



ASPLUNDH RAILROAD DIVISION

708 Blair Mill Road
Willow Grove, PA 19090
215.784.4285

FACSIMILE TRANSMISSION

*SERVICES OFFERED: Weed & Brush Spraying - Tree & Brush Cutting - Pole Line Removal - Mowing -
Herbicide Sales - Non-Chemical Weed Control*

DATE 05/09/16

NUMBER OF PAGES (Including cover sheet) 13

- Urgent
- Reply ASAP
- Please Review
- For your Records

RECEIVED
16 MAY -9 PM 12:55
FINANCE-PROCUREMENT

TO: DUSTY SMITH

COMPANY: WV DIVISION OF HIGHWAYS

FAX NUMBER: 304.558.7844

PHONE NO.: 304.558.9398

FROM: DEBBY CONIGLIARO

FAX NUMBER: 215.784.4334

PHONE NO. 215.784.4285

EMAIL ADDRESS: debbyc@asplundh.com

COMMENTS: SOLICITATION NO. ARFQ 0804 RMA1600000007

Thanks very much Dusty!



ASPLUNDH

ASPLUNDH TREE EXPERT CO., RAILROAD DIVISION
720 COUNTY ROAD 400, IRONTON, OH 45638 - PHONE: 740.532.7095 - FAX: 740.532.2946

RECEIVED

16 MAY -9 PM 12:55

FINANCE-PROCUREMENT

May 9, 2016

State of West Virginia
Finance & Administration
Div. of Highways, Bldg 5, RM A-220
1900 Kanawha Blvd. E
Charleston, WV 25302

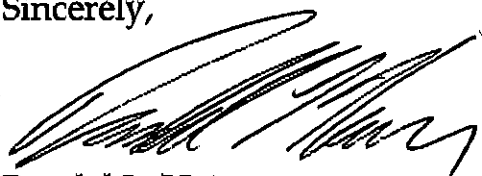
Re: Solicitation No. ARFQ 0804 RMA1600000007

The Asplundh Railroad Division appreciates the opportunity to submit a quotation for weed spraying on the South Branch Valley Railroad.

We would like to suggest the following language changes for item 35 of the General Terms and Conditions: Change "*from and against*" to "*to the extent caused by*" on line 2. By doing so, each party is responsible for their own negligence.

If you have any questions, or need additional information, please contact me at **215.784.4101**.

Sincerely,



Randal L. Haines
Region Manager

RLH:dlc



State of West Virginia
Request For Quotation

Procurement Folder : 205910

Document Description : Weed spraying on the South Branch Valley Railroad

Procurement Type : Agency Purchase Order

Date Issued	Solicitation Closes	Solicitation No	Version	Phase
2016-04-25	2016-05-09 13:30:00	ARFQ 0804 RMA1600000007	1	Final

SUBMIT RESPONSES TO:	VENDOR:
FINANCE & ADMINISTRATION DIVISION OF HIGHWAYS BLDG 5, RM A-220 1900 KANAWHA BLVD E CHARLESTON US	Vendor N: ASPLUNDH TREE EXPERT CO., RAILROAD DIV. 708 Blair Mill Rd. Willow Grove, PA 19090 (215) 784-4101

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

Signature X

FEIN #

23-1277550

DATE

May 9, 2016

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

INVOICE TO		SHIP TO	
STATE RAIL AUTHORITY 120 WATER PLANT DR		STATE RAIL AUTHORITY (DBA) SOUTH BRANCH VALLEY RAILROAD 120 WATER PLANT DR	
MOOREFIELD	WV26836	MOOREFIELD	WV 26836
US		US	

Line	Commodity Line Description	Qty	Unit Issue	Unit Price	Total Price
1	Project A - Spring Weed Control	0.00000	EA		

Commodity Code	Manufacturer	Model #	Specification
70141604			

Extended Description
Spring Weed control on the South Branch Valley Railroad

INVOICE TO		SHIP TO	
STATE RAIL AUTHORITY 120 WATER PLANT DR		STATE RAIL AUTHORITY (DBA) SOUTH BRANCH VALLEY RAILROAD 120 WATER PLANT DR	
MOOREFIELD	WV26836	MOOREFIELD	WV 26836
US		US	

Line	Commodity Line Description	Qty	Unit Issue	Unit Price	Total Price
2	Project B - Fall Weed Control	0.00000	EA		

Commodity Code	Manufacturer	Model #	Specification
70141604			

Extended Description
Fall Weed control on the South Branch Valley Railroad

RMA160000007	Document Phase Final	Document Description Weed spraying on the South Branch Valley Railroad	Page 3 of 3
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ADDITIONAL TERMS AND CONDITIONS

See attached document(s) for additional Terms and Conditions

RMA16B17 - Weed Spraying on SBVR

Line Item	Description	Unit Cost	Unit of Measure	Quantity	Extended Cost
	Weed Spraying on the SBVR				
	Project A -	\$9,772.80	Each	1	\$9,772.80
	Project B	\$36,186.40	Each	1	\$36,186.40
				Total Bid:	\$45,959.20

PROJECT A

CALCULATE MIXES

Product	Rate	Cost Per Rate	Acre Cost & Acre's	Total Cost	Total Quantity
azor	2.00 pt	\$1.50	\$3.00		240.00
arsenal	4.00 oz	\$1.00	\$4.00		480.00
isp	3.00 oz	\$7.20	\$21.60		360.00
pyder ex	4.00 oz	\$1.80	\$7.20		480.00
ontrol wm	0.80 oz	\$0.80	\$0.64		96.00
			\$36.44	120	\$4,372.80

labor \$5,400.00
total \$9,772.80

LOAD CHECKER

Total Lb./Gal.	Train/Truck 1	Truck 2	Total Check	Diff
30 gal.	0 gal.	0 gal.	0 gal.	30 gal.
4 gal.	0 gal.	0 gal.	0 gal.	4 gal.
3 gal.	0 gal.	0 gal.	0 gal.	3 gal.
30 lb.	0 lb.	0 lb.	0 lb.	30 lb.
1 gal.	0 gal.	0 gal.	0 gal.	1 gal.

PROJECT B

CALCULATE MIXES

Product	Rate	Cost Per Rate	Acre Cost & Acre's	Total Cost	Total Quantity
azor	0.00 pt	\$1.30	\$0.00		0.00
renite	2.00 gal	\$76.73	\$153.46		400.00
ontrol wm	0.80 oz	\$0.59	\$0.47		160.00
			\$153.93	200	\$30,786.40

labor \$5,400.00
total \$36,186.40

LOAD CHECKER

Total Lb./Gal.	Train/Truck 1	Truck 2	Total Check	Diff
0 gal.	0 gal.	0 gal.	0 gal.	0 gal.
400 gal.	0 gal.	0 gal.	0 gal.	400 gal.
1 gal.	0 gal.	0 gal.	0 gal.	1 gal.

CERTIFICATION AND SIGNATURE PAGE

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

ASPLUNDH TREE EXPERT CO., RAILROAD DIVISION

(Company)



(Authorized Signature) (Representative Name, Title)

RANDAL L. HAINES, REG.MGR.: 215.784.4101, 215.784.4334, MAY 8, 2016

(Phone Number) (Fax Number) (Date)

ADDITIONAL TERMS AND CONDITIONS (Construction Contracts Only)

1. CONTRACTOR'S LICENSE: West Virginia Code § 21-11-2 requires that all persons desiring to perform contracting work in this state be licensed. The West Virginia Contractors Licensing Board is empowered to issue the contractor's license. Applications for a contractor's license may be made by contacting the West Virginia Division of Labor. West Virginia Code § 21-11-11 requires any prospective Vendor to include the contractor's license number on its bid. Failure to include a contractor's license number on the bid shall result in Vendor's bid being disqualified. Vendors should include a contractor's license number in the space provided below.

ASPLUNDH TREE EXPERT CO., RAILROAD DIVISION
Contractor's Name: _____
Contractor's License No. WV004458

The apparent successful Vendor must furnish a copy of its contractor's license prior to the issuance of a Award Document.

2. DRUG-FREE WORKPLACE AFFIDAVIT: W. Va. Code § 21-1D-5 provides that any solicitation for a public improvement contract requires each Vendor that submits a bid for the work to submit at the same time an affidavit that the Vendor has a written plan for a drugfree workplace policy. To comply with this law, Vendor must either complete the enclosed drug-free workplace affidavit and submit the same with its bid or complete a similar affidavit that fulfills all of the requirements of the applicable code. Failure to submit the signed and notarized drug-free workplace affidavit or a similar affidavit that fully complies with the requirements of the applicable code, with the bid shall result in disqualification of Vendor's bid. Pursuant to W. Va. Code 21-1D-2(b) and (k), this provision does not apply to public improvement contracts the value of which is \$100,000 or less or temporary or emergency repairs.

2.1. DRUG-FREE WORKPLACE POLICY: Pursuant to W. Va. Code § 21-1D-4, Vendor and its subcontractors must implement and maintain a written drug-free workplace policy that complies with said article. The awarding public authority shall cancel this contract if: (1) Vendor fails to implement and maintain a written drug-free workplace policy described in the preceding paragraph, (2) Vendor fails to provide information regarding implementation of its drug-free workplace policy at the request of the public authority; or (3) Vendor provides to the public authority false information regarding the contractor's drug-free workplace policy.

Pursuant to W. Va. Code 21-1D-2(b) and (k), this provision does not apply to public improvement contracts the value of which is \$100,000 or less or temporary or emergency repairs.

3. DRUG FREE WORKPLACE REPORT: Pursuant to W. Va. Code § 21-1D-7b, no less than once per year, or upon completion of the project, every contractor shall provide a certified report to the public authority which let the contract. For contracts over \$25,000, the public authority shall be the West Virginia Purchasing Division. For contracts of \$25,000 or less, the public authority shall be the agency issuing the contract. The report shall include:
(1) Information to show that the education and training service to the requirements of West Virginia Code § 21-1D-5 was provided;

CONTRACTOR LICENSE

Authorized by the

West Virginia Contractor Licensing Board

Number: WV004458

Classification:
SPECIALTY

ASPLUNDH TREE EXPERT CO
DBA ASPLUNDH TREE EXPERT CO
708 BLAIR MILL RD
WILLOW GROVE, PA 19090

Date Issued

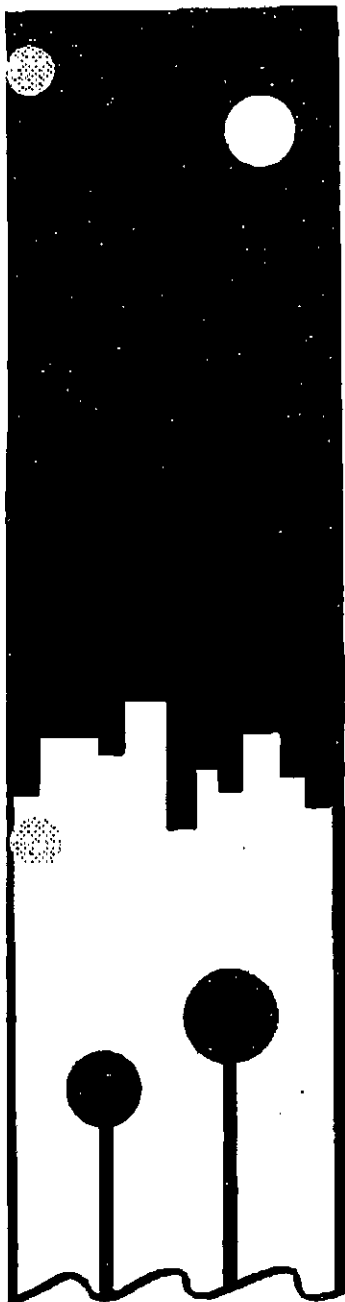
Expiration Date

NOVEMBER 22, 2015

NOVEMBER 22, 2016

Joseph P. Dwyer
Authorized Company Signature
Joseph P. Dwyer
Secretary-Treasurer

Michael A. Carl
Chair, West Virginia Contractor
Licensing Board



WEST VIRGINIA CONTRACTOR LICENSING BOARD

This license, or a copy thereof, must be posted in a conspicuous place at every construction site where work is being performed. This license number must appear in all advertisements, on all bid submissions and on all fully executed and binding contracts. This license cannot be assigned or transferred by licensee. Issued under provisions of West Virginia Code, Chapter 21, Article 11.



ADDENDUM ACKNOWLEDGEMENT FORM

SOLICITATION NO.:

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.

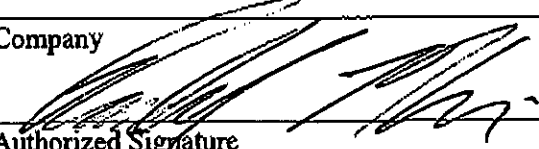
Addendum Numbers Received:
(Check the box next to each addendum received)

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

ASPLUNDH TREE EXPERT CO., RAILROAD DIVISION

Company

X 

Authorized Signature

RANDAL L. HAINES, REG. MGR.; MAY 9, 2016

Date

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

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.

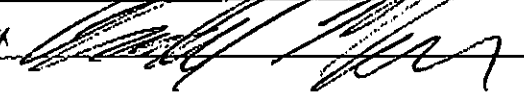
"Employer default" means having an outstanding balance or liability to the old fund or to the uninsured employers' fund or being in policy default, as defined in W. Va. Code § 23-2c-2, failure to maintain mandatory workers' compensation coverage, or failure to fully meet its obligations as a workers' 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 exceed 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: ASPLUNDH TREE EXPERT CO. RAILROAD DIVISION

Authorized Signature:  Date: MAY 9, 2016

State of PENNSYLVANIA

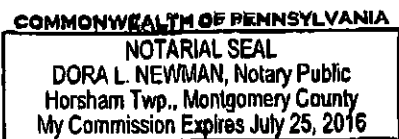
County of MONTGOMERY, to-wit:

Taken, subscribed, and sworn to before me this 9TH day of MAY, 2016.

My Commission expires 7/25, 2016

AFFIX SEAL HERE

NOTARY PUBLIC 
Purchasing Affidavit (Revised 08/01/2015)



N/A

State of West Virginia

VENDOR PREFERENCE CERTIFICATE

WV-10
Approved / Revised
12/16/15

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: _____ Signed: _____

Date: MAY 8, 2016 _____ Title: _____

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