

BLANKET PURCHASE ORDER

STATE OF MARYLAND

***** STATE OF MARYLAND *****

BPO NO: 001B4400309

PRINT DATE: 02/08/16

PAGE: 01

SHIP TO: AS SPECIFIED ON INDIVIDUAL ORDERS	
VENDOR ID: FO DAY BITUMINOUS CO LLC 850 EAST GUDE DR SUITE A ROCKVILLE, MD 20850 (301)652-2400	REFER QUESTIONS TO: IRIS LESTER BELL (410)767-4612 IRIS.LESTER@MARYLAND.GOV
ITB:	EXPR DATE: 02/28/16 POST DATE: 11/26/13
DISCOUNT TERMS: . NET 30 DAY CONTRACT AMOUNT: .00	

TERMS:

ARTICLES HEREIN ARE EXEMPT FROM MARYLAND SALES AND USE TAXES BY EXEMPTION CERTIFICATE NUMBER 3000256-3 AND FROM FEDERAL EXCISE TAXES BY EXEMPTION NUMBER 52-73-0358K. IT IS THE VENDOR'S RESPONSIBILITY TO ADVISE COMMON CARRIERS THAT AGENCIES OF THE STATE OF MARYLAND ARE EXEMPT FROM TRANSPORTATION TAX.

*
VENDOR TELEPHONE NUMBER: (301) 652-2400 .

A G E N C Y C O N T R A C T
F O R
H O T M I X A S P H A L T

A DESIGNATED AGENCY ONLY: STATE HIGHWAY ADMINISTRATION .

MODIFICATION 1: THIS CONTRACT HAS BEEN EXTENDED UNTIL
FEBRUARY 28, 2016.

CONTRACT SCOPE: THIS AGENCY CONTRACT DOES NOT OBLIGATE THE STATE OF MARYLAND TO PURCHASE ANY MINIMUM OR MAXIMUM QUANTITY THRU THE CONTRACT PERIOD. ORDERS FOR ACTUAL REQUIREMENTS MAY BE MORE OR LESS THAN LISTED. ORDERS AS REQUIRED WILL BE PLACED DIRECT TO THE SUPPLIER BY THE USING AUTHORITIES INDICATING DELIVERY AND BILLING INSTRUCTIONS.

CONTRACT PERIOD: DECEMBER 1, 2013 THRU NOVEMBER 30, 2015 (2 YEARS)
WITH ONE, TWO YEAR RENEWAL OPTION REMAINING.

ORDER PROCEDURE: USING AGENCY SHALL ISSUE A PURCHASE ORDER TO THE VENDOR FOR INVENTORY COMMODITIES COVERED BY THIS CONTRACT. THE VENDOR MUST ACCEPT THE MARYLAND CORPORATE PURCHASING CARD WITHIN THE

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TERMS (cont'd):

PROCUREMENT OFFICER'S LIMITS FOR PURCHASES NOT EXCEEDING \$ 2,500.00

AGENCY PICK-UP: ALL MATERIALS WILL BE PICKED UP BY THE USING AGENCIES F.O.B. POINT OF ORIGIN INCLUDING THE COST OF LOADING MATERIALS INTO USING AGENCIES TRUCKS. THE SUPPLIER SHALL SUPPLY A CERTIFIED MULTI-PART DELIVERY TICKET WHICH INCLUDE THE ADDRESS OF THE PURCHASING AGENCY, FACILITY, I.D. NUMBER, CONTRACT NUMBER, SHA MIX DESIGN NUMBER DATE & TIME LOADED, GROSS AND TARE WEIGHTS, AND NET WEIGHT OF THE MIX FOR EACH LOAD.

TAXES: THE STATE OF MARYLAND IS EXEMPT FROM FEDERAL AND STATE TAXES AND WILL NOT PAY OR REIMBURSE SUCH TAXES.

USAGE REPORT: A REPORT MUST BE FURNISHED BY THE SUCCESSFUL VENDOR ANNUALLY DETAILING THE PURCHASE OF ALL ITEMS OF THE CONTRACT INCLUDING PROCUREMENT CARD ORDERS. THE REPORT MUST BE FILED WITHIN TEN (10) DAYS BEFORE THE END OF REPORTING PERIOD TO THE USING AGENCY AND DGS. MAILED TO: DEPARTMENT OF GENERAL SERVICES
OFFICE OF PROCUREMENT & LOGISTICS
ATTN: IRIS LESTER
301 W. PRESTON STREET, ROOM M-3
BALTIMORE, MARYLAND 21201

QUALITY: THIS CONTRACT WILL BE CANCELLED UPON WRITTEN NOTICE TO THE VENDOR IF THE COMMODITIES SUPPLIED ARE OF AN INFERIOR QUALITY OR DO NOT CONFORM TO THE SPECIFICATIONS OF THE BID AND CONTRACT HEREIN.

OPEN MARKET CLAUSE: THE USING AGENCY MAY PURCHASE ON THE OPEN MARKET WITHOUT THE FILING OF A REQUISITION IF VENDOR DOES NOT PERFORM WITHIN THE CONTRACT TERMS AND CONDITIONS. VENDOR WILL BE RESPONSIBLE FOR THE DIFFERENCE IN COST BETWEEN OPEN MARKET PRICING AND CONTRACT PRICING.

CONTRACT ACCEPTANCE: BY SUBMITTING A BID THE VENDOR AGREES TO COMPLY WITH THE TERMS AND CONDITIONS OF THE CONTRACT CONTAINED HEREIN.

WARRANTY: THE SELLER EXPRESSLY WARRANTS THE GOODS COVERED BY THIS ORDER TO CONFORM TO THE SPECIFICATIONS. THE SELLER WILL GUARANTEE TO THE WARRANTED AGAINST DEFECTS IN MATERIAL AND WORKMANSHIP, AND THE PRODUCT IS FIT FOR THE INTENDED PURPOSE FOR THE PERIOD SPECIFIED BY THE MANUFACTURER. ITEMS DELIVERED UNDER THIS CONTRACT SHALL BE NEW, EQUIPMENT SHALL NOT BE ACCEPTED.

THIS QUOTATION IS SUBMITTED WITH THE UNDERSTANDING THAT THE VENDOR SHALL COMPLY WITH ALL FEDERAL AND STATE OSHA REGULATIONS, STATE OF MARYLAND PROCUREMENT REGULATIONS IN EFFECT AT THE TIME OF SUBMISSION AND THE INSTRUCTIONS PROVIDED HEREIN.

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TERMS (cont'd):

HOT MIX PLANT LOCATION:

F.O. DAY BITUMINOUS COMPANY, LLC
13900 PINEY MEETINGHOUSE ROAD
ROCKVILLE, MD 20850
(301) 424-4024

<u>LINE #</u>	<u>STATE ITEM ID</u>	<u>U/M</u>	<u>UNIT COST</u>	
0001	74521	EA	112.8900	
ASPHALTIC CONCRETE, HOT LAID INCLUDING BITUMINOUS MATERIALS 4.75 MM PG 64-22 LEVEL 2				
0002	74521	EA	77.2700	
ASPHALTIC CONCRETE, HOT LAID INCLUDING BITUMINOUS MATERIALS 9.5 MM PG 64-22 LEVEL 2				
0003	74521	EA	75.2400	
ASPHALTIC CONCRETE, HOT LAID INCLUDING BITUMINOUS MATERIALS 12.5 MM PG 64-22 LEVEL 2				

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<u>LINE #</u>	<u>STATE ITEM ID</u>	<u>U/M</u>	<u>UNIT COST</u>
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0004	74521	EA	65.8800
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ASPHALTIC CONCRETE, HOT LAID INCLUDING BITUMINOUS MATERIALS
19.0 MM PG 64-22 LEVEL 2

0005	74521	EA	64.8600
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ASPHALTIC CONCRETE, HOT LAID INCLUDING BITUMINOUS MATERIALS
25.0 MM PG 64.22 LEVEL 2

0006	74507-700004	GL	70.0000
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ASPHALT, EMULSIFIED (WITH LATEX / POLYMER). EMULSIFIED ASPHALT (SHA APPROVED) FOR USE AS A TACK COAT THAT IS APPROPRIATE FOR THE ABOVE MIXES AND MEETS SEASONAL REQUIREMENTS IN 5 GALLON CONTAINERS

END OF ITEM LIST

VENDOR MUST INCLUDE THE 9-DIGIT ZIP CODE OF COMPANY ADDRESS ON ALL INVOICES. FAILURE TO DO SO MAY RESULT IN DELAY OF PAYMENT.

ALL PRODUCTS USED IN PACKING TO CUSHION AND PROTECT DURING THE SHIPMENT OF COMMODITIES ARE TO BE MADE OF RECYCLED, RECYCLABLE, AND/OR BIODEGRADABLE MATERIALS.

THE CONTRACTOR WARRANTS THAT THE CONTRACTOR SHALL COMPLY WITH COMAR 21.11.08. DRUG AND ALCOHOL FREE WORKPLACE, AND THAT THE CONTRACTOR SHALL REMAIN IN COMPLIANCE THROUGHOUT THE TERM OF THIS PURCHASE ORDER.

STATE FEDERAL TAX IDENTIFICATION NUMBER: 52-0939648

STATE PHONE NUMBER FOR PLACING ORDER: (301) 652-2400

STATE VENDOR CONTACT PERSON: DANIEL FEMIANO

ORIGINAL BPO#: 001B9200367 12/01/2009 THRU 11/30/2011

1ST RENEWAL: 001B2400210 12/01/2011 THRU 11/30/2013

2ND RENEWAL: 001B4400309 12/01/2013 THRU 11/30/2015

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AUTHORIZED BY: _____ DATE: _____

BUYER AUTHORIZED DESIGNEE