

## **EXTENSION OF Master Agreement - E194-060804-70**

**Contract Description: TERM CONTRACT, COAL, STOKER**

**\*\*\*\* See attached spreadsheet for price changes**

---

Created On: 6/24/2005

Procurement Folder: 67

Effective Begin Date: 7/1/2008

Procurement Type: IFB

Expiration Date: 9/30/2008

---

### **Contact Information**

Robert A. Parolisi, VCO

Email: tina.mizelle@dgs.virginia.gov

Phone: (804) 786-0078

Fax: (804) 786-5413

---

### **Authorized Departments**

**ALL STATE AGENCIES AND OTHER PUBLIC BODIES**

---

### **Vendor – DMBE Swam Certification: Small**

Legal Name: J&J Energy Inc

Location Legal Name: Roanoke - J&J Energy Inc

Address: P.O. Box 12426

Roanoke, VA 24025-2426

FIN #: 54-1694786

REMITTANCE ADDRESS:

J & J ENERGY INC.

P O Box 1504

Princeton, WV 24740

Vendor Contact Phone: (540) 989-8570

Fax: (540) 989-8571

Vendor Contact Name: Susanne B. Huddleston

Vendor Email: shuddleston@jandjenergy.com

Vendor Type: Primary

## **INSTRUCTIONS**

1. **ORDERS:**
  - A. Unless otherwise instructed by the Division of Purchases and Supply, all departments, institutions and agencies of the Commonwealth of Virginia will order items/services through eVA.
  - B. If this contract is authorized for use by localities, Virginia cities, counties, towns and political subdivisions, orders will be placed through eVA to the maximum extent possible.
2. The applicable contract number, federal employer identification number (FEI), and item number (for itemized contracts) must be shown on each purchase order and copy, each facsimile transmission or given verbally when telephonic orders are placed.
3. Inspection on delivery and approval of vendor's invoice is the responsibility of receiving state agency, Virginia City, county, town or political subdivision.
4. Any complaint as to quality, faulty or delinquent delivery, or violation of contract provisions by contractor shall be reported to the Division of Purchases and Supply for handling with the contractor. Preprinted forms (DGS-41-024), by which to facilitate the notification of the contractor and this office of complaints, are available from the Division of Purchases and Supply (786-4634). The electronic version may be downloaded from the internet at the following link:  
  

[http://159.169.222.241/eo51\\_files/ComplaintA-10H.doc](http://159.169.222.241/eo51_files/ComplaintA-10H.doc)
5. **Renewals. No renewals remain.**
6. **Price Escalation/De-escalation:** Prices offered for coal shall remain firm for the contract period. Price adjustments for changes in the contractor's cost of transportation may be permitted. Requests for price adjustments for any other reasons will not be granted. Bids are submitted with the understanding that no price increases will be authorized for 180 calendar days after the effective date of the contract. Upward price adjustments may be permitted only at the end of this period and each 90 days thereafter and only where verified to the satisfaction of the purchasing office as provided herein. However, "across the board" price decreases are subject to implementation at any time and shall be immediately conveyed to the Commonwealth.

Contractor shall give not less than 30 days' advance notice of any price increase to the purchasing office. Any approved price changes will be effective only at the beginning of the calendar month following the end of the full 30 day notification period. The contractor shall document the amount and proposed effective date of any general change in the price of materials. Documentation shall be supplied with the contractor's request for increase which will: (1) verify that the requested price increase is general in scope and not applicable just to the Commonwealth of Virginia; and (2) verify the amount or percentage of increase which is being passed

on to the contractor by the contractor's suppliers. Failure by the contractor to supply the aforementioned verification with the request for price increase will result in a delay for the effective date of such increase. The purchasing office may verify such change in price independently. The purchasing office may make such verification as is deemed adequate. However, any increase which the purchasing office determines is excessive, regardless of any documentation supplied by the contractor, may be cause for cancellation of the contract by the purchasing office.

---

## Header Terms and Conditions

---

### Section 07

#### RENEWAL OF CONTRACT

RENEWAL OF CONTRACT: This contract may be renewed by the Commonwealth upon written agreement of both parties for (Two successive one year periods), under the terms of the current contract, and at a reasonable time (approximately 90 days) prior to the expiration.

### Section 24

#### COAL ANALYSIS PRIOR TO SHIPMENT

COAL ANALYSIS PRIOR TO SHIPMENT: The successful bidders will be required to test and run a product analysis on the coal prior to making shipment. Coal not meeting the specifications in all respects will not be shipped. This requirement should eliminate shipments being rejected and or returned to the point of origin. A copy of this analysis shall accompany each shipment and be provided to the receiving agency. Failure to meet this requirement may result in the contractor being declared in default of the contract.

---

## Commodity Information

---

### Line: 1

Line Type: Item

Commodity: 40506

Description: Coal And Coke

Quantity: 900

Unit Price: \$122.50

Delivery Date: 7/1/2005

Commodity Specs:

Extended Description: LOT 002 - BRUNSWICK CORRECTIONAL CENTER (VA. SPEC. GR. A) LAWRENCEVILLE, VA - TRUCK DELIVERED - MAXIMUM TON/DELIVERED - 50

Unit: net ton (2000 lb)

Line Total Amount: \$N/A for extension

Delivery Type: Per Specifications

Free On Board Name: FOB Destination-Freight Prepaid

---

### Line: 2

Line Type: Item

Commodity: 40506

Description: Coal And Coke

Commodity Specs:

Extended Description: LOT 002 (BRUNSWICK CORRECTIONAL CENTER) - OIL

Change 02 Incorporated herein  
9/30/2008

CONTRACT EXTENSION WITH PRICE INCREASES EFFECTIVE 7/1/2008 –

Quantity: 900  
Unit Price: \$0.50000  
Delivery Date: 7/1/2005

TREATMENT - ADDITIONAL COST  
Unit: net ton (2000 lb)  
Line Total Amount: \$450.00  
Delivery Type: Per Specifications  
Free On Board Name: FOB Destination-Freight  
Prepaid

---

**Line: 3**

Line Type: Item  
Commodity: 40506  
Description: Coal And Coke

Commodity Specs:  
Extended Description: LOT 002 (BRUNSWICK  
CORRECTIONAL CENTER) - FREIGHT COST  
- CARRIER NAME

Quantity: 900  
Unit Price: \$37.70000  
Delivery Date: 7/1/2005

Unit: net ton (2000 lb)  
Line Total Amount: \$75,400.00  
Delivery Type: Per Specifications  
Free On Board Name: FOB Destination-Freight  
Prepaid

---

**Line: 4**

Line Type: Item  
Commodity: 40506  
Description: Coal And Coke

Commodity Specs:  
Extended Description: LOT 003 -  
BUCKINGHAM CORRECTIONAL CENTER (VA  
SPEC. GR. A) - DILLWYN, VA 23936. TRUCK  
DELIVERED ONLY.

Quantity: 1500  
Unit Price: \$122.00  
Delivery Date: 7/1/2005

Unit: net ton (2000 lb)  
Line Total Amount: \$N/A  
Delivery Type: Per Specifications  
Free On Board Name: FOB Destination-Freight  
Prepaid

---

**Line: 5**

Line Type: Item  
Commodity: 40506  
Description: Coal And Coke

Commodity Specs:  
Extended Description: LOT 003 (BUCKINGHAM  
CORRECTIONAL CENTER) OIL TREATMENT  
- ADDITIONAL COST

Quantity: 1500  
Unit Price: \$0.50000  
Delivery Date: 7/1/2005

Unit: net ton (2000 lb)  
Line Total Amount: \$750.00  
Delivery Type: Per Specifications  
Free On Board Name: FOB Destination-Freight  
Prepaid

---

**Line: 6**

Line Type: Item

Commodity: 40506

Description: Coal And Coke

Quantity: 1500

Unit Price: \$37.42000

Delivery Date: 7/1/2005

Commodity Specs:

Extended Description: LOT 003 (BUCKINGHAM  
CORRECTIONAL CENTER) - FREIGHT COST  
- CARRIER NAME

Unit: net ton (2000 lb)

Line Total Amount: \$74,840.00

Delivery Type: Per Specifications

Free On Board Name: FOB Destination-Freight  
Prepaid

---

**Line: 7**

Line Type: Item

Commodity: 40506

Description: Coal And Coke

Quantity: 4000

Unit Price: \$122.12

Delivery Date: 7/1/2005

Commodity Specs:

Extended Description: LOT 004 -  
GREENSVILLE CORRECTIONAL CENTER  
(VA. SPEC. GR. A) - JARRATT, VA. DELIVERY  
VIA TRUCK ONLY. MAXIMUM  
TONS/DELIVERY - 50.

Unit: net ton (2000 lb)

Line Total Amount: \$N/A

Delivery Type: Per Specifications

Free On Board Name: FOB Destination-Freight  
Prepaid

---

**Line: 8**

Line Type: Item

Commodity: 40506

Description: Coal And Coke

Quantity: 4000

Unit Price: \$0.50000

Delivery Date: 7/1/2005

Commodity Specs:

Extended Description: LOT 004  
(GREENSVILLE CORRECTIONAL CENTER)  
OIL TREATMENT - ADDITIONAL COST

Unit: net ton (2000 lb)

Line Total Amount: \$2,000.00

Delivery Type: Per Specifications

Free On Board Name: FOB Destination-Freight  
Prepaid

---

**Line: 9**

Line Type: Item

Commodity: 40506

Description: Coal And Coke

Quantity: 4000

Unit Price: \$37.14000

Commodity Specs:

Extended Description: LOT 004  
(GREENSVILLE CORRECTIONAL CENTER)  
FREIGHT COST - CARRIER NAME

Unit: net ton (2000 lb)

Line Total Amount: \$74,280.00

Change 02 Incorporated herein  
9/30/2008

CONTRACT EXTENSION WITH PRICE INCREASES EFFECTIVE 7/1/2008 –

Delivery Date: 7/1/2005

Delivery Type: Per Specifications

Free On Board Name: FOB Destination-Freight  
Prepaid

---

**Line: 10**

Line Type: Item

Commodity: 40506

Description: Coal And Coke

Commodity Specs:

Extended Description: LOT 006 - VIRGINIA  
CORRECTIONAL CENTER FOR WOMEN (VA.  
SPEC. GR. A) - GOOCHLAND, VA. -  
DELIVERY ON CSX TO: MAIDENS, VIRGINIA -  
MAXIMUM TONS/DELIVERY - 240

Quantity: 4000

Unit: net ton (2000 lb)

Unit Price: \$119.52

Line Total Amount: \$N/A

Delivery Date: 7/1/2005

Delivery Type: Per REVISED Specifications

Free On Board Name: FOB Destination-Freight  
Prepaid

---

**Line: 11**

Line Type: Item

Commodity: 40506

Description: Coal And Coke

Commodity Specs:

Extended Description: LOT 006 (VIRGINIA  
CORRECTIONAL CENTER FOR WOMEN) -  
OIL TREATMENT - ADDITIONAL COST

Quantity: 4000

Unit: net ton (2000 lb)

Unit Price: \$0.50000

Line Total Amount: \$2,000.00

Delivery Date: 7/1/2005

Delivery Type: Per Specifications

Free On Board Name: FOB Destination-Freight  
Prepaid

---

**Line: 12**

Line Type: Item

Commodity: 40506

Description: Coal And Coke

Commodity Specs:

Extended Description: LOT 006 (VIRGINIA  
CORRECTIONAL CENTER FOR WOMEN) -  
CHEMICAL FREEZE PROOFING -  
ADDITIONAL COST

Quantity: 2000

Unit: net ton (2000 lb)

Unit Price: \$0.50000

Line Total Amount: \$1,000.00

Delivery Date: 7/1/2005

Delivery Type: Per Specifications

Free On Board Name: FOB Destination-Freight  
Prepaid

---

**Line: 13**

Line Type: Item

Commodity: 40506

Description: Coal And Coke

Quantity: 4000

Unit Price: \$29.56000

Delivery Date: 7/1/2005

Commodity Specs:

Extended Description: LOT 006 (VIRGINIA CORRECTIONAL CENTER FOR WOMEN) - FREIGHT COST - CARRIER NAME

Unit: net ton (2000 lb)

Line Total Amount: \$59,120.00

Delivery Type: Per Specifications

Free On Board Name: FOB Destination-Freight Prepaid

---

**Line: 14**

Line Type: Item

Commodity: 40506

Description: Coal And Coke

Quantity: 1500

Unit Price: \$121.54

Delivery Date: 7/1/2005

Commodity Specs:

Extended Description: LOT 007 - NOTTOWAY CORRECTIONAL CENTER (VA. SPEC. GR. A) - BURKEVILLE, VA - DELIVERY BY TRUCK ONLY - MAXIMUM TONS/DELIVERY - 75

Unit: net ton (2000 lb)

Line Total Amount: \$N/A

Delivery Type: Per Specifications

Free On Board Name: FOB Destination-Freight Prepaid

---

**Line: 15**

Line Type: Item

Commodity: 40506

Description: Coal And Coke

Quantity: 1500

Unit Price: \$0.50000

Delivery Date: 7/1/2005

Commodity Specs:

Extended Description: LOT 007 (NOTTOWAY CORRECTIONAL CENTER) - OIL TREATMENT - ADDITIONAL COST

Unit: net ton (2000 lb)

Line Total Amount: \$750.00

Delivery Type: Per Specifications

Free On Board Name: FOB Destination-Freight Prepaid

---

**Line: 16**

Line Type: Item

Commodity: 40506

Description: Coal And Coke

Quantity: 1500

Unit Price: \$36.91000

Delivery Date: 7/1/2005

Commodity Specs:

Extended Description: LOT 007 (NOTTOWAY CORRECTIONAL CENTER) FREIGHT COST - CARRIER NAME

Unit: net ton (2000 lb)

Line Total Amount: \$73,829.00

Delivery Type: Per Specifications

Free On Board Name: FOB Destination-Freight  
Prepaid

---

**Line: 17**

Line Type: Item

Commodity: 40506

Description: Coal And Coke

Quantity: 2500

Unit Price: \$109.05

Delivery Date: 7/1/2005

Commodity Specs:

Extended Description: LOT 001,BLAND  
CORRECTIONAL CENTER (VA GRADE  
A)BLAND VIRGINIA 24315.MAXIMUM  
TONS/DELIVERY - NO LIMIT

Unit: net ton (2000 lb)

Line Total Amount: \$N/A

Delivery Type: Per Specifications

Free On Board Name: FOB Destination-Freight  
Prepaid

---

**Line: 18**

Line Type: Item

Commodity: 40506

Description: Coal And Coke

Quantity: 2500

Unit Price: \$0.50000

Delivery Date: 7/1/2005

Commodity Specs:

Extended Description: LOT 001 (BLAND  
CORRECTIONAL CENTER) OIL TREATMENT  
- ADDITIONAL COSTS

Unit: net ton (2000 lb)

Line Total Amount: \$1,250.00

Delivery Type: Per Specifications

Free On Board Name: FOB Destination-Freight  
Prepaid

---

**Line: 19**

Line Type: Item

Commodity: 40506

Description: Coal And Coke

Quantity: 2500

Unit Price: \$16.95000

Delivery Date: 7/1/2005

Commodity Specs:

Extended Description: LOT 001 (BLAND  
CORRECTIONAL CENTER) FREIGHT COST -  
CARRIER NAME

Unit: net ton (2000 lb)

Line Total Amount: \$33,900.00

Delivery Type: Per Specifications

Free On Board Name: FOB Destination-Freight  
Prepaid

---

**Line: 20**

Line Type: Item

Commodity: 40506

Description: Coal And Coke

Commodity Specs:

Extended Description: LOT 008 - BUCHANAN

Change 02 Incorporated herein  
9/30/2008

CONTRACT EXTENSION WITH PRICE INCREASES EFFECTIVE 7/1/2008 –

CORRECTIONAL CENTER (KEENE MT.) - VA.  
SPEC. GR. C) - OAKWOOD, VA - ROUTE 460  
TO ROUTE 680 1/2 MI. TO ROUTE 629 TURN  
LEFT GO 3.8 MILES DELIVER BY TRUCK  
ONLY - MAXIMUM TONS/DELIVERY - 600

Quantity: 2000

Unit Price: \$110.55

Delivery Date: 7/1/2005

Unit: net ton (2000 lb)

Line Total Amount: \$196,000.00

Delivery Type: Per Specifications

Free On Board Name: FOB Destination-Freight  
Prepaid

---

**Line: 21**

Line Type: Item

Commodity: 40506

Description: Coal And Coke

Commodity Specs:

Extended Description: LOT 008 (BUCHANAN  
CORRECTIONAL CENTER) - FREIGHT COST  
- CARRIER NAME

Quantity: 2000

Unit Price: \$13.25000

Delivery Date: 7/1/2005

Unit: net ton (2000 lb)

Line Total Amount: \$26,500.00

Delivery Type: Per Specifications

Free On Board Name: FOB Destination-Freight  
Prepaid

State of Virginia - 2006 / 2007 - - Stoker Contracts Price Adjustment

Contract Effective July 1, 2007 to June 30, 2008 + 90 day extension

**FINAL**

**May 30, 2008**

Facility	Location / Contract #	July 1, 2007 Base Full Delivered Price	July 1, 2007 Base Contract Components				New Price Adjustments 7-01-08				Change From Previous Period	Previous Price Adjustment Jan 1, 2008
			Fixed Base Coal Cost Segment 7/01/07	Transportation Cost Segment - Effective July 1, 2007	Oil Treat	Total All Components Current Full Delivered Price	Revised Base Coal Cost Segment 7/01/08	Revised Transportation Cost Segment - Effective July 1, 2008	Oil Treat	Total All Components New Full Delivered Price		
			A	B	C	A+B+C	D	E	F	D+E+F		
Bland Correctional Center Bland VA <i>Grade A Stoker w Oil</i>		\$109.05 Truck Direct	\$93.00	\$15.55	\$0.50	\$109.05	\$240.00	\$20.21	\$0.50	\$260.71	\$150.26	\$110.45
Buchanan Correctional - Keene Mt Oakwood VA <i>Grade C Stoker NO Oil</i>		\$110.55 Truck Direct	\$98.00	\$12.55	\$0.00	\$110.55	\$245.00	\$14.88	\$0.00	\$259.88	\$148.63	\$111.25
Brunswick Correctional Center Lawrenceville, VA <i>Grade A Stoker w Oil</i>		\$122.50 Rail / Truck	\$88.00	\$34.00	\$0.50	\$122.50	\$235.00	\$40.66	\$0.50	\$276.16	\$149.96	\$126.20
Buckingham Correctional Center Dillwyn, VA <i>Grade A Stoker w Oil</i>		\$122.00 Rail / Truck	\$88.00	\$33.50	\$0.50	\$122.00	\$235.00	\$40.88	\$0.50	\$276.38	\$150.46	\$125.92
Greenville Correctional Center Jarrett, VA <i>Grade A Stoker w Oil</i>		\$122.12 Rail / Truck	\$88.00	\$33.62	\$0.50	\$122.12	\$235.00	\$39.68	\$0.50	\$275.18	\$149.54	\$125.64
Notoway Correctional Center Burkeville, VA <i>Grade A Stoker w Oil</i>		\$121.54 Rail / Truck	\$88.00	\$33.04	\$0.50	\$121.54	\$235.00	\$40.25	\$0.50	\$275.75	\$150.34	\$125.41
Virginia Correctional Center - Women Goochland, VA <i>Grade A+ "Compliance" Stoker w Oil</i>		\$119.52 Rail / Truck	\$93.00	\$26.02	\$0.50	\$119.52	\$240.00	\$32.14	\$0.50	\$272.64	\$149.58	\$123.06
Southside Virginia Training Center Petersburg, VA <b>Converted to Natural Gas</b>		\$0.00 Rail / Truck <b>0</b>										
Virginia State University - Hospital Petersburg, VA <b>Boiler Down-Only Running with N Gas</b>		\$114.92 Rail / Truck <b>0</b>	\$88.00	\$26.42	\$0.50	\$114.92	\$88.00	\$32.23	\$0.50	\$120.73	\$2.37	\$118.36