



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 DOT2000000032 8	Procurement Folder:	660543
Document Name:	PRESTRESSED CONCRETE BOX BEAMS (05200227)	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 Hustead		
Telephone:	(304) 558-2402		
Email:	crystal.g.hustead@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			
US				<div style="font-size: 48pt; font-weight: bold;">24</div> <div style="font-weight: bold;">FILE LOCATION _____</div>	
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	DIVISION OF HIGHWAYS
DISTRICT FIVE	DISTRICT FIVE
PO BOX 99	2120 NORTHWEST TURNPIKE
BURLINGTON WV 26710	BURLINGTON WV 26710-0099
US	US

7-12-23 BPT

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 Ke 7/11/2023</i> ELECTRONIC SIGNATURE ON FILE	ATTORNEY GENERAL APPROVAL AS TO FORM DATE: <i>JP 7/15/2023</i> ELECTRONIC SIGNATURE ON FILE	ENCUMBRANCE CERTIFICATION DATE: <i>Suevy Tolan 7-17-23</i> ELECTRONIC SIGNATURE ON FILE
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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	37000.000000	0.00
Service From	Service To	Manufacturer	Model No		

Commodity Line Description: EXTERIOR BEAMS

Extended Description:

42" DEPTH X 36" WIDTH BY 101'-6" OVERALL LENGTH (100'0" C-C BEARING ANCHOR BOLT HOLES) COMPATIBLE WITH ALL GUARDRAIL, INSERTS, GUARDRAIL POSTS, AND GUARDRAIL ATTACHED; INCLUDE DELIVERY OF A LAUNCHING FRAME TO BE UTILIZED DURING BEAM PLACEMENT

Line	Commodity Code	Quantity	Unit	Unit Price	Total Price
2	30103619	0.00000	EA	23800.000000	0.00
Service From	Service To	Manufacturer	Model No		

Commodity Line Description: INTERIOR BEAMS

Extended Description:

42" DEPTH X 36" WIDTH OVERALL LENGTH 101'-6" (100'0" C-C BEARING ANCHOR BOLT HOLES) INCLUDE DELIVERY OF A LAUNCHING FRAME TO BE UTILIZED DURING BEAM PLACEMENT

Line	Commodity Code	Quantity	Unit	Unit Price	Total Price
3	30103619	0.00000	EA	165.000000	0.00
Service From	Service To	Manufacturer	Model No		

Commodity Line Description: ELASTOMERIC BEARING PADS

Extended Description:

C1 (16) = 2-3/8" HEAIGHT BY 28" WIDTH BY 4 3/4" LENGTH C2 (4) = 2-3/8" HEAIGHT BY 15 1/2" WIDTH BY 4 3/4" LENGTH

Line	Commodity Code	Quantity	Unit	Unit Price	Total Price
4	30103619	0.00000	EA	6.000000	0.00
Service From	Service To	Manufacturer	Model No		

Commodity Line Description: DEFORMED ANCHOR BARS

Extended Description:

NO. 8 GRADE 60 REBAR, 1" DIAMETER BY 2'-0" LENGTH

Line	Commodity Code	Quantity	Unit	Unit Price	Total Price
5	30103619	0.00000	EA	22.000000	0.00
Service From	Service To	Manufacturer	Model No		

Commodity Line Description: PREFORMED JOINT FILLER

Extended Description:

1" THICK BY 43-3/8" WIDTH (57 LF) 2-5/8" THICK BY 6-7/16" WIDTH (57 LF)
2-5/8" THICK BY 4-3/4" WIDTH (14 LF)

Line	Commodity Code	Quantity	Unit	Unit Price	Total Price
6	30103619	0.00000	EA	322.000000	0.00
Service From	Service To	Manufacturer	Model No		

Commodity Line Description: POST TENSIONING BARS

Extended Description:

TYPE Z (8) = 1" DIAMETER BY 30'6" 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. Balley, 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 DOT20*32 (05200227) Prestressed Concrete Box Beams

The Pallet Factory Bridge replacement project (S333-13-10.66, SM2017M) 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_DOT2000000032) (Dated: 2/03/2020) to reflect the current market prices for materials to be supplied to the Pallet Factory 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 Pallet Factory Bridge project began in 2019. 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 an overhead utility (phone) that would need to be

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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).

The on-site detour (runaround) was chosen and utilize a temporary bridge. ROW/TCE would be needed to reroute the overhead line 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. However, an uncooperative landowner would delay the project until March 2023.

On November 22, 2019, a Request for Quotation (RFQ) was submitted to Purchasing through the District 5 Bridge Department (0598). The PO was awarded to Carr on February 03, 2020 for the amount of \$249,400.00 to provide the prestressed box beam superstructure for the project. It was determined to start the project at the beginning of the construction season in (March-November) 2020 pending the acquisition of ROW.

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 Frontier to relocate a phone/internet line was made on August 10, 2020.

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.

The shop drawings were approved March 10, 2021. However, the ROW/TCE had not been acquired due to the pandemic. Four parcels would end up in condemnation. Starting July 2021, 0598 agreed to use General Fund Surplus funding to replace the superstructure of 6 bridges other than Pallet Factory. 0598 was instructed not to do any other projects until the general fund surplus projects were complete.

On July 22, 2022, Carr inquired as to the status of the Pallet Factory 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 February 2020. 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 Pallet Factory Beams and they incurred costs 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:

Pallet Factory materials to be disposed:

Steel - \$13,696.12

Voids - \$12,720

Total: \$26,689.12 disposal cost

Price above current PO (\$249,400) to reflect current market pricing: \$140,175 (\$389,575 current estimated new price estimate)

In conclusion, the Pallet Factory Bridge replacement project (S333-13-10.66, SM2017M) 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 \$249,400.00 in February 2020. 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 Pallet Factory 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 WVD0H 0598 reasons and timeline for not needing the PO materials for the Pallet Factory 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**
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