

# BLANKET PURCHASE ORDER

## STATE OF MARYLAND

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

BPO NO: 001B4400457

PRINT DATE: 10/31/15

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<b>SHIP TO:</b> AS SPECIFIED ON INDIVIDUAL ORDERS		
<b>VENDOR ID:</b> P FLANIGAN & SONS INCORPORATED 2444 LOCH RAVEN RD  BALTIMORE, MD 21218 (410 )467-5900	<b>REFER QUESTIONS TO:</b>  LISA FORTUNE MCDONALD (410 )767-4084 LISA.MCDONALD@MARYLAND.GOV	
<b>ITB:</b>	<b>EXPR DATE:</b> 03/31/16 <b>POST DATE:</b> 03/13/14	<b>DISCOUNT TERMS:</b> . NET 30 DAY <b>CONTRACT AMOUNT:</b> .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: 410-467-5900

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MULTIPLE AWARD AGENCY CONTRACT  
SPECIAL TERMS AND CONDITIONS  
FOR  
HOT ASPHALT MIX

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A DESIGNATED AGENCY ONLY: STATE HIGHWAY ADMINISTRATION

CONTRACT SCOPE: THIS AGENCY CONTRACT DOES NOT OBLIGATE THE STATE OF MARYLAND TO PURCHASE ANY MINIMUM OR MAXIMUM QUANTITY THRU THE CONTRACT 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: APRIL 1, 2014 THRU MARCH 31, 2016 WITH TWO, TWO YEAR RENEWAL OPTIONS UPON WRITTEN CONSENT WITH THE USING AGENCY, VENDOR, AND THE DEPARTMENT OF GENERAL SERVICES.

ORDERING PROCEDURE: USING AGENCY SHALL ISSUE A PURCHASE ORDER TO THE VENDOR FOR THE INVENTORY COMMODITIES COVERED BY THIS CONTRACT. THE VENDOR MUST ACCEPT THE MARYLAND CORPORATE PURCHASING CARD WITHIN THE PROCUREMENT OFFICER'S LIMITS FOR PURCHASES NOT EXCEEDING \$ 2,500.00

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### TERMS (cont'd):

AGENCY PICK-UP: ALL MATERIAL WILL BE PICKED UP BY THE USING AGENCIES F.O.B. POINT OF ORIGIN INCLUDING THE COST OF LOADING THE MATERIAL INTO USING AGENCIES TRUCKS. THE SUPPLIER SHALL SUPPLY A CERTIFIED MULTI-PART DELIVERY TICKET WHICH INCLUDED 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 WEIGHTS 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 ON 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. REPORT SHALL BE MAILED TO: DEPARTMENT OF GENERAL SERVICES  
OFFICE OF PROCUREMENT & LOGISTICS  
ATTN: WALTER JOHNSON  
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 DIFFERENCE IN COST BETWEEN OPEN MARKET PRICING AND CONTRACT PRICING.

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

WARRANTY: THE SELLER EXPRESSELY 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.

SPECIAL NOTE: VENDOR SHALL BE AN APPROVED SHA APPROVED HMA PRODUCER AND SHOULD SUBMIT BASE PRICING ON EMARYLANDMARKETPLACE FOR EACH LINE ITEM FOR THEIR PRIMARY HMA PLANT IN THAT REGION. IF THEIR ARE MORE THAN ONE PLANT OPERATED IN THAT PARTICULAR REGION BY A VENDOR THEY SHALL SUBMIT ON AN ATTACHED SHEET PRICING FOR THAT

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### TERMS (cont'd):

LOCATION, PLANT LOCATION, AND CONTACT PERSON.

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.

#### PLANT LOCATION:

WESTPORT PLANT FACILITY  
STATE HIGHWAY PLANT #051  
2120 ANNAPOLIS ROAD  
BALTIMORE, MARYLAND 21230  
PLANT MANAGER: LEE MAWYER  
PHONE: 410-554-1077

MONROE STREET PLANT FACILITY  
STATE HIGHWAY PLANT #127  
1320 N. MONROE STREET  
BALTIMORE, MARYLAND 21217  
PLANT MANAGER: BILL ADAMS  
PHONE: 410-554-1080

<u>LINE #</u>	<u>STATE ITEM ID</u>	<u>U/M</u>	<u>UNIT COST</u>
0001	74567	EA	

ANNE ARUNDEL COUNTY

HOT MIX ASPHALT

#### SHA APPROVED MIXES:

4.75 MM PG 64-22 LEVEL 2..... \$ 90.00 PRICE PER TON  
9.5 MM PG 64-22 LEVEL 2..... \$ 69.75 PRICE PER TON  
12.5 MM PG 64-22 LEVEL 2..... \$ 65.25 PRICE PER TON  
19.0 MM PG 64-22 LEVEL 2..... \$ 65.25 PRICE PER TON  
25.0 MM PG 64-22 LEVEL 2..... \$ 61.00 PRICE PER TON

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0002	74507-700004	GL	40.0000
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EMULSIFIER HOT MIX ASPHALT

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

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**TERMS (cont'd):**

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: 52-0313970

STATE PHONE NUMBER FOR PLACING ORDER: (410) 467-5900

STATE VENDOR CONTACT PERSON: TOM WILLIAMS / KEVIN R. MULLEN

\*\*\*\*\* LAST PAGE \*\*\*\*\*

**AUTHORIZED BY:** \_\_\_\_\_ **DATE:** \_\_\_\_\_  
**BUYER AUTHORIZED DESIGNEE**