



Purchasing Division
 2019 Washington Street East
 Post Office Box 50130
 Charleston, WV 25305-0130

State of West Virginia
 Request for Quotation
 19 - Highways

Proc Folder: 356002

Doc Description: STONE AGGREGATE CINDERS 2018 MATERIAL & PICKUP BY WVDOH

Proc Type: Central Master Agreement

| Date Issued | Solicitation Closes | Solicitation No | Version |
|-------------|------------------------|-------------------------|---------|
| 2017-09-07 | 2017-09-19 13:30:00 | CRFQ 0803 DOT1800000019 | 1 |

BID RECEIVING LOCATION

BID CLERK
 DEPARTMENT OF ADMINISTRATION
 PURCHASING DIVISION
 2019 WASHINGTON ST E
 CHARLESTON WV 25305
 US

VENDOR

Vendor Name, Address and Telephone Number:

*Scary Creek Materials
 P.O. Box 1798
 Saint Albans, WV 25177*

09/15/17 12:37:21
 WV Purchasing Division

FOR INFORMATION CONTACT THE BUYER

Mark A Atkins
 (304) 558-2307
 mark.a.atkins@wv.gov

[Handwritten Signature]

FEIN #

55-0710237

DATE

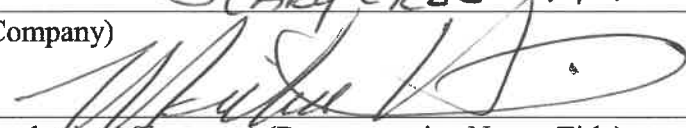
9/15/17

All offers subject to all terms and conditions contained in this solicitation

DESIGNATED CONTACT: Vendor appoints the individual identified in this Section as the Contract Administrator and the initial point of contact for matters relating to this Contract.

Michael DeViesb
(Name, Title)
GENERAL MANAGER
(Printed Name and Title)
PO. Box 1798, SAINT ALBAN: NJ 25177
(Address)
304-755-3636
(Phone Number) / (Fax Number)
MIKED@SCARYCREEKMATERIALS.COM
(email address)

CERTIFICATION AND SIGNATURE: By signing below, or submitting documentation through wvOASIS, I certify that I have reviewed this Solicitation in its entirety; that I understand the requirements, terms and conditions, and other information contained herein; that this bid, offer or proposal constitutes an offer to the State that cannot be unilaterally withdrawn; that the product or service proposed meets the mandatory requirements contained in the Solicitation for that product or service, unless otherwise stated herein; that the Vendor accepts the terms and conditions contained in the Solicitation, unless otherwise stated herein; that I am submitting this bid, offer or proposal for review and consideration; that I am authorized by the vendor to execute and submit this bid, offer, or proposal, or any documents related thereto on vendor's behalf; that I am authorized to bind the vendor in a contractual relationship; and that to the best of my knowledge, the vendor has properly registered with any State agency that may require registration.

SCARY CREEK MATERIALS
(Company)

(Authorized Signature) (Representative Name, Title)
MICHAEL DEVIESB GENERAL MANAGER.
(Printed Name and Title of Authorized Representative)
SEP 15, 2017
(Date)
304-755-3636 FAX 304-755-3637
(Phone Number) (Fax Number)

Pricing Page, Exhibit A

Vendor Name: SCARY CREEK MATERIALS

Material and pick up by WVDOH forces from the Vendor's Storage Site, ONLY.

| | | Bid Price per Ton Items A-W and AA 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 | \$ 20.20 | \$ - | \$ - |
| B | Class 2 Aggregate | \$ 20.20 | \$ - | \$ - |
| C | Class 10 Aggregate | \$ 16.30 | \$ - | \$ - |
| D | AASHTO #1 Aggregate | \$ 20.40 | \$ - | \$ - |
| E | AASHTO #3 Aggregate | \$ 20.40 | \$ - | \$ - |
| F | AASHTO #4 Aggregate | \$ 20.40 | \$ - | \$ - |
| G | AASHTO #467 Aggregate | \$ 20.65 | \$ - | \$ - |
| H | AASHTO #57 Aggregate | \$ 20.65 | \$ - | \$ - |
| I | AASHTO #67 Aggregate | \$ 20.65 | \$ - | \$ - |
| J | AASHTO #7 Aggregate | NB | \$ - | \$ - |
| K | AASHTO #8 Aggregate | \$ 21.15 | \$ - | \$ - |
| L | AASHTO #9 Aggregate | NB | \$ - | \$ - |
| M | Stone for Gabions | \$ 27.00 | \$ - | \$ - |
| N | Fine Aggregate | \$ 17.00 | \$ - | \$ - |
| OA | Limestone Standard Abrasives | \$ 17.00 | \$ - | \$ - |
| OB | Sandstone Standard Abrasives | \$ 17.00 | \$ - | \$ - |
| PA | Limestone Modified Abrasives | \$ 17.00 | \$ - | \$ - |
| PB | Sandstone Modified Abrasives | \$ 17.00 | \$ - | \$ - |
| Q | Rip Rap | \$ 29.75 | \$ - | \$ - |
| R | Shot Rock | \$ 29.75 | \$ - | \$ - |
| S | AASHTO #8 Modified | \$ 21.80 | \$ - | \$ - |
| T | AASHTO #9 Modified | NB | \$ - | \$ - |
| U | Pea Gravel | \$ 18.40 | \$ - | \$ - |
| V | #11 Limestone Abrasives | \$ 18.80 | \$ - | \$ - |
| W | Quarry Waste | \$ 11.00 | \$ - | \$ - |
| | | | | |
| AA | Cinders | \$ - | | |

STATE OF WEST VIRGINIA
Purchasing Division

PURCHASING AFFIDAVIT

CONSTRUCTION CONTRACTS: Under W. Va. Code § 5-22-1(i), the contracting public entity shall not award a construction contract to any bidder that is known to be in default on any monetary obligation owed to the state or a political subdivision of the state, including, but not limited to, obligations related to payroll taxes, property taxes, sales and use taxes, fire service fees, or other fines or fees.

ALL OTHER CONTRACTS: 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: (1) for construction contracts, the vendor is not in default on any monetary obligation owed to the state or a political subdivision of the state, and (2) for all other contracts, 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: SCARY CREEK MATERIALS

Authorized Signature: [Signature] Date: 9/15/17

State of West Virginia

County of Putnam, to-wit:

Taken, subscribed, and sworn to before me this 15th day of September, 2017.

My Commission expires July 23, 2023.



NOTARY PUBLIC [Signature]

West Virginia Ethics Commission

Disclosure of Interested Parties to Contracts

Contracting business entity: CENTRAL CONSTRUCTION dba SCARY CREEK MATERIALS

Address: P.O BOX 1798, SAINT ALBANS .WV 25177

Contracting business entity's authorized agent: MICHAEL DEVIESE

Address: P.O BOX 1798, SAINT ALBANS , WV 25177

Number or title of contract: GENERAL MANAGER

Type or description of contract: STONE AGGREGATES

Governmental agency awarding contract: DOH

Names of each Interested Party to the contract known or reasonably anticipated by the contracting business entity (attach additional pages if necessary):

STEVE CVECHKO OWNER CENTRAL CONSRUCTION CO

Signature: [Handwritten Signature]

55-0710234
Date Signed: 9/15/17

Check here if this is a Supplemental Disclosure.

Verification

State of West Virginia, County of Putnam

I, Phala M Shafer, the authorized agent of the contracting business entity listed above, being duly sworn, acknowledges that the Disclosure herein is being made under oath and under the penalty of perjury.

Taken, sworn to and subscribed before me this 15th day of September, 2017.



[Handwritten Signature]
Notary Public's Signature

To be completed by State Agency:

Date Received by State Agency:

Date submitted to Ethics Commission:

Governmental agency submitting Disclosure:

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 Vendor Preference, if applicable.

1. Application is made for 2.5% 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;
- Bidder is a resident vendor partnership, association, or corporation with at least eighty percent of ownership interest of bidder held by another entity that meets the applicable four year residency requirement; **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% 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% vendor preference for the reason checked:

- Bidder is a nonresident vendor that employs a minimum of one hundred state residents, or a nonresident vendor which has an affiliate or subsidiary which maintains its headquarters or principal place of business within West Virginia and employs a minimum of one hundred state residents, and for purposes of producing or distributing the commodities or completing the project which is the subject of the bidder's bid and continuously over the entire term of the project, on average at least seventy-five percent of the bidder's employees or the bidder's affiliate's or subsidiary's employees are residents of West Virginia who have resided in the state continuously for the two immediately preceding years and the vendor's bid; **or**,

4. Application is made for 5% 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% 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% 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) rescind the contract or purchase order; 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.

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: SCARY CREEK MATERIAL _____

Signed:  _____

Date: 9/15/17 _____

Title: GENERAL MANAGER _____

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