



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

State of West Virginia Purchase Order

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

Order Date: 01-20-2023

Order Number:	CPO 0310 6546 DNR2200000001 5	Procurement Folder:	886257
Document Name:	Pipestem Resort Lodge New Wastewater Plant Construction	Reason for Modification:	Change Order No. 03 issued to extend and increase the contract as per the attached documentation.
Document Description:	Pipestem Resort Lodge New Wastewater Plant Construction		
Procurement Type:	Central Purchase Order		
Buyer Name:	Joseph E Hager III		
Telephone:	(304) 558-2306		
Email:	joseph.e.hageriii@wv.gov		
Shipping Method:	Best Way	Effective Start Date:	2021-11-01
Free on Board:	FOB Dest, Freight Prepaid	Effective End Date:	2023-02-28

VENDOR		DEPARTMENT CONTACT			
Vendor Customer Code:	000000216554	Requestor Name:	James H Adkins		
MAIN STREET BUILDERS LLC 311 S Walker St		Requestor Phone:	(304) 558-3397		
PRINCETON WV 24740		Requestor Email:	jamie.h.adkins@wv.gov		
US		<div style="font-size: 48pt; font-weight: bold;">23</div> <div style="font-weight: bold;">FILE LOCATION _____</div>			
Vendor Contact Phone:	3044873912			Extension:	103
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
DIVISION OF NATURAL RESOURCES PARKS & RECREATION-PEM SECTION 324 4TH AVE SOUTH CHARLESTON WV 25305 US	SUPERINTENDENT DIVISION OF NATURAL RESOURCES PIPESTEM STATE PARK 3405 PIPESTEM DR PIPESTEM WV 25979-0150 US

Total Order Amount:	\$1,347,061.5
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Purchasing Division's File Copy

ENTERED

PURCHASING DIVISION AUTHORIZATION DATE: Jan 20 1-20-23 ELECTRONIC SIGNATURE ON FILE	ATTORNEY GENERAL APPROVAL AS TO FORM DATE: [Signature] ELECTRONIC SIGNATURE ON FILE	ENCUMBRANCE CERTIFICATION DATE: [Signature] 1/25/2023 ELECTRONIC SIGNATURE ON FILE
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1/24/2023

Extended Description:

Change Order

Change Order No. 03 is issued to extend and increase the original contract according to all terms, conditions, prices and specifications contained in the original contract and all authorized change orders. No change in contract total.

Effective date of extension 10/27/2022 through 02/28/2023.

Original Contract Price: \$1,325,000.00
Change Order No. 03 Increase: 22,061.50
Contract New Total: \$1,347,061.50

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	72121505	0.00000		0.000000	1325000.00
Service From	Service To	Manufacturer		Model No	
2021-11-01	2023-02-28				

Commodity Line Description: Waste water and sewage treatment plant construction service

Extended Description:

Waste water and sewage treatment plant construction service

Line	Commodity Code	Quantity	Unit	Unit Price	Total Price
2	72121505	0.00000		0.000000	22061.50
Service From	Service To	Manufacturer		Model No	
2021-11-01	2023-02-28				

Commodity Line Description: Change Order No. 03

Extended Description:

Waste water and sewage treatment plant construction service



APPROVED
B. McMillion
1/20/22

Governor Jim Justice

Director Brett W. McMillion

MEMORANDUM

TO: Jamie Adkins
WV DNR Chief Procurement Officer

FROM: Jason Dingess, P.E. JRD
Engineer Associate PEM

DATE: November 18 , 2022

SUBJECT: Pipestem Resort State Park
McKeever Lodge-New Wastewater Treatment Plant
CPO DNR22*01
Backdate Memo
Change Order No. 3

Please process this change request more than 20 days past the new effective date. The West Virginia Division of Natural Resources, Planning, Engineering and Maintenance Section requests that changes be made to the above referenced project as outlined in Change Order No. 3.

It is understood that this contract is beyond 20 days past the original end date of the contract. As a recent addition to PEM, I was assigned this project as it was already in progress. There were delays in reviewing the project and working with all involved and, therefore, delayed the preparation of this change request.

JRD/rw

MEMORANDUM

TO: Jamie Adkins
WV DNR Chief Procurement Officer

FROM: Jason Dingess, P.E. *JRD*
Engineer Associate PEM *TSK*

DATE: October 24, 2022

SUBJECT: Pipestem Resort State Park
McKeever Lodge-New Wastewater Treatment Plant
CPO DNR22*01
Change Order No. 3

Please find attached Change Order No. 3 for the Pipestem Resort State Park McKeever Lodge new Wastewater Treatment Plant (WWTP) construction being performed by Main Street Builders, LLC. Additional monies of \$22,061.50 and a time extension are being requested. The additional 125-days would extend the contract from 10/27/2022 to 02/28/2023; as the current contract expires 10/26/2022.

It was realized in a meeting on-site with AEP that the service voltage at the existing WWTP was not as planned on the contract drawings. Circuitry planned for the new WWTP was not of adequate ampacity to allow for the higher voltage conditions of the 240V "Delta" service needed to operate the new WWTP. To prevent major delays and down time Main Street Builders worked with subcontractor Wallace Wiring to get new electrical components as soon as possible. The Wire size and type was increased, resulting in an increased size in conduit as well.

Also, the new Campground Dump Station requires additional work. When excavation commenced numerous unknown utility lines were encountered in a dilapidated condition. The lines were repaired and re-routed as required to install the new Dump Station as planned. The unforeseen additional work required, and the unexpected delays, necessitate that this contract be increased and extended to allow the contractor to complete the project as planned.

This Change Order No. 3 is respectfully submitted, and this work was needed to complete the project and ensure long-term environmental compliance of the facility.

JRD/rw



Contractor Change Order No. 3

August 29, 2022

Mr. Jason Dingess
West Virginia Division of Natural Resources
324 4th Avenue
South Charleston, WV 25303

Mr. Dingess,

Please find attached Change Order No. 3, a Contract Sum increase and Time Extension (125 days) for the above referenced project.

Your Reference
CPO 0310 6546 DNR22*01 3

Our Reference
507403765

Mott MacDonald
201 Pennsylvania Avenue
Suite 400
Charleston
WV 25302-2315
United States of America

T +1 (304) 356 3010
mottmac.com

The Contract Sum increase of \$22,061.50 is necessary due to unforeseen additional work related to the discovery of unknown utility lines. Significant time and effort was expended to plan the resolution of the issue and to perform the necessary repairs corrections and rerouting of utility lines as required to accommodate the planned installation of the new Dump Station facility. In addition, it was determined that the AEP service voltage was higher than previously determined which required changing the circuitry planned for the new Wastewater Treatment Plant equipment. Larger wire and conduit than planned were necessary.

Additional time is needed to complete this project as a result of these two issues. We recommend a 125-day contract extension, from 10/27/22 to 02/21/23 to complete the construction and installation of the new Wastewater Plant. This work is necessary for the long-term operation of the Lodge and to ensure environmental compliance.

Regards,

A handwritten signature in black ink that reads 'Jennifer Miller'.

Jennifer Miller, P.E.
Principal Project Manager
+1 412 497 2905 Direct
+1 304 617 0755 Cell
Jennifer.miller@mottmac.com



Main Street Builders
HONESTY | INTEGRITY | QUALITY

August 23, 2022

Mr. Jason Dingess, Engineer Associate
West Virginia Division of Natural Resources
324 4th Avenue
South Charleston, WV 25303

RE: Pipestem Resort State Park
Wastewater System Improvements
CPO DNR22*01

Dear Jason,

Please accept this letter as Main Street Builders formal request for Change Order No. 3. We are seeking an addition to the Contract Sum as well as an extension of the Contract Time. When we started our excavation work in the Campground Dump Station Area last winter numerous unknown utility lines were encountered. Many of these lines were in a state of disrepair due to their age. Several onsite meetings were held to review and discuss the work to be done. Mott MacDonald issued two revised drawings recording the utilities encountered at that time, however many of the serviceability issues weren't fully understood for several days as the work progressed. Main Street Builders proceeded as directed to make the repairs, corrections and reroute lines as required to accommodate the planned installation of the new Dump Station facility.

It was also realized following a February meeting on site with AEP that the service voltage at the Wastewater Plant was not as planned on the contract drawings. Circuitry planned for the new Wastewater Treatment Plant Equipment was not of adequate ampacity to allow for the higher voltage conditions of the 240V "Delta" service. After submitting RFI's to Mott MacDonald, we were instructed to make the changes required. Wire size and type was increased, resulting in an increased size in conduit. The material was ordered by our subcontractor to avoid further price escalations and delays.

Both issues have resulted in substantial increases in cost, costs which have already been incurred and paid.

We respectfully request this addition to the contract of both time and compensation be approved this time, without further delay. Thank you for your time, efforts and consideration.

Respectfully,

Dusti C. Snider
Main Street Builders, LLC



INCREASE CERTIFICATE

Principal: **Main Street Builders, LLC**
311 South Walker Street
Princeton, WV 24740

Bond No. **107470960**
License No.
Amount of Bond: **\$1,325,000.00**
Hereby increased to: **\$1,347,061.50**

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

As of August 23, 2022, the amount of the above described bond is increased from the sum of \$1,325,000.00 to the sum of \$1,347,061.50, 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 \$1,325,000.00, and the aggregate liability of the Surety for any acts or defaults, whenever committed, shall in no event exceed the total sum of \$1,347,061.50, 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 September 9, 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 9th day of September, 2022

Main Street Builders, LLC

[Signature] (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
2. County of
3. I,
4. county and state aforesaid, do hereby certify that
5. Given under my hand this
6. Notary Seal
7. (Notary Public)
8. My commission expires on the

Acknowledgment by Principal if Corporation or Limited Liability Company

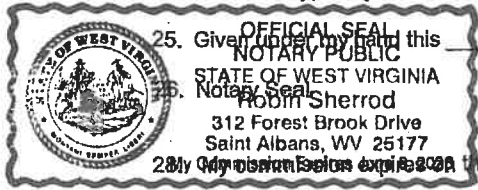
- 9. STATE OF West Virginia
10. County of Kanawha
11. I, Robin Sherrod
12. county and state aforesaid, do hereby certify that M. Adam Sarver
13. who as, Managing Member
14. Main Street Builders, LLC
has this day, in my said county, before me, acknowledged the said writing to be the act and deed of the said corporation/LLC.



- 15. Given under my hand this 9th day of September 20 22
16. Notary Seal Robin Sherrod
17. Robin Sherrod (Notary Public)
18. My commission expires on the 8th day of June 20 26

Acknowledgment by Surety

- 19. STATE OF West Virginia
20. County of Kanawha
21. I, Robin Sherrod
22. county and state aforesaid, do hereby certify that Jeffery O'Dell
23. who as, Attorney-in-Fact
24. Travelers Casualty and Surety Company of America
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 9th day of September 20 22
26. Notary Seal Robin Sherrod
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 24th day of Jan 20 23

Attorney General
By John D. Gray (Assistant 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 9th day of September, 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.**

AIA® Document G701™ – 2001

Change Order

PROJECT (Name and address): Pipestem Resort Lodge New Wastewater Plant Construction	CHANGE ORDER NUMBER: Three (3) DATE: August 23, 2022 ENGINEER'S PROJECT NUMBER: 403765 CONTRACT DATE: August 13, 2021 CONTRACT FOR:	OWNER: <input type="checkbox"/> ARCHITECT: <input type="checkbox"/> CONTRACTOR: <input checked="" type="checkbox"/> FIELD: <input type="checkbox"/> OTHER: <input type="checkbox"/>
TO CONTRACTOR (Name and address): Main Street Builders LLC PO Box 309 Princeton, WV 24740		

THE CONTRACT IS CHANGED AS FOLLOWS:

1. Contract sum change for increase in electrical wiring size and wire count and additional work encountered during installation of the Campground Dump Station.

The original Contract Sum was	\$ 1,325,000.00
The net change by previously authorized Change Orders	\$ 0.00
The Contract Sum prior to this Change Order was	\$ 1,325,000.00
The Contract Sum will be increased by this Change Order in the amount of	\$ 22,061.50
The new Contract Sum including this Change Order will be	\$ 1,347,061.50

The Contract Time will be increased by 125 days.
 The date of Substantial Completion as of the date of this Change Order therefore is February 28, 2023.

NOTE:

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

<p><u>Matt MacDonald</u> 201 Pennsylvania Ave #400 Charleston, WV 25302 ADDRESS</p>	<p><u>MAIN STREET BOLDERS, LLC</u> CONTRACTOR (Firm name) PO Box 309 Princeton, WV 24740 ADDRESS</p>	<p><u>WV Division of Natural Resources</u> OWNER (Firm name) 324 4th Ave. South Charleston, WV 25303 ADDRESS</p>
<p><u>Jennifer J. Miller</u> BY (Signature) Jennifer J (Typed name) 8/29/22 DATE</p>	<p><u>[Signature]</u> BY (Signature) H. ROY (Typed name) 8/25/22 DATE</p>	<p><u>[Signature]</u> BY (Signature) Brett W. McMillion (Typed name) 10/13/22 DATE</p>

Contract Change Order Request



Main Street Builders
HONESTY | INTEGRITY | QUALITY

Customer/Owner: WVDNR Pipestem Resort State Park Date: 08/01/22
 Project Name: Wastewater Treatment Plant MSB No. PIPWWP
 Location: Summers County, WV Change No. 3
 A/E: Mott MacDonald # 507403765

Item No.	Description	Cost (-/+)
1	Increase wire and conduit sizes associated with PO-1, PO-2 & PO-3 from the Cable & Conduit Schedule from sheet 20 of the plans. Per M&M RFI Responses dated 4/15/22. See attached from Wallace Wiring	\$8,576.00
2	Perform as required relocation of existing unknown utility obstructions to allow for installation of proposed dump station. Many of the unknown lines were leaking and contained unknown inoperable valves. Main line blow off valve function was restored. Repair and repipe drinking fountain with new service valves. Reroute sanitary sewer and to provide better clearance from water services. Provide cleanout connections. Per onsite meetings and sketches from February 24th and February 25th.	\$10,687.97
Subtotal (Labor & Material) =		\$19,263.97
Contractors Overhead & Profit on Subcontract Work		\$857.60
Contractors Overhead & Profit on Contractors Work		\$1,603.20
Add Performance & Payment Bond		\$336.73
Total Cost (This Change Order Only) =		\$22,061.50

Change In Contract Time by this Change Order: (No Change) (Increase) (Decrease) by 125 Calendar Days

NEW CONTRACT COMPLETION DATE: February 28, 2023

Contract Status	
1) Original Contract Amount	\$1,325,000.00
2) Net Change By Previous Authorized Change Orders	\$0.00
3) Current Contract Amount (1+2)	\$1,325,000.00
4) Amount of proposed change	\$22,061.50
5) New Contract Amount (3+4)	\$1,347,061.50
6) Total Cost of All Change Orders to Date (2+4)	\$22,061.50

Change Order #3_ MainStreet CPO DNR22*01

Attachment 1-

Back-up for Item No. 1- Increase Wire and Conduit sizes

Wallace Wiring LLC
Rodney Wallace
127 Olive Street
Princeton, WV 24740
304-961-3156
Wallacewiringllc@gmail.com

Main Street Builders
311 South Walker Street
Princeton, WV 24740
304-487-3912

RE: Change order #1 McKeever Lodge

This change order covers Mott MacDonald's recommended changing of circuitry:

- *Changing the conduit size, wire size and wire count sizing from the meter to the disconnect. From 1" to 2.5" and adding another conductor and changing the size of wire from #1 to 4/0 copper xhhw-2.
- *Changing the conduit size and wire count from the disconnect to the load center from 1" with 4 #1 copper xhhw-2 to 2" with 5 #1 copper xhhw-2
- *Changing the conduit size and wire count from the load center to the control panel from 1" with 4#1 copper xhhw-2 to 2" with 5 #1 copper xhhw-2.
- *Figuring for adding up to 3-4 days to project

Changed material cost	\$8581
Additional labor	\$1860
Subtotal for change order #1	\$10,441
Minus Original material cost	-\$3151
Net difference for change order #1	\$7290
Contractor's markup +15%	\$1286
Total for change order #1	<u>\$8576</u>

Change Order #3_ MainStreet CPO DNR22*01

Attachment 2-

Back-up for Item No. 2- Campground Dump Station-Utility repair and re-route

