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

Request for **Quotation**

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RFQ NUMBER EDD264261

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ADDRESS CORRESPONDENCE TO ATTENTION OF:

KRISTA FERRELL 304-558-2596

***709060825** BOGGS ROOFING INC PO BOX 7455

304-429-4233

HUNTINGTON WV 25776-7455 DEPARTMENT OF EDUCATION

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HUNTINGTON WV 25776-7455 DEPARTMENT OF EDUCATION

BUILDING 6 1900 KANAWHA BOULEVARD, EAST CHARLESTON, WV 25305-0330

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ADVERTISEMENT FOR BIDS

Sealed bids for Roofing Projects at Cedar Lakes Conference Center, Ripley, West Virginia, will be received by the State of West Virginia, in accordance with the Request for Quotations issued by the Purchasing Division, until 1:30 pm, local time, on the date listed in the State's Request for Quotations. Bids will opened and publicly read aloud at that time.

The bidding documents consist of the Request for Quotations, plans, and specifications. Plans and specifications may be obtained by contacting: ZMM Architects & Engineers, 222 Lee Street West. Charleston, West Virginia 25302; 304-342-0159 (phone); 304-345-8144 (fax).

Up to 2 sets of bidding documents for this project may be obtained by qualified prime contractors from the office of ZMM, Inc., Architects and Engineers, 222 Lee Street West, Charleston, West Virginia 25302. A deposit of \$75.00, payable to ZMM, Inc., will be required for each set of documents. Deposits will be refunded if bidding documents are returned to the Architect in good condition within 20 days of bid date. Bidders will be responsible for cost of shipping and handling.

Request for Quotations may be obtained by contacting:

Finance and Administration Purchasing Division 2019 Washington Street, East Charleston, West Virginia 25305 Phone: 304-558-2063

Bidding documents may be examined at Architect's office or at one of the the following locations during regular business hours:

McGraw-Hill/F.W. Dodge 437 19th Street Dunbar, WV 25064 304-766-6880

2114 Kanawha Boulevard East Charleston, WV 25311 304-342-1166

Contractors Association of West Virginia Kanawha Valley Builders' Association 1627 Bigley Avenue Charleston, WV 25302

Procedures, policies and relevant sections of law, as well as the terms and conditions, of the State of West Virginia and/or the Purchasing Division take precedence, over any similar language within the contract, required by the School Building Authority. Furthermore, in no instance will the requirements of the SBA lessen any requirement of the State of West Virginia and/or the Purchasing Division. The order of precedence over conflicting sections, shall be first, documents issued by the Purchasing Division, second, the specifications for the project as defined by the Architects, and third, any attachments or supplemental information included with the specifications.

A pre-bid conference will be held at Cedar Lakes Conference Center at the date and time listed in the State's Request for Quotations. Attendance at pre-bid conference is mandatory for all prime bidders.

BID FORM

BID FORM	00300	- 1	08/28	8/06
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UNIT PRICES				
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BASE BID:	- //		,	
all in accordance with West Virginia 25302,	the drawings and specifications as pas follows:	prepared by ZMM, Inc., 222	2 Lee Street West, Charl	eston,
ROOFING RIPLEY, V	PROJECTS FOR CEDA VEST VIRGINIA	R LAKES CONFER	ENCE CENTER	
Addenda issued, here	ed, being familiar with local conc Instructions to Bidders, Bid Form, of by propose to perform everything ro- to, expendable equipment and all sen- the:	General Conditions, Drawin	ngs, and Specifications ar	nd any
SUBMITTED TO:	State of West Virginia Finance and Administration Purchasing Division			
WEST VIRGINIA C	ONTRACTOR LICENSE NUMBEI	R: WV. <u>003858</u>	***************************************	
SUBMITTED BY: (1	Name and Address)			
DATED: /2/19 (Bidder to insert date				
(2)	1			

It is hereby certified that the undersigned is the only person(s) interested in this proposal as principal, and the proposal is made without collusion with any person, firm, or corporation. Bidder hereby agrees to execute the contract and furnish surety company bonds, in the forms incorporated in the contract documents, in the amount of one hundred (100%) percent of the contract price for performance, including maintenance, and for payment for labor and materials, respectively at the time required by the bidding documents, and to begin work within five (5) days following receipt of Notice to Proceed.

Bidder acknowledges receipt of the following addenda: (Please list by number and date)

Bidder guarantees that, if awarded the contract, he will furnish and deliver all materials, tools, equipment, tests, transportation, secure all permits and licenses, and perform all labor, superintendence and all means of construction, pay all fees, except those specifically excluded in the Project Manual and do all incidental work to execute, construct, and finish the work in an expeditious, substantial, and workmanlike manner, in accordance with the contract documents to the complete satisfaction and acceptance of the Owner, for the prices stated.

It is understood that the Owner reserves the right to reject any/or all proposals, or part thereof or items therein, and to waive technicalities as required for the best interests of the Owner. It is further understood that competency and responsibility of bidders will receive consideration before the award of the contract.

The bidder hereby agrees that this proposal may not be revoked or withdrawn after the time set for the opening of bids but shall remain open for acceptance for a period of ninety days following such time.

The bidder hereby agrees to commence work under this contract on or before a date to be stipulated in the written Notice to Proceed by the Owner and to fully complete the scope of this prime contract in accordance with the Project Schedule and in sufficient time to permit FINAL COMPLETION of the entire project within one hundred fifty (150) consecutive days of receipt of the Notice to Proceed. The Bidder also agrees to comply with the phasing schedule required by the Owner, as described in the Drawing "Phasing Plan."

Liquidated damages will be assigned at the rate of \$500 per day for every calendar day thereafter beyond the 150 day limit stated in the Notice to Proceed.

THE CONTRACT AMOUNT STATED ABOVE INCLUDES ALL APPLICABLE SALES TAXES, EXCISE AND OTHER TAXES FOR MATERIALS AND APPLIANCES SUBJECT TO AND UPON WHICH TAXES ARE LEVIED.

The undersigned agrees that the contract documents are incorporated herein by reference and shall be construed to be part thereof, with the same affect as if such were repeated at length herein, or where physically attached hereto. The undersigned further certifies that: (1) this proposal is genuine and is not sham, collusive, or fraudulent; (2) this proposal is not made in the interest or in behalf of any person other than the undersigned; (3) the undersigned has not sought in any manner, by collusion or otherwise, to secure any advantage over any other bidders.

Enclosed herewith is a bid security prepared in accordance with the Instructions to Bidders in the amount of five percent (5%) of the amount of the bid (being not less than 5% of the total of the base bid). We agree that the above stated amount is the proper measure of liquidated damages which the owner will sustain by our failure to execute the contract and to furnish the performance bond in case this proposal is accepted.

If this proposal is accepted within 90 days after the date set for the opening of bids and the undersigned fails to execute the contract within 10 days after written notice of such acceptance or if the undersigned fails to furnish in full force and effect the required payment and performance bonds for the project, the bid security will be forfeited and the money payable thereon shall be paid into the funds of the owner as liquidated damages for such failure; otherwise, obligations of the bond will be null and void.

SIGNATURE OF BIDDER:

Firm: BOGGS KOOFING, INC

Address: POBOX 7455

Address: Hunting ton, WV 25776

Address:____

By: W. Fred Boggs

Title: President

Phone: 304/429-4233

Fax: 304/429-2811

END OF BID FORM

AFFIDAVIT

West Virginia Code §5A-3-10a states:

No contract or renewal of any contract may be awarded by the state or any of its political subdivisions to any vendor or prospective vendor when the vendor or prospective vendor or a related party to the vendor or prospective vendor is a debtor and the debt owned is an amount greater than one thousand dollars in the aggregate

DEFINITIONS:

"Debt" means any assessment, premium, penalty, fine, tax or other amount of money owed to the state or any of its political subdivisions because of a judgment, fine, permit violation, license assessment, defaulted workers' compensation premium, penalty or other assessment presently delinquent or due and required to be paid to the state or any of its political subdivisions, including any interest or additional penalties accrued thereon

"Debtor" means any individual, corporation, partnership, association, limited liability company or any other form or business association owing a debt to the state or any of its political subdivisions. "Political subdivision" means any county commission; municipality; county board of education; any instrumentality established by a county or municipality; any separate corporation or instrumentality established by one or more counties or municipalities, as permitted by law; or any public body charged by law with the performance of a government function or whose jurisdiction is coextensive with one or more counties or municipalities. "Related party" means a party, whether an individual, corporation, partnership, association, limited liability company or any other form or business association or other entity whatsoever, related to any vendor by blood, marriage, ownership or contract through which the party has a relationship of ownership or other interest with the vendor so that the party will actually or by effect receive or control a portion of the benefit, profit or other consideration from performance of a vendor contract with the party receiving an amount that meets or exceed five percent of the total contract amount.

EXCEPTION:

The prohibition of this section does not apply where a vendor has contested any tax administered pursuant to chapter eleven of this code, workers' compensation premium, permit fee or environmental fee or assessment and the matter has not become final or where the vendor has entered into a payment plan or agreement and the vendor is not in default of any of the provisions of such plan or agreement.

LICENSING:

Vendors must be licensed and in good standing in accordance with any and all state and local laws and requirements by any state or local agency of West Virginia, including, but not limited to, the West Virginia Secretary of State's Office, the West Virginia Tax Department, West Virginia Insurance Commission, or any other state agencies or political subdivision. Furthermore, the vendor must provide all necessary releases to obtain information to enable the Director or spending unit to verify that the vendor is licensed and in good standing with the above entities.

CONFIDENTIALITY:

The vendor agrees that he or she will not disclose to anyone, directly or indirectly, any such personally identifiable information or other confidential information gained from the agency, unless the individual who is the subject of the information consents to the disclosure in writing or the disclosure is made pursuant to the agency's policies, procedures and rules. Vendors should visit www.state.wv.us/admin/purchase/privacy for the Notice of Agency Confidentiality Policies.

Under penalty of law for false swearing (West Virginia Code, §61-5-3), it is hereby certified that the vendor acknowledges the information in this said affidavit and are in compliance with the requirements as stated.

Vendor's Name:	DOGGS YOUTHG, I	THE	
Authorized Signature:	Ce Quel 2000	Date: 12-19-06	

Agency <u>WV</u>	Dept. of	Education
REQ.P.O#		

BID BOND

KNOW ALL MEN BY THESE PRESENTS, That we, to	the undersigned, Boggs Roofing, Inc.
	, as Principal, and <u>Western Surety Company</u>
	a corporation organized and existing under the laws of the State of
South Dakota with its principal office in the City of Sioux	Falls, as Surety, are held and firmly bound unto the State
of West Virginia, as Obligee, in the penal sum of Five Percen	t (\$_5%) for the payment of which,
well and truly to be made, we jointly and severally bind ourselv	ves, our heirs, administrators, executors, successors and assigns.
The Condition of the above obligation is such that wh	ereas the Principal has submitted to the Purchasing Section of the
	ed hereto and made a part hereof, to enter into a contract in writing for n Ripley WV, reroof in according to plans and specifications.
NOW THEREFORE,	
hereto and shall furnish any other bonds and insurance require agreement created by the acceptance of said bid, then this obliqued and effect. It is expressly understood and agreed that the exceed the penal amount of this obligation as herein stated.	all enter into a contract in accordance with the bid or proposal attached ed by the bid or proposal, and shall in all other respects perform the ligation shall be null and void, otherwise this obligation shall remain in full e liability of the Surety for any and all claims hereunder shall, in no event, and agrees that the obligations of said Surety and its bond shall be in no
way impaired or affected by any extension of the time within waive notice of any such extension.	hich the Obligee may accept such bid, and said Surety does hereby
IN WITNESS WHEREOF, Principal and Surety have	hereunto set their hands and seals, and such of them as are corporations
have caused their corporate seals to be affixed hereunto and the	hese presents to be signed by their proper officers, this
12th day of December . 20 06	
Principal Corporate Seal	Boggs Roofing, Inc. (Name of Principal) By (Must be President or Vice President)
	President (Title)
Surety Corporate Seal	Ross E Johnson Attorney-in-Fact

IMPORTANT – Surety executing bonds must be licensed in West Virginia to transact surety insurance. Corporate seals must be affixed, and a power of attorney must be attached.

Western Surety Company

POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men By These Presents, That WESTERN SURETY COMPANY, a South Dakota corporation, is a duly organized and existing corporation having its principal office in the City of Sioux Falls, and State of South Dakota, and that it does by virtue of the signature and seal herein affixed hereby make, constitute and appoint

Ross E. Johnson, Patricia C Baire, Beverly A Holstine, Kathryn K Arthur, Individually

of Charleston, WV, its true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on its behalf bonds, undertakings and other obligatory instruments of similar nature

- In Unlimited Amounts -

and to bind it thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of the corporation and all the acts of said Attorney, pursuant to the authority hereby given, are hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the By-Law printed on the reverse hereof, duly adopted, as indicated, by the shareholders of the corporation.

In Witness Whereof, WESTERN SURETY COMPANY has caused these presents to be signed by its Senior Vice President and its corporate seal to be hereto affixed on this 23rd day of October, 2006.

WESTERN SURETY COMPANY

aul & Bruflat, Senior Vice President

State of South Dakota County of Minnehaha

58

On this 23rd day of October, 2006, before me personally came Paul T. Bruflat, to me known, who, being by me duly sworn, did depose and say: that he resides in the City of Sioux Falls, State of South Dakota; that he is the Senior Vice President of WESTERN SURETY COMPANY described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said corporation and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said corporation.

My commission expires

November 30, 2012

D. KRELL

SOUTH DAKOTA

SOUTH DAKOTA

TETCATE

D. Krell, Notary Public

CERTIFICATE

I, L. Nelson, Assistant Secretary of WESTERN SURETY COMPANY do hereby certify that the Power of Attorney hereinabove set forth is still in force, and further certify that the By-Law of the corporation printed on the reverse hereof is still in force. In testimony whereof I have hereunto subscribed my name and affixed the seal of the said corporation this 12th day of December 2006.



WESTERN SURETY COMPANY

J. Relson, Assistaní Secretary

Authorizing By-Law

ADOPTED BY THE SHAREHOLDERS OF WESTERN SURETY COMPANY

This Power of Attorney is made and executed pursuant to and by authority of the following By-Law duly adopted by the shareholders of the Company.

Section 7. All bonds, policies, undertakings, Powers of Attorney, or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, and Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys in Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate scal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate scal may be printed by facsimile.