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State of West Virginia  
Request For Quotation

Procurement Folder : 356221

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

Procurement Type : Agency Master Agreement

| Date Issued | Solicitation Closes    | Solicitation No         | Version | Phase |
|-------------|------------------------|-------------------------|---------|-------|
| 2017-09-19  | 2017-09-29<br>13:00:00 | ARFQ 0803 DOT1800000012 | 1       | Final |

| SUBMIT RESPONSES TO:   | VENDOR   |
|--|--|
| FINANCE & ADMINISTRATION<br>DIVISION OF HIGHWAYS<br>BLDG 5, RM A-220<br>1900 KANAWHA BLVD E<br>CHARLESTON WV 25302<br>US | <b>Vendor Name, Address and Telephone</b><br><br>Appalachian Aggregates, LLC<br>21071 Midland Trl W<br>Lewisburg, WV 24901<br><br>304-392-5872 |

**FOR INFORMATION CONTACT THE**  
 Dusty J Smith  
 (304) 558-9398  
 dusty.j.smith@wv.gov

Signature X  FEIN # 01-0640503 DATE 9/26/17



|                      |                                |  |                              |
|----------------------|--------------------------------|--|------------------------------|
| <b>DOT1800000012</b> | <b>Document Phase</b><br>Final | <b>Document Description</b><br>STONE, AGGREGATE, CINDERS -<br>MAT.&DEL. TO NON-ESTAB. LOCATION | <b>Page 3</b><br><b>of 3</b> |
|----------------------|--------------------------------|--|------------------------------|

**ADDITIONAL TERMS AND CONDITIONS**

See attached document(s) for additional Terms and Conditions



State of West Virginia  
Request For Quotation

Procurement Folder : 356221

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

Procurement Type : Agency Master Agreement

| Date Issued | Solicitation Closes    | Solicitation No |               | Version | Phase |
|-------------|------------------------|-----------------|---------------|---------|-------|
| 2017-09-28  | 2017-10-04<br>13:00:00 | ARFQ 0803       | DOT1800000012 | 2       | Final |

| SUBMIT RESPONSES TO:   | VENDOR   |
|--|--|
| FINANCE & ADMINISTRATION<br>DIVISION OF HIGHWAYS<br>BLDG 5, RM A-220<br>1900 KANAWHA BLVD E<br>CHARLESTON WV 25302<br>US | <b>Vendor Name, Address and Telephone</b><br>Appalachian Aggregates, LLC<br>21071 Midland Trl W<br>Lewisburg, WV 24901<br>304-392-5872 |

FOR INFORMATION CONTACT THE

Dusty J Smith  
(304) 558-9398  
dusty.j.smith@wv.gov

Signature X

FEIN #

01-0640503

DATE

9/29/17

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



|               |                                |  |                       |
|---------------|--------------------------------|--|-----------------------|
| DOT1800000012 | <b>Document Phase</b><br>Final | <b>Document Description</b><br>STONE, AGGREGATE, CINDERS -<br>MAT.&DEL. TO NON-ESTAB. LOCATION | <b>Page 3</b><br>of 3 |
|---------------|--------------------------------|--|-----------------------|

**ADDITIONAL TERMS AND CONDITIONS**

See attached document(s) for additional Terms and Conditions

AGENCY SOLICITATION NUMBER – ARFQ DOT1800000012  
Addendum Number: 1

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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.  
Bid Opening date to change to 10/04/17**

**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.

Addendum #1      ARFQ DOT1800000012

Stone, Aggregate, Cinders – Mat.&Del. To Non-Estab. Location by the Vendor

Question 1    I was looking through the ARFQ referenced above and noted that in the section "GENERAL TERMS & CONDITIONS" Item #8 under the heading "Licenses/Certifications/Permits" it states that a West Virginia Contractors License will be required from the apparent successful Vendor. I don't believe that this has been required in the past and wanted to confirm that is correct.

Response 1    Please remove the requirements of Item #8 requiring the Vendors to submit a copy of their West Virginia Contractor's License.

**ADDENDUM ACKNOWLEDGEMENT FORM**

**SOLICITATION NO.:** ARFQ 0803 DOT1800000012

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.

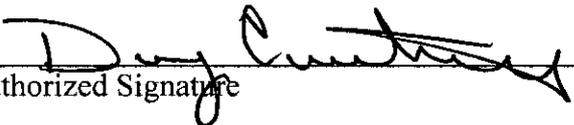
Addendum Numbers Received:  
(Check the box next to each addendum received)

- |   |  |
|---|--|
| <input 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.

Appalachian Aggregates, LLC

Full Company Name

  
Authorized Signature

9-26-17  
Date

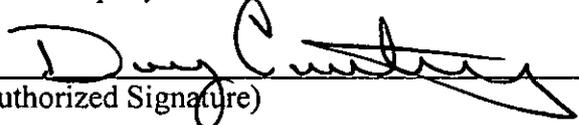
NOTE: This addendum acknowledgement should be submitted with the bid to expedite document processing.

**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.

Appalachian Aggregates, LLC

(Full Company Name)



(Authorized Signature)

Doug Canterbury, Sales Manager

(Print or Type Name and Title  
of Signatory)

304-392-5872 / 304-646-8118

(Phone Number)

304-392-5828

(Fax Number)

doug.canterbury@appaggwv.com

(Email address)

9-26-17

(Date)

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

**INFORMATION ATTACHMENT FORM**  
**Vendor's Storage Sites -- REQUIRED TO BE SUBMITTED WITH BID**  
**2018 Stone and Aggregate Material and Delivery by Vendor to Non-Established WVDOH Locations**

VENDOR NAME \_\_ Appalachian Aggregates, LLC

**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 WVDOH 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) |
|    | Alta, WV - Limestone   |
|    |  |
|    |  |
|    |  |
|    |  |
| b) | EXACT LOCATION OF VENDOR'S STORAGE SITE(S): A separate bid schedule <b>must</b> be submitted when bid price varies between Vendors' storage sites.   |
|    | Alta - 12 Miles West of Lewisburg On Route 60  |
|    |  |
|    |  |
|    |  |
|    |  |

|                |   |
|----------------|---|
| <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 <b>must</b> 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<br>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                    | 7.85   |                    |            |
| B                                      | Class 2 Aggregate                    | 7.85   |                    |            |
| C                                      | Class 10 Aggregate                   | 7.85   |                    |            |
| D                                      | AASHTO #1 Aggregate                  | 11.35  |                    |            |
| E                                      | AASHTO #3 Aggregate                  | 11.35  |                    |            |
| F                                      | AASHTO #4 Aggregate                  | 11.35  |                    |            |
| G                                      | AASHTO #467 Aggregate                | 11.85  |                    |            |
| H                                      | AASHTO #57 Aggregate                 | 11.35  |                    |            |
| I                                      | AASHTO #67 Aggregate                 | 11.85  |                    |            |
| J                                      | AASHTO #7 Aggregate                  | No Bid   |                    |            |
| K                                      | AASHTO #8 Aggregate                  | 13.15  |                    |            |
| L                                      | AASHTO #9 Aggregate                  | 16.15  |                    |            |
| M                                      | Stone for Gabions                    | 11.35  |                    |            |
| N                                      | Fine Aggregate                       | 16.15  |                    |            |
| OA                                     | Limestone Standard Abrasives         | 13.15  |                    |            |
| OB                                     | Sandstone Standard Abrasives         | No Bid   |                    |            |
| PA                                     | Limestone Modified Abrasives         | 13.15  |                    |            |
| PB                                     | Sandstone Modified Abrasives         | No Bid   |                    |            |
| Q                                      | Rip Rap                              | 18.00  |                    |            |
| R                                      | Shot Rock                            | 17.75  |                    |            |
| S                                      | AASHTO #8 Modified                   | 13.15  |                    |            |
| T                                      | AASHTO #9 Modified                   | 16.15  |                    |            |
| U                                      | Pea Gravel                           | No Bid   |                    |            |
| V                                      | #11 Limestone Abrasives              | No Bid   |                    |            |
| W                                      | Quarry Waste                         | 9.00   |                    |            |
| AA                                     | Cinders                              | No Bid   |                    |            |
| Items A-W and AA (Except for Q and R): |                                      |  |                    |            |
| X1                                     | Haul by Vendor - First Ton-Mile      | 0.90   |                    |            |
| X2                                     | Haul by Vendor - Additional Ton-Mile | 0.24   |                    |            |
| Items Q and R ONLY:                    |                                      |  |                    |            |
| Y1                                     | Haul by Vendor - First Ton-Mile      | 2.85   |                    |            |
| Y2                                     | Haul by Vendor - Additional Ton-Mile | 0.28   |                    |            |

**INFORMATION ATTACHMENT FORM**

**Vendor's Storage Sites -- REQUIRED TO BE SUBMITTED WITH BID**

**2018 Stone and Aggregate Material and Delivery by Vendor to Non-Established WVDOH Locations**

VENDOR NAME \_\_ Appalachian Aggregates, LLC

**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 WVDOH 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 (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)

|                         |
|-------------------------|
|                         |
| Mt Hope, WV - Sandstone |
|                         |
|                         |
|                         |

b) EXACT LOCATION OF VENDOR'S STORAGE SITE(S): A separate bid schedule must be submitted when bid price varies between Vendors' storage sites.

|                            |
|----------------------------|
|                            |
| 1700 North Sandbranch Road |
| Mt Hope, WV                |
|                            |
|                            |

**Cinders**

c) SOURCE OF MATERIAL: Name and Location of plant which produces Cinder material.

|  |
|--|
|  |
|  |
|  |
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|  |

d) EXACT LOCATION OF VENDOR'S STORAGE SITE(S) A separate bid schedule must be submitted when bid price varies between Vendors' storage sites.

|  |
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|  |

Material and delivery by the Vendor to Non-Established WVDOH locations, ONLY.

|  |                                      | Bid Price per Ton Items A-W and AA<br>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                    | 15.35  |                    |            |
| B                                      | Class 2 Aggregate                    | 15.10  |                    |            |
| C                                      | Class 10 Aggregate                   | 15.10  |                    |            |
| D                                      | AASHTO #1 Aggregate                  | No Bid   |                    |            |
| E                                      | AASHTO #3 Aggregate                  | 16.65  |                    |            |
| F                                      | AASHTO #4 Aggregate                  | 16.65  |                    |            |
| G                                      | AASHTO #467 Aggregate                | No Bid   |                    |            |
| H                                      | AASHTO #57 Aggregate                 | 16.65  |                    |            |
| I                                      | AASHTO #67 Aggregate                 | 16.65  |                    |            |
| J                                      | AASHTO #7 Aggregate                  | No Bid   |                    |            |
| K                                      | AASHTO #8 Aggregate                  | 18.85  |                    |            |
| L                                      | AASHTO #9 Aggregate                  | 16.65  |                    |            |
| M                                      | Stone for Gabions                    | 17.75  |                    |            |
| N                                      | Fine Aggregate                       | No Bid   |                    |            |
| OA                                     | Limestone Standard Abrasives         | No Bid   |                    |            |
| OB                                     | Sandstone Standard Abrasives         | 16.65  |                    |            |
| PA                                     | Limestone Modified Abrasives         | No Bid   |                    |            |
| PB                                     | Sandstone Modified Abrasives         | 16.65  |                    |            |
| Q                                      | Rip Rap                              | 19.25  |                    |            |
| R                                      | Shot Rock                            | 19.00  |                    |            |
| S                                      | AASHTO #8 Modified                   | No Bid   |                    |            |
| T                                      | AASHTO #9 Modified                   | 16.65  |                    |            |
| U                                      | Pea Gravel                           | No Bid   |                    |            |
| V                                      | #11 Limestone Abrasives              | No Bid   |                    |            |
| W                                      | Quarry Waste                         | 13.65  |                    |            |
| AA                                     | Cinders                              | No Bid   |                    |            |
| Items A-W and AA (Except for Q and R): |                                      |  |                    |            |
| X1                                     | Haul by Vendor - First Ton-Mile      | 0.90   |                    |            |
| X2                                     | Haul by Vendor - Additional Ton-Mile | 0.24   |                    |            |
| Items Q and R ONLY:                    |                                      |  |                    |            |
| Y1                                     | Haul by Vendor - First Ton-Mile      | 2.85   |                    |            |
| Y2                                     | Haul by Vendor - Additional Ton-Mile | 0.28   |                    |            |

**INFORMATION ATTACHMENT FORM**

**Vendor's Storage Sites -- REQUIRED TO BE SUBMITTED WITH BID  
2018 Stone and Aggregate Material and Delivery by Vendor to Non-Established WVDOH Locations**

VENDOR NAME \_\_ Appalachian Aggregates, LLC

**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 WVDOH 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) |
|   |
| Mill Point, WV - Limestone  |
|   |
|   |
|   |
|   |
|   |
| 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.   |
|   |
| Mill Point -1/2 Mile West of Intersection of Route 39 and Route 219   |
|   |
|   |
|   |
|   |
|   |

|  |
|--|
| <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 <u>must</u> be submitted when bid price varies between Vendors' storage sites. |
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Material and delivery by the Vendor to Non-Established WVDOH locations, ONLY.

|  |                                      | Bid Price per Ton Items A-W and AA<br>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                    | 10.20  |                    |            |
| B                                      | Class 2 Aggregate                    | 10.20  |                    |            |
| C                                      | Class 10 Aggregate                   | 10.20  |                    |            |
| D                                      | AASHTO #1 Aggregate                  | 12.85  |                    |            |
| E                                      | AASHTO #3 Aggregate                  | 12.85  |                    |            |
| F                                      | AASHTO #4 Aggregate                  | 12.85  |                    |            |
| G                                      | AASHTO #467 Aggregate                | 12.85  |                    |            |
| H                                      | AASHTO #57 Aggregate                 | 12.85  |                    |            |
| I                                      | AASHTO #67 Aggregate                 | 12.85  |                    |            |
| J                                      | AASHTO #7 Aggregate                  | No Bid   |                    |            |
| K                                      | AASHTO #8 Aggregate                  | 13.45  |                    |            |
| L                                      | AASHTO #9 Aggregate                  | No Bid   |                    |            |
| M                                      | Stone for Gabions                    | 13.90  |                    |            |
| N                                      | Fine Aggregate                       | No Bid   |                    |            |
| OA                                     | Limestone Standard Abrasives         | 13.20  |                    |            |
| OB                                     | Sandstone Standard Abrasives         | No Bid   |                    |            |
| PA                                     | Limestone Modified Abrasives         | 13.20  |                    |            |
| PB                                     | Sandstone Modified Abrasives         | No Bid   |                    |            |
| Q                                      | Rip Rap                              | 17.70  |                    |            |
| R                                      | Shot Rock                            | 16.70  |                    |            |
| S                                      | AASHTO #8 Modified                   | 13.45  |                    |            |
| T                                      | AASHTO #9 Modified                   | No Bid   |                    |            |
| U                                      | Pea Gravel                           | No Bid   |                    |            |
| V                                      | #11 Limestone Abrasives              | No Bid   |                    |            |
| W                                      | Quarry Waste                         | 10.10  |                    |            |
| AA                                     | Cinders                              | No Bid   |                    |            |
| Items A-W and AA (Except for Q and R): |                                      |  |                    |            |
| X1                                     | Haul by Vendor - First Ton-Mile      | 0.90   |                    |            |
| X2                                     | Haul by Vendor - Additional Ton-Mile | 0.24   |                    |            |
| Items Q and R ONLY:                    |                                      |  |                    |            |
| Y1                                     | Haul by Vendor - First Ton-Mile      | 2.85   |                    |            |
| Y2                                     | Haul by Vendor - Additional Ton-Mile | 0.28   |                    |            |

**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.

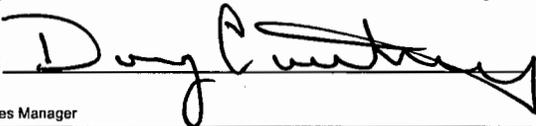
**7. Application is made for preference as a non-resident small, women- and minority-owned business, in accordance with West Virginia Code §5A-3-59 and West Virginia Code of State Rules.**

- 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: Appalachian Aggregates, LLCSigned: Date: 9-26-17Title: Sales Manager

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: Appalachian Aggregates, LLC

Authorized Signature: *Day C. [Signature]* Date: September 26, 2017

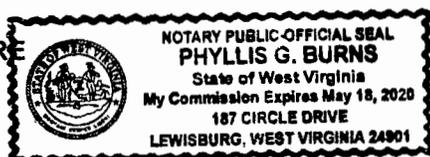
State of West Virginia

County of Greenbrier, to-wit:

Taken, subscribed, and sworn to before me this \_\_\_ day of September, 20\_\_.

My Commission expires May 18, 2020.

AFFIX SEAL HERE



NOTARY PUBLIC *Phyllis G. Burns*

## West Virginia Ethics Commission



### Disclosure of Interested Parties to Contracts

Pursuant to W. Va. Code § 6D-1-2, a state agency may not enter into a contract, or a series of related contracts, that has/have an actual or estimated value of \$100,000 or more until the business entity submits to the contracting state agency a Disclosure of Interested Parties to the applicable contract. In addition, the business entity awarded a contract is obligated to submit a supplemental Disclosure of Interested Parties reflecting any new or differing interested parties to the contract within 30 days following the completion or termination of the applicable contract.

For purposes of complying with these requirements, the following definitions apply:

*"Business entity"* means any entity recognized by law through which business is conducted, including a sole proprietorship, partnership or corporation.

*"Interested party"* or *"Interested parties"* means:

- (1) A business entity performing work or service pursuant to, or in furtherance of, the applicable contract, including specifically sub-contractors;
- (2) the person(s) who have an ownership interest equal to or greater than 25% in the business entity performing work or service pursuant to, or in furtherance of, the applicable contract. (This subdivision does not apply to a publicly traded company); and
- (3) the person or business entity, if any, that served as a compensated broker or intermediary to actively facilitate the applicable contract or negotiated the terms of the applicable contract with the state agency. (This subdivision does not apply to persons or business entities performing legal services related to the negotiation or drafting of the applicable contract.)

*"State agency"* means a board, commission, office, department or other agency in the executive, judicial or legislative branch of state government, including publicly funded institutions of higher education: Provided, that for purposes of W. Va. Code § 6D-1-2, the West Virginia Investment Management Board shall not be deemed a state agency nor subject to the requirements of that provision.

The contracting business entity must complete this form and submit it to the contracting state agency prior to contract award and to complete another form within 30 days of contract completion or termination.

*This form was created by the State of West Virginia Ethics Commission, 210 Brooks Street, Suite 300, Charleston, WV 25301-1804. Telephone: (304)558-0664; fax: (304)558-2169; e-mail: [ethics@wv.gov](mailto:ethics@wv.gov); website: [www.ethics.wv.gov](http://www.ethics.wv.gov).*

West Virginia Ethics Commission

Disclosure of Interested Parties to Contracts

Contracting business entity: Appalachian Aggregates, LLC

Address: 21071 Midland Trl W - Lewisburg, WV 24901

Contracting business entity's authorized agent: Doug Canterbury, Sales Manager

Address: 21071 Midland Trl W - Lewisburg, WV 24901

Number or title of contract: ARFQ 0803 DOT1800000012

Type or description of contract: Stone, Aggregate, Cinders- Mat . & Del, To Non -Estab. Location

Governmental agency awarding contract: WV Division of Highways

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

Appalachian Aggregates, LLC

Signature: *Doug Canterbury* Date Signed: 9-26-17

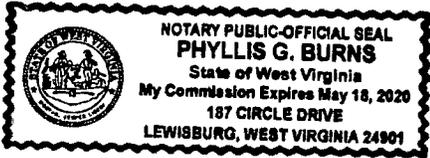
Check here if this is a Supplemental Disclosure.

Verification

State of West Virginia, County of Greenbrier:

I, *Doug Canterbury*, 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 26th day of September, 2017



*Phyllis G. Burns*  
Notary Public's Signature

To be completed by State Agency:  
Date Received by State Agency: \_\_\_\_\_  
Date submitted to Ethics Commission: \_\_\_\_\_  
Governmental agency submitting Disclosure: \_\_\_\_\_

**Certificate of Insurance**

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON YOU THE CERTIFICATE HOLDER. THIS CERTIFICATE IS NOT AN INSURANCE POLICY AND DOES NOT AMEND, EXTEND, OR ALTER THE COVERAGE AFFORDED BY THE POLICIES LISTED BELOW. POLICY LIMITS ARE NO LESS THAN THOSE LISTED. ALTHOUGH POLICIES MAY INCLUDE ADDITIONAL SUBLIMIT/LIMITS NOT LISTED BELOW.

**This is to Certify that**

Appalachian Aggregates, LLC  
2950 Charles Avenue  
Dunbar WV 25064

NAME AND  
ADDRESS  
OF INSURED



**Liberty Mutual.**  
**INSURANCE**

is, at the issue date of this certificate, insured by the Company under the policy(ies) listed below. The insurance afforded by the listed policy(ies) is subject to all their terms, exclusions and Conditions and is not altered by any requirement, term or condition of any contract or other document with respect to which this certificate may be issued.

| TYPE OF POLICY   | EXP DATE  |                                   | POLICY NUMBER  | LIMIT OF LIABILITY  |   |
|--|---|-----------------------------------|--|---|---|
|  | <input type="checkbox"/> CONTINUOUS             | <input type="checkbox"/> EXTENDED |  |   |   |
| <b>WORKERS COMPENSATION</b>  | <input checked="" type="checkbox"/> POLICY TERM | 9/1/2018                          | WA7-C8D-004095-027<br>WC7-C81-004095-017               | COVERAGE AFFORDED UNDER WC LAW OF THE FOLLOWING STATES:<br>-027: All States except OH, ND, WA, WY<br>-017: WI | <b>EMPLOYERS LIABILITY</b><br>Bodily Injury by Accident <b>\$1,000,000</b> Each Accident<br>Bodily Injury By Disease <b>\$1,000,000</b> Policy Limit<br>Bodily Injury By Disease <b>\$1,000,000</b> Each Person |
| <b>COMMERCIAL GENERAL LIABILITY</b><br><input checked="" type="checkbox"/> OCCURRENCE<br><input type="checkbox"/> CLAIMS MADE  |   | 9/1/2018                          | TB2-C81-004095-117<br>-Per Project Aggregate included. | General Aggregate   | <b>\$2,000,000</b>  |
|  |   |                                   |  | Products / Completed Operations Aggregate   | <b>\$2,000,000</b>  |
|  |   |                                   |  | Each Occurrence   | <b>\$2,000,000</b>  |
|  |   |                                   |  | Personal & Advertising Injury   | <b>\$2,000,000</b> Per Person / Organization  |
|  |   | RETRO DATE                        |  | Other Damage to Premises Rented to You: <b>\$250,000</b>  | Other Medical Exp: <b>\$50,000</b>  |
| <b>AUTOMOBILE LIABILITY</b><br><input checked="" type="checkbox"/> OWNED<br><input checked="" type="checkbox"/> NON-OWNED<br><input checked="" type="checkbox"/> HIRED |   | 9/1/2018                          | AS2-C81-004095-127                                     |   | Each Accident—Single Limit <b>\$2,000,000</b><br>B.I. And P.D. Combined<br>Each Person<br>Each Accident or Occurrence<br>Each Accident or Occurrence  |
| <b>OTHER</b><br>Automobile policy  |   | 9/1/2017 - 9/1/2018               | AS2-C81-054502-527                                     | Physical Damage only<br>-\$10,000 Comp DED<br>-\$10,000 Coll DED  |   |

**ADDITIONAL COMMENTS**  
WVDOT-Division of Highways is listed as additional insured, where required by written contract.

\* If the certificate expiration date is continuous or extended term, you will be notified if coverage is terminated or reduced before the certificate expiration date.

**NOTICE OF CANCELLATION:** (NOT APPLICABLE UNLESS A NUMBER OF DAYS IS ENTERED BELOW.) BEFORE THE STATED EXPIRATION DATE THE COMPANY WILL NOT CANCEL OR REDUCE THE INSURANCE AFFORDED UNDER THE ABOVE POLICIES UNTIL AT LEAST **30** DAYS NOTICE OF SUCH CANCELLATION HAS BEEN MAILED TO:

**Liberty Mutual Insurance Group**

Certificate Holder

WVDOT-Division of Highways  
1900 Kanawha Blvd. East  
Bldg. 5 Room A737  
Charleston, WV 25305

*Valerie J. Reece*

Valerie Reece

AUTHORIZED REPRESENTATIVE

112 Brent Way  
Hurricane, WV 25526

800-332-3226

8/21/2017

OFFICE

PHONE

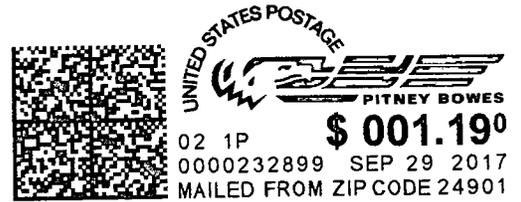
DATE ISSUED

This certificate is executed by LIBERTY MUTUAL INSURANCE GROUP as respects such insurance as is afforded by those Companies NM 772 07-10

Appalachian Aggregat  
21071 Midland Trl W  
Lewisburg, WV 249



UNITED WE STAND



Finance & Administration  
Division of Highways  
Bldg 5, RM A-220  
1900 Kanawha Blvd E  
Charleston, WV 25302

RECEIVED

OCT 2 2017

FINANCE DIVISION  
DOT

//:00

Sealed Bid: Stone, Aggregate, Cinders -Mat. & Del To Non-Estab Location  
Buyer: Dusty J Smith  
Solicitation No: ARFQ 0803 DOT1800000012  
Bid Opening Date: 10/04/2017  
Bid Opening Time: 13:00:00

PALACHIAN AGGREGATES  
1071 MIDLAND TRAIL W.  
LEWISBURG, WV 24901

RECEIVED  
SEP 28 2017  
FINANCE DIVISION  
DOT  
10:06

Finance & Administration  
Division of Highways  
Bldg 5, RM A-220  
1900 Kanawha Blvd E  
Charleston, WV 25302

SEALED BID: STONE, AGGREGATE, CINDERS - MAT. & DEL. TO NON-ESTAB LOCATION  
BUYER: Dusty J Smith  
SOLICITATION NO: ARFO 0803 DOT1800000012  
BID OPENING DATE: 09/29/2017  
BID OPENING TIME: 13:00:00