



Department of Administration
 Purchasing Division
 2019 Washington Street East
 Post Office Box 50130
 Charleston, WV 25305-0130

State of West Virginia Purchase Order

Order Date: 10-05-2021

CORRECT ORDER NUMBER MUST APPEAR ON ALL PACKAGES, INVOICES, AND SHIPPING PAPERS. QUESTIONS CONCERNING THIS ORDER SHOULD BE DIRECTED TO THE DEPARTMENT CONTACT.

Order Number: CPO 0603 0603 ADJ2100000044 3	Procurement Folder: 880633
Document Name: MCA South- Renovations Tech Center & Maclin Hall	Reason for Modification: CHANGE ORDER NO.2- To increase contract amount per the attached documentation.
Document Description: CHANGE ORDER NO 2-To increase contract amount	
Procurement Type: Central Purchase Order	
Buyer Name: David H Pauline	
Telephone: 304-558-0067	
Email: david.h.pauline@wv.gov	
Shipping Method: Best Way	Effective Start Date: 2021-07-29
Free on Board: FOB Dest, Freight Prepaid	Effective End Date: 2022-01-25

VENDOR	DEPARTMENT CONTACT															
Vendor Customer Code: 000000208659 MAYNARD C SMITH CONSTRUCTION CO INC PO BOX 11888 CHARLESTON WV 253391888 US Vendor Contact Phone: 304-925-3190 Extension:	Requestor Name: Charles A Bowman Requestor Phone: (304) 561-6654 Requestor Email: charles.a.bowman26.nfg@mail.mil															
Discount Details:	<div style="font-size: 48px; font-weight: bold;">22</div> <div style="font-size: 24px; font-weight: bold;">FILE LOCATION _____</div>															
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Discount Allowed</th> <th>Discount Percentage</th> <th>Discount Days</th> </tr> </thead> <tbody> <tr> <td>#1 No</td> <td>0.0000</td> <td>0</td> </tr> <tr> <td>#2 Not Entered</td> <td></td> <td></td> </tr> <tr> <td>#3 Not Entered</td> <td></td> <td></td> </tr> <tr> <td>#4 Not Entered</td> <td></td> <td></td> </tr> </tbody> </table>		Discount Allowed	Discount Percentage	Discount Days	#1 No	0.0000	0	#2 Not Entered			#3 Not Entered			#4 Not Entered		
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#4 Not Entered																

INVOICE TO	SHIP TO
STATE FINANCE ADJUTANT GENERALS OFFICE 1703 COONSKIN DR CHARLESTON WV 25311-1085 US	MOUNTAINEER CHALLENGE PROGRAM - SOUTH ADJUTANT GENERALS OFFICE 305 FAYETTE PIKE MONTGOMERY WV 25136 US

10-26-21
 BAK

Total Order Amount:	\$1,137,740.00
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Purchasing Division's File Copy

ENTERED

PURCHASING DIVISION AUTHORIZATION DATE: <i>Tara H. 10/26/2021</i> ELECTRONIC SIGNATURE ON FILE	ATTORNEY GENERAL APPROVAL AS TO FORM DATE: <i>[Signature]</i> ELECTRONIC SIGNATURE ON FILE	ENCUMBRANCE CERTIFICATION DATE: <i>[Signature] 10/28/2021</i> ELECTRONIC SIGNATURE ON FILE
------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------

Extended Description:

CHANGE ORDER NO. 2

CHANGE ORDER NO. 2 IS ISSUED TO INCREASE THE ORIGINAL CONTRACT AMOUNT ACCORDING TO ALL TERMS, CONDITIONS, PRICES AND SPECIFICATIONS CONTAINED IN THE ORIGINAL CONTRACT INCLUDING ALL AUTHORIZED CHANGE ORDERS.

EFFECTIVE DATE OF CHANGE: September 22, 2021.

Original Contract Price: \$1,133,000.00
Change Order No. 2 Increase: \$ 4,740.00
Contract New Total: \$1,137,740.00

NO OTHER CHANGES.

Line	Commodity Code	Quantity	Unit	Unit Price	Total Price
1	72000000	0.00000		0.000000	794400.00
Service From	Service To	Manufacturer		Model No	
2021-07-29	2022-01-25				

Commodity Line Description: MCA South- Renovations Tech Center & Maclin Hall-BASE BID

Extended Description:

Contract Item #1- Lump Sum Price for Base Bid Renovations Tech Center & Maclin Hall, per the attached documentation.

Line	Commodity Code	Quantity	Unit	Unit Price	Total Price
2	72000000	0.00000		0.000000	74900.00
Service From	Service To	Manufacturer		Model No	
2021-07-29	2022-01-25				

Commodity Line Description: Add-Alternate No.1- Toilet Room Renovations in Maclin Hall

Extended Description:

Add-Alternate Bid No.1- Lump Sum Price for Toilet Room renovations in Maclin Hall, per the attached documentation.

Line	Commodity Code	Quantity	Unit	Unit Price	Total Price
3	72000000	0.00000		0.000000	263700.00
Service From	Service To	Manufacturer		Model No	
2021-07-29	2022-01-25				

Commodity Line Description: Add-Alternate No. 2- Toilet Room Renovations in Tech Center

Extended Description:

Add-Alternate Bid No.2- Lump Sum Price for Toilet Room renovations in the Tech Center, per the attached documentation.

Line	Commodity Code	Quantity	Unit	Unit Price	Total Price
4	72000000	0.00000		0.000000	4740.00
Service From	Service To	Manufacturer		Model No	
2021-09-22	2022-01-25				

Commodity Line Description: CHANGE ORDER NO.2- To increase contract amount

Extended Description:

CHANGE ORDER NO.2- To increase contract amount per the attached documentation.

RECEIVED

SEP 29 2021

ZMM, INC.

AIA Document G701 - 2017

Change Order

PROJECT: (Name and address)
WV ARNG Mountaineer Challenge South
Ph. 2

CONTRACT INFORMATION:
Contract For: General Construction

CHANGE ORDER INFORMATION:
Change Order Number: 002

Date: July 27, 2021

Date: Sept. 22, 2021

OWNER: (Name and address)
WV Army National Guard
1707 Coonskin Dr
Charleston, WV 25311

ARCHITECT: (Name and address)
ZMM Architects & Engineers
222 Lee Street West
Charleston, WV 25302

CONTRACTOR: (Name and address)
Maynard C. Smith Construction Co., Inc.
PO Box 11888
Charleston, WV 25339

THE CONTRACT IS CHANGED AS FOLLOWS:

(Insert a detailed description of the change and, if applicable, attach or reference specific exhibits. Also include agreed upon adjustments attributable to executed Construction Change Directives.)


Provide all labor, materials and equipment necessary to complete the following:


COR #002: Substitute 63' 2" Gas Pipe with 63' of 3" Gas Pipe \$4,740.00

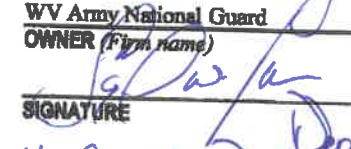
The original Contract Sum was	\$ 1,133,000.00
The net change by previously authorized Change Orders	\$ 0.00
The Contract Sum prior to this Change Order was	\$ 1,133,000.00
The Contract Sum will be increased by this Change Order in the amount of	\$ 4,740.00
The new Contract Sum including this Change Order will be	\$ 1,137,740.00
The Contract Time will be increased by Zero (0) days.	
The new date of Substantial Completion will be Unchanged	

NOTE: This Change Order does not include adjustments to the Contract Sum or Guaranteed Maximum Price, or the Contract Time, that have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.

ZMM Architects & Engineers
ARCHITECT (Firm name)

SIGNATURE
 Nathaniel Spencer
Project Manager
PRINTED NAME AND TITLE
 9.22.21
DATE

Maynard C. Smith Construction Co., Inc.
CONTRACTOR (Firm name)

SIGNATURE
 Jason S. McKernan
PRINTED NAME AND TITLE
 9/28/2021
DATE

WV Army National Guard
OWNER (Firm name)

SIGNATURE
 Mr. Samuel W. Peal
 Deputy CFMO
 of
 Sr. Ops
PRINTED NAME AND TITLE
 10/4/21
DATE



September 13, 2021

MCS Construction
Attn: John Strickland

RE: Tech Center and Maclin Hall Change Order #1 Substitute 63' 2" Gas Pipe with 63' of 3" Gas Pipe

We are pleased to provide you with a price to substitute 63' of 2' gas piping with 63' of 3" gas piping and add (1) 3" tee for generator.

Add for 3" Gas Pipe: \$6,875
Subtract for 2" Gas Pipe: \$3,766
Plumbing Price: \$3,109

Exclusions: Painting, Concrete, Roof Cutting and Patching, Floor/Wall Cutting and Patching, Steel, Generator Piping.

If you have any questions please give me a call.

Thank You,

Brian Berkhouse
304-546-1530

**West Virginia Army National Guard
Construction & Facilities Management Office**

1703 Coonskin Drive
Charleston, West Virginia, 25311-1085

FMO-OTR-

30 September 2021

Mrs. Lyle,

Please find the following change order packet for the subject contract (CPOADJ2100000044). This change order is for an increase of the piping size from 2" to 3" to accommodate the addition of a back-up generator that will be sharing the same natural gas feed. The project is located in Montgomery, West Virginia. A description of the services is provided below.

We request a courtesy call if there are any problems associated with the attached change order so that we may have an opportunity to address the issue in a timely manner. The point of contact for this change order is Paul Richards at (304) 561-6548.

1. Itemized Changes:

a. **Item #1: Increase Natural Gas piping size.**

1. Description of work: Increase natural gas piping from 2" to 3" to accommodate the addition of a backup generator that is currently being installed at the Mountaineer Challenge Academy South.
2. Justification for Change:
 - (a) Facts: The project originally was designed to have a 2" natural gas line installed to feed a HVAC boiler and a domestic hot water boiler. A concurrent contract (CPO-ADJ2100000047) to have a backup generator installed at the same location would increase the natural gas demands. Therefore the gas line must be increased to 3" line to insure all appliances will have an adequate supply of natural gas.
3. Cost: \$4,740.00
4. Funding: 75% Federal 25% State

2. Accounting Summary:

CONSOLIDATED PRICING OF CHANGE ORDER		
Description	Federal Funds	State Funds
Item #1: 3" Gas Piping	\$3,555	\$1,185
Total	\$3,555	\$1,185

Respectfully



PAUL RICHARDS
Project Manager

Concurrence,

Cc:
COL Cook, FMO

RECEIVED

SEP 29 2021

ZMM, INC.

BOND NUMBER: 146942C

Increase PENALTY RIDER

ORIGINAL BOND AMOUNT \$1,133,000.00

To be attached and form a part of Bond No. 146942C dated the 14th day of June, 2021, executed by Ohio Farmers Insurance Company as surety, on behalf of Maynard C. Smith Construction Company, Inc. as current principal of record, and in favor of West Virginia Army National Guard, as Obligee, and in the amount of One Million One Hundred Thirty Three Thousand Dollars and 00/100 (\$1,133,000.00).

In consideration of the agreed premium charged for this bond, it is understood and agreed that Ohio Farmers Insurance Company hereby consents that effective from the 22nd day of September, 2021, said bond shall be amended as follows:

THE BOND PENALTY SHALL BE Increased:

TO: One Million One Hundred Thirty Seven Thousand Seven Hundred Forty Dollars and 00/100 (\$1,137,740.00)

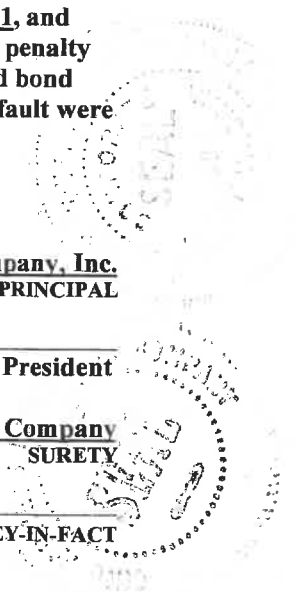
The Increase of said bond penalty shall be effective as of the 22nd day of September, 2021, and does hereby agree that the continuity of protection under said bond subject to changes in penalty shall not be impaired hereby, provided that the aggregate liability of the above mentioned bond shall not exceed the amount of liability assumed by it at the time the act and/or acts of default were committed and in no event shall such liability be cumulative.

Signed, sealed and dated this 22nd day of September, 2021.

Maynard C. Smith Construction Company, Inc.
PRINCIPAL

BY: 
John Strickland, President

Ohio Farmers Insurance Company
SURETY
BY: 
Patricia A. Moye, WV Resident Agent, ATTORNEY-IN-FACT



ACKNOWLEDGMENTS

Acknowledgment by Principal if individual or Partnership

1. STATE OF _____
2. County of _____ to-wit:
3. I, _____, a Notary Public in and for the
4. county and state aforesaid, do hereby certify that _____
whose name is signed to the foregoing writing, has this day acknowledged the same before me in my said county.
5. Given under my hand this _____ day of _____ 20 _____
6. Notary Seal 7: _____
(Notary Public)
8. My commission expires on the _____ day of _____ 20 _____

Acknowledgment by Principal if Corporation

9. STATE OF West Virginia
10. County of Kanawha to-wit:
11. I, Pamela K. Casto, a Notary Public in and for the
12. county and state aforesaid, do hereby certify that John Strickland
13. who as, President signed the foregoing writing for
14. Maynard C. Smith Construction Company, Inc. a corporation,
has this day, in my said county, before me, acknowledged the said writing to be the act and deed of the said corporation.
15. Given under my hand this 22nd day of September 20 21

16. Notary Seal 17: Pamela K. Casto
(Notary Public)
18. My commission expires on the 3rd day of June 20 25

Acknowledgment by Surety

19. STATE OF West Virginia
20. County of Kanawha to-wit:
21. I, Kimberly J. Wilkinson, a Notary Public in and for the
22. county and state aforesaid, do hereby certify that Patricia A. Moye
23. who as, Attorney-in-Fact signed the foregoing writing for
24. Ohio Farmers Insurance Company a corporation,
has this day, in my said county, before me, acknowledged the said writing to be the act and deed of the said corporation.

25. Given under my hand this 22nd day of September 20 21
26. Notary Seal 27: Kimberly J. Wilkinson
(Notary Public)
28. My commission expires on the 24th day of July 20 22

Sufficiency in Form and Manner of Execution Approved

This 28th day of October 20 21

By: John S. Gray Attorney General
(Deputy Attorney General)

THIS POWER OF ATTORNEY SUPERCEDES ANY PREVIOUS POWER BEARING THIS SAME POWER # AND ISSUED PRIOR TO 08/16/18, FOR ANY PERSON OR PERSONS NAMED BELOW.

POWER NO. 4752152 06

General Power of Attorney

Westfield Insurance Co. Westfield National Insurance Co. Ohio Farmers Insurance Co. Westfield Center, Ohio

CERTIFIED COPY

Know All Men by These Presents, That WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY, corporations, hereinafter referred to individually as a "Company" and collectively as "Companies," duly organized and existing under the laws of the State of Ohio, and having its principal office in Westfield Center, Medina County, Ohio, do by these presents make, constitute and appoint GREGORY T. GORDON, KIMBERLY J. WILKINSON, PATRICIA A. MOYE, JOINTLY OR SEVERALLY

of CHARLESTON and State of WV its true and lawful Attorney(s)-in-Fact, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver any and all bonds, recognizances, undertakings, or other instruments or contracts of suretyship-

LIMITATION: THIS POWER OF ATTORNEY CANNOT BE USED TO EXECUTE NOTE GUARANTEE, MORTGAGE DEFICIENCY, MORTGAGE GUARANTEE, OR BANK DEPOSITORY BONDS.

and to bind any of the Companies thereby as fully and to the same extent as if such bonds were signed by the President, sealed with the corporate seal of the applicable Company and duly attested by its Secretary, hereby ratifying and confirming all that the said Attorney(s)-in-Fact may do in the premises. Said appointment is made under and by authority of the following resolution adopted by the Board of Directors of each of the WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY:

Be it Resolved, that the President, any Senior Executive, any Secretary or any Fidelity & Surety Operations Executive or other Executive shall be and is hereby vested with full power and authority to appoint any one or more suitable persons as Attorney(s)-in-Fact to represent and act for and on behalf of the Company subject to the following provisions:

The Attorney-in-Fact, may be given full power and authority for and in the name of and on behalf of the Company, to execute, acknowledge and deliver, any and all bonds, recognizances, contracts, agreements of indemnity and other conditional or obligatory undertakings and any and all notices and documents cancelling or terminating the Company's liability thereunder, and any such instruments so executed by any such Attorney-in-Fact shall be as binding upon the Company as if signed by the President and sealed and attested by the Corporate Secretary.

Be it Further Resolved, that the signature of any such designated person and the seal of the Company heretofore or hereafter affixed to any power of attorney or any certificate relating thereto by facsimile, and any power of attorney or certificate bearing facsimile signatures or facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached." (Each adopted at a meeting held on February 8, 2000).

In Witness Whereof, WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY have caused these presents to be signed by their National Surety Leader and Senior Executive and their corporate seals to be hereto affixed this 16th day of AUGUST A.D., 2018 .

Corporate Seals Affixed



WESTFIELD INSURANCE COMPANY WESTFIELD NATIONAL INSURANCE COMPANY OHIO FARMERS INSURANCE COMPANY

By: Dennis P. Baus, National Surety Leader and Senior Executive

State of Ohio County of Medina ss.:

On this 16th day of AUGUST A.D., 2018 , before me personally came Dennis P. Baus to me known, who, being by me duly sworn, did depose and say, that he resides in Wooster, Ohio; that he is National Surety Leader and Senior Executive of WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY, the companies described in and which executed the above instrument; that he knows the seals of said Companies; that the seals affixed to said instrument are such corporate seals; that they were so affixed by order of the Boards of Directors of said Companies; and that he signed his name thereto by like order.

Notarial Seal Affixed



David A. Kotnik, Attorney at Law, Notary Public

My Commission Does Not Expire (Sec. 147.03 Ohio Revised Code)

State of Ohio County of Medina ss.:

I, Frank A. Carrino, Secretary of WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney, executed by said Companies, which is still in full force and effect; and furthermore, the resolutions of the Boards of Directors, set out in the Power of Attorney are in full force and effect.

In Witness Whereof, I have hereunto set my hand and affixed the seals of said Companies at Westfield Center, Ohio, this 22nd day of September A.D., 2021 .



Frank A. Carrino Secretary