



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

# Request for Quotation

RFQ NUMBER:  
**DEFK9013**

PAGE:  
**1**

ADDRESS CORRESPONDENCE TO ATTENTION OF:  
**JOHN ABBOTT  
 304-558-2544**

**RFQ COPY**

TYPE NAME/ADDRESS HERE

**G & G Builders Inc.**  
 500 Corporate Centre Drive, Suite 550  
 Scott Depot, WV 25560

**DIV ENGINEERING & FACILITIES  
 ARMORY BOARD SECTION**

**1707 COONSKIN DRIVE  
 CHARLESTON, WV  
 25311-1099 304-341-6368**

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
04/01/2009				

BID OPENING DATE: **05/12/2009** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	LS		031-06	1,338,000.00	1,338,000.00
<b>BUILDING &amp; HVAC RENOVATION</b>  CONTRACT TO PROVIDE ALL LABOR MATERIALS, AND EQUIPMENT NECESSARY FOR BUILDING & HVAC RENOVATION SERVICES AT THE WV ARMY NATIONAL GUARD, CHARLESTON, WV, PER THE SPECIFICATIONS.  MANDATORY ON-SITE PRE-BID: 4/21/2009; 1:30 PM 1707 COONSKIN DRIVE CHARLESTON, WV 25311  QUESTIONS: QUESTIONS SHALL BE ADDRESSED TO JOHN ABBOTT AT: JOHN.H.ABBOTT@WV.GOV, AND SHALL BE SUBMITTED NO LATER THAN 4/24/09; 2:00 PM  EXHIBIT 5  WEST VIRGINIA CODE 21-1D-5 PROVIDES THAT: ANY SOLICITATION FOR A PUBLIC IMPROVEMENT CONSTRUCTION CONTRACT REQUIRES EACH VENDOR THAT SUBMITS A BID FOR THE WORK TO SUBMIT AT THE SAME TIME AN AFFIDAVIT OF COMPLIANCE WITH THE BID. THE ENCLOSED DRUG-FREE WORKPLACE AFFIDAVIT MUST BE SIGNED AND SUBMITTED WITH THE BID AS EVIDENCE OF THE VENDOR'S COMPLIANCE WITH THE PROVISIONS OF ARTICLE 1D, CHAPTER 21 OF THE WEST VIRGINIA CODE. FAILURE TO SUBMIT THE SIGNED DRUG-FREE WORKPLACE AFFIDAVIT WITH THE BID SHALL RESULT IN DISQUALIFICATION OF SUCH BID.  NOTICE TO PROCEED: THIS CONTRACT IS TO BE PERFORMED						

**RECEIVED**  
 2009 MAY 28 PM 1:25  
 WV PURCHASING DIVISION

SEE REVERSE SIDE FOR TERMS AND CONDITIONS			
SIGNATURE <i>Michael E. Am...</i>	TELEPHONE 304-757-9196	DATE 5/28/2009	ADDRESS CHANGES TO BE NOTED ABOVE
TITLE V.P. / Gen. Mgr.	FEIN 550569469		

WHEN RESPONDING TO RFQ, INSERT NAME AND ADDRESS IN SPACE ABOVE LABELED 'VENDOR'

**GENERAL TERMS & CONDITIONS  
REQUEST FOR QUOTATION (RFQ) AND REQUEST FOR PROPOSAL (RFP)**

1. Awards will be made in the best interest of the State of West Virginia.
2. The State may accept or reject in part, or in whole, any bid.
3. All quotations are governed by the *West Virginia Code* and the *Legislative Rules* of the Purchasing Division.
4. Prior to any award, the apparent successful vendor must be properly registered with the Purchasing Division and have paid the required \$125 fee.
5. All services performed or goods delivered under State Purchase Order/Contracts are to be continued for the term of the Purchase Order/Contracts, contingent upon funds being appropriated by the Legislature or otherwise being made available. In the event funds are not appropriated or otherwise available for these services or goods, this Purchase Order/Contract becomes void and of no effect after June 30.
6. Payment may only be made after the delivery and acceptance of goods or services.
7. Interest may be paid for late payment in accordance with the *West Virginia Code*.
8. Vendor preference will be granted upon written request in accordance with the *West Virginia Code*.
9. The State of West Virginia is exempt from federal and state taxes and will not pay or reimburse such taxes.
10. The Director of Purchasing may cancel any Purchase Order/Contract upon 30 days written notice to the seller.
11. The laws of the State of West Virginia and the *Legislative Rules* of the Purchasing Division shall govern all rights and duties under the Contract, including without limitation the validity of this Purchase Order/Contract.
12. Any reference to automatic renewal is hereby deleted. The Contract may be renewed only upon mutual written agreement of the parties.
13. **BANKRUPTCY:** In the event the vendor/contractor files for bankruptcy protection, this Contract may be deemed null and void, and terminated without further order.
14. **HIPAA BUSINESS ASSOCIATE ADDENDUM:** The West Virginia State Government HIPAA Business Associate Addendum (BAA), approved by the Attorney General, and available online at the Purchasing Division's web site (<http://www.state.wv.us/admin/purchase/vrc/hipaa.htm>) is hereby made part of the agreement. Provided that, the Agency meets the definition of a Cover Entity (45 CFR §160.103) and will be disclosing Protected Health Information (45 CFR §160.103) to the vendor.
15. **WEST VIRGINIA ALCOHOL & DRUG-FREE WORKPLACE ACT:** If this Contract constitutes a public improvement construction contract as set forth in Article 1D, Chapter 21 of the West Virginia Code ("The West Virginia Alcohol and Drug-Free Workplace Act"), then the following language shall hereby become part of this Contract: "The contractor and its subcontractors shall implement and maintain a written drug-free workplace policy in compliance with the West Virginia Alcohol and Drug-Free Workplace Act, as set forth in Article 1D, Chapter 21 of the West Virginia Code. The contractor and its subcontractors shall provide a sworn statement in writing, under the penalties of perjury, that they maintain a valid drug-free work place policy in compliance with the West Virginia and Drug-Free Workplace Act. It is understood and agreed that this Contract shall be cancelled by the awarding authority if the Contractor: 1) Fails to implement its drug-free workplace policy; 2) Fails to provide information regarding implementation of the contractor's drug-free workplace policy at the request of the public authority; or 3) Provides to the public authority false information regarding the contractor's drug-free workplace policy."

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**INSTRUCTIONS TO BIDDERS**

1. Use the quotation forms provided by the Purchasing Division.
2. **SPECIFICATIONS:** Items offered must be in compliance with the specifications. Any deviation from the specifications must be clearly indicated by the bidder. Alternates offered by the bidder as **EQUAL** to the specifications must be clearly defined. A bidder offering an alternate should attach complete specifications and literature to the bid. The Purchasing Division may waive minor deviations to specifications.
3. Complete all sections of the quotation form.
4. Unit prices shall prevail in case of discrepancy.
5. All quotations are considered F.O.B. destination unless alternate shipping terms are clearly identified in the quotation.
6. **BID SUBMISSION:** All quotations must be delivered by the bidder to the office listed below prior to the date and time of the bid opening. Failure of the bidder to deliver the quotations on time will result in bid disqualifications: Department of Administration, Purchasing Division, 2019 Washington Street East, P.O. Box 50130, Charleston, WV 25305-0130



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ADDRESS CORRESPONDENCE TO ATTENTION OF  
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**304-558-2544**

VENDOR

**RFQ COPY**  
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*G & G Builders Inc.*  
*500 Corporate Centre Drive, Suite 550*  
*Scott Depot, WV 25560*

SHIP TO

**DIV ENGINEERING & FACILITIES**  
**ARMORY BOARD SECTION**  
**1707 COONSKIN DRIVE**  
**CHARLESTON, WV**  
**25311-1099 304-341-6368**

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<p>WITHIN XXXX CALENDAR DAYS AFTER THE NOTICE TO PROCEED IS RECEIVED. UNLESS OTHERWISE SPECIFIED, THE FULLY EXECUTED PURCHASE ORDER WILL BE CONSIDERED NOTICE TO PROCEED.</p> <p>CANCELLATION: THE DIRECTOR OF PURCHASING RESERVES THE RIGHT TO CANCEL THIS CONTRACT IMMEDIATELY UPON WRITTEN NOTICE TO THE VENDOR IF THE MATERIALS OR WORKMANSHIP SUPPLIED ARE OF AN INFERIOR QUALITY OR DO NOT CONFORM WITH THE SPECIFICATIONS OF THE BID AND CONTRACT HERE IN.</p> <p>WAGE RATES: THE CONTRACTOR OR SUBCONTRACTOR SHALL PAY THE HIGHER OF THE U.S. DEPARTMENT OF LABOR MINIMUM WAGE RATES AS ESTABLISHED FOR KANAWHA COUNTY, PURSUANT TO WEST VIRGINIA CODE 21-5A, ET, SEQ. (PREVAILING WAGE RATES APPLY TO THIS PROJECT)</p> <p>ARBITRATION: ANY REFERENCES MADE TO ARBITRATION OR INTEREST FOR PAYMENTS DUE (EXCEPT FOR ANY INTEREST REQUIRED BY STATE LAW) CONTAINED IN THIS CONTRACT OR IN ANY AMERICAN INSTITUTE OF ARCHITECTS DOCUMENTS PERTAINING TO THIS CONTRACT ARE HEREBY DELETED.</p> <p>WORKERS' COMPENSATION: VENDOR IS REQUIRED TO PROVIDE A CERTIFICATE FROM WORKERS' COMPENSATION IF SUCCESSFUL.</p> <p>ALL OF THE ITEMS CHECKED BELOW WILL BE A REQUIREMENT OF THIS CONTRACT:</p> <p>(XX) INSURANCE: SUCCESSFUL VENDOR SHALL FURNISH PROOF OF COMMERCIAL GENERAL LIABILITY INSURANCE PRIOR TO ISSUANCE OF CONTRACT. UNLESS OTHERWISE SPECIFIED IN THE BID DOCUMENTS, THE MINIMUM AMOUNT OF INSURANCE COVERAGE REQUIRED IS \$250,000.</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Mark S. ...</i>	TELEPHONE <b>304-757-9196</b>	DATE <b>5/28/2009</b>
TITLE <b>V.P. / Gen. Mgr.</b>	FEIN <b>550569469</b>	ADDRESS CHANGES TO BE NOTED ABOVE

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PAGE: <b>3</b>
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				( ) BUILDERS RISK INSURANCE: SUCCESSFUL VENDOR SHALL FURNISH PROOF OF BUILDERS RISK - ALL RISK INSURANCE IN AN AMOUNT EQUAL TO 100% OF THE AMOUNT OF THE CONTRACT.		
				(XX) BONDS: FIVE PERCENT (5%) OF THE TOTAL AMOUNT OF THE BID PAYABLE TO THE STATE OF WEST VIRGINIA, SHALL BE SUBMITTED WITH EACH BID AS A BID BOND. THE SUCCESSFUL BIDDER SHALL ALSO FURNISH A PERFORMANCE BOND AND LABOR/MATERIAL BOND FOR 100% OF THE AMOUNT OF THE CONTRACT. BONDS MAY BE PROVIDED IN THE FORM OF A CERTIFIED CHECK, IRREVOCABLE LETTER OF CREDIT, OR BOND FURNISHED BY A SOLVENT SURETY COMPANY AUTHORIZED TO DO BUSINESS IN THE STATE OF WEST VIRGINIA. A LETTER OF CREDIT SUBMITTED IN LIEU OF A BOND WILL ONLY BE ALLOWED FOR PROJECTS UNDER \$100,000. PERSONAL OR BUSINESS CHECKS ARE NOT ACCEPTABLE IN LIEU OF THE 5% BID BOND, PERFORMANCE BOND, OR LABOR AND MATERIAL BOND.		
				( ) MAINTENANCE BOND: A TWO (2) YEAR MAINTENANCE BOND COVERING THE ROOFING SYSTEM WILL BE A REQUIREMENT OF THE SUCCESSFUL VENDOR.		
				REV. 11/00		
				EXHIBIT 7		
				DOMESTIC ALUMINUM, GLASS & STEEL IN PUBLIC WORKS PROJECTS		
				IN ACCORDANCE WITH WEST VIRGINIA CODE 5-19-1 ET., SEQ., EVERY CONTRACT FOR CONSTRUCTION, RECONSTRUCTION, ALTERATION, REPAIR, IMPROVEMENT OR MAINTENANCE OF PUBLIC WORKS, WHERE THE COST IS MORE THAN \$50,000 AND, IN THE CASE OF STEEL ONLY, WHERE THE COST OF STEEL IS MORE THAN \$50,000 OR WHERE MORE THAN 10,000 POUNDS OF		

SEE REVERSE SIDE FOR TERMS AND CONDITIONS			
SIGNATURE <i>Mark A. Egan</i>	TELEPHONE <b>304-757-9196</b>	DATE <b>5/28/2009</b>	
TITLE <b>V.P. / Gen. Mgr.</b>	FERN <b>550569469</b>	ADDRESS CHANGES TO BE NOTED ABOVE	

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<p>STEEL ARE REQUIRED, THE STATE WILL ACCEPT ONLY ALUMINUM GLASS, OR STEEL PRODUCTS PRODUCED IN THE UNITED STATES. IN ADDITION, ITEMS OF MACHINERY OR EQUIPMENT PURCHASED FOR USE AT THE SITE OF PUBLIC WORKS SHALL BE MADE OF DOMESTIC ALUMINUM, GLASS OR STEEL, UNLESS THE COST OF THE PRODUCT IS LESS THAN \$50,000 OR LESS THAN 10,000 POUNDS OF STEEL ARE USED IN PUBLIC WORKS PROJECTS.</p> <p>FOREIGN MADE ALUMINUM, GLASS OR STEEL PRODUCTS MAY BE ACCEPTED ONLY IF THE COST OF DOMESTIC PRODUCTS IS FOUND TO BE UNREASONABLE. SUCH COST IS UNREASONABLE IF IT IS 20% OR MORE HIGHER THAN THE BID PRICE FOR FOREIGN MADE PRODUCTS. IF THE DOMESTIC ALUMINUM, GLASS OR STEEL PRODUCTS TO BE SUPPLIED OR PRODUCED IN A "SUBSTANTIAL LABOR SURPLUS AREA", AS DEFINED BY THE UNITED STATES DEPARTMENT OF LABOR, FOREIGN PRODUCTS MAY BE SUPPLIED ONLY IF DOMESTIC PRODUCTS ARE 30% OR MORE HIGHER IN PRICE THAN THE FOREIGN MADE PRODUCTS.</p> <p>IF, PRIOR TO THE AWARD OF A CONTRACT UNDER THE ABOVE PROVISIONS, THE SPENDING OFFICER OF THE SPENDING UNIT DETERMINES THAT THERE EXISTS A BID FOR LIKE FOREIGN ALUMINUM, GLASS OR STEEL THAT IS REASONABLE AND LOWER THAN THE LOWEST BID DOMESTIC PRODUCTS, THE SPENDING OFFICE MAY REQUEST, IN WRITING, A REEVALUATION AND REDUCTION IN THE LOWEST BID FOR SUCH DOMESTIC PRODUCTS. ALL VENDORS MUST INDICATE IN THEIR BID IF THEY ARE SUPPLYING FOREIGN ALUMINUM, GLASS OR STEEL.</p> <p>REV. 3/88</p> <p>EXHIBIT 9</p> <p>NOTICE FOR ISSUANCE &amp; ACKNOWLEDGEMENT OF CONSTRUCTION PROJECT ADDENDA</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS			
SIGNATURE <i>M. J. [Signature]</i>	TELEPHONE 304-757-9196	DATE 5/28/2009	
TITLE V.P./Gen. Mgr.	FEIN 550569469	ADDRESS CHANGES TO BE NOTED ABOVE	

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**G & G Builders Inc.**  
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<p>THE ARCHITECT/ENGINEER AND/OR AGENCY SHALL BE REQUIRED TO ABIDE BY THE FOLLOWING SCHEDULE IN ISSUING CONSTRUCTION PROJECT ADDENDA FOR STATE AGENCIES:</p> <p>(1) THE ARCHITECT/ENGINEER SHALL PREPARE THE ADDENDUM AND A LIST OF ALL PARTIES THAT HAVE PROCURED DRAWINGS AND SPECIFICATIONS FOR THE PROJECT. THE ADDENDUM AND LIST SHALL BE FORWARDED TO THE BUYER IN THE STATE PURCHASING DIVISION. THE ARCHITECT/ENGINEER SHALL ALSO SEND A COPY OF THE ADDENDUM TO THE STATE AGENCY FOR WHICH THE CONTRACT IS ISSUED.</p> <p>(2) THE BUYER SHALL SEND THE ADDENDUM TO ALL INTERESTED PARTIES AND, IF NECESSARY, EXTEND THE BID OPENING DATE. ANY ADDENDUM SHOULD BE RECEIVED BY THE BUYER WITHIN FOURTEEN (14) DAYS PRIOR TO THE BID OPENING DATE.</p> <p>(3) ALL ADDENDA SHOULD BE FORMALLY ACKNOWLEDGED BY ALL BIDDERS AND SUBMITTED TO THE STATE PURCHASING DIVISION. THE SAME RULES AND REGULATIONS THAT APPLY TO THE ORIGINAL BIDDING DOCUMENT SHALL ALSO APPLY TO AN ADDENDUM DOCUMENT. THE ONLY EXCEPTION MAY BE FOR AN ADDENDUM THAT IS ISSUED FOR THE SOLE PURPOSE OF CHANGING A BID OPENING TIME AND/OR DATE.</p> <p>REV. 11/96</p> <p>EXHIBIT 10</p> <p>ADDENDUM ACKNOWLEDGEMENT</p> <p>I HEREBY ACKNOWLEDGE RECEIPT OF THE FOLLOWING CHECKED</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Michael E. Smith</i>	TELEPHONE <b>304-757-9196</b>	DATE <b>5/28/2009</b>
TITLE <b>V. P. /Gen. Mgr.</b>	FEIN <b>550569469</b>	ADDRESS CHANGES TO BE NOTED ABOVE

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<p>ADDENDUM(S) AND HAVE MADE THE NECESSARY REVISIONS TO MY PROPOSAL, PLANS AND/OR SPECIFICATION, ETC.</p> <p>ADDENDUM NOS.:</p> <p>NO. 1 . . . 5/5/2009 . . . . .</p> <p>NO. 2 . . . 5/12/2009 . . . . .</p> <p>NO. 3 . . . 5/19/2009 . . . . .</p> <p>NO. 4 . . . . .</p> <p>NO. 5 . . . . .</p> <p>I UNDERSTAND THAT FAILURE TO CONFIRM THE RECEIPT OF THE ADDENDUM(S) MAY BE CAUSE FOR REJECTION OF THE BIDS.</p> <p>VENDOR MUST CLEARLY UNDERSTAND THAT ANY VERBAL REPRESENTATION MADE OR ASSUMED TO BE MADE DURING ANY ORAL DISCUSSION HELD BETWEEN VENDOR'S REPRESENTATIVES AND ANY STATE PERSONNEL IS NOT BINDING. ONLY THE INFORMATION ISSUED IN WRITING AND ADDED TO THE SPECIFICATIONS BY AN OFFICIAL ADDENDUM IS BINDING.</p> <p><i>Michael E. Davis</i> . . . . . SIGNATURE            Michael E. Davis, V.P. / Gen. Mgr.            G &amp; G Builders Inc. . . . . COMPANY</p> <p>May 28, 2009 . . . . . DATE</p> <p>REV. 11/96</p> <p>CONTRACTORS LICENSE --- WV001272</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS			
SIGNATURE <i>Michael E. Davis</i>	TELEPHONE 304-757-9196	DATE 5/28/2009	
TITLE V.P./Gen. Mgr.	FEIN 550569469	ADDRESS CHANGES TO BE NOTED ABOVE	

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<p>WEST VIRGINIA STATE CODE 21-11-2 REQUIRES THAT ALL PERSONS DESIRING TO PERFORM CONTRACTING WORK IN THIS STATE MUST BE LICENSED. THE WEST VIRGINIA CONTRACTORS LICENSING BOARD IS EMPOWERED TO ISSUE THE CONTRACTORS LICENSE. APPLICATIONS FOR A CONTRACTORS LICENSE MAY BE MADE BY CONTACTING THE WEST VIRGINIA DIVISION OF LABOR CAPITOL COMPLEX, BUILDING 3, ROOM 319, CHARLESTON, WV 25305. TELEPHONE: (304) 558-7890.</p> <p>WEST VIRGINIA STATE CODE 21-11-11 REQUIRES ANY PROSPECTIVE BIDDER TO INCLUDE THE CONTRACTORS LICENSE NUMBER ON THEIR BID.</p> <p>BIDDER TO COMPLETE:</p> <p>CONTRACTORS NAME: ....G &amp; G Builders Inc.....</p> <p>CONTRACTORS LICENSE NO.: WV001272.....</p> <p>THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FURNISH A COPY OF THEIR CONTRACTORS LICENSE PRIOR TO ISSUANCE OF A PURCHASE ORDER/CONTRACT</p> <p>APPLICABLE LAW</p> <p>THE WEST VIRGINIA STATE CODE, PURCHASING DIVISION RULES AND REGULATIONS, AND THE INFORMATION PROVIDED IN THE "REQUEST FOR QUOTATION" ISSUED BY THE PURCHASING DIVISION IS THE SOLE AUTHORITY GOVERNING THIS PROCUREMENT.</p> <p>ANY INFORMATION PROVIDED IN SPECIFICATION MANUALS, OR ANY OTHER SOURCE, VERBAL OR WRITTEN, WHICH CONTRADICTS OR ALTERS THE INFORMATION PROVIDED FROM THE SOURCES AS DESCRIBED IN THE ABOVE PARAGRAPH IS VOID AND OF NO</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Mark DeSain</i>	TELEPHONE 304-757-9196	DATE 5/28/2009
TITLE V.P./Gen. Mgr.	FEIN 550569469	ADDRESS CHANGES TO BE NOTED ABOVE

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EFFECT.						
BANKRUPTCY: IN THE EVENT THE VENDOR/CONTRACTOR FILES FOR BANKRUPTCY PROTECTION, THIS CONTRACT IS AUTOMATICALLY NULL AND VOID, AND IS TERMINATED WITHOUT FURTHER ORDER.						
REV. 1/2005						
NOTICE						
A SIGNED BID MUST BE SUBMITTED TO:						
DEPARTMENT OF ADMINISTRATION PURCHASING DIVISION BUILDING 15 2019 WASHINGTON STREET, EAST CHARLESTON, WV 25305-0130						
THE BID SHOULD CONTAIN THIS INFORMATION ON THE FACE OF THE ENVELOPE OR THE BID MAY NOT BE CONSIDERED:						
SEALED BID						
BUYER:				JOHN ABBOTT-----		
REQ. NO.:				DEFK9013-----		
BID OPENING DATE:				5/12/2009-----		
BID OPENING TIME:				1:30 PM-----		
PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID:						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>[Signature]</i>	TELEPHONE <b>304-757-9196</b>	DATE <b>5/28/2009</b>
TITLE <b>V.P./Gen. Mgr.</b>	FEIN <b>550569469</b>	ADDRESS CHANGES TO BE NOTED ABOVE

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PAGE:  
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ADDRESS CORRESPONDENCE TO ATTENTION OF:  
**JOHN ABBOTT**  
**304-558-2544**

RFQ COPY

TYPE NAME/ADDRESS HERE

*G & G Builders Inc.*  
*500 Corporate Centre Drive, Suite 550*  
*Scott Depot, WV 25560*

**DIV ENGINEERING & FACILITIES**  
**ARMORY BOARD SECTION**

**1707 COONSKIN DRIVE**  
**CHARLESTON, WV**  
**25311-1099 304-341-6368**

DATE PRINTED <b>04/01/2009</b>	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS
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BID OPENING DATE: **05/12/2009** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
PLEASE PRINT OR TYPE NAME OF PERSON TO CONTACT CONCERNING THIS QUOTE: <i>Michael E. Davis, V.P. / Gen. Mgr.</i>						
***** THIS IS THE END OF RFQ DEFK9013 ***** TOTAL:						<u>1,338,000.00</u>

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Michael E. Davis</i>	TELEPHONE <b>304-757-9196</b>	DATE <b>5/28/2009</b>
TITLE <b>V.P. / Gen. Mgr.</b>	FEIN <b>550569469</b>	ADDRESS CHANGES TO BE NOTED ABOVE

WHEN RESPONDING TO RFQ, INSERT NAME AND ADDRESS IN SPACE ABOVE LABELED 'VENDOR'

**ADVERTISEMENT TO BID**

**WVARNG, C&FMO**  
**Charleston Armory HVAC Renovations and Architectural Improvements**  
**Charleston, West Virginia**

The WVARNG, C&FMO will receive sealed bids properly endorsed "Charleston Armory HVAC Renovations and Architectural Improvements" until the date and time established by the WV State Purchasing Division, at which time all bids will be opened publicly and read aloud. The Owner reserves the right to reject any and all bids, to waive any informality in bidding and to accept the bid considered to be in its best interest from the lowest responsible bidder. All interested parties are invited to attend.

The work consists of the following:

- 1) The addition of new HVAC units and infilling areas with new finishes.

The Plans and Contract Documents may be examined at the following locations:

West Virginia Army National Guard  
 Construction and Facilities Management Office  
 1703 Coonskin Drive  
 Charleston, West Virginia 25311-1085

Contractors Association of West Virginia  
 2114 Kanawha Blvd., East  
 Charleston, West Virginia 25311

McGraw Hill/F.W. Dodge Company  
 437 19<sup>th</sup> Street  
 Dunbar, West Virginia 25064

Michael Baker Jr., Inc.  
 5088 Washington Street, West  
 Second Floor  
 Charleston, West Virginia 25313  
 (304) 769-0821

Contract documents may be obtained at the offices of **Michael Baker Jr., Inc.**, 5088 Washington Street, W., 2<sup>nd</sup> Floor, Charleston, West Virginia 25313 upon receipt of company information and two checks are required. Bidders must submit refundable deposit of *Fifty dollars (\$50.00)* and a *non-refundable deposit for printing costs of One hundred sixty five dollars (\$165.00)* for each set of documents. All checks shall be made payable to Michael Baker Jr., Inc. Bid deposits will be required as outlined in the information for bidders. The refundable deposit will be returned to the bidder if the bid documents are returned in satisfactory condition within 14 days from the bid receipt date.

A certified check, or a satisfactory bid bond furnished by a solvent surety company authorized to do business in the State of West Virginia in an amount equal to five percent (5%) of the total amount of the bid, payable to the WVARNG, C&FMO, shall be submitted with each bid.

A mandatory pre-bid conference for the purpose of discussing the scope of work, labor standards and other federal requirements will be held at the date, time and place established by the WV State Purchasing

Division, and after the meeting, we will adjourn at the construction site.

The successful bidder will be required to furnish a satisfactory Payment and Performance Bond, Labor and Material Bond for 100% of the contract amount and the fee for same shall be included in the bid proposal.

Bidders on this work will be required to comply with the President's Executive Order No. 11246 and "HUD Section 109", which prohibits discrimination in employment regarding race, creed, color, sex or national origin. Attention of bidders is also called to Section 3, Segregated Facilities, Title VI and the conditions of employment to be observed and minimum wage rates to be paid (State and Federal).

The Contractor will be required to comply with all applicable Federal requirements pertaining to Affirmative Action, Equal Opportunity, Federal and/or State Labor Standards, Davis-Bacon Wage Rates, and the Copeland Anti-Kick-Back Act. Although no Disadvantaged Business Enterprise (DBE) goal has been set for this project, the West Virginia Division of Highways strongly encourages the consideration of DBE's when hiring contractors for this or any Transportation Enhancement project. Minority, Female and Section 3 owned firms are encouraged to apply.

No bid may be withdrawn after the scheduled closing time for the receipt of bids for at least ninety (90) days.

Bidder must hold a current WV Contractor's License on the date of bid opening. In accordance with Chapter 5A, Article 3, Section 10 (a) of the WV Code, the successful contractor must submit an executed Purchasing Affidavit prior to award. All bidders must comply with and submit the drug free compliance form along with their bid.

#### EQUAL EMPLOYMENT OPPORTUNITY

## ADDENDUM # 1 – ATTACHMENT "A1.2"

SECTION 00300 – BID FORM

West Virginia Army National Guard  
Construction & Facilities Management Office  
Charleston Armory HVAC Renovations and Architectural Improvements

## BID PROPOSAL

Proposal of G & G Builders Inc. ("BIDDER"), organized and existing under the laws of the State of West Virginia doing business as (an individual), (a partnership), (a corporation).

To: **West Virginia Purchasing Division**  
2019 Washington Street East  
Charleston, West Virginia 25305

In compliance with your Invitation for Bids, BIDDER hereby proposes to perform all WORK for the construction of the Charleston Armory HVAC Renovations and Architectural Improvements Project in strict accordance with the CONSTRUCTION DOCUMENTS, within the time set forth therein, and at the prices stated below.

BIDDER(S) hereby agrees to commence work under this contract on or before a date to be specified in the NOTICE TO PROCEED and to fully complete the PROJECT within 180 consecutive calendar days for Base Bid and 90 consecutive calendar days for Alternates 1 & 2, thereafter, subject to weather conditions. BIDDER(S) further agrees to pay as liquidated damages, the sum of five hundred dollars (\$500.00) per day for each calendar day of delay in completion of work.

The BIDDER(S) further acknowledges receipt of the following addenda:

Addendum No. 1, Addendum No. 2, Addendum No. 3.

BIDDER(S) acknowledges the Owner's right to waive any informalities or to reject any or all bids.

The BIDDER(S) may not withdraw this Bid within 90 days after the actual date of the opening thereof.

BIDDER(S) agrees to perform all the work described in the CONTRACT DOCUMENTS for the amounts listed below. The Bidder, being familiar with local conditions affecting the cost of the Work and the Contract Documents, including Instructions to Bidders, Bid Form, General Conditions, Drawings, Specifications, and any Addenda or Clarifications issued, hereby propose to furnish all material, labor, tools, taxes, transportation and expendable equipment necessary for the satisfactory and complete installation of the "**Charleston Armory HVAC Renovations and Architectural Improvements**" in every detail and ready for operation, all in full accordance with, and in conformity to, the Contract Documents, for the stipulated sums as follows:

**BASE BID:**

**GENERAL TRADES BASE BID (TAG Wing):**

For the sum of: One Million Three Hundred Twenty Eight Thousand  
(\$ 1,338,000.00 )

The stated Base Bid is subject to the following additions or deductions for Alternates which the Owner may select. ('Provide' means 'furnish and install.' Include in bids below all related coordination and modification requirements associated with the Work of each Alternate.) Alternate Bids may also be bid optionally as a separate contract bid.

**ALTERNATES:**

**Alternate Bid No. 1 - Headquarters Building Alternate.**

Provide work described in the Contract Documents as Alternate No. 1, including all Architectural, Mechanical and Electrical:

ADD the sum of: One Million Five Hundred Twenty Three Thousand  
\$ 1,523,000.00

**Alternate Bid No. 2 - Drill Floor Alternate.**

Provide work described in the Contract Documents as Alternate No. 2, including all Architectural, Mechanical, and Electrical:

ADD the sum of: Two Hundred Sixty Eight Thousand Five Hundred  
\$ 268,500.00

**Alternate Bid No. 3 - Combined Bid Alternate.**

Provide work described in the Contract Documents as Alternate No. 3, including all Architectural, Mechanical, and Electrical:

ADD the sum of: Three Million One Hundred Twenty Nine Thousand  
Five Hundred \$ 3,129,500.00

**UNIT PRICES:**

**Unit Price No. 1 - Removal and Repair of existing interior domestic water lines**

Provide work described in the Unit Price Specification Section 01026 for each of the following sizes of interior domestic water lines:

3/4" diameter copper domestic water line      sum of: \$ 82.00 per LF.  
1" diameter copper domestic water line      sum of: \$ 89.00 per LF.

ADDENDUM # 1 – ATTACHMENT "A1.2"

2" diameter copper domestic water line      sum of: \$ 143.00 per LF.  
 3" diameter copper domestic water line      sum of: \$ 298.00 per LF.  
 4" diameter copper domestic water line      sum of: \$ 396.00 per LF.

The total work to be performed under this Contract shall be paid for under the pay items listed on the Bid Form. The cost of any labor, equipment, materials or work called for in the Specifications, shown on the Drawings, or necessary for a complete and satisfactory installation, but which are not specifically mentioned on the Bid Form shall be included in the appropriate pay item by the CONTRACTOR at no additional expense to the OWNER.

All cost to the CONTRACTOR for transportation, plant, labor, tools, materials, equipment, insurance, workmen's compensation, licenses, permits, taxes, general overhead, and all other expenses incidental to or necessary for the prosecution of the Work, plus all profits, shall be included in the unit prices for the applicable items.

(SEAL – If Bid is by a Corporation)

*Holi R Mann*  
 Attest  
May 28, 2009  
 Date

Respectfully Submitted  
*Michael F. Davis*  
 Signature  
Michael F. Davis  
 Name (Typed)  
Vice President/Gen. Manager  
 Title (Typed)  
500 Corp. Ctr. Dr., Suite 550  
 Address  
Scott Depot, WV 25560  
  
WV001272  
 Contractor's License Number

NOTE: The Contractor's License Number is to be included on this Bid Form.

**END OF SECTION**

**BID BOND**

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, G & G Builders, Inc.  
of 500 Corporate Centre, Scott Depot, WV, as Principal, and Safeco Insurance Company of  
America of Safeco Plaza, Seattle, WA 98185, a corporation organized and existing under the laws of the State of  
Washington with its principal office in the City of Seattle, as Surety, are held and firmly bound unto the State  
of West Virginia, as Obligee, in the penal sum of Five Percent (5%) of Amount Bid (\$ \_\_\_\_\_) for the payment of which,  
well and truly to be made, we jointly and severally bind ourselves, our heirs, administrators, executors, successors and assigns.

The Condition of the above obligation is such that whereas the Principal has submitted to the Purchasing Section of the  
Department of Administration a certain bid or proposal, attached hereto and made a part hereof, to enter into a contract in writing for  
Charleston Armory HVAC Renovations and Architectural Improvements  
1707 Coonskin Drive, Charleston, West Virginia

NOW THEREFORE,

(a) If said bid shall be rejected, or  
(b) If said bid shall be accepted and the Principal shall enter into a contract in accordance with the bid or proposal attached  
hereto and shall furnish any other bonds and insurance required by the bid or proposal, and shall in all other respects perform the  
agreement created by the acceptance of said bid, then this obligation shall be null and void, otherwise this obligation shall remain in full  
force and effect. It is expressly understood and agreed that the liability of the Surety for any and all claims hereunder shall, in no event,  
exceed the penal amount of this obligation as herein stated.

The Surety, for the value received, hereby stipulates 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 which the Obligee may accept such bid, and said Surety does hereby  
waive notice of any such extension.

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 these presents to be signed by their proper officers, this  
12th day of May, 2009.

Principal Corporate Seal

G & G Builders, Inc.  
(Name of Principal)  
By Michael E. Davis, V.P.  
(Must be President or  
Vice President)  
Vice President  
(Title)

Surety Corporate Seal

Safeco Insurance Company of America  
(Name of Surety)  
By: Douglas P. Taylor  
Douglas P. Taylor Attorney-in-Fact  
Licensed WV Resident Agent

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.





POWER OF ATTORNEY

Safeco Insurance Company of America
General Insurance Company of America
1001 4th Avenue
Suite 1700
Seattle, WA 98154

No. 2034

KNOW ALL BY THESE PRESENTS:

That SAFECO INSURANCE COMPANY OF AMERICA and GENERAL INSURANCE COMPANY OF AMERICA, each a Washington corporation, does each hereby appoint

\*\*\*\*\*KIMBERLY L. MILES; JANIS K. PEACOCK; DOUGLAS P. TAYLOR; ANDREW K. TEETER; DONNA J. PRICE; PAMELA V. LANHAM; Charleston, West Virginia\*\*\*\*\*

its true and lawful attorney(s)-in-fact, with full authority to execute on its behalf fidelity and surety bonds or undertakings and other documents of a similar character issued in the course of its business, and to bind the respective company thereby.

IN WITNESS WHEREOF, SAFECO INSURANCE COMPANY OF AMERICA and GENERAL INSURANCE COMPANY OF AMERICA have each executed and attested these presents

this 21st day of March, 2009

[Signature of Dexter R. Legg]

[Signature of Timothy A. Mikolajewski]

Dexter R. Legg, Secretary

Timothy A. Mikolajewski, Vice President

CERTIFICATE

Extract from the By-Laws of SAFECO INSURANCE COMPANY OF AMERICA and of GENERAL INSURANCE COMPANY OF AMERICA:

"Article V, Section 13. - FIDELITY AND SURETY BONDS ... the President, any Vice President, the Secretary, and any Assistant Vice President appointed for that purpose by the officer in charge of surety operations, shall each have authority to appoint individuals as attorneys-in-fact or under other appropriate titles with authority to execute on behalf of the company fidelity and surety bonds and other documents of similar character issued by the company in the course of its business... On any instrument making or evidencing such appointment, the signatures may be affixed by facsimile. On any instrument conferring such authority or on any bond or undertaking of the company, the seal, or a facsimile thereof, may be impressed or affixed or in any other manner reproduced; provided, however, that the seal shall not be necessary to the validity of any such instrument or undertaking."

Extract from a Resolution of the Board of Directors of SAFECO INSURANCE COMPANY OF AMERICA and of GENERAL INSURANCE COMPANY OF AMERICA adopted July 28, 1970.

"On any certificate executed by the Secretary or an assistant secretary of the Company setting out,

- (i) The provisions of Article V, Section 13 of the By-Laws, and
(ii) A copy of the power-of-attorney appointment, executed pursuant thereto, and
(iii) Certifying that said power-of-attorney appointment is in full force and effect,

the signature of the certifying officer may be by facsimile, and the seal of the Company may be a facsimile thereof."

I, Dexter R. Legg, Secretary of SAFECO INSURANCE COMPANY OF AMERICA and of GENERAL INSURANCE COMPANY OF AMERICA, do hereby certify that the foregoing extracts of the By-Laws and of a Resolution of the Board of Directors of these corporations, and of a Power of Attorney issued pursuant thereto, are true and correct, and that both the By-Laws, the Resolution and the Power of Attorney are still in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the facsimile seal of said corporation

this 12th day of May, 2009



[Signature of Dexter R. Legg]

Dexter R. Legg, Secretary



State of West Virginia  
DRUG FREE WORKPLACE CONFORMANCE AFFIDAVIT  
West Virginia Code §21-1D-5

STATE OF West Virginia

COUNTY OF Putnam, TO-WIT:

I, Michael E. Davis, after being first duly sworn, depose and state as follows:

- 1. I am an employee of G & G Builders Inc.; and,  
(Company Name)
- 2. I do hereby attest that G & G Builders Inc.  
(Company Name)

maintains a valid written drug free workplace policy and that such policy is in compliance with **West Virginia Code** §21-1D-5.

The above statements are sworn to under the penalty of perjury.

G & G Builders Inc.  
(Company Name)

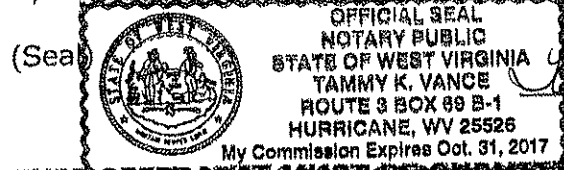
By: Michael E. Davis

Title: Vice President / General Manager

Date: May 28, 2009

Taken, subscribed and sworn to before me this 28<sup>th</sup> day of May, 2009.

By Commission expires October 31, 2017



Tammy K. Vance  
(Notary Public)

**THIS AFFIDAVIT MUST BE SUBMITTED WITH THE BID IN ORDER TO COMPLY WITH WV CODE PROVISIONS. FAILURE TO INCLUDE THE AFFIDAVIT WITH THE BID SHALL RESULT IN DISQUALIFICATION OF THE BID.**

STATE OF WEST VIRGINIA  
Purchasing Division**PURCHASING AFFIDAVIT****VENDOR OWING A DEBT TO THE STATE:**

*West Virginia Code* §5A-3-10a provides that: 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 owed is an amount greater than one thousand dollars in the aggregate.

**PUBLIC IMPROVEMENT CONTRACTS & DRUG-FREE WORKPLACE ACT:**

If this is a solicitation for a public improvement construction contract, the vendor, by its signature below, affirms that it has a written plan for a drug-free workplace policy in compliance with Article 1D, Chapter 21 of the *West Virginia Code*. The vendor **must** make said affirmation with its bid submission. Further, public improvement construction contract may not be awarded to a vendor who does not have a written plan for a drug-free workplace policy in compliance with Article 1D, Chapter 21 of the *West Virginia Code* and who has not submitted that plan to the appropriate contracting authority in timely fashion. For a vendor who is a subcontractor, compliance with Section 5, Article 1D, Chapter 21 of the *West Virginia Code* may take place before their work on the public improvement is begun.

**ANTITRUST:**

In submitting a bid to any agency for the state of West Virginia, the bidder offers and agrees that if the bid is accepted the bidder will convey, sell, assign or transfer to the state of West Virginia all rights, title and interest in and to all causes of action it may now or hereafter acquire under the antitrust laws of the United States and the state of West Virginia for price fixing and/or unreasonable restraints of trade relating to the particular commodities or services purchased or acquired by the state of West Virginia. Such assignment shall be made and become effective at the time the purchasing agency tenders the initial payment to the bidder.

I certify that this bid is made without prior understanding, agreement, or connection with any corporation, firm, limited liability company, partnership or person or entity submitting a bid for the same materials, supplies, equipment or services and is in all respects fair and without collusion or fraud. I further certify that I am authorized to sign the certification on behalf of the bidder of this bid.

**LICENSING:**

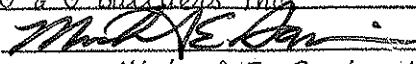
Vendors must be licensed and in good standing in accordance with any and all state and local laws and requirements by any state or local agency of West Virginia, including, but not limited to, the West Virginia Secretary of State's Office, the West Virginia Tax Department, West Virginia Insurance Commission, 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. Vendor further agrees to comply with the Confidentiality Policies and Information Security Accountability Requirements, set forth in <http://www.state.wv.us/admin/purchase/privacy/noticeConfidentiality.pdf>.

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

Vendor's Name: G & G Builders Inc.

Authorized Signature:  Date: May 28, 2009

Purchasing Affidavit (Revised 01/01/09) Michael E. Davis, V.P./Gen. Mgr.