



INVITATION TO BID NO. 12-600-005
Wise County, Texas

BID TITLE: *Purchase Emulsion*

SEALED BIDS WILL BE RECEIVED UNTIL: *10:00 a.m. central time, Thursday, August 11, 2011*

RETURN BIDS TO:

*Wise County Asset Control Office
400 W Walnut, Decatur or
P.O. Box 952, Decatur, TX 76234*

All bids must be submitted in a sealed envelope on the enclosed bid form and received on or before the time specified above. The bid envelope must have a return address in the upper left-hand corner and the bid name and number in the lower left-hand corner.

SCOPE

Wise County is now accepting formal sealed bids for a contract for the purchase of emulsion for county blacktop road repairs.

This contract will be effective from October 1, 2011 through September 30, 2012.

This contract may be canceled with 30 days written notification by either party to the other.

SPECIFICATIONS

It is the intent of these specifications to describe emulsion products necessary for the construction of roads.

Any catalog, brand name, or manufacturer's reference used in describing an item is merely descriptive and not restrictive unless otherwise noted, and is used only to indicate type and quality of material. Bidders must state exactly what they intend to furnish. If bidder takes no exception to specifications or reference data, he will be required to furnish items as specified in the bid.

All specifications are drawn from and must conform to the Texas Department of Transportation, 2004 Standard Specifications for Construction of Highways, Streets and Bridges. For any that fall under Item 341 and special provision 341-022, no bonuses will be considered as part of this bid.

The material shall be homogeneous. It shall show no separation of asphalt after thorough mixing and shall meet the viscosity requirements at any time within 30 days after delivery.

Minimum temperature at delivery must be 90 degrees Fahrenheit.

All invoices must show the per-unit (per-ton) cost of the emulsion itself and any hauling fees, if applicable.

The County may award a separate contract for each of the four road and bridge precincts.

Emulsion purchase will be delivered by vendor upon request or picked up by county at the county's discretion either by county owned or contracted means.

In order to comply with State laws concerning competitive bidding while maintaining as much continuity as possible between the County and its contracted asphalt vendor(s), Wise County has elected to utilize a "fluctuating price" contract(s) which takes the changing market conditions into consideration over the contract period.

Pricing will be based on a cost plus amount. "COST" will be based upon prices the bidder receives on liquid asphalt from the supplier. Bidders should be prepared to support the "COST" if required by the Auditor. All other factors that affect the price should be incorporated into the bid price. Please do not include the "cost" amount in your bid. Bid prices should only reflect the "plus" amount.

ESTIMATED QUANTITIES

Because Wise County's needs are seasonal in nature, it is not feasible to offer prospective bidders estimated quantities needed during the year. However, prospective bidders are encouraged to contact the individual department heads of the listed departments to discuss their anticipated needs. Wise County will in no way be bound to purchase any predetermined amounts under this contract. All purchases will be based on the County's actual needs.

PRECINCT LOCATIONS AND PHONE NUMBERS

Precinct #1 Highway 380 and FM 51 N., Decatur	940-627-5810 Danny White
Precinct #2 Highway 81/287 and FM 1655, Alvord	940-427-4881 Kevin Burns
Precinct #3 Highway 730 S., Boyd	940-433-5365 Harry Lamance
Precinct #4 Highway 380, Bridgeport	940-683-4153 Terry Ross

GENERAL CONTRACT TERMS AND CONDITIONS

The contract price for this service must include all ancillary costs associated with the service.

The bidder reserves the right to charge any price desired as long as it does not exceed the bid price.

All invoices will be paid on a net 30 basis. No late fees or interest charges are to be assessed against the county.

Invoices must show the address and department where the service was required and the bid number. Each department/precinct must be invoiced separately.

Invoices must be sent to:

Wise County Auditor's Office
P.O. Box 899
Decatur, TX 76234
940-627-5744

Delivery points will be within Wise County.

Funds for payment on this contract have been provided through the Wise County budget approved by Commissioners' Court for this fiscal year only. State of Texas statutes prohibit the obligations and expenditure of public funds beyond the fiscal year for which a budget has been approved. Therefore, anticipated orders or other obligations that may arise past the end of the current Wise County fiscal year shall be subject to budget approval. The fiscal year for the County extends from October 1st of each calendar year to September 30th of the next calendar year.

The bidder must provide pricing (unit or lump sum) as requested on the bid form. Prices quoted shall remain firm for the period of the contract and shall include the cost of installation if required in the specifications, shipping, and delivery of item to the designated point unless pickup is required and stated in the bid and shall not include Federal or State of Texas sales, excise and use taxes.

The undersigned affirms they have familiarized themselves with the local conditions under which the work is to be performed and have satisfied themselves of matters that may be incidental to the work before submitting a bid.

Bidders must submit their bids on the attached forms and they must be originally signed.

Bids not submitted on these forms will be summarily disqualified.

Faxed or emailed bids will not be accepted.

By submitting and signing the attached bid forms, each bidder is indicating that he has read and understood the instructions, terms, conditions, specifications, and invitation to bid and agrees to comply with and be bound by its precepts. Submission of a bid form shall constitute an offer on such terms that shall remain open and irrevocable until such time as a bid submitted on same has been accepted by the Commissioners' Court of Wise County, Texas. Acceptance of same by the Court shall create a contract between the parties based upon the instructions, terms, conditions, specifications, invitation to bid, and the bid forms.

Continuing non-performance of the vendor in terms of specifications shall be basis for termination of the contract by Wise County. Wise County shall not pay for work, equipment, or supplies that are unsatisfactory. Vendors will be given a reasonable opportunity before termination to correct the deficiencies. However, this shall in no way be construed as negating the basis for non-performance termination.

A Conflict of Interest Questionnaire and explanation has been included with this bid packet. If you have any questions about compliance, please consult your own legal counsel. Compliance is the individual responsibility of each individual, business, or agent who is subject to the laws filing requirements. If you are required to file a Conflict of Interest Questionnaire, the original signed questionnaire should be filed with the County Clerk's Office. . **DO NOT INCLUDE THIS FORM WITH THE BID PACKET. IT WILL NOT BE FILED BY ASSET CONTROL.**

Wise County Clerk
P.O. Box 359
200 N Trinity
Decatur, TX 76234
940-627-3351

The bid analysis will include compliance to bid specifications, past performance with vendor, warranty, delivery time, and the overall cost to Wise County. Wise County reserves the right to consider deviations from these specifications. All bids meeting the intent of this invitation to bid will be considered for award. Bidders taking exception to the specifications, or offering substitutions, shall state these exceptions in the section provided or by attachment as part of the bid. The absence of such a list shall indicate that the bidder has not taken exceptions and shall hold the bidder responsible to perform in strict accordance with the specifications of the invitation. Wise County Commissioners' Court reserves the right to accept any and all or none of the exception(s)/substitution(s) deemed to be in the best interest of the County.

Award, if any, will be made to the responsible bidder(s) submitting the lowest and/or best bid price(s) for the item(s) as specified and meeting all the requirements of the invitation to bid. All information required by the bid form must be furnished. To be determined will not be considered an answer. It should be understood by all bidders that Wise County reserves the right to reject bid submissions that do not meet the requirements of the invitation to bid and that do not contain all of the documentation detailed below.

1. Bid form completed in its entirety and originally signed
2. Price form
3. Affidavit

Wise County reserves the right to accept and/or reject any and all bids or proposals for any reason whatsoever.

Wise County reserves the right to waive any minor technicalities.

ADDITIONAL NOTICE TO BIDDERS

BY RESOLUTION PASSED ON FEBRUARY 23, 2004, THE WISE COUNTY COMMISSIONERS' COURT RESERVES THE RIGHT TO REFUSE TO CONSIDER ANY BID SUBMITTED BY ANY PERSON OR ENTITY THAT IS CURRENTLY INDEBTED TO WISE COUNTY.

APPLICABLE DATES AND TIMES

The bids will be received in the Wise County Asset Control Office at 400 W Walnut in Decatur, Texas, until 10:00 a.m. central time, Thursday, August 11, 2011.

The Wise County Asset Control Office will date and time receive stamp all bids upon their receipt.

The County assumes no responsibility for the timely delivery of any bid by anyone or any entity.

Those bids that come in after the above mentioned time will be summarily disqualified and will be left unopened unless it is necessary to open the bid envelope to return a bid bond or check.

No modifications may be made to bids after the time set for the bid opening. Bids may be withdrawn up to, but not after, the time set for bid opening.

The bids will be opened and publicly read in the County Asset Control Office at 10:00 a.m. central time, Thursday, August 11, 2011.

Bids will be considered for award in Wise County Commissioners' Court at the next regularly scheduled Commissioners' Court at the location posted on the agenda. All bidders are encouraged to be present at the bid opening and the bid awarding to defend and answer questions about their bid.

If due to inclement weather or any reason beyond our control the Asset Control Office is closed on the scheduled bid opening date or time, the bid opening date and time will be the same time on the first day the office is reopened for business. Should this be after the original Commissioners' Court date set for award, the award will be considered in the next scheduled Commissioners' Court after the opening.

For questions regarding this bid, please contact the Asset Control Office at 940-627-3312.

TITLE

The bid must be submitted in a sealed envelope with the following written on the lower left-hand corner of the outside of the envelope:

"EMULSION, BID NO. 12-600-005"

The bid envelope must also have the bidder's complete return address in the upper left-hand corner of the outside of the envelope.

WISE COUNTY, TEXAS
EMULSION
Bid No. 12-600-005

Bidder's Name: Southern Asphalt

Address: 3632 Lawnwood

Mailing Address: P.O. Box 7637

City/State/Zip: Fort Worth, TX 76111

Phone Number: 817 834-2800 Fax Number: 817 831-9869

Email: doloresabels@southernasphalt.net

Person to Contact: Gary Johnson

PLEASE ATTACH PRICE SHEET TO THIS FORM.

Purchase Price must include any and all charges. Any extraneous fees or charges that will or may be invoiced to the County must be disclosed on this form. This includes, but is not limited to freight, fuel or travel surcharges, overtime rate, etc.

Signature: Gary Johnson

Typed Name and Title: Gary Johnson President

Date: 8/3/11

If your bid *does not* represent one price for all precincts, duplicate this bid form and indicate the precinct applicable. Precinct 1 2 3 4 (Circle one or all)

Seal Coat Rapid Setting Emulsion Name CRS 2

FOB PLANT

Profit (Margin) bid: .12 cents/gal

Profit (Margin) bid: 0 cents/ton

FOB DELIVERED

Profit (Margin) bid: 0 cents/gal

Profit (Margin) bid: 0 cents/ton

Seal Coat Rapid Setting Emulsion (summer mixture) Name CRS 2H

FOB PLANT

Profit (Margin) bid: .12 cents/gal

Profit (Margin) bid: 0 cents/ton

FOB DELIVERED

Profit (Margin) bid: 0 cents/gal

Profit (Margin) bid: 0 cents/ton

Seal Coat Rapid Setting Emulsion (polymer mixture) Name CRS 2P

FOB PLANT

Profit (Margin) bid: .12 cents/gal

Profit (Margin) bid: 0 cents/ton

FOB DELIVERED

Profit (Margin) bid: 0 cents/gal

Profit (Margin) bid: 0 cents/ton

Tack Oil Name CSS 14

FOB PLANT

Profit (Margin) bid: .12 cents/gal

Profit (Margin) bid: 0 cents/ton

FOB DELIVERED

Profit (Margin) bid: 0 cents/gal

Profit (Margin) bid: 0 cents/ton

Prime Oil Name AEP / mc-30

FOB PLANT

Profit (Margin) bid: .12 cents/gal

Profit (Margin) bid: 0 cents/ton

FOB DELIVERED

Profit (Margin) bid: 0 cents/gal

Profit (Margin) bid: 0 cents/ton

Seal Coat Hot Applied Name AC 5 / AC 10

FOB PLANT

Profit (Margin) bid: .12 cents/~~per~~ gallon

FOB DELIVERED

Profit (Margin) bid: 0 cents/ton

DEMURRAGE Minimum Time Limit 2 Hrs., Per Hr. Thereafter \$ 100.⁰⁰

PUMP CHARGE \$ 100.⁰⁰ MINIMUM FREIGHT 25 TONS

Profit Margin is cents per gallon or ton over "cost". Please do not include the "cost" price.

STATE OF TEXAS (

COUNTY OF WISE (

AFFIDAVIT

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Gary Johnson known to me to be the person whose name is subscribed to the following, who, after having first duly sworn, upon oath, did depose and say:

That the foregoing bid submitted by Southern Asphalt hereinafter called "Bidder" is the duly authorized agent of said company and that the person signing said bid has been duly authorized to execute the same. Bidder affirms that they are duly authorized to execute this contract. This company, corporation, firm, partnership or individual has not prepared this bid in collusion with any other Bidder, and that the contents of this bid as to prices, terms or conditions of said bid have not been communicated by the undersigned nor by any employee or agent to any other person engaged in this type of business prior to the official opening of this bid.

I am the affiant in the above-mentioned bid. I have personal knowledge of the facts contained in the foregoing statement and they are true and correct to the best of my knowledge and belief.

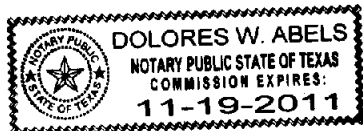
FURTHER AFFIANT SAYETH NAUGHT.

Name and Address of Bidder:

Bidder: Southern Asphalt
Signed by: Gary Johnson
Address: P.O. Box 7637 Ft. Worth, TX 76111
Telephone: (817) 834-2800 Date: (817) 831-9869

Affiant: Gary Johnson
Name: Gary Johnson
Title: President

SWORN TO AND SUBSCRIBED BEFORE ME THIS 3rd day of Aug, 2011.



Dolores W. Abels
Notary Public in and for the State of Texas

WISE COUNTY, TEXAS
EMULSION
Bid No. 12-600-005

Bidder's Name: Heartland Asphalt Materials, Inc.
Address: 114 South Silver Springs Road
Mailing Address: P.O. Box 880
City/State/Zip: Cape Girardeau, MO 63702-0880
Phone Number: (817) 228-1418 Fax Number: (573) 388-4393
Email: pcoyl@heartlandasphaltmaterials.com
Person to Contact: Pat Coyle - Account Manager

PLEASE ATTACH PRICE SHEET TO THIS FORM.

Purchase Price must include any and all charges. Any extraneous fees or charges that will or may be invoiced to the County must be disclosed on this form. This includes, but is not limited to freight, fuel or travel surcharges, overtime rate, etc.

Note: Please review the attached Letter of Exception, along with our pricing sheet for the products requested within this Invitation to Bid No. 12-600-05.

Signature: [Signature]
Typed Name and Title: PATRICK J Coyle - Account Manager
Date: 8/11/11



August 11, 2011

Wise County Commissioner's Court
Wise County Courthouse
Decatur, TX 76234

Dear Commissioners,

Heartland Asphalt Materials (HAM) appreciates the opportunity to offer you a competitive bid for your county emulsion needs. HAM will take possession of the emulsion plant in Saginaw, TX, formerly known as SEM Materials/KOCH Materials on January 1, 2012.

Understanding the bid effective date is October 1, 2011, which we would not be able to support until January 1, 2012, we respectfully ask permission to submit our competitive bid and have the opportunity to supply you for the remainder of the bid period through September 30, 2012. Understanding the emulsion season is usually completed by the end of September, we are confident this will not be an issue.

HAM respectfully makes the following exceptions to Bid Number 12-600-005:

Page 1, Item "Specifications", Paragraph 5

Minimum temperatures for the Seal Coat Hot Applied products should be delivered and applied between 350 and 375 degrees Fahrenheit for best results.

Page 2, Item "Specifications", Paragraph 1

Invoices for delivered loads of emulsion to Wise County will show the FOB – County (delivered) price. Invoices picked up at our facility in Saginaw, TX will show the FOB – Plant price. The prices for both FOB plant and delivered price are on the attached pricing sheet.

Page 2, Item "Specifications", Paragraph 5

"Cost Plus" pricing as described indicates a Distributorship Vendor. HAM is the manufacturer of the final product and therefore does not qualify as a distributor. Therefore, HAM will be providing you with a fixed price per gallon for the effective period of the contact.

Any requests for a price increase during the contract period will be made in writing with supporting raw material invoices included.

If you have any questions, please feel free to contact me at 817-228-1418, or by email - pcoyle@heartlandasphaltmaterials.com

Best Regards,

Pat Coyle
Account Manager

If your bid *does not* represent one price for all precincts, duplicate this bid form and indicate the precinct applicable. **Precinct 1 2 3 4** (Circle one or all)

Seal Coat Rapid Setting Emulsion Name CRS-2

~~FOB PLANT~~

~~Profit (Margin) bid: _____ cents/gal~~

~~Profit (Margin) bid: _____ cents/ton~~

~~FOB DELIVERED~~

~~Profit (Margin) bid: _____ cents/gal~~

~~Profit (Margin) bid: _____ cents/ton~~

Seal Coat Rapid Setting Emulsion (summer mixture) Name CRS-2H

~~FOB PLANT~~

~~Profit (Margin) bid: _____ cents/gal~~

~~Profit (Margin) bid: _____ cents/ton~~

~~FOB DELIVERED~~

~~Profit (Margin) bid: _____ cents/gal~~

~~Profit (Margin) bid: _____ cents/ton~~

Seal Coat Rapid Setting Emulsion (polymer mixture) Name CRS-2P

~~FOB PLANT~~

~~Profit (Margin) bid: _____ cents/gal~~

~~Profit (Margin) bid: _____ cents/ton~~

~~FOB DELIVERED~~

~~Profit (Margin) bid: _____ cents/gal~~

~~Profit (Margin) bid: _____ cents/ton~~

Please see attached price sheet.

Please see attached price sheet.

Please see attached price sheet.

Tack Oil Name CSS-1H

FOB PLANT

Profit (Margin) bid: _____ cents/gal

Profit (Margin) bid: _____ cents/ton

FOB DELIVERED

Profit (Margin) bid: _____ cents/gal

Profit (Margin) bid: _____ cents/ton

Prime Oil Name AE-P

FOB PLANT

Profit (Margin) bid: _____ cents/gal

Profit (Margin) bid: _____ cents/ton

FOB DELIVERED

Profit (Margin) bid: _____ cents/gal

Profit (Margin) bid: _____ cents/ton

Seal Coat Hot Applied Name AC-20XP

FOB PLANT

Profit (Margin) bid: _____ cents/ton

FOB DELIVERED

Profit (Margin) bid: _____ cents/ton

DEMURRAGE Minimum Time Limit 2 Hrs., Per Hr. Thereafter \$ 80

PUMP CHARGE \$ 80 MINIMUM FREIGHT 23 TONS

Please see attached price sheet.

Please see attached price sheet.

Please see attached price sheet.

Profit Margin is cents per gallon or ton over "cost". Please do not include the "cost" price.



Pat Coyle
(817) 228-1418 Cell
pcoyl@heartlandasphaltmaterials.com

Wise County, Texas

Quote Number **240**

Date of Quote	8/11/2011
Contact Person	Diana Alexander
Contact Information	
Date Project Completes	9/30/2012
Project Number	Annual Bid
Control Number	ITB No. 12-600-005
County	Wise
Date of Letting	8/11/2011
Origin Terminal	Saginaw, Texas
Date Quote Expires	10/1/2011

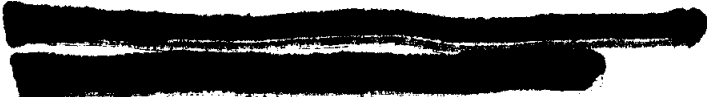
***Heartland Asphalt Materials to be notified if this quote will be used by this date.**

Comments:

Thank you for the opportunity to reply to your ITB No. 12-600-05. Please find our price quotations listed below awaiting your approval.

Term:	October 1, 2011 thru September 30, 2012		
Products:	CRS-2	\$2.48/gal FOB	\$2.59/gal Delivered
	CRS-2H (Summer Blend)	\$2.48/gal FOB	\$2.59/gal Delivered
	CRS-2P	\$3.08/gal FOB	\$3.19/gal Delivered
	CSS-1H	\$2.48/gal FOB	\$2.59/gal Delivered
	AE-P	\$3.28/gal FOB	\$3.39/gal Delivered
	AC-20XP	\$799.00/Ton FOB	\$822.00/Ton Delivered

Demurrage: Min time limit - 2 Hrs, Per Hour Therafter \$80.00
Pump Charge: \$80.00
Minimum Freight: 23 tons



****If product is to be tax exempt, a completed tax exemption certificate will be required.***

****All quotes are contingent upon credit approval.***

Bid: Emulsion, 12-600-005

STATE OF TEXAS (

COUNTY OF WISE (

AFFIDAVIT

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Patrick J Coyle known to me to be the person whose name is subscribed to the following, who, after having first duly sworn, upon oath, did depose and say:

That the foregoing bid submitted by Heartland Asphalt Materials, Inc hereinafter called "Bidder" is the duly authorized agent of said company and that the person signing said bid has been duly authorized to execute the same. Bidder affirms that they are duly authorized to execute this contract. This company, corporation, firm, partnership or individual has not prepared this bid in collusion with any other Bidder, and that the contents of this bid as to prices, terms or conditions of said bid have not been communicated by the undersigned nor by any employee or agent to any other person engaged in this type of business prior to the official opening of this bid.

I am the affiant in the above-mentioned bid. I have personal knowledge of the facts contained in the foregoing statement and they are true and correct to the best of my knowledge and belief.

FURTHER AFFIANT SAYETH NAUGHT.

Name and Address of Bidder:

Bidder: Heartland Asphalt Materials, Inc.
Signed by: PATRICK J Coyle
Address: 114 South Silver Road, Cape Girardeau, MO 63702
Telephone: 817-228-1418 Date: 8/11/11

Affiant: [Signature]
Name: PATRICK J Coyle
Title: Account Manager

SWORN TO AND SUBSCRIBED BEFORE ME THIS 11 day of August, 20 11.

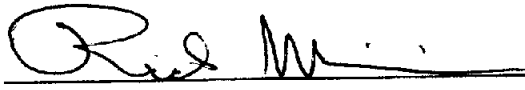
Ramona S Halfhead
Notary Public in and for the State of Texas

WISE COUNTY, TEXAS
EMULSION
Bid No. 12-600-005

Bidder's Name: P² Emulsion Plants, L.L.C.
Address: 516 S. McLennan Loop
Mailing Address: 516 S. McLennan Loop
City/State/Zip: Elm Mott, Texas 76640
Phone Number: () (254) 829-0330 Fax Number: () (254) 829-0337
Email: paemulsions@sbcglobal.net
Person to Contact: Rick McGinnis (817) 307-6411

PLEASE ATTACH PRICE SHEET TO THIS FORM.

Purchase Price must include any and all charges. Any extraneous fees or charges that will or may be invoiced to the County must be disclosed on this form. This includes, but is not limited to freight, fuel or travel surcharges, overtime rate, etc.

Signature: 
Typed Name and Title: Rick McGinnis / Representative
Date: August, 3 2011

P2 Emulsion Plants, L.L.C.

516 S. McLennan Loop
Elm Mott, Texas 76640
Phone (254) 829-0330 Fax (254) 829-0337
p2emulsions@sbcglobal.net

Contact: Rick McGinnis Cell: (817) 307-6411

Product Price Sheet for Wise County
Effective Date: 9/1/2011

Product	Tanker FOB Plant (per gallon)	Tanker FOB County (per gallon)	Tote/Drum FOB Plant (@ gal.)
P2 Prime "Lucky 7-RTU" Premixed, ready to use	\$1.20	\$1.40	\$1.40
P2 "Tack 41 - RTU" Premixed, ready to use	\$1.65	\$1.85	\$1.85
P2 "Prime 11 Concentrate" Mixes with 6 parts water to make a prime, 4 parts water to make a tack	\$1.99	\$2.19	\$2.19
P2 Stabilizer Asphalt Base Stabilizer	\$2.43	\$2.63	\$2.63
P2 Rejuvenator Asphalt Rejuvenator	\$2.47	\$2.67	\$2.67
CWE-2 No Bleed Chip Seal Emulsion	\$2.52	\$2.72	\$2.72
CWP (Cold Weather Patch) Year Round Pot Hole Patch Emulsion	\$2.52	\$2.72	\$2.72
R.O.C "Road Over Coat" for Chip Seal Roads	\$2.57	\$2.77	\$2.77

*All P2 products are Proprietary/Sole Source formulated to fulfill
TxDot 300.2 particle charge procedure T59. Positive/Cationic.

Minimum Tanker Delivery: 5,000 Gallons.

Smaller Quantities Available, Subject to Freight Differential.

Extra charges, if applicable:

Demurrage (trucking charge): First 2 hours free, \$70.00 per hour there after.

Pump Charge (trucking charge): \$70.00 if needed.

"Tote" Containers (275 or 330 gallons) cost \$129.00 for container cost.
(They are re-usable and can be re-filled.) Plus Common Carrier Freight charge.

Drum Containers (55 gallons) cost \$26.00 for each container.
Plus Common Carrier Freight charge.

If your bid *does not* represent one price for all precincts, duplicate this bid form and indicate the precinct applicable. Precinct 1 2 3 4 (Circle one or all)

Seal Coat Rapid Setting Emulsion Name CWE-2

FOB PLANT

Profit (Margin) bid: \$ 2.52 cents/gal

Profit (Margin) bid: _____ cents/ton

FOB DELIVERED

Profit (Margin) bid: \$ 2.72 cents/gal

Profit (Margin) bid: _____ cents/ton

Seal Coat Rapid Setting Emulsion (summer mixture) Name CWE-2

FOB PLANT

Profit (Margin) bid: \$ 2.52 cents/gal

Profit (Margin) bid: _____ cents/ton

FOB DELIVERED

Profit (Margin) bid: \$ 2.72 cents/gal

Profit (Margin) bid: _____ cents/ton

Seal Coat Rapid Setting Emulsion (polymer mixture) Name No Bid

FOB PLANT

Profit (Margin) bid: _____ cents/gal

Profit (Margin) bid: _____ cents/ton

FOB DELIVERED

Profit (Margin) bid: _____ cents/gal

Profit (Margin) bid: _____ cents/ton

Tack Oil Name P2 Tack 41 - RTU

FOB PLANT

Profit (Margin) bid: \$ 1.65 cents/gal

Profit (Margin) bid: _____ cents/ton

FOB DELIVERED

Profit (Margin) bid: \$ 1.85 cents/gal

Profit (Margin) bid: _____ cents/ton

Prime Oil Name P2 Prime Lucky 7 - RTU

FOB PLANT

Profit (Margin) bid: \$ 1.20 cents/gal

Profit (Margin) bid: _____ cents/ton

FOB DELIVERED

Profit (Margin) bid: \$ 1.40 cents/gal

Profit (Margin) bid: _____ cents/ton

Seal Coat Hot Applied Name Roc.

FOB PLANT

Profit (Margin) bid: \$ 2.57 cents/ton gal

FOB DELIVERED

Profit (Margin) bid: \$ 2.77 cents/ton gal

DEMURRAGE Minimum Time Limit 2 Hrs., Per Hr. Thereafter \$ 70⁰⁰

PUMP CHARGE \$ 70⁰⁰ MINIMUM FREIGHT 5^K gallon TONS

* ALL pricing is Firm Bid from P2 Emulsions Plants, L.L.C.

Profit Margin is cents per gallon or ton over "cost". Please do not include the "cost" price.

Bid: Emulsion, 12-600-005

STATE OF TEXAS (

COUNTY OF WISE (

AFFIDAVIT

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Rick McGinnis known to me to be the person whose name is subscribed to the following, who, after having first duly sworn, upon oath, did depose and say:

That the foregoing bid submitted by P² Emulsion Plants, L.L.C. hereinafter called "Bidder" is the duly authorized agent of said company and that the person signing said bid has been duly authorized to execute the same. Bidder affirms that they are duly authorized to execute this contract. This company, corporation, firm, partnership or individual has not prepared this bid in collusion with any other Bidder, and that the contents of this bid as to prices, terms or conditions of said bid have not been communicated by the undersigned nor by any employee or agent to any other person engaged in this type of business prior to the official opening of this bid.

I am the affiant in the above-mentioned bid. I have personal knowledge of the facts contained in the foregoing statement and they are true and correct to the best of my knowledge and belief.

FURTHER AFFIANT SAYETH NAUGHT.

Name and Address of Bidder:

Bidder: P² Emulsion Plants, L.L.C.

Signed by: [Signature]

Address: 516 S. McLennan Loop, EIM Mott, Tx 76640

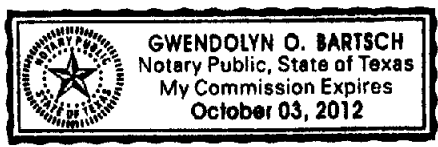
Telephone: (254) 829-0330 Date: August 3, 2011

Affiant: [Signature]

Name: Rick McGinnis

Title: Representative

SWORN TO AND SUBSCRIBED BEFORE ME THIS 3 day of August, 2011.



Gwendolyn O. Bartsch
Notary Public in and for the State of Texas