



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

State of West Virginia
Purchase Order

Order Date: 07-10-2023

CORRECT ORDER NUMBER MUST APPEAR ON ALL PACKAGES, INVOICES, AND SHIPPING PAPERS. QUESTIONS CONCERNING THIS ORDER SHOULD BE DIRECTED TO THE DEPARTMENT CONTACT.

Order Number:	CPO 0803 0558 DOT1900000040 9	Procurement Folder:	538222
Document Name:	05190228 PRESTRESSED CONCRETE BOX BEAMS	Reason for Modification:	Change Order No. 1 - to cancel the contract in its entirety.
Document Description:	Roll Document from 2020 to 2021		
Procurement Type:	Central Purchase Order		
Buyer Name:	Crystal G Husted		
Telephone:	(304) 558-2402		
Email:	crystal.g.husted@wv.gov		
Shipping Method:	Best Way	Effective Start Date:	
Free on Board:	FOB Dest, Freight Prepaid	Effective End Date:	

VENDOR		DEPARTMENT CONTACT	
Vendor Customer Code:	VS0000001756	Requestor Name:	Laranda L Baldwin
CXT INC		Requestor Phone:	(304) 289-3521
PO Box 265		Requestor Email:	laranda.l.baldwin@wv.gov
Waverly	WV 26184-0265	<div style="font-size: 48pt; font-weight: bold;">24</div> <div style="font-weight: bold;">FILE LOCATION _____</div>	
US			
Vendor Contact Phone:	304-850-6304 Extension: 315		
Discount Details:			
	Discount Allowed Discount Percentage Discount Days		
#1	No 0.0000 0		
#2	Not Entered		
#3	Not Entered		
#4	Not Entered		

INVOICE TO	SHIP TO
DIVISION OF HIGHWAYS DISTRICT FIVE PO BOX 99 BURLINGTON WV 26710 US	DIVISION OF HIGHWAYS DISTRICT FIVE 2120 NORTHWEST TURNPIKE BURLINGTON WV 26710-0099 US

7-12-23 RAT

Total Order Amount:	\$0.00
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Purchasing Division's File Copy

ENTERED

MKP 07/11/2023

PURCHASING DIVISION AUTHORIZATION DATE: <i>Tara Hye 7/11/2023</i> ELECTRONIC SIGNATURE ON FILE	ATTORNEY GENERAL APPROVAL AS TO FORM DATE: <i>John L. Gray</i> ELECTRONIC SIGNATURE ON FILE	ENCUMBRANCE CERTIFICATION DATE: <i>Beverly Tolson 7-17-23</i> ELECTRONIC SIGNATURE ON FILE
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7/15/2023

Extended Description:

Change Order No. 1 - to cancel the contract in its entirety effective 08/11/2023.

No other changes.

Line	Commodity Code	Quantity	Unit	Unit Price	Total Price
1	30103619	0.00000	EA	6950.000000	0.00
Service From	Service To	Manufacturer		Model No	

Commodity Line Description: EXTERIOR BEAMS

Extended Description:

17" DEPTH X 36" WIDTH BY 37'-6" OVERALL LENGTH (36'0" C-C BEARING ANCHOR BOLT HOLES) COMPATIBLE WITH ALL GUARDRAIL, INSERTS, GUARDRAIL POSTS, AND GUARDRAIL ATTACHED

Line	Commodity Code	Quantity	Unit	Unit Price	Total Price
2	30103619	0.00000	EA	6470.000000	0.00
Service From	Service To	Manufacturer		Model No	

Commodity Line Description: INTERIOR BEAMS

Extended Description:

17" DEPTH X 36" WIDTH BY 37'-6" OVERALL LENGTH (36'0" C-C BEARING ANCHOR BOLT HOLES)

Line	Commodity Code	Quantity	Unit	Unit Price	Total Price
3	30103619	0.00000	EA	120.000000	0.00
Service From	Service To	Manufacturer		Model No	

Commodity Line Description: ELASTOMERIC BEARING PADS

Extended Description:

A1 (20) = 1-1/4" HEIGHT BY 28" WIDTH BY 4-3/4" LENGTH

Line	Commodity Code	Quantity	Unit	Unit Price	Total Price
4	30103619	0.00000	EA	5.000000	0.00
Service From	Service To	Manufacturer		Model No	

Commodity Line Description: EXTERIOR BEAMS

Extended Description:

17" DEPTH X 36" WIDTH BY 37'-6" OVERALL LENGTH (36'0" C-C BEARING ANCHOR BOLT HOLES) COMPATIBLE WITH ALL GUARDRAIL, INSERTS, GUARDRAIL POSTS, AND GUARDRAIL ATTACHED

Line	Commodity Code	Quantity	Unit	Unit Price	Total Price
5	30103619	0.00000	LF	5.000000	0.00
Service From	Service To	Manufacturer		Model No	

Commodity Line Description: PREFORMED JOINT FILTER

Extended Description:

1" THICK BY 17 1/4" WIDTH (70 LF) 1-1/2" THICK BY 6-5/16" WIDTH (70 LF) 1-1/2" THICK BY 4-3/4" WIDTH (18 LF)

Line	Commodity Code	Quantity	Unit	Unit Price	Total Price
6	30103619	0.00000	EA	464.000000	0.00
Service From	Service To	Manufacturer	Model No		

Commodity Line Description: POST TENSIONING BARS

Extended Description:

POST TENSIONING BARS TYPE Z (3) = 1" DIAMETER BY 36' LENGTH THREADED AND SUPPLIED WITH ALL PLATES, HEX NUTS, AND OTHER HARDWARE AS REQUIRED IN PLANS



WEST VIRGINIA DEPARTMENT OF TRANSPORTATION

Division of Highways

Office of the District Engineer/Manager

District Five

Post Office Box 99 · Burlington, West Virginia 26710-0099 · (304) 289-3521

Gregory L. Bailey, P.E.
Interim
State Highway Engineer

Jimmy Wriston, P. E.
Secretary of Transportation
Commissioner of Highways

June 12, 2023

TO: Purchasing Division

Thru: DOT Procurement
Kristy James, Procurement Officer

From: Division of Highways
District Five
Bridge Department (0598)

RE: CPO 0803 0558 DOT19*40 (05190228) Prestressed Concrete Box Beams

The Middle Fork Bridge replacement project (S312-5-9.98, SM1070M) has been delayed for about three years for various reasons. The purpose of this memorandum is to present the timeline and reasons for the delay in starting this project, as well as inform the reader about the request from CXT (Carr) Concrete for price adjustment to an outdated PO and the reimbursement of ruined materials due. The resultant of this memorandum is to seek the acceptance of the Purchasing Division to allow Carr to adjust the original Purchase Order (PO)(CPO_0803_0558_DOT1900000040) (Dated: 6/14/2019) to reflect the current market prices for materials to be supplied to the Middle Fork project or if the best action is to cancel the aforementioned PO and rebid the materials for this project. Also, acceptance of reimbursement that Carr is claiming a loss of material due to the extended storage of those materials has caused them to become unusable.

The process to design the replacement structure, obtain Right-of-Way (ROW)/permits, make agreements with utility companies for relocation, and acquire materials for the Middle Fork Bridge project began in 2018. During this time, the determination of an on-site constructed detour or a routed detour using acceptable local roads was among the concerns moving the project forward. Another concern, that can take time during the design phase, was a couple of major utilities (water and electric) that would need to be relocated. However, these concerns are not out of the ordinary for a full bridge replacement project. Otherwise, this structure was on full-height concrete abutments and have a prestressed concrete box beam superstructure, wider than the original structure, that was like other bridge replacement projects completed by the West Virginia Division of Highways (WVDOH) District 5 Bridge Department (0598).

Purchasing Division

June 12, 2023

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The on-site detour (runaround) idea was scrapped during the preliminary acquisition of ROW/Temporary Construction Easement (TCE) because of a septic field being adjacent to the project site and the landowner not being cooperative. It was determined that the best course of action was to close the existing bridge and utilize a routed detour. The ROW/TCE needed to reroute utilities and to widen the replacement bridge to handle all types of traffic would be required. These determinations would move the project forward to finishing the bridge structure design and acquiring materials.

On January 11, 2019, a Request for Quotation (RFQ) was submitted to Purchasing through the District 5 Bridge Department (0598). The PO was awarded to Carr on June 14, 2019 for the amount of \$77,302.00 to provide the prestressed box beam superstructure for the project. At this point in the year (June), it was determined to start the project at the beginning of the construction season in March 2020 would be better, instead of having an active project with a closed bridge during winter. This allowed for the completion of current bridge construction projects, other than Middle Fork, to be finished up during this construction season 2019.

The shop drawings from Carr, for the fabrication of the beams, was approved by 0598 on March 2, 2020. On March 18, 2020 the WVDOH informed its employees that all non-essential personnel were to be working from home during the foreseeable future due to the Coronavirus Pandemic. An email was sent to Carr concrete that the WVDOH has placed a moratorium on starting new projects on March 19, 2020. An agreement with Potomac Edison to relocate an electric line was made on May 12, 2020.

On October 30, 2020, an email was sent to Carr informing them that the Middle Fork Project may be delayed until 2022 or early 2023. The reason for this delay was the planning of projects using the new method of using the ABC budget as a funding source of District 5. The uncertainty of the length of the pandemic and current highway funding was unsure, as personnel were still working from home. The bridge repair crews (0598) were considered essential but were tasked with building a 72x140 salt shed during this time to help comply with pandemic regulations. This salt shed would take about 10 months to complete during the pandemic.

Starting July 2021, 0598 agreed to use General Fund Surplus funding to replace the superstructure of 6 bridges other than Middle Fork. 0598 was instructed not to do any other projects until the general fund surplus projects were complete. During this time, the ROW issues for Middle Fork were resolved. On April 13, 2022, 0598 had the ROW certificate. Potomac Edison has been contacted to schedule the power line relocation.

On July 22, 2022, Carr inquired as to the status of the Middle Fork Bridge project. They informed 0598 that the prices of prestressed concrete box beams were no longer reflective of the price of the original PO in June 2019. Carr would like to submit for a price adjustment. 0598 inquired to the purchasing department of the WVDOH as this is not common to adjust pricing of a PO. On August 8, 2022, 0598 was informed that price

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adjustments are seldom done and the PO should be cancelled and let for competitive bid again. Carr concrete was informed about the pending rebid. On the same day, Carr brought forth that raw materials were purchased for the fabrication of the Middle Fork Beams and they incurred cost that they could not recoup with the cancellation of the PO. 0598 asked Carr to submit an estimate of the materials lost and the market adjustment for the beams. That information from Carr, by email is as follows:

Below are the costs of materials to be disposed as well as the estimated increase amount based on today's material market:

Middle Fork materials to be disposed:

Steel - \$5,636.50

Voids - \$709.28

Total: \$6,435.80 disposal cost

Price above current PO (\$77,302) to reflect current market pricing: \$25,212 (\$102,514 current estimated new price)

In conclusion, the Middle Fork Bridge replacement project (S312-5-9.98, SM1070M) has been delayed because of ROW issues, the Coronavirus pandemic, and General Fund Surplus projects. The PO for the prestressed concrete box beams was awarded to Carr Concrete for \$77,302.00 in June 2019. According to Carr, with the amount of time past, some of the raw materials that Carr purchased to now become useless. The current market price for the fabrication of this materials is now much higher and Carr is requesting the adjustment to the original PO to account for this increase.

The determination of the acceptance of having a price adjustment by Carr for the increase in materials/labor for the fabrication of the beams on the Middle Fork project or cancellation of the PO for rebid is needed. The determination of the reimbursement for ruined materials is, also, needed. This memorandum states the WVDOH 0598 reasons and timeline for not needing the PO materials for the Middle Fork Project.



Lyle, Tara L <tara.l.lyle@wv.gov>

Fwd: Issues with CPO DOT 19*40 & DOT 20*32

1 message

James, Kristy E <kristy.e.james@wv.gov>

Mon, May 15, 2023 at 7:39 AM

To: Tara L Lyle <Tara.L.Lyle@wv.gov>, John W Estep <John.W.Estep@wv.gov>, Dusty J Smith <dusty.j.smith@wv.gov>

Good Morning,

Have you had a chance to look into cancelling these POs? Please let me know if you need me to do anything.

Thanks

Kristy James
WV DOT
Procurement Officer
304/414-7104

Procurement Requests should be directed to: DOTProcurement@wv.gov

----- Forwarded message -----

From: **James, Kristy E** <kristy.e.james@wv.gov>

Date: Thu, Apr 27, 2023 at 2:40 PM

Subject: Fwd: Issues with CPO DOT 19*40 & DOT 20*32

To: Tara L Lyle <Tara.L.Lyle@wv.gov>, Dusty J Smith <dusty.j.smith@wv.gov>

We talked about this back in the Fall. I've attached the documentation requesting that these Purchase orders need to be formally cancelled. I think we missed sending you the documentation requesting the cancellation. Please let me know if you need me to do anything else to get these POs cancelled.

Please let me know if you have any questions.

Kristy James
WV DOT
Procurement Officer
304/414-7104

Procurement Requests should be directed to: DOTProcurement@wv.gov

----- Forwarded message -----

From: **Lyle, Tara L** <tara.l.lyle@wv.gov>

Date: Fri, Sep 2, 2022 at 5:25 PM

Subject: Re: Issues with CPO DOT 19*40 & DOT 20*32

To: James, Kristy E <kristy.e.james@wv.gov>
Cc: John W Estep <John.W.Estep@wv.gov>

Talked to Frank on these 2 purchase orders. Per code, we can't pay for goods/services not received and the materials originally purchased were disposed of.

The vendor may need to recoup the costs for these materials with the WV Court of Claims. We would have to see additional justification/explanation if DOH would want to pursue the increase requests from the vendor.

As far as the additional increased costs and since the projects were bid out in 2019 and 2020, it might be in the best interest to cancel these purchase orders and rebid the projects.

If you need to discuss further, please let me know.

Thanks,
Tara

On Mon, Aug 29, 2022 at 9:25 AM James, Kristy E <kristy.e.james@wv.gov> wrote:
Tara,

We have an issue with two purchase orders for box beams that were awarded just prior to and during COVID. The purchase orders were for materials related to bridge construction projects and both projects resulted in significant delays.

Would you have some time today to discuss this issue?

Please let me know when you would have some time to discuss this?

Thanks

Kristy James
WV DOT
Procurement Officer
304/414-7104

 **Cancellation CPO DOT 19-40 and DOT 20-32.pdf**
53K