



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 13:00:00	ARFQ 0803 DOT1800000012	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>Allegany Aggregates</i>

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

Signature X *[Handwritten Signature]* FEIN # *52-1641964* DATE *9/27/17*

**ADDITIONAL INFORMATION:**

TECHICAL QUESTIONS DUE BY 09/22/17 AT NOON

BID CLOSSES ON 09/29/17

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	EA		

Commodity Code	Manufacturer	Model #	Specification
11111600			

**Extended Description**

STONE, AGGREGATE, CINDERS - MAT.&DEL. TO NON-ESTAB. LOCATION PER ATTACHED PRICING PAGE AND INFORMATION ATTACHMENT FORM

**SCHEDULE OF EVENTS**

Line	Event	Event Date
1	TECHNICAL QUESTION BY NOON	2017-09-22

DOT1800000012	<b>Document Phase</b> Final	<b>Document Description</b> STONE, AGGREGATE, CINDERS - MAT.&DEL. TO NON-ESTAB. LOCATION	<b>Page 3</b> <b>of 3</b>
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**ADDITIONAL TERMS AND CONDITIONS**

See attached document(s) for additional Terms and Conditions

**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 |

*None*

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.

ALLEGANY AGGREGATES INC  
Full Company Name

*[Signature]*  
Authorized Signature

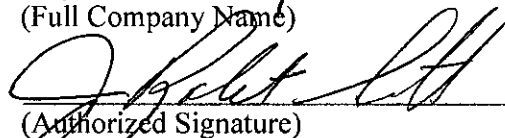
September 27, 2017  
Date

NOTE: This addendum acknowledgment 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.

ALLEGANY AGGREGATES, LLC  
(Full Company Name)

  
(Authorized Signature)

J. ROBERT SMITH, VICE PRESIDENT  
(Print or Type Name and Title of Signatory)

301-777-1777  
(Phone Number)

301-478-3008  
(Fax Number)

ROXUS SMITH @YAHOO.COM  
(Email address)

SEPTEMBER 27, 2017  
(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

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

9.2.3 Any other remedies available in law or equity.

**10. MISCELLANEOUS:**

**10.1 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.

**10.2 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.

**10.3 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.

**10.4 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: J. ROBERT SMITH  
Telephone Number: 301-777-1777  
Fax Number: 301-478-3008  
Email Address: ROX.RUSSMITH@YAHOO.COM

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 ALLEGANY AGGREGATES, INC

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)

<u>SHORT GAP QUARRY - SHORT GAP, WV.</u>
<u>BEDROCK QUARRY - FLINTSTONE, MD</u>

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

<u>SHORT GAP QUARRY</u>	<u>BEDROCK QUARRY</u>
<u>WAXLER ROAD</u>	<u>21235 NATURAL PINE</u>
<u>SHORT GAP, WV.</u>	<u>FLINTSTONE, MD 21530</u>

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 must 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	13.45		
B	Class 2 Aggregate	13.45		
C	Class 10 Aggregate	13.45		
D	AASHTO #1 Aggregate	15.45		
E	AASHTO #3 Aggregate	15.45		
F	AASHTO #4 Aggregate	15.45		
G	AASHTO #467 Aggregate	15.45		
H	AASHTO #57 Aggregate	15.45		
I	AASHTO #67 Aggregate	15.45		
J	AASHTO #7 Aggregate	15.45		
K	AASHTO #8 Aggregate	15.45		
L	AASHTO #9 Aggregate	16.45		
M	Stone for Gabions	16.60		
N	Fine Aggregate	13.00		
OA	Limestone Standard Abrasives	13.00		
OB	Sandstone Standard Abrasives	<del>13.00</del>		
PA	Limestone Modified Abrasives	13.50		
PB	Sandstone Modified Abrasives	<del>13.50</del>		
Q	Rip Rap	16.60		
R	Shot Rock	9.50		
S	AASHTO #8 Modified	16.05		
T	AASHTO #9 Modified	16.05		
U	Pea Gravel	<del>16.05</del>		
V	#11 Limestone Abrasives	<del>16.05</del>		
W	Quarry Waste	5.50		
AA	Cinders	<del>5.50</del>		
Items A-W and AA (Except for Q and R):				
X1	Haul by Vendor - First Ton-Mile	2.00		
X2	Haul by Vendor - Additional Ton-Mile	.75		
Items Q and R ONLY:				
Y1	Haul by Vendor - First Ton-Mile	2.75		
Y2	Haul by Vendor - Additional Ton-Mile	1.00		



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: Alexander Abduratos Signed: [Signature]  
 Date: 2/27/2017 Title: Vice President

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

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: ALLEGANY AGGREGATED INC

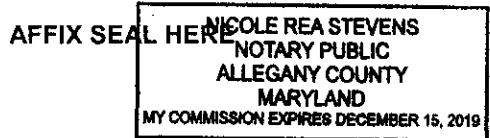
Authorized Signature: [Signature] Date: 9/27/17

State of Maryland

County of Allegany, to-wit:

Taken, subscribed, and sworn to before me this 27 day of September, 2017

My Commission expires December 15, 2019.



NOTARY PUBLIC [Signature]

West Virginia Ethics Commission

Disclosure of Interested Parties to Contracts

Contracting business entity: ALLEGANY AGGREGATES, Inc

Address: P.O. Box 127, CUMBERLAND, MD. 21502

Contracting business entity's authorized agent: J. ROBERT SMITH

Address: P.O. Box 127, CUMBERLAND MD 21502

Number or title of contract: ARFQ 0803 DOT 1800000012

Type or description of contract: STONE, AGGREGATE, CRINDERS - MAT. DEZ. TO NOV. ESTAB. LO

Governmental agency awarding contract: DOT

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

\_\_\_\_\_

\_\_\_\_\_

Signature: [Signature] Date Signed: 9/27/17

Check here if this is a Supplemental Disclosure.

Verification

State of Maryland, County of Allegany

I, [Signature], 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 27th day of September 2017.

[Signature] Notary Public's Signature

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

BOB SMITH  
3017771777  
ALLEGANY AGGREGATES  
21235 NATIONAL PIKE NE  
FLINTSTONE MD 21530

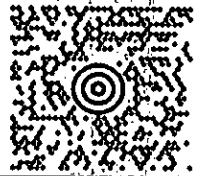
1 LBS

1 OF 1

DWT: 13,10,1

**SHIP TO:**

DIVISION OF HIGHWAYS  
3045589398  
FINANCE & ADMINISTRATION  
BUILDING 5, ROOM A-220  
19000 KANAWHA BLVD. E.  
CHARLESTON WV 25302

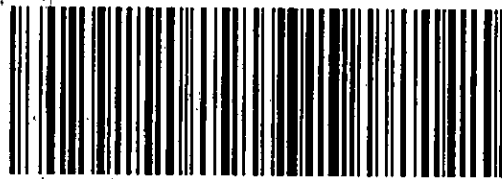


**WV 253 9-30**



**UPS NEXT DAY AIR EARLY 1+**

TRACKING #: 1Z 842 AOE 15 9137 3317



BILLING: P/P

UPS 19.5.48. WWTNVS0 90.0A 07/2017



9/27/2017

Shipping: UPS

**RECEIVED**

SEP 28 2017

FINANCE DIVISION  
DOT

8:00

**SEALED BID: Stone/Aggregate/Cinders/MAT. & DEL. TO NON-ESTAB.LOCATION**

**BUYER: DUSTY J. SMITH**

**SOLICITATION NO: ARFQ 0803 DOT1800000012**

**BID OPENING DATE: 09-09-2017**

**BID OPENING TIME: 13:00pm**

**FAX NUMBER: 304-558-7844**