



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: 05-02-2023

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 ADJ2200000044 4	Procurement Folder:	1043922
Document Name:	MCA South- Renovations-Phase 3	Reason for Modification:	CHANGE ORDER NO. 3 - To increase contract amount.
Document Description:	CHANGE ORDER NO. 3 - 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:	2022-07-01
Free on Board:	FOB Dest, Freight Prepaid	Effective End Date:	2023-06-30

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: Discount Details: <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			Requestor Name: Charles A Bowman Requestor Phone: (304) 561-6654 Requestor Email: charles.a.bowman26.nfg@army.mil <div style="text-align: center; font-size: 2em; font-weight: bold;">23</div> FILE LOCATION _____
	Discount Allowed	Discount Percentage	Discount Days																		
#1	No	0.0000	0																		
#2	Not Entered																				
#3	Not Entered																				
#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

Total Order Amount:	\$1,391,148.00
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Purchasing Division's File Copy

ENTERED

PURCHASING DIVISION AUTHORIZATION DATE: 5/15/2023 ELECTRONIC SIGNATURE ON FILE	ATTORNEY GENERAL APPROVAL AS TO FORM DATE: 5/19/2023 ELECTRONIC SIGNATURE ON FILE	ENCUMBRANCE CERTIFICATION DATE: 5/19/2023 ELECTRONIC SIGNATURE ON FILE
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Extended Description:

Change Order

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

Effective date of change: April 10, 2023

Original Contract Price: \$1,359,900.00
Change Order No. 02 Increase: \$11,390.00
Change Order No. 03 Increase: \$19,858.00
Contract New Total: \$1,391,148.00

No other changes.

Line	Commodity Code	Quantity	Unit	Unit Price	Total Price
1	72000000	0.00000		0.000000	1359900.00
Service From	Service To	Manufacturer		Model No	
2022-07-01	2023-06-30				

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

Extended Description:

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

Line	Commodity Code	Quantity	Unit	Unit Price	Total Price
2	72000000	0.00000		0.000000	11390.00
Service From	Service To	Manufacturer		Model No	
2023-03-01	2023-06-30				

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 dated 03/01/2023.

Line	Commodity Code	Quantity	Unit	Unit Price	Total Price
3	72000000	0.00000		0.000000	19858.00
Service From	Service To	Manufacturer		Model No	
2023-04-10	2023-06-30				

Commodity Line Description: CHANGE ORDER NO. 3 - To increase contract amount

Extended Description:

CHANGE ORDER NO. 3- To increase contract amount per the attached documentation dated 04/10/2023.



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

NGWW-FMO

2 May 2023

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-ADJ2200000044
CO#3 MCA South- Renovations Phase 3
Maynard C. Smith Construction Company, Inc.

This change order request for the project noted above is to increase the contract amount by \$19,858.00. The increase is needed because of two (2) safety issues that were discovered in the demolition process for the old ventilators, for item #1, and after the installation of a new commercial dryer for item #2, the raising of the ceiling in the laundry room, more details are provided in the letter dated April 21, 2023 from our Project Manager. This change order request is late because of issues obtaining a properly executed bond rider, and because of staff workload.

Per this justification, we respectfully request the approval of Change Order #3 as submitted.

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

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

Increase
and Backdat
appd
Tye

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

1703 Coonskin Drive
Charleston, West Virginia, 25311-1085

FMO-OTR-

21 April 2023

Mrs. Lyle,

Please find the following change order packet for the subject contract (CPOADJ2200000044). This change order is for items required to complete the project. They include, provide an outside-air plenum, and associated electrical wiring to the new Unit Ventilators, and to raise the ceiling over the newly installed commercial dryer. The project is 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: Outside-Air Plenum and Electrical Wiring to Unit Ventilators.**

1. Description of work: Install Outside-air plenum and associated wiring to Unit Ventilators.

2. Justification for Change:

- (a) Facts: During demolition of the old ventilator units, it was determined that these units were never installed correctly. This system requires an outside-air source to function properly. Further investigation determined that all five of the original ventilators were supplied by one 15Amp circuit. The replacement units require 15Amp circuit per unit.

- (b) Recommendation: The additional work is within scope of the contract and the associated costs are fair and reasonable.

3. Cost: \$18,617.00
4. Funding: 75% Federal 25% State

b. Item #2: Raise the Ceiling in the Commercial Laundry Room

1. Description of work: Raise a 6x6 feet area of the ceiling located in the Commercial Laundry Room.
2. Justification for Change:
 - (a) Facts: By recommendation of the manufacturer, the ceiling tile above the newly installed commercial dryer needs to be moved to a new height to achieve the proper fire clearance around their unit.
 - (b) Recommendation: The additional work is within scope of the contract and the associated costs are fair and reasonable.
3. Cost: \$1,241.00
4. Funding: 75% Federal 25% State

2. Accounting Summary:

Consolidated Pricing of Change Order

Description	Federal Funds	State Funds
<u>Item #1</u>: Outside-Air Plenum and Electrical Wiring to Unit Ventilators.	\$13,962.75	\$4,654.25
<u>Item #2</u>: Raise the Ceiling in the Commercial Laundry \$476.25	\$930.75	\$310.25
Total	\$14,893.50	\$4,964.50

Respectfully



PAUL RICHARDS
Project Manager

Concurrence,

Cc:
LTC Beckner, FMO

Change Order Number: 003
WVARNG Tech Center & Maclin Hall Renovations PH. 3
WV Army National Guard

Increase PENALTY RIDER

To be attached to and form part of:

Bond Number 219787K
Dated June 21, 2022
Issued by the Ohio Farmers Insurance Company
(Surety)
On behalf of Maynard C. Smith Construction Company, Inc.
(Principal)
And in favor of State of West Virginia - WV Adjutant General's Office
(Obligee)

Now therefore, it is agreed that in consideration of the premium charged, the original bond shall be amended as follows:

THE BOND PENALTY SHALL BE Increased:

TO: One Million Three Hundred Ninety One Thousand One Hundred Forty Eight Dollars and 00/100
(\$1,391,148.00)

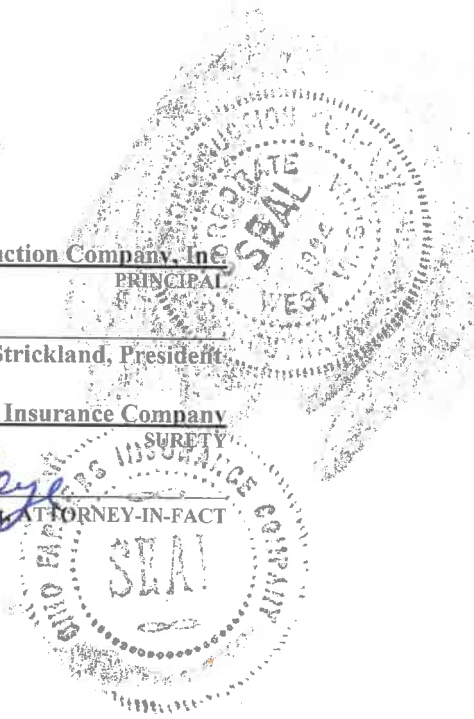
It is further understood and agreed that all other terms and conditions of this bond shall remain unchanged.

This Rider is to be Effective this 10th day of April, 2023

Signed, Sealed & Dated this 10th day of April, 2023

BY: John Strickland
Maynard C. Smith Construction Company, Inc.
PRINCIPAL
John Strickland, President

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



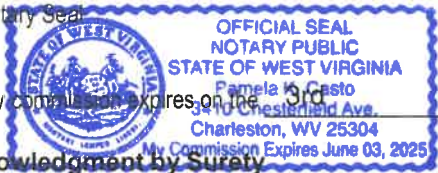
ACKNOWLEDGMENTS

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. 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 10th day of April 20 23
16. Notary Seal _____ 17. Pamela K Casto
(Notary Public)
18. My commission expires on the _____ 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. Moyer
23. who as, Attorney-in-fact and WV Resident Agent 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 10th day of April 20 23
26. Notary Seal _____ 27. Kimberly J. Wilkinson
(Notary Public)
28. My commission expires on the _____ day of July 20 27



Sufficiency in Form and Manner of Execution Approved

This 10th day of May 20 23

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

THIS POWER OF ATTORNEY SUPERCEDES () PREVIOUS POWER BEARING THIS SAME POWER # AND ISSUED PRIOR TO 10/03/22, OR ANY PERSON OR PERSONS NAMED BELOW.

General Power of Attorney

CERTIFIED COPY

POWER NO. 4752152 06

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

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, JEREMY B. STANLEY, TERRI L. DODRILL, 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 in any penal limit.

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 canceling 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 03rd day of OCTOBER A.D., 2022 .

Corporate Seals Affixed



WESTFIELD INSURANCE COMPANY WESTFIELD NATIONAL INSURANCE COMPANY OHIO FARMERS INSURANCE COMPANY

Handwritten signature of Gary W. Stumper

By: Gary W. Stumper, National Surety Leader and Senior Executive

State of Ohio County of Medina ss.:

On this 03rd day of OCTOBER A.D., 2022, before me personally came Gary W. Stumper to me known, who, being by me duly sworn, did depose and say, that he resides in Medina, OH; 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



Handwritten signature of David A. Kotnik

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 10th day of April A.D., 2023



Handwritten signature of Frank A. Carrino

Frank A. Carrino, Secretary



AIA Document G701[®] – 2017

RECEIVED

APR 18 2023

ZMM, INC.

Change Order

PROJECT: (Name and address)
WVARNG Tech Center & Maclin Hall
Renovations Ph. 3

CONTRACT INFORMATION:
Contract For: General Construction

CHANGE ORDER INFORMATION:
Change Order Number: 003

Date: June 24, 2022

Date: April 10, 2023

OWNER: (Name and address)
WV Army National Guard
1707 Coonskin Drive
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 #009: Provide O/S air plenum and new electric service and branch circuits for new Unit Ventilators \$18,617.00

COR #010: Raise a 6'x6' ACT area in Commercial Laundry \$1,241.00

Total: \$19,858.00

The original Contract Sum was	\$	1,359,900.00
The net change by previously authorized Change Orders	\$	11,390.00
The Contract Sum prior to this Change Order was	\$	1,371,290.00
The Contract Sum will be increased by this Change Order in the amount of	\$	19,858.00
The new Contract Sum including this Change Order will be	\$	1,391,148.00

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

4.10.23

DATE

Maynard C. Smith Construction Co., Inc.

CONTRACTOR (Firm name)



SIGNATURE

John Strickland
Project Manager

PRINTED NAME AND TITLE

April 10, 2023

DATE

WV Army National Guard

OWNER (Firm name)



SIGNATURE

Backman, Michael CFWD

PRINTED NAME AND TITLE

April 25, 2023

DATE

From: [Mary Johnson](#)
To: [John Strickland](#)
Subject: Re: MCA South
Date: Thursday, March 30, 2023 7:26:35 PM

\$5800.

Sheet metal
Insulation
WVHP

There was 0 change on controls per Mason and Barry.

Sent from my iPhone

On Mar 30, 2023, at 6:31 PM, John Strickland <jstrickland@mcsconstructionwv.com> wrote:

Sorry, but we need to make something up to finish the Quote for this extra. I need to get this to them, even tho they probably will not respond timely.

John Strickland
Project Manager/Estimator
Maynard C. Smith Construction Company, Inc.
PO Box 11888
Charleston, WV 25339-1888
mcsconstructionwv.com
304.925.3190 (O)
304.549.0318 (C)
304.925.3228 (F)
Results not Activity



HATZEL & BUEHLER, INC.

Electrical Construction Since 1884

Proposal – CO6

Date: 3/29/2023

MCS Construction

Re: Tech Center and Maclin Hall, Montgomery WV – CO6

Hatzel & Buehler, Inc. (H&B) is pleased to offer the following electrical proposal for the lump sum price of:

Four Thousand Three Hundred Twenty-Two Dollars.....\$4,322.00

Clarifications

- 1. Hatzel & Buehler based this proposal on the Tech Center and Maclin Hall Renovations drawings and specifications.
- 2. Hatzel & Buehler based this proposal on working a normal 4 days a week, 10 hours a day schedule.

Inclusions

- 1. Replacing the 100A panel with a new one with more circuit capacity.
- 2. Extending new conduit and cable to the 5 new unit heaters.

Exclusions

- 1. Handling of any Hazardous Materials, Asbestos, lead Paint, etc.

Hatzel & Buehler appreciates the opportunity to provide this proposal and hopes it meets with your approval.

Sincerely,

Brian Christian
 Office: 681.305.1070 ext. 4116
 Mobile: 304.207.4558
b.christian@hatzelandbuehler.com

CO6 Tech Center Panel & Circuit ADD

Description	Quantity	Total Material	Total Hours
1" CONDUIT - EMT	60	75.00	5
1 1/2" CONDUIT - EMT	10	24.80	0.8
1" CONN SS STL - EMT	6	13.93	0.7
1 1/2" CONN SS STL - EMT	2	11.41	0.2
1" COUPLING SS STL - EMT	10	24.71	1
1 1/2" 2-H STRAP - RMC - STEEL	2	2.56	0.19
1 1/4" EMT & 1" RMC 1-PC STRUT CLAMP W/ SADDLE -	9	23.39	0.55
#12 THHN BLACK	500	79.98	2.83
# 2 THHN BLACK	180	316.00	2.46
#12 THHN WHITE	500	79.98	2.83
#12 THHN GREEN	500	79.98	2.83
# 6 THHN GREEN	60	43.60	0.59
4 11/16x 2 1/8" SQ BOX COMB KO	2	89.94	0.55
4 11/16" SQ BLANK COVER	2	16.22	0.26
125A 3W-24CCT BREAKER BPB - MAIN BRKR	1	215.73	4.3
20A 1P BREAKER PLUG-ON	10	68.40	1.65
30A 2P BREAKER PLUG-ON	3	40.68	1.6
# 6 WIRE POWER TERM	2	0.60	0.37
# 2 WIRE POWER TERM	6	3.00	1.65
Totals		1,209.91	30.36

Material Cost	Material			
	\$ 1,209.91	x 1.06	1,282.50	x 1.15
				\$ 1,474.88
Labor Cost	Man Hours			
	30.36	x 81.5	2,475.86	x 1.15
				\$ 2,847.24
TOTAL				\$ 4,322.12

