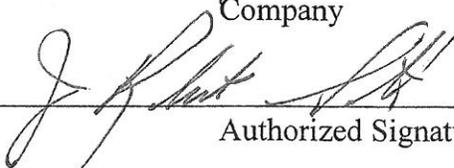
**Addendum Numbers Received:**

(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.

ALLEGANY REGULATORS, INC.  
 Company

  
 Authorized Signature

2-5-14  
 Date

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

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
2/05/2014

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER <b>CBIZ Insurance Svcs., Inc.</b> 44 Baltimore Street Cumberland, MD 21502 301 777-1500	CONTACT NAME: <b>Kimberly L. Smith</b>
	PHONE (A/C, No, Ext): <b>301 777-1500</b> FAX (A/C, No): <b>855-288-6106</b> E-MAIL ADDRESS: <b>klsmith@cbiz.com</b>
INSURED  <b>Allegany Aggregates, Inc.</b> 21235 National Pike, NE Flintstone, MD 21530	INSURER(S) AFFORDING COVERAGE INSURER A : <b>Travelers Property Casualty Co</b> NAIC # <b>25674</b>
	INSURER B : <b>Rockwood Casualty Insurance Com</b> <b>35505</b>
	INSURER C :
	INSURER D :
	INSURER E :
	INSURER F :

COVERAGES      CERTIFICATE NUMBER:      REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> BI/PD Ded:10000 GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC			Y6300152L504TIL13	12/31/2013	12/31/2014	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$100,000 MED EXP (Any one person) \$5,000 PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COMP/OP AGG \$2,000,000 \$
A	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO ALL OWNED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> SCHEDULED AUTOS NON-OWNED AUTOS			810202D1083TIL13	12/31/2013	12/31/2014	COMBINED SINGLE LIMIT (Ea accident) \$1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input checked="" type="checkbox"/> RETENTION \$0			CUP202D1095TIL13	12/31/2013	12/31/2014	EACH OCCURRENCE \$15,000,000 AGGREGATE \$15,000,000 \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		N/A	WC455698	12/31/2013	12/31/2014	<input checked="" type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$1,000,000 E.L. DISEASE - EA EMPLOYEE \$1,000,000 E.L. DISEASE - POLICY LIMIT \$1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

\*\* Workers Comp Information \*\*

Voluntary Compensation ; Other States Coverage

WORKERS COMPENSATION BROAD FORM ENDORSEMENT - WV Location #-2

Form# WC990301 Edt Date: 06/01/10 Lmt-1,000,000 Lmt-1,000,000

Lmt-1,000,000

(See Attached Descriptions)

CERTIFICATE HOLDER

CANCELLATION

Division of Highways  
 1900 Kanawha Boulevard  
 Charleston, WV 25305

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

*Gregory P. George*