



State of West Virginia
Request For Quotation
Highways

10

Procurement Folder : 238522


Document Description : STONE, AGGREGATE, CINDERS - MAT.&DEL. TO NON-ESTAB. LOCATION

Procurement Type : Agency Master Agreement

Date Issued	Solicitation Closes	Solicitation No	Version	Phase
2016-10-18	2016-11-09 13:00:00	ARFQ 0803 DOT1700000009	1	Final

SUBMIT RESPONSES TO:	VENDOR:
FINANCE & ADMINISTRATION DIVISION OF HIGHWAYS BLDG 5, RM A-220 1900 KANAWHA BLVD E CHARLESTON WV 25302 US	Vendor Name, Address and Telephone <i>SCARY CROOK MATERIALS</i> <i># 9 ORCHERS WAY</i> <i>WINFIELD, WV 25213</i> <i>304-755-3636</i>

FOR INFORMATION CONTACT THE
 Angela Moorman
 (304) 558-9427
 angle.j.moorman@wv.gov

Signature X  FEIN # *55-0910237* DATE



State of West Virginia
Request For Quotation
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Document Description : STONE, AGGREGATE, CINDERS - MAT.&DEL. TO NON-ESTAB. LOCATION


Procurement Type : Agency Master Agreement

Date Issued	Solicitation Closes	Solicitation No	Version	Phase
2016-10-24	2016-11-09 13:00:00	ARFQ 0803 DOT1700000009	2	Final

SUBMIT RESPONSE TO:	VENDOR
FINANCE & ADMINISTRATION DIVISION OF HIGHWAYS BLDG 5, RM A-220 1900 KANAWHA BLVD E CHARLESTON WV 25302 US	Vendor Name, Address and Telephone <i>Scary Creek Materials</i> <i>#9 CEDAR'S WAY</i> <i>WINFIELD WV 25213</i> <i>304-1785-3636</i>

FOR INFORMATION CONTACT THE

Angela Moorman
(304) 558-9427
angie.j.moorman@wv.gov

Signature X 

FEIN # *55-0910237*

DATE *11/17/16*

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

INVOICE TO		SHIP TO	
VARIOUS AGENCY LOCATIONS AS INDICATED BY ORDER		STATE OF WEST VIRGINIA VARIOUS LOCATIONS AS INDICATED BY ORDER	
No City	WV99999	No City	WV 99999
US		US	

Line	Commodity Line Description	Qty	Unit Issue	Unit Price	Total Price
1	STONE, AGGREGATE, CINDERS - MAT.&DEL. TO NON-ESTAB.	0.00000	TON		

Commodity Code	Manufacturer	Model #	Specification
11111600			

Extended Description

STONE, AGGREGATE, CINDERS - MAT.&DEL. TO NON-ESTAB. LOCATION

SCHEDULE OF EVENTS		
Line	Event	Event Date
1	Technical Question ending date	2016-10-21

AGENCY SOLICITATION NUMBER – ARFQ DOT1700000009
Addendum Number: 2

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

Applicable Addendum Category:

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

Description of Modification to Solicitation:

To answer Vendor posed questions.
Please see attached.

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 provision of the Agency 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 Agency Solicitation by completing an Addendum Acknowledgement, 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.

Stone, Aggregate, Cinders – Material and Delivery to Non-Established Locations
Addendum #2 ARFQ DOT1700000009

To answer Vendor posed questions:

Question #1 Wondering if this bid includes ice control sand for winter roads?

Response #1 Please refer to the Pricing Page for materials included in this request.

Question #2 Is this bid by districts or statewide?

Response #2 This request is statewide. The Pricing Page provides items X1, X2, Y1 and Y2 for the vendor to add their cost for hauling. You may also reference Section 5 of the Contract Specifications.

AGENCY SOLICITATION NUMBER – ARFQ DOT17*09
Addendum Number: 1

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

Applicable Addendum Category:

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

Description of Modification to Solicitation:

To Add: Purchasing Affidavit

To Add: Vendor Preference Sheet

No Other Change

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

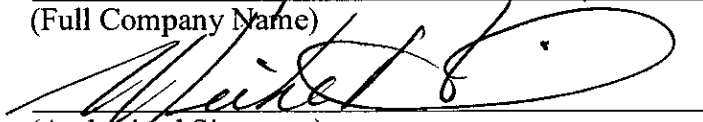
Terms and Conditions:

1. All provision of the Agency 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 Agency Solicitation by completing an Addendum Acknowledgement, 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

CERTIFICATION AND SIGNATURE PAGE

By signing below, or submitting documentation through the West Virginia Vendor Self Service Portal website, 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.

SCRUBY CREEK MATERIALS
(Full Company Name)


(Authorized Signature)

MICHAEL DEVIES - GENERAL MANAGER
(Print or Type Name and Title of Signatory)

304-755-3636
(Phone Number)

304-755-3637
(Fax Number)

MIKED@SCRUBKIMATERIALS.COM
(Email address)

11/7/16
(Date)

**Form pre-approved by DOH legal division on July 12, 2016.
Attorney signature not required.**

REQUEST FOR QUOTATION
Stone, Aggregate and Cinders
Materials and Delivery by the Vendor to Non-Established WVDOH Locations

8.2 The following remedies shall be available to Agency upon default.

8.2.1 Immediate cancellation of the Contract.

8.2.2 Immediate cancellation of one or more delivery orders issued under this Contract.

8.2.3 Any other remedies available in law or equity.

9. MISCELLANEOUS:

9.1 **No Substitutions:** Vendor shall supply only Contract Items submitted in response ion unless a contract modification is approved in accordance with the provisions contained in this Contract.

9.2 **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.

9.3 **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.

9.4 **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: MIKE DEVIS
Telephone Number: 304-755-3636
Fax Number: 304-755-3637
Email Address: miked@screekmaterials.com

INFORMATION ATTACHMENT

Vendor's Storage Sites

2016/2017 Stone and Aggregate - Materials and Delivery by Vendor to Non-Established WVDOT Locations

VENDOR NAME _____ SCARY CREEK MATERIALS

Mandatory - Vendor shall complete this form and return with bid submission.

A Vendor may submit more than one Vendor's Storage Sites information on one Information Attachment form ONLY if bid pricing is the SAME for all Storage Sites and all WVDOT locations bid. A separate bid submission and Information Attachment form MUST be submitted when bid price varies between Vendor's Storage Sites.

Limestone, Sandstone, Gravel, Sand, Blast Furnance Slag and Steel Slag

a) SOURCE OF MATERIAL (<u>all</u> 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)
RIVERSIDE STONE , 4800 CEDAR FLAT RD , BATTLE TOWN ,KY 40104
HILL TOP MATERIALS BIG BEND QUARRY 1994 PARADISE BOTTON RD
BATTLETOWN, KY 40104-14208 NORTH STATE RD. #156,PATRIONT , IN 47038
CARMEUSE LIME AND STONE 9222 SPRINGDALE RD , MAYSVILLE KY 41056
MOUNTAIN MATERIALS ,12434 WEST US 60.OLIVE HILL , KY 41164
<i>HANSON - AA Limestone 14011 St. Highway 9 Georgetown Ky</i>
b) EXACT LOCATION OF VENDOR'S STORAGE SITE(S): A separate bid schedule <u>must</u> be submitted when bid price varies between Vendors' storage sites.
#9 ORDERS DRIVE , WINFIELD WV 25213

Cinders
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 <u>must</u> be submitted when bid price varies between Vendors' storage sites.

Material and delivery by the Vendor to Non-Established WVDOH locations, 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	19.30		
B	Class 2 Aggregate	19.30		
C	Class 10 Aggregate	NB		
D	AASHTO #1 Aggregate	20.25		
E	AASHTO #3 Aggregate	20.25		
F	AASHTO #4 Aggregate	19.75		
G	AASHTO #467 Aggregate	20.25		
H	AASHTO #57 Aggregate	20.25		
I	AASHTO #67 Aggregate	20.75		
J	AASHTO #7 Aggregate	NB		
K	AASHTO #8 Aggregate	21.80		
L	AASHTO #9 Aggregate	NB		
M	Stone for Gabions	27.50		
N	Fine Aggregate	15.15		
OA	Limestone Standard Abrasives	15.50		
OB	Sandstone Standard Abrasives	15.15		
PA	Limestone Modified Abrasives	NB		
PB	Sandstone Modified Abrasives	15.15		
Q	Rip Rap	27.75		
R	Shot Rock	28.25		
S	AASHTO #8 Modified	21.60		
T	AASHTO #9 Modified	NB		
U	Pea Gravel	18.00		
V	#11 Limestone Abrasives	16.35		
W	Quarry Waste	13.50		
AA	Cinders	NB		
Items A-W and AA (Except for Q and R):				
X1	Haul by Vendor - First Ton-Mile	1.65		
X2	Haul by Vendor - Additional Ton-Mile	0.16		
Items Q and R ONLY:				
Y1	Haul by Vendor - First Ton-Mile	1.85		
Y2	Haul by Vendor - Additional Ton-Mile	0.18		

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 MATERIALS

Signed: 

Date: 11/7/16

Title: GENERAL MANAGER

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:

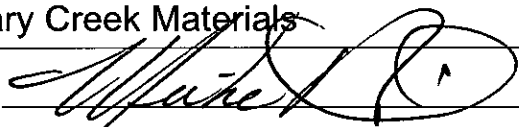
"Debt" means any assessment, premium, penalty, fine, tax or other amount of money owed to the state or any of its political subdivisions because of a judgment, fine, permit violation, license assessment, defaulted workers' compensation premium, penalty or other assessment presently delinquent or due 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.

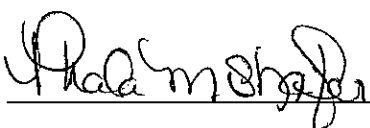
WITNESS THE FOLLOWING SIGNATURE:

Vendor's Name: Scary Creek Materials
Authorized Signature:  Date: 11/7/2016

State of West Virginia
County of Putnam, to-wit:

Taken, subscribed, and sworn to before me this 8 day of November, 2016.
My Commission expires July 23, 2023.



NOTARY PUBLIC 

SPAY CARD / MISC.
#9 ORDER DAY
Winnfield W
25

RECEIVED
NOV 09 2016
FINANCE DIVISION
DOT

OPEN 1000
11/9/16

STOWS APPROPRIATION - MAT ST DOC
TO NEW ESTES LOCATION.
ARFP 0803
DOT 1700000009