



MADISON COUNTY BOARD OF SUPERVISORS

125 West North Street • Post Office Box 608
Canton, Mississippi 39046
601-855-5500 • Facsimile 601-855-5759
www.madison-co.com

TO: Madison County Board of Supervisors
FROM: Comptroller's Office
DATE: February 3, 2015
SUBJECT: Claim Rejection (Ergon Asphalt and Emulsions, Inc.)

State law requires a purchase order to be issued for any purchases over 1,000.00. We received two invoices from Ergon Asphalt and Emulsions, Inc. for overages on purchase orders. Madison County did issue purchase orders (150044 and 140715) but Ergon delivered more asphalt than the requested quantity. We only have authority to pay up to the amount of the purchase order.

For that reason, we are asking the Madison County Board of Supervisors to reject the unpaid overage amounts on these invoices to Ergon Asphalt and Emulsions, Inc. The invoice unpaid amounts are listed below:

	Date	Invoice#	Amount	P.O.
1.	October 21, 2014	9401240092	\$112.00	150044
2.	September 30, 2014	9401230543	\$109.84	140715

The Board of Supervisors has directed its counsel to seek an expedited and appropriate remedy through the filing of a Declaratory Complaint in the Circuit Court of Madison County. In compliance with the anticipated Order, Madison County expects to satisfy the herein-above invoices.

Thank you for your cooperation.

Attachments



ERGON ASPHALT AND EMULSIONS
P.O. BOX 1639
JACKSON MS 39215-1639
® 601-933-3000

INVOICE

Sold To: 506800
 MADISON COUNTY MS
 CHANCERY CLERK
 P.O. BOX 608
 CANTON MS 39046

Shipped From: Z301 - VICKSBURG, MS
Ship Date: Sep 30, 2014
Reference #: M013
CSR Order #: A41929

Invoice Number: 9401230543
Invoice Date: Sep 30, 2014

Shipping Terms: CPT
Carrier: ERGON TRUCKING, INC
Mode of Tranp.: Truck

Remit To:
 ERGON ASPHALT AND EMULSIONS, INC.
 DEPT #2135
 P.O. BOX 11407
 BIRMINGHAM AL 35246-2135
Due Date: Nov 14, 2014

Bill To: 506800
 MADISON COUNTY MS
 P.O. BOX 608
 CANTON MS 39046

Ship To: 2003804
 MADISON COUNTY MS
 MADISON COUNTY MS

BOL No.	Time	Description	Net Qty	UoM	Price	Amount - USD
1419291	05:13	CRS-2	4,051.000	GAL	2.1500	8,709.65
		Minimum Freight				115.98
		Federal Envmt. Fee			0.00133	5.39

Customer PO #: 140715
 Project Description: PRIVATE

Total 8,831.02

Payment Terms: Net 45 days

No Statement Will Be Furnished.

WE MAY IMPOSE LATE CHARGES, THE LESSER OF 1.5% PER MONTH OR MAXIMUM LAWFUL RATE, COMPUTED FROM DUE DATE

PLEASE REPLY TO invoice@ergon.com IF YOU HAVE A QUESTION PERTAINING TO THIS INVOICE.

balance
\$109.84



ERGON ASPHALT AND EMULSIONS, INC
P.O. BOX 1639
JACKSON MS 39215-1639
601-933-3000

2

INVOICE

Page 1 of 1

151402

3500

Sold To: 506800
 MADISON COUNTY MS
 CHANCERY CLERK
 P.O. BOX 608
 CANTON MS 39046

Shipped From: Z301 - VICKSBURG, MS
Ship Date: Sep 30, 2014

Invoice Number: 9401230543
Invoice Date: Sep 30, 2014

Reference #: M013
CSR Order #: A41929

Remit To:
 ERGON ASPHALT AND EMULSIONS, INC.
 DEPT #2135
 P.O. BOX 11407
 BIRMINGHAM AL 35246-2135

Bill To: 506800
 MADISON COUNTY MS
 P.O. BOX 608
 CANTON MS 39046

Shipping Terms: CPT
Carrier: ERGON TRUCKING, INC
Mode of Tranp.: Truck

Due Date: Nov 14, 2014

Ship To: 2003804
 MADISON COUNTY MS
 MADISON COUNTY MS

BOL No.	Time	Description	Net Qty	UoM	Price	Amount - USD
1419291	05:13	CRS-2	4,051.000	GAL	2.1500	8,709.65
		Minimum Freight				115.98
		Federal Envmt. Fee			0.00133	5.39
Customer PO #: 140715						
Project Description: PRIVATE						
<i>PO amt 8,605.20 x freight</i>						
Total						8,831.02

Payment Terms: Net 45 days

No Statement Will Be Furnished.
 WE MAY IMPOSE LATE CHARGES, THE LESSER OF 1.5% PER MONTH
 OR MAXIMUM LAWFUL RATE, COMPUTED FROM DUE DATE

PLEASE REPLY TO invoice@ergon.com IF YOUR COMPANY WOULD PREFER TO RECEIVE
 INVOICES VIA EMAIL / FAX OR IF YOU HAVE A QUESTION PERTAINING TO THIS INVOICE.

Requisition 0140876 Date 9/29/2014

ROAD DEPARTMENT
HELEN KELLER

MADISON COUNTY

P. O. BOX 808

CANTON, ME 03904

(601) 857-8841 (601) 948-8897 JX

REFER TO PURCHASING OFFICE

Vendor: 3500

GREEN ASPHALT & EMULSIONS INC

DEPT 42135

PO BOX 11407

BIRMINGHAM

AL 35244-8186

ATTN: JIM VIAL DEPT WAY

DEPARTMENT OF ROAD MANAGEMENT

357 SOUTH LIBERTY STREET

CANTON, ME 03904

Quantity	Description of Supply/Equip/Service	Unit Cost	Extended
4000.00	3030069E CRE-EM LIQUID ASPHALT FOR TANK	21.513	8605.20

Total

\$8,605.20

Approved By:

Helen Keller

* Receiving Report Number 141171 *

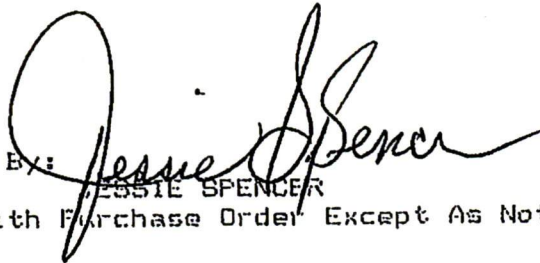
Vendor # 3500
ERSON ASPHALT & EMULSIONS INC
DEPT #2135
PO BOX 11407
BIRMINGHAM AL 352462135

Date Received 9/30/2014
Department 300
ROAD DEPARTMENT
Requisition Number 140876
Purchase Order 140715

Quantity
Received Description

4051.00 GA CRS-2 LIQUID
ASPHALT
FOR TANK

Received By:



JESSIE SPENCER

Agrees With Purchase Order Except As Noted:

Purchase Clerk



ERGON ASPHALT AND EMULSIONS
P.O. BOX 1639
JACKSON MS 39215-1639
® 601-933-3000

INVOICE

Sold To: 506800
 MADISON COUNTY MS
 CHANCERY CLERK
 P.O. BOX 608
 CANTON MS 39046

Shipped From: Z301 - VICKSBURG, MS
Ship Date: Oct 21, 2014
Reference #: M013
CSR Order #: A42535

Invoice Number: 9401240092
Invoice Date: Oct 21, 2014

Shipping Terms: CPT
Carrier: ERGON TRUCKING, INC
Mode of Tranp.: Truck

Remit To:
 ERGON ASPHALT AND EMULSIONS, INC.
 DEPT #2135
 P.O. BOX 11407
 BIRMINGHAM AL 35246-2135
Due Date: Dec 5, 2014

Bill To: 506800
 MADISON COUNTY MS
 P.O. BOX 608
 CANTON MS 39046

Ship To: 2003804
 MADISON COUNTY MS
 MADISON COUNTY MS

BOL No.	Time	Description	Net Qty	UoM	Price	Amount - USD
1425351	05:13	CRS-2	4,049.000	GAL	2.2900	9,272.21
		Minimum Freight				116.20
		Federal Envmt. Fee			0.00133	5.39

Customer PO #: 150044
 Project Description: PRIVATE

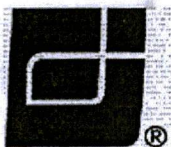
Total 9,393.80

Payment Terms: Net 45 days

WE MAY IMPOSE LATE CHARGES, THE L
 PLEASE REPLY TO invoice@e.

COMPUTED FROM DUE DATE
 TO THIS INVOICE.

balance \$112. →
reject as in
excess of PO



ERGON ASPHALT AND EMULSIONS, INC
P.O. BOX 1639
JACKSON MS 39215-1639
601-933-3000

INVOICE
Page 1 of 1

Sold To: 506800
MADISON COUNTY MS
CHANCERY CLERK
P.O. BOX 608
CANTON MS 39046

Shipped From: Z301 - VICKSBURG, MS
Ship Date: Oct 21, 2014

Invoice Number: 9401240092
Invoice Date: Oct 21, 2014

Reference #: M013
CSR Order #: A42535

Remit To:

ERGON ASPHALT AND EMULSIONS, INC.
DEPT #2135
P.O. BOX 11407
BIRMINGHAM AL 35246-2135

Bill To: 506800
MADISON COUNTY MS
P.O. BOX 608
CANTON MS 39046

Shipping Terms: CPT
Carrier: ERGON TRUCKING, INC
Mode of Tranp.: Truck

Due Date: Dec 5, 2014

Ship To: 2003804
MADISON COUNTY MS
MADISON COUNTY MS

BOL No.	Time	Description	Net Qty	UoM	Price	Amount - USD
1425351	05:13	CRS-2	4,049.000	GAL	2.2900	9,272.21
		Minimum Freight				116.20
		Federal Envmt. Fee			0.00133	5.39
Customer PO #: 150044						
Project Description: PRIVATE						
Total						9,393.80

Payment Terms: Net 45 days

No Statement Will Be Furnished.
WE MAY IMPOSE LATE CHARGES, THE LESSER OF 1.5% PER MONTH
OR MAXIMUM LAWFUL RATE, COMPUTED FROM DUE DATE

PLEASE REPLY TO invoice@ergon.com IF YOUR COMPANY WOULD PREFER TO RECEIVE
INVOICES VIA EMAIL / FAX OR IF YOU HAVE A QUESTION PERTAINING TO THIS INVOICE.

P U R C H A S E O R D E R
MADISON COUNTY BOARD OF SUPERVISORS
P.O. BOX 608
CANTON, MISSISSIPPI 39046
601-855-5503

: PO No : 150044 :

Req. No 150064
Page 1

: T O:-----: : S H I P T O:-----: :
: 3500 : : DEPARTMENT OF ROAD MANAGEMENT :
: ERGON ASPHALT & EMULSIONS INC : : 3137 SOUTH LIBERTY STREET :
: DEPT #2135 : : CANTON, MS 39046 :
: PO BOX 11407 : : :
: BIRMINGHAM AL 35246 2135 : : SHIP VIA BEST WAY :

: Date Ordered : Date Required : Department : Entered by:
: 10/20/2014 : 11/20/2014 : 300 ROAD DEPARTMENT : HCRUNK :

Quantity:	Item Description	Unit Cost	Extension
4000.00	150300632:CRS2	2.2914EA	9165.60
	<i>Albert Catchings Rd</i>	<i>2.29133</i>	
		<i>2.29</i>	
		<i>.00133</i>	
		<i>2.29133</i>	
	<i>round to</i>	<i>2.2914</i>	
	<i>system only</i>	<i>5000 4</i>	
	<i>deciml. places</i>		

00000000

Total \$9,165.60

Signed: _____

Hardy Crunk

Purchase Clerk
601-855-5503
hardy@madison-co.com

CORRECT PURCHASE ORDER NUMBER MUST APPEAR ON ALL SHIPMENTS AND INVOICES
INVOICE AMOUNTS GREATER THAN PURCHASE ORDER AMOUNT CANNOT BE PAID

Requisition 0150064 Date 10/20/2014
MADISON COUNTY
P O BOX 608
CANTON, MS. 39046
(601)859-8241 (601)948-3897 JX
REFER TO PURCHASING OFFICE

ROAD DEPARTMENT
ANDREW GRANT

Vendor: 3500
ERCON ASPHALT & EMULSIONS INC
DEPT #2135
PO BOX 11407
BIRMINGHAM AL 35246 2135

Ship To: VIA: BEST WAY
DEPARTMENT OF ROAD MANAGEMENT
3137 SOUTH LIBERTY STREET
CANTON, MS 39046

Quantity	Description of Supplies, Equip, Srvc	Unit Cost	EA	Extended
4000.00	:150300632 CRS2	2.2914	EA:	9165.60

Total

\$9,165.60

Approved By: Andrew Grant

* Receiving Report Number 150033 *

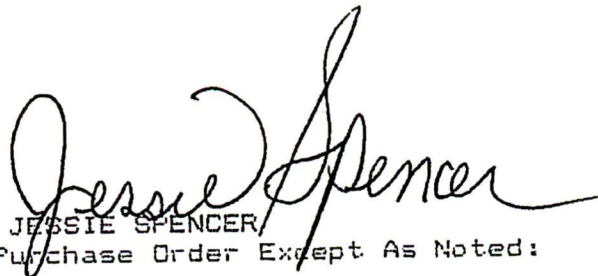
Vendor # 3500
ERCON ASPHALT & EMULSIONS INC
DEPT #2135
PO BOX 11407
BIRMINGHAM AL 352462135

Date Received 10/21/2014
Department 300
ROAD DEPARTMENT
Requisition Number 150064
Purchase Order 150044

Quantity
Received Description

4049.00 EA CRS2

Received By:



JESSIE SPENCER

Agrees With Purchase Order Except As Noted:

Purchase Clerk