



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: **DEEK9027**

PAGE: **1**

ADDRESS OF RESPONDENCE TO ATTENTION OF:  
**JOHN ABBOTT**  
**304-558-2566**

RFQ COPY  
 TYPE NAME/ADDRESS HERE

**Fairfax, Inc.**  
**114 Co. Rd. 3**  
**P.O. Box 400**  
**Chesapeake, OH 45619**

**DIV ENGINEERING & FACILITIES**  
**NATIONAL GUARD ARMDRY**  
**BLUEWELL RURAL STATION**  
**BLUEFIELD, WV 24701 341-6368**

DATE PRINTED	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS
04/22/2009				

BID OPENING DATE: **05/21/2009** BID OPENING TIME: **01:30PM**

LINE	QUANTITY	UOP	UNIT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	LS		910-66	BASE BID -	\$94,654.00
					ALTERNATE No #1-	\$229,732.00
<p><b>ROOFING MAINTENANCE, REPAIR, AND INSTALLATION</b></p> <p><b>CONTRACT TO PROVIDE ALL LABOR, MATERIALS, AND EQUIPMENT NECESSARY TO REPLACE THE ROOF SYSTEM AT THE WV ARMY NATIONAL GUARD, BLUEFIELD, WV, PER THE ATTACHED DOCUMENTATION.</b></p> <p><b>MANDATORY ON-SITE PRE-BID: 5/12/2009; 10:00 AM</b>  <b>BLUEFIELD NATIONAL GUARD</b>  <b>2915 OLD BRAMWELL RD.</b>  <b>BLUEFIELD, WV 24701</b></p> <p><b>QUESTION PERIOD: QUESTIONS MAY BE SUBMITTED BY EMAIL TO JOHN ABBOTT AT JOHN.H.ABBOTT@WV.GOV, TILL 5/14/2009; 1:00 PM - NO QUESTIONS WILL BE ACCEPTED AFTER THIS DATE AND TIME.</b></p> <p><b>EXHIBIT 5</b></p> <p><b>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.</b></p> <p><b>NOTICE TO PROCEED: THIS CONTRACT IS TO BE PERFORMED</b></p>						

RECEIVED  
 2009 MAY 21 A 8:10

SIGNATURE: *[Signature]* TELEPHONE: **740 867 2727** DATE: **MAY 21, 2009**

TITLE: **PRESIDENT** FEIN: **55-0672983** ADDRESS CHANGES TO BE NOTED ABOVE

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



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:  
**DEFK9027**

PAGE:  
**6**

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

RFQ COPY  
TYPE NAME/ADDRESS HERE

**Fairfax, Inc.  
114 Co. Rd. 3  
P.O. Box 400  
Chesapeake, OH 45619**

**DIV ENGINEERING & FACILITIES  
NATIONAL GUARD ARMORY  
BLUEWELL RURAL STATION**

**BLUEFIELD, WV  
24701 341-6368**

DATE PRINTED	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS
04/22/2009				

BID OPENING DATE: **05/21/2009** BID OPENING TIME: **01:30PM**

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
ADDENDUM(S) AND HAVE MADE THE NECESSARY REVISIONS TO MY PROPOSAL, PLANS AND/OR SPECIFICATION, ETC.						
ADDENDUM NOS.:						
NO. 1						<i>MAY 13, 2009</i>
NO. 2						
NO. 3						
NO. 4						
NO. 5						
I UNDERSTAND THAT FAILURE TO CONFIRM THE RECEIPT OF THE ADDENDUM(S) MAY BE CAUSE FOR REJECTION OF THE BIDS.						
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.						
<i>B. Jack Russell</i>						SIGNATURE
<i>FAIRFAX, INC.</i>						COMPANY
<i>MAY 21, 2009</i>						DATE
REV. 11/96						
CONTRACTORS LICENSE						

SIGNATURE: <i>B. Jack Russell</i>		TELEPHONE: <i>740-867-2727</i>	DATE: <i>MAY 21, 2009</i>
TITLE: <i>PRESIDENT</i>	FED. ID: <i>55-0672983</i>	ADDRESS CHANGES TO BE NOTED ABOVE	

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



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  
**DEFK9027**

PAGE  
**7**

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

RFQ COPY

TYPE NAME/ADDRESS HERE

**Fairfax, Inc.  
114 Co. Rd. 3  
P.O. Box 400  
Chesapeake, OH 45619**

SHIP TO

**DIV ENGINEERING & FACILITIES  
NATIONAL GUARD ARMORY  
BLUEWELL RURAL STATION**

**BLUEFIELD, WV  
24701 341-6368**

DATE PRINTED <b>04/22/2009</b>	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS
-----------------------------------	---------------	----------	-----	---------------

BID OPENING DATE: **05/21/2009** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
<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 B 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: ..... <b>Fairfax, Inc.</b> .....</p> <p>CONTRACTORS LICENSE NO.: ..... <b>WV 008334</b> .....</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>[Signature]</i>	TELEPHONE <b>740.867.2727</b>	DATE <b>MAY 21, 2009</b>
TITLE <b>PRESIDENT</b>	FEIN <b>55-0672983</b>	ADDRESS CHANGES TO BE NOTED ABOVE

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



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  
**DEFK9027**

PAGE  
**9**

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

RFQ COPY  
TYPE NAME/ADDRESS HERE

**Fairfax, Inc.  
114 Co. Rd. 3  
P.O. Box 400  
Chesapeake, OH 45619**

**DIV ENGINEERING & FACILITIES  
NATIONAL GUARD ARMORY  
BLUEWELL RURAL STATION  
BLUEFIELD, WV  
24701 341-6368**

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
04/22/2009				

BID OPENING DATE: **05/21/2009** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>740.867.2727 (PHONE &amp; FAX)</p> <p>-----</p> <p>PLEASE PRINT OR TYPE NAME OF PERSON TO CONTACT CONCERNING THIS QUOTE:</p> <p>-----</p> <p><b>DOAK RUSSELL</b></p> <p>-----</p> <p>***** THIS IS THE END OF RFQ DEFK9027 ***** TOTAL:</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE: *Doak Russell* TELEPHONE: **740.867.2727** DATE: **MAY 21, 2009**

TITLE: **PRESIDENT** FBEN: **55-0672983** ADDRESS CHANGES TO BE NOTED ABOVE

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

BID BOND

BOND #261047-14

KNOW ALL MEN BY THESE PRESENTS, THAT WE, THE UNDERSIGNED FAIRFAX, INC.

P. O. BOX 400, CHESAPEAKE, OH 45619 AS PRINCIPAL, AND

AMERICAN CONTRACTORS INDEMNITY COMPANY AS SURETY, ARE HEREBY HELD AND

FIRMLY BOUND UNTO STATE OF WEST VIRGINIA AS OWNER IN THE

PENAL SUM OF NINETEEN THOUSAND TWO FIFTY & 00/100 FOR THE PAYMENT OF WHICH, WELL AND

TRULY TO BE MADE, WE HEREBY JOINTLY AND SEVERALLY BIND OURSELVES, SUCCESSORS AND ASSIGNS,

SIGNED, THIS 21ST DAY OF MAY, 18X 2009

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH THAT WHEREAS THE PRINCIPAL HAS

SUBMITTED TO STATE OF WEST VIRGINIA A CERTAIN BID, ATTACHED

HERETO AND HEREBY MADE A PART HEREOF TO ENTER INTO A CONTRACT IN WRITING, FOR THE

REROOF BLUEFIELD NATIONAL GUARD BUILDING, 2915 OLD BRAMWELL ROAD, BLUEFIELD, WV 24701

NOW, THEREFORE,

- (A) If said Bid shall be rejected, or in the alternate,
- (B) If said Bid shall be accepted and the principal shall execute and deliver a contract in the form of contract attached hereto (properly completed in accordance with said Bid) and shall furnish a bond for his faithful performance of said contract, and for the payment of all persons performing labor or furnishing materials in connection therewith, and shall in all other respects perform the agreement created by the acceptance of said Bid.

Then this obligation shall be void, otherwise the same shall remain in force and effect; it being 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 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 OWNER MAY ACCEPT SUCH BID; AND SAID SURETY DOES HEREBY WAIVE NOTICE OF ANY SUCH EXTENSION.

IN WITNESS WHEREOF, THE PRINCIPAL AND THE SURETY HAVE HEREBY SET THEIR HANDS AND SEALS, AND SUCH OF THEM AS ARE CORPORATIONS HAVE CAUSED THEIR CORPORATE SEALS TO BE HERETO AFFIXED AND THESE PRESENTS TO BE SIGNED BY THEIR PROPER OFFICERS. THE DAY AND YEAR FIRST SET FORTH ABOVE.

*R. Doak Russell*

(L.S.)

FAIRFAX, INC.

PRINCIPAL R DOAK RUSSELL, PRS.

AMERICAN CONTRACTORS INDEMNITY COMPANY

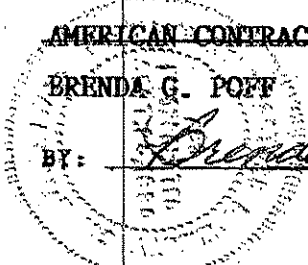
SURETY

BRENDA G. POFF

ATTORNEY-IN-FACT

BY:

*Brenda G. Poff*



IMPORTANT -- Surety companies executing bonds must appear on the Treasury Department's most current list (Circular 570 as amended) and be authorized to transact business in the state where the project is located.

POWER OF ATTORNEY

AMERICAN CONTRACTORS INDEMNITY COMPANY UNITED STATES SURETY COMPANY U.S. SPECIALTY INSURANCE COMPANY

KNOW ALL MEN BY THESE PRESENTS That American Contractors Indemnity Company, a California corporation, United States Surety Company, a Maryland corporation and U.S. Specialty Insurance Company, a Texas corporation (collectively, the Companies) do hereby present make, constitute and appoint

Charles W. Manning or Brenda G. Poff of Huntington, West Virginia

its true and lawful Attorney(s) in fact, each in their separate capacity if more than one is named above, 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 to include riders, amendments, and consents of surety, providing the bond penalty does not exceed

Three Million Dollars (\$ 3,000,000.00 )

This Power of Attorney shall expire without further action on March 31, 2011. This Power of Attorney is granted under and by authority of the following resolutions adopted by the Boards of Directors of the Companies

My Witness, that the President, any Vice President, any Assistant President, any Secretary, or any Assistant Secretary shall be and is hereby vested with full power and authority to approve any one or more variable persons as Attorney(s) in fact and to represent and act for and on behalf of the Company subject to the following provision:

Wherever there 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, undertakings, consents of surety, and other conditional or obligatory instruments and any and all notices and documents canceling or terminating the same, shall be the order and act of such instruments so executed by any such Attorney in fact shall be binding upon the Company as if stated by the President and sealed and attested by the Commissioner's seal.

It is to be understood that the signature of any authorized officer and seal of the Company, herebefore or hereafter, is not to be attached to any power, statement, or any certificate relating hereto, and any power of attorney or certificate bearing the facsimile signature of the same shall be void and binding upon the Company with respect to any matter undertaken in which it is authorized.

WITNESS WHEREOF, The Companies have caused this instrument to be signed and their corporate seals to be hereon affixed, this 15th day of July, 2008.

AMERICAN CONTRACTORS INDEMNITY COMPANY UNITED STATES SURETY COMPANY U.S. SPECIALTY INSURANCE COMPANY

Corporate Seal



By Daniel P. Aguilar, Vice President

State of California

County of Los Angeles

On this 15th day of July, 2008, before me, Deborah Reese, a notary public, personally appeared Daniel P. Aguilar, Vice President of American Contractors Indemnity Company, United States Surety Company and U.S. Specialty Insurance Company who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I, my Witness, under PENALTY OF PERJURY, under the laws of the State of California that the foregoing paragraph is true and correct. WITNESS my hand and official seal.

Signature: [Signature] (Seal)



I, Jennie L. Kern, Assistant Secretary of American Contractors Indemnity Company, United States Surety Company and U.S. Specialty 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, 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 seal of said Companies at Los Angeles, California this 21ST day of MAY 2009

Corporate Seal

Bond No. 26107-14 Agent No. 1000000000



Jennie L. Kern, Assistant Secretary

DEFK9027

19



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

STATE OF WEST VIRGINIA

COUNTY OF CABELL, TO-WIT:

I, B DOAK RUSSELL, after being first duly sworn, depose and state as follows:

- 1. I am an employee of FAIRFAX, INC.; and,  
(Company Name)
- 2. I do hereby attest that FAIRFAX, 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.

FAIRFAX, INC.  
(Company Name)

By: R Doak Russell  
R DOAK RUSSELL  
Title: PRESIDENT

Date: MAY 21, 2009

Taken, subscribed and sworn to before me this 21<sup>ST</sup> day of MAY, 2009

By Commission expires 10/15/2015

(Seal)

Lynne B. Meadows  
(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.**

Rev March 09



NOTARY PUBLIC  
WEST VIRGINIA  
Meadows  
286 High Street  
Martinsburg, WV 25705  
Expires October 15, 2015

NOTARY PUBLIC  
STATE OF WEST VIRGINIA

Lynne B. Meadows  
286 High Street  
Martinsburg, WV 25705

My Commission Expires October 15, 2015



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 or 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: FAIRFAX, INC

Authorized Signature: [Signature] Date: MAY 21, 2009