



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: 04-07-2022

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 ADJ2200000014 3	Procurement Folder:	915878
Document Name:	Brushfork Armory HVAC Renovations (Construction)	Reason for Modification:	Change Order No 2- To extend the contract time per the attached documentation.
Document Description:	CHANGE ORDER NO 2-To extend contract time only		
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:	2021-11-08
Free on Board:	FOB Dest, Freight Prepaid	Effective End Date:	2022-08-05

VENDOR	DEPARTMENT CONTACT																				
Vendor Customer Code: 000000201803 PENNINGTON PLUMBING & HEATING INC 301-A GEORGE ST BECKLEY WV 25801 US Vendor Contact Phone: 999-999-9999 Extension:	Requestor Name: Timothy D Hersman Requestor Phone: (304) 561-6453 Requestor Email: timothy.d.hersman.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"><thead><tr><th></th><th>Discount Allowed</th><th>Discount Percentage</th><th>Discount Days</th></tr></thead><tbody><tr><td>#1</td><td>No</td><td>0.0000</td><td>0</td></tr><tr><td>#2</td><td>Not Entered</td><td></td><td></td></tr><tr><td>#3</td><td>Not Entered</td><td></td><td></td></tr><tr><td>#4</td><td>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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#1		No	0.0000	0																	
#2		Not Entered																			
#3	Not Entered																				
#4	Not Entered																				

INVOICE TO	SHIP TO
DIVISION ENGINEERING & FACILITIES ADJUTANT GENERALS OFFICE 1707 COONSKIN DR CHARLESTON WV 25311 US	BUILDING TRADE SPECIALIST BLUEFIELD NATIONAL GUARD ARMORY 2915 OLD BRAMWELL RD BLUEFIELD WV 24701 US

Total Order Amount:	\$1,398,100.00
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Purchasing Division's File Copy

ENTERED

PURCHASING DIVISION AUTHORIZATION DATE: <i>Tara H 4/11/2022</i> ELECTRONIC SIGNATURE ON FILE	ATTORNEY GENERAL APPROVAL AS TO FORM DATE: <i>4/11/2022</i> ELECTRONIC SIGNATURE ON FILE	ENCUMBRANCE CERTIFICATION DATE: <i>Beverly Tolson 4-11-22</i> ELECTRONIC SIGNATURE ON FILE
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Extended Description:

CHANGE ORDER NO. 2

To extend the original contract according to all terms, conditions, prices and specifications contained in the original contract and all authorized change orders per the attached documentation.

No change in contract total. Effective date of change: 03/24/2022

Effective date of extension 05/08/2022 through 08/05/2022

All provisions of the original Contract and subsequent Change Orders not modified herein shall remain in full force and effect.

No other changes..

Line	Commodity Code	Quantity	Unit	Unit Price	Total Price
1	72000000	0.00000		0.000000	974300.00
Service From	Service To	Manufacturer	Model No		
2021-11-08	2022-08-05				

Commodity Line Description: Brushfork Armory HVAC Renovations (Construction)-BASE BID

Extended Description:

Provide labor, materials, tools, supplies and equipment to replace HVAC equipment at the Brushfork Armory per the attached documentation.

Line	Commodity Code	Quantity	Unit	Unit Price	Total Price
2	72000000	0.00000		0.000000	386800.00
Service From	Service To	Manufacturer	Model No		
2021-11-08	2022-08-05				

Commodity Line Description: ALTERNATE No. 1- Office/Storage Areas HVAC Systems

Extended Description:

ALTERNATE NO. 1- Provide labor, materials, tools, supplies and equipment to replace Offices/Storage Areas HVAC equipment at the Brushfork Armory per the attached documentation.

Line	Commodity Code	Quantity	Unit	Unit Price	Total Price
3	72000000	0.00000		0.000000	26000.00
Service From	Service To	Manufacturer	Model No		
2021-11-08	2022-08-05				

Commodity Line Description: ALTERNATE No. 2/2a- 2nd Year Warranty for Base Bid Equipment

Extended Description:

ALTERNATE No. 2- Under Alternate #2a BASE Bid- Add for 2nd year warranty/24 Month Comprehensive Maintenance for all Base Bid work, refer to Specifications Section 200000A for additional details.

Line	Commodity Code	Quantity	Unit	Unit Price	Total Price
4	72000000	0.00000		0.000000	11000.00
Service From	Service To	Manufacturer	Model No		
2021-11-08	2022-08-05				

Commodity Line Description: ALTERNATE No. 2/2b- 2nd Year Warranty for Alternate#1 work

Extended Description:

ALTERNATE No. 2- Under Alternate #2b: Alternate #1- Add for 2nd year warranty/24 Month Comprehensive Maintenance for all Alternate #1 work, refer to Specifications Section 200000A for additional details.

Pennington Plumbing & Heating, Inc.

301-A GEORGE STREET BECKLEY, WEST VIRGINIA 25801
WV Contractor License No. WV001456

TELEPHONE (304) 252-7529
FAX (304) 253-1123

March 24, 2022

Jim Watters
ZDS Design

Re: Brushfork Armory
Change Order for Extension of Contract

Jim,

This Change Order Letter is to request an extension of time on our contract, because of the inability to get materials and equipment in a timely manner. Because we've encountered such delays, we are not able to finish by the completion date that is shown on our contract. The contract completion date is 05/07/2022 as noted on the NTP, and we request that it be extended by 90 days, which would make the new completion date 08/05/2022. There are no extra costs to the owner associated with the extension of time. Please let us know.

Please call me, should you have any questions.

Sincerely,



Allen Jones
Estimator/Project Manager



AIA Document G701™ – 2017

Change Order

PROJECT: <i>(Name and address)</i> Brushfork Armory HVAC Renovations 2915 Old Bramwell Road Bluefield, WV 24701	CONTRACT INFORMATION: Contract For: HVAC Renovations Date: 09/09/2021	CHANGE ORDER INFORMATION: Change Order Number: 002 Date: 03/24/2022
OWNER: <i>(Name and address)</i> WV Army National Guard 1707 Coonskin Drive Charleston, WV 25311	ARCHITECT: <i>(Name and address)</i> ZDS Design/Consulting Services 135 Corporate Center Drive, Suite 532 Scott Depot, WV 25560	CONTRACTOR: <i>(Name and address)</i> Pennington Plumbing & Heating, Inc. 301 George Street Beckley, WV 25801

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.)


Refer to attached letter from Pennington Plumbing & Heating, Inc.

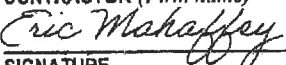
The original Contract Sum was	\$	<u>1,398,100.00</u>
The net change by previously authorized Change Orders	\$	<u>0.00</u>
The Contract Sum prior to this Change Order was	\$	<u>1,398,100.00</u>
The Contract Sum will be increased by this Change Order in the amount of	\$	<u>0.00</u>
The new Contract Sum including this Change Order will be	\$	<u>1,398,100.00</u>

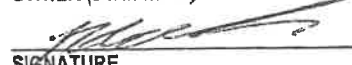
The Contract Time will be increased by ninety (90) days.

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.

ZDS Design/Consulting Services
 ARCHITECT *(Firm name)*

 SIGNATURE
 James E. Watters
 PRINTED NAME AND TITLE
 03/24/2022
 DATE

Pennington Plumbing & Heating, Inc.
 CONTRACTOR *(Firm name)*

 SIGNATURE
 Eric Mahaffey
 PRINTED NAME AND TITLE
 3/29/22
 DATE

WV Army National Guard
 OWNER *(Firm name)*

 SIGNATURE
 [illegible]
 PRINTED NAME AND TITLE
 6/1/22
 DATE



DEPARTMENT OF THE ARMY
ADJUTANT GENERAL'S OFFICE
JOINT FORCES HEADQUARTERS WEST VIRGINIA
1707 COONSKIN DRIVE
CHARLESTON, WEST VIRGINIA 25311-1026

NGWW-FMO

7 April 2022

TO: Ms. Tara Lyle, Buyer Supervisor
West Virginia Division of Purchasing

FROM: Mr. Dean Wingerd, Procurement Analyst
Office of the Adjutant General, State of West Virginia

RE: Change Order Justification
CPO-ADJ2200000014
CO#2 Brushfork Armory HVAC Renovations
Pennington Plumbing & Heating, Inc.

This change order request for the project noted above is to extend the contract time until August 5, 2022. The letter dated March 24, 2022, from the Vendor reflects this request for an extension to the contract and is attached to this submission. Also included is an AIA Document G701-2017 addressing this issue, signed by all parties. This change order request is necessary because of delays in receiving the parts and materials to complete the job due to the ongoing COVID pandemic, this extension will allow for completion of the work, and to allow for the final invoice payment.

Per this justification, we respectfully request the approval of Change Order #2 as submitted.

The point of contact for this correspondence is the undersigned at 304-561-6629 or email at claude.d.wingerd.nfq@army.mil.

Dean Wingerd
Procurement Analyst
WV Military Authority
Construction & Facilities Management Office

Extension
approved
Tara Lyle



MARK D. SCOTT
CABINET SECRETARY

STATE OF WEST VIRGINIA
DEPARTMENT OF ADMINISTRATION
PURCHASING DIVISION

W. MICHAEL SHEETS
DIRECTOR

MEMORANDUM

TO: Frank Whittaker, CPPB, Assistant Director, WV Purchasing Division

FROM: James Meadows, CPPO, General Counsel, WV Purchasing Division

DATE: April 4, 2022

RE: HB 4499; Purchasing Affidavit; Interested Party Disclosure

Pursuant to your request, I have investigated the impact of the recently passed House Bill 4499 on the bidding/contract award process as it relates to the Purchasing Affidavit and the Interested Party Disclosure Form. More specifically, you asked if the buying staff would need to continue collecting the two forms for contracts put out to bid, but not yet awarded, prior to the law change. My conclusion is that continuing to collect those forms is not necessary.

House Bill 4499 was a bill sponsored by the Governor's office, and made effective from passage, that made changes to various provisions of the West Virginia Code to make the procurement process more efficient. Two notable changes are the elimination of the need to collect the Purchasing Affidavit (previously found in W. Va. § Code 5A-3-10a) and the Interested Party Disclosure form (previously found in W. Va. Code § 6D-1-2) prior to award. Since the need for those forms prior to award was statutorily driven, and the statutes have now been modified, I see no reason to continue collecting them.

Once concern was that the solicitations issued prior to the laws passage reference the applicable statutes and indicate that the two forms will be needed prior to award. Those references were found in term 37 and term 43 of the General Terms and Conditions. From a priority standpoint, the change to the law would certainly trump the solicitation's terms and conditions. To help explain that inaccurate statement and the lack of the two forms in the procurement file,

however, please request that procurement staff include a copy of this memo in all solicitation files that went out to bid prior to HB 4499 passing and contain the old versions of term 37 and term 43.