



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: 10-07-2022

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 0432 1105 DCH2200000007 3	Procurement Folder:	1021555
Document Name:	CO#2 CulCent: Concrete Repairs to the Plaza Deck Walls	Reason for Modification:	Change Order 02 To Increase Contract
Document Description:	Change Order No. 2		
Procurement Type:	Central Purchase Order		
Buyer Name:	Toby L Welch		
Telephone:	(304) 558-8802		
Email:	toby.l.welch@wv.gov		
Shipping Method:	Best Way	Effective Start Date:	2022-07-01
Free on Board:	FOB Dest, Freight Prepaid	Effective End Date:	2022-12-28

VENDOR				DEPARTMENT CONTACT	
Vendor Customer Code:	VS0000040260			Requestor Name:	Mark W Lynch
Buckeye Construction & Restoration, LTD. 1154 S Michigan Avenue				Requestor Phone:	(304) 558-0220
Wellston OH 45692 US				Requestor Email:	mark.w.lynych@wv.gov
Vendor Contact Phone:	8337751595	Extension:		<div style="font-size: 48px; font-weight: bold;">23</div> <div style="font-weight: bold;">FILE LOCATION _____</div>	
Discount Details:					
	Discount Allowed	Discount Percentage	Discount Days		
#1	No	0.0000	0		
#2	Not Entered				
#3	Not Entered				
#4	Not Entered				

INVOICE TO	SHIP TO
RECEIVING DEPARTMENT DIVISION OF CULTURE & HISTORY CULTURAL CENTER 1900 KANAWHA BLVD E CHARLESTON WV 25305-0300 US	RECEIVING DEPARTMENT DIVISION OF CULTURE & HISTORY WV INDEPENDENCE HALL 1528 MARKET ST WHEELING WV 26003-3532 US

10-11-22 BGT

Total Order Amount:	\$181,596.89
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Purchasing Division's File Copy

ENTERED

TJW 10/7/22

PURCHASING DIVISION AUTHORIZATION DATE: <i>Mark Aust 10/07/2022</i> ELECTRONIC SIGNATURE ON FILE	ATTORNEY GENERAL APPROVAL AS TO FORM DATE: <i>John & Grace</i> ELECTRONIC SIGNATURE ON FILE	ENCUMBRANCE CERTIFICATION DATE: <i>Beverly Toler 10-14-22</i> ELECTRONIC SIGNATURE ON FILE
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10/13/2022

Extended Description:

Change Order No. 02 is issued to increase the original contract according to all terms, conditions, prices, and specifications contained in the original contract including all authorized change orders. The increase of this contract is provided to add additional items per square footage per attached documentation.

Effective date of change: October 3, 2022.

Original Contract Price: \$118,792.89
Change Order No. 02 Increase: \$62,804.00
Contract New Total: \$181,596.89

No other changes.

Line	Commodity Code	Quantity	Unit	Unit Price	Total Price
1	72152700	0.00000		0.000000	181596.89
Service From	Service To	Manufacturer	Model No		
2022-07-01	2022-12-28				

Commodity Line Description: CulCent: Concrete Repairs to the Plaza Deck walls.

Extended Description:

Exterior Wall Repairs -
Base Bid: \$68,798.32
Allowances (4a): \$9,834.00
Allowances (4b): \$5,632.00
Alternate #1- \$14,651.80
Alternate # 2-\$19,876.77
Total Accepted Bid Amount: \$118,792.89
As per pricing page
Change Order #2 Event: \$62,804.00
Grand total: \$181,596.89



West Virginia Department of
**ARTS, CULTURE
AND HISTORY**

The Culture Center
1900 Kanawha Blvd., E.
Charleston, WV 25305-0300

Randall Reid-Smith, Curator
Phone 304.558.0220 • www.wvculture.org
Fax 304.558.2779 • TDD 304.558.3562
EEO/AA Employer

September 30, 2022

Toby Welch, Senior Buyer
WV Purchasing Division
2019 Washington Street, East
Capitol Complex, Bldg. 15
Charleston, WV 25305

*OK
M. Reid-Smith
10/07/2022*

REF: CPO DCH220000007 – Culture Center: Concrete Repairs to the Plaza Deck Walls – Change Order Justification Memo

Please see attached the quote for finishing the West elevation of the Culture Center, the final side of the building to be completed in the project.

In estimating this project for bid, we were unaware of the extent of hidden damage surrounding the exposed pieces of rebar. Per our contractors, the amount of rebar present in the walls of this building far exceeds that of the walls they recently built for a prison. This led to more material needing to be removed per instance than was on the bid specifications. This in turn consumed the contract allowances included for the project. We elected to leave the back side of the Culture Center (West elevation) until last because it was the largest from a square footage standpoint. Additionally, it is less visible to the public, legislative members, etc. entering the west wing of the capitol building. The West elevation area has presented us with a new issue as well.

Due to the rear of the building being the only side below ground level, there is a feature of it that is not present on the other three sides. There is a horizontal concrete joint with approximately a three-inch lip jutting out that runs the length of the wall, minus the two loading docks. The joint has deteriorated and is allowing water to access the rebar that meets the joint and per our contractor is really the root cause for this portion of the building. This needs to be repaired for preventative measures going forward as well as eventual damages to the repairs done in this project. The hidden issue was not visible from ground level. The contractor found it at eye level from a scissor lift.

We have done our due diligence on what is allowed from a contract standpoint and the quote provided exceeds any option we would have had. The total cost of the contract is \$118,792.89. The attached quote of \$62,804.00 entails the labor to finish the rear of the building, including additional rebar repair, spalled concrete repair, and cleaning/coating/caulking of the horizontal joint issue. In this procurement environment, I am extremely hesitant to rebid this project due to inflation and costs of raw materials being difficult to predict. We take being a good steward of the public's money seriously.

The gentlemen on-site have been excellent in both quality and timeliness. They already have a plan in place to perform the work that needs to be done, have knowledge of what lies beneath the exterior concrete facing, and have already been mobilized to the site which will save time and money. They anticipate with a "go ahead" they could be finished in two weeks.

Please let me know if you need additional information. Thank you for your time and consideration.

Sincerely,

Cara M. Suppa 9/30/2022

Cara M. Suppa, Procurement Officer, WVDACH

Cc: Samuel J. Calvert, Director of Administration, WVDACH
Douglas W. Litton, Manager for Facilities Operations, WVDACH



Change Events Line Items

Budget Code	Description	Vendor	Contract	UOM	Production Qty	Production UOM	Revenue					Cost							
							Unit Qty	Unit Cost	ROM	Prime PCO	Latest Price	Unit Qty	Unit Cost	ROM	RFQ	Commitment	Latest Cost	Over / Under	Budget Modification
CE #001 - Additional Concrete Repair									\$0.00	\$0.00	\$0.00			\$62,804.00	\$0.00	\$0.00	\$62,804.00	-\$62,804.00	\$0.00
							0	\$0.00	\$0.00		\$0.00			\$0.00			\$0.00	\$0.00	
07-046.L	Exposed Rebar Repair.Labor	Buckeye Construction & Restoration, Ltd.					0	\$0.00	\$0.00		\$0.00	202	\$298.00	\$60,196.00			\$60,196.00	-\$60,196.00	
07-042.L	Vertical Surface Repair.Labor	Buckeye Construction & Restoration, Ltd.		sf			0	\$0.00	\$0.00		\$0.00	8	\$176.00	\$1,408.00			\$1,408.00	-\$1,408.00	
	Cleaning, Coating, and Caulking of Horizontal Joint	Buckeye Construction & Restoration, Ltd.		lf			0	\$0.00	\$0.00		\$0.00	75	\$16.00	\$1,200.00			\$1,200.00	-\$1,200.00	



INCREASE CERTIFICATE

Principal: **Buckeye Construction & Restoration, LTD.**
405 Watertown Road
Waterford, OH 45786

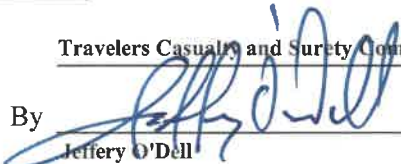
Bond No. **107615918**
License No.
Amount of Bond: **\$118,793.00**
Hereby increased to: **\$181,597.00**

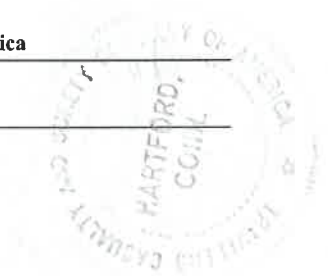
Obligee: **West Virginia Dept. of Administration**
2019 Washington Street, East
Charleston, WV 25305

As of October 3, 2022, the amount of the above described bond is increased from the sum of \$118,793.00 to the sum of \$181,597.00, but the liability of the Surety for any acts or defaults occurring before the effective date hereof shall in no event exceed the total sum of \$118,793.00, and the aggregate liability of the Surety for any acts or defaults, whenever committed, shall in no event exceed the total sum of \$181,597.00, it being the intent hereof to preclude cumulative liability. This certificate, when signed by the Principal shall become a part of the said bond.

Signed, sealed and dated October 3, 2022

Travelers Casualty and Surety Company of America


By 
Jeffery O'Dell
Attorney-in-Fact



I hereby consent to the above increase.

Witness my hand and seal this 3rd day of October, 2022

Buckeye Construction & Restoration, LTD.



operations Manager (Seal) Principal

INSTRUCTIONS TO AGENTS - IMPORTANT

Do not deliver this certificate to the Obligee until it has been dated and signed by the Principal. One signed copy must be returned to the Surety.

ACKNOWLEDGMENTS

Acknowledgment by Principal If Individual or Partnership

1. STATE OF Ohio
2. County of Jackson to-wit:
3. I, Rayanna Smith, a Notary Public in and for the
4. county and state aforesaid, do hereby certify that Jake Miller
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 3rd day of October 20 22
6. Notary Seal  RAYANNA SMITH
Notary Public
State of Ohio
My Comm. Expires
January 21, 2025
7. Rayanna Smith
(Notary Public)
8. My commission expires on the 21st day of January 20 25

Acknowledgment by Principal If Corporation

9. STATE OF _____
10. County of _____ to-wit:
11. I, _____, a Notary Public in and for the
12. county and state aforesaid, do hereby certify that _____
13. who as, _____ signed the foregoing writing for
14. 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 _____ day of _____ 20 _____
16. Notary Seal _____
17. _____
(Notary Public)
18. My commission expires on the _____ day of _____ 20 _____

Acknowledgment by Surety

19. STATE OF West Virginia
20. County of Kanawha to-wit:
21. I, Robin Hubbard-Sherrod, a Notary Public in and for the
22. county and state aforesaid, do hereby certify that Jeffery O'Dell
23. who as, Attorney-in-Fact signed the foregoing writing for
24. Travelers Casualty and Surety Company of America 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.



Given under my hand this 3rd day of October 20 22
27. Robin Sherrod
(Notary Public)
28. My commission expires on the 8th day of June 20 26

Sufficiency in Form and Manner
of Execution Approved:

This 13th day of October 20 22

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



**Travelers Casualty and Surety Company of America
Travelers Casualty and Surety Company
St. Paul Fire and Marine Insurance Company**

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That Travelers Casualty and Surety Company of America, Travelers Casualty and Surety Company, and St. Paul Fire and Marine Insurance Company are corporations duly organized under the laws of the State of Connecticut (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint **Richard L. Higginbotham, Robin Hubbard-Sherrod, Jeffery O'Dell, and Bonnie Perrine of Charleston, West Virginia**, their true and lawful Attorney(s)-in-Fact to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed, and their corporate seals to be hereto affixed, this **21st** day of **April, 2021**.



State of Connecticut

By: 
Robert L. Raney, Senior Vice President

City of Hartford ss.

On this the **21st** day of **April, 2021**, before me personally appeared **Robert L. Raney**, who acknowledged himself to be the Senior Vice President of each of the Companies, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of said Companies by himself as a duly authorized officer.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

My Commission expires the **30th** day of **June, 2026**




Anna P. Nowik, Notary Public

This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors of each of the Companies, which resolutions are now in full force and effect, reading as follows:

RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary may appoint Attorneys-in-Fact and Agents to act for and on behalf of the Company and may give such appointee such authority as his or her certificate of authority may prescribe to sign with the Company's name and seal with the Company's seal bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any of said officers or the Board of Directors at any time may remove any such appointee and revoke the power given him or her, and it is

FURTHER RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing and a copy thereof is filed in the office of the Secretary; and it is

FURTHER RESOLVED, that any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary and duly attested and sealed with the Company's seal by a Secretary or Assistant Secretary; or (b) duly executed (under seal, if required) by one or more Attorneys-in-Fact and Agents pursuant to the power prescribed in his or her certificate or their certificates of authority or by one or more Company officers pursuant to a written delegation of authority; and it is

FURTHER RESOLVED, that the signature of each of the following officers: President, any Executive Vice President, any Senior Vice President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary, and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Resident Vice Presidents, Resident Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding on the Company in the future with respect to any bond or understanding to which it is attached.

I, **Kevin E. Hughes**, the undersigned, Assistant Secretary of each of the Companies, do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which remains in full force and effect.

Dated this 3rd day of October, 2022




Kevin E. Hughes, Assistant Secretary

To verify the authenticity of this Power of Attorney, please call us at 1-800-421-3880.
Please refer to the above-named Attorney(s)-in-Fact and the details of the bond to which this Power of Attorney is attached.