



State of West Virginia  
Department of Administration  
Purchasing Division  
2019 Washington Street East  
Post Office Box 50130  
Charleston, WV 26305-0130

### Request for Quotation

RFQ NUMBER  
**DNR209172**

PAGE  
**1**

ADDRESS FOR CORRESPONDENCE TO ATTENTION OF  
**FRANK WHITTAKER  
304-558-2316**

RFQ COPY  
TYPE NAME/ADDRESS HERE  
**Bears Management Group Inc.  
7625 E. main Rd.  
Lima, NY 14485**

DIVISION OF NATURAL RESOURCES  
WATOGA STATE PARK  
ATTN: PARK SUPERINTENDENT  
HC82, BOX 252  
MARLINTON, WV  
24954-9550 799-4087

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
04/13/2009				
BID OPENING DATE: 05/12/2009		BID OPENING TIME 01:30PM		

LINE	QUANTITY	UOP	QTY NO	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	LS		650-38		
<p align="center"><b>RECEIVED</b></p> <p align="center">2009 MAY -8 A 10:04</p> <p align="center">PURCHASING DIVISION STATE OF WV</p> <p align="center">REQUEST FOR QUOTATION (RFQ)</p> <p>THE WEST VIRGINIA STATE PURCHASING DIVISION FOR THE AGENCY, THE WEST VIRGINIA DIVISION OF NATURAL RESOURCES, IS SOLICITING BIDS TO PROVIDE ALL MATERIAL AND INSTALLATION OF PLAYGROUND EQUIPMENT FOR WATOGA STATE PARK LOCATED IN MARLINGTON, WEST VIRGINIA PER THE ATTACHED SPECIFICATIONS.</p> <p>A MANDATORY PRE-BID MEETING WILL BE HELD ON APRIL 30, 2009 AT 10:00 AM AT THE PARK HEADQUARTERS IN MARLINGTON, WEST VIRGINIA. ALL VENDORS WISHING TO SUBMIT A BID FOR THIS PROJECT MUST ATTEND THIS MEETING. NO ONE PERSON MAY REPRESENT MORE THAN ONE VENDOR.</p> <p>TECHNICAL QUESTIONS CONCERNING THIS PROJECT MUST BE SUBMITTED TO FRANK WHITTAKER IN THE WEST VIRGINIA STATE PURCHASING DIVISION VIA FAX AT 304-558-4115 OR VIA EMAIL AT FRANK.M.WHITTAKER@WV.GOV. DEADLINE FOR ALL TECHNICAL QUESTIONS IS MAY 5, 2009 AT THE CLOSE OF BUSINESS. ALL TECHNICAL QUESTIONS RECEIVED, IF ANY, WILL BE ANSWERED BY ADDENDUM AFTER THE DEADLINE HAS LAPSED.</p> <p>QUESTIONS CONCERNING THE PROCESS BY WHICH A VENDOR MAY SUBMIT A BID TO THE STATE OF WEST VIRGINIA ARE</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>[Signature]</i>	TELEPHONE 585-624-5694	DATE 5-6-09
TITLE President	FBN 13-35100-17	ADDRESS CHANGES TO BE NOTED ABOVE

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



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 24954-9550 799-4087**

DATE PRINTED <b>04/13/2009</b>	TERMS OF SALE	BH/FV/A	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
<p>NOT CONSIDERED TO BE TECHNICAL QUESTIONS AND MAY BE SUBMITTED AT ANY TIME PRIOR TO THE BID OPENING AND IN ANY FORMAT.</p> <p>EXHIBIT 5</p> <p>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.</p> <p>NOTICE TO PROCEED: THIS CONTRACT IS TO BE PERFORMED WITHIN 90 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 POCAHONTAS COUNTY, PURSUANT TO WEST VIRGINIA CODE 21-5A, ET, SEQ. (PREVAILING WAGE RATES APPLY TO THIS PROJECT)</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>[Signature]</i>	TELEPHONE <b>585-624-5694</b>	DATE <b>5.6.09</b>
TITLE <b>President</b>	FEIN <b>13-3510017</b>	ADDRESS CHANGES TO BE NOTED ABOVE

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ADDRESS CORRESPONDENCE TO ATTENTION OF  
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 7625 E. Main Rd.  
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DIVISION OF NATURAL RESOURCES  
 WATOGA STATE PARK  
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 24954-9550 799-4087

DATE PRINTED: <b>04/13/2009</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	UNIT	ITEM NUMBER	UNIT PRICE	AMOUNT
<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, FOR THE LIFE OF THE CONTRACT.</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> <p>( ) 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.</p> <p>(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.</p>						

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TITLE <b>President</b>	FEIN <b>133510017</b>	ADDRESS CHANGES TO BE NOTED ABOVE

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RFQ NUMBER <b>DNR209172</b>	PAGE <b>4</b>
ADDRESS OF RESPONDING AGENCY/ATTENTION OF <b>FRANK WHITTAKER 304-558-2316</b>	

RFQ COPY

TYPE NAME/ADDRESS HERE

*Bears Management Group Inc.  
7025 E. Main Rd.  
Lima, NY 14485*

DIVISION OF NATURAL RESOURCES  
WATOGA STATE PARK  
ATTN: PARK SUPERINTENDENT  
HC82, BOX 252  
MARLINTON, WV  
24954-9550 799-4087

DATE PRINTED <b>04/13/2009</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	JOB	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>( ) MAINTENANCE BOND: A TWO (2) YEAR MAINTENANCE BOND COVERING THE ROOFING SYSTEM WILL BE A REQUIREMENT OF THE SUCCESSFUL VENDOR.</p> <p>REV. 11/00</p> <p>EXHIBIT 7</p> <p>DOMESTIC ALUMINUM, GLASS &amp; STEEL IN PUBLIC WORKS PROJECTS</p> <p>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 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</p>						

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**5**

ADDRESS CORRESPONDENCE TO ATTENTION OF  
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304-558-2316**

RFQ COPY

TYPE NAME/ADDRESS HERE

**Bears Management Group Inc.  
7625 E. Main Rd.  
Lima, NY 14485**

**DIVISION OF NATURAL RESOURCES  
WATOGA STATE PARK  
ATTN: PARK SUPERINTENDENT  
HC82, BOX 252  
MARLINTON, WV  
24954-9550 799-4087**

DATE PRINTED <b>04/13/2009</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	UNIT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>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> <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</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>[Signature]</i>	TELEPHONE <b>885.624.5694</b>	DATE <b>5.6.09</b>
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**6**

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MARLINTON, WV  
24954-9550 799-4087

DATE PRINTED <b>04/13/2009</b>	TERMS OF SALE	SHIP VIA	P.O.B.	FREIGHT TERMS
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BID OPENING DATE: **05/12/2009** BID OPENING TIME **01:30PM**

LINE	QUANTITY	U.P.	QTY	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>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 ADDENDUM(S) AND HAVE MADE THE NECESSARY REVISIONS TO MY PROPOSAL, PLANS AND/OR SPECIFICATION, ETC.</p> <p>ADDENDUM NOS.:</p> <p>NO. 1 .....</p> <p>NO. 2 .....</p> <p>NO. 3 .....</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>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Darts</i>	TELEPHONE <b>585 624 5694</b>	DATE <b>5.6.09</b>
TITLE <i>President</i>	FEIN <b>13-35100 17</b>	ADDRESS CHANGES TO BE NOTED ABOVE

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BID OPENING DATE: <b>05/12/2009</b>		BID OPENING TIME <b>01:30PM</b>		

LINE	QUANTITY	UOP	UNIT PRICE	AMOUNT
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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.

*[Signature]*  
.....SIGNATURE  
*Bears Management Group*  
.....COMPANY  
*5.6.09*  
.....DATE

REV. 11/96

#### CONTRACTORS LICENSE

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.

WEST VIRGINIA STATE CODE 21-11-11 REQUIRES ANY PROSPECTIVE BIDDER TO INCLUDE THE CONTRACTORS' LICENSE NUMBER ON THEIR BID.

BIDDER TO COMPLETE:

CONTRACTORS NAME: *Bears Management Group Inc.*

SEE REVERSE SIDE FOR TERMS AND CONDITIONS	
SIGNATURE <i>[Signature]</i>	TELEPHONE <b>585-624-5694</b>
TITLE <i>President</i>	DATE <b>5.6.09</b>
FEN <b>133510017</b>	ADDRESS CHANGES TO BE NOTED ABOVE

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LINE	COUNTY	QSP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>CONTRACTORS LICENSE NO.: ...<b>WV045269</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 EFFECT.</p> <p>BANKRUPTCY: IN THE EVENT THE VENDOR/CONTRACTOR FILES FOR BANKRUPTCY PROTECTION, THIS CONTRACT IS AUTOMATICALLY NULL AND VOID, AND IS TERMINATED WITHOUT FURTHER ORDER.</p> <p>REV. 1/2005</p> <p>NOTICE</p> <p>A SIGNED BID MUST BE SUBMITTED TO:</p> <p>DEPARTMENT OF ADMINISTRATION PURCHASING DIVISION BUILDING 15</p>						

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### Request for Quotation

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**9**

ADDRESS FOR CORRESPONDENCE TO A PERSON OR  
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304-558-2316**

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04/13/2009				

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LINE	QUANTITY	JOB	QTY NO	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>2019 WASHINGTON STREET, EAST CHARLESTON, WV 25305-0130</p> <p>THE BID SHOULD CONTAIN THIS INFORMATION ON THE FACE OF THE ENVELOPE OR THE BID MAY NOT BE CONSIDERED:</p> <p>SEALED BID</p> <p>BUYER: FRANK WHITTAKER-FILE 44</p> <p>REQ. NO.: DNR209172</p> <p>BID OPENING DATE: 05/12/2009</p> <p>BID OPENING TIME: 1:30 PM</p> <p>PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID: <b>(585) 624-7590</b></p> <p>PLEASE PRINT OR TYPE NAME OF PERSON TO CONTACT CONCERNING THIS QUOTE: <b>Danny Bears</b></p> <p>***** THIS IS THE END OF RFQ DNR209172 ***** TOTAL: <b>108,085.<sup>89</sup></b> including Alternate number one. \$99,999.<sup>99</sup> Excluding Alternate number one.</p>						

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SIGNATURE <i>[Signature]</i>	TELEPHONE <b>585-624-5694</b>	DATE <b>5.6.09</b>
TITLE <b>President</b>	FEIN <b>13-3516017</b>	ADDRESS CHANGES TO BE NOTED ABOVE

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

# CONTRACTOR LICENSE

Authorized by the

**West Virginia Contractor Licensing Board**

**Number:**

WV045269

**Classification:**

SPECIALTY

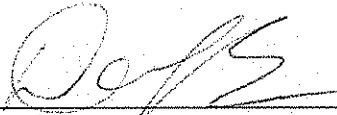
BEARS MANAGEMENT GROUP INC  
DBA BEARS PLAYGROUNDS  
7625 E MAIN RD  
LIMA, NY 14485

**Date Issued**

**Expiration Date**

MARCH 27, 2009

MARCH 27, 2010



Authorized Company Signature



Chair, West Virginia Contractor  
Licensing Board

**WEST VIRGINIA  
CONTRACTOR  
LICENSING  
BOARD**

This license, or a copy thereof, must be posted in a conspicuous place at every construction site where work is being performed. This license number must appear in all advertisements, on all bid submissions and on all fully executed and binding contracts. This license cannot be assigned or transferred by licensee. Issued under provisions of West Virginia Code, Chapter 21, Article 11.

WVDNR209172  
 Watoga State Park  
**PLAYGROUND EQUIPMENT SHEET**

Please complete the below information concerning the brand(s) of equipment being bid in relation to this project. If bidding "or equal" brands, please attach manufacturer's literature documenting that it meets the mandatory requirements stated in the specifications. Vendors should note the areas of the provided manufacturer's literature that adheres to the mandatory requirements outlined in the Request for Proposal.

Item No.	Equipment	Manufacturer	Model
1	Pine Run Cabin Area Bears Playground Magical Log Kingdom or equal	Bears	magical Log Kingdom
2	Recreation Hall Playground Bears Playground Custom Swiss Tree Fort Village or equal	Bears	Swiss Tree Fort Village
3	Bucks Run Cabin Area Playground Bears Playground Custom Proudest Monkey Tree Fort Village or equal	Bears	Proudest monkey Tree Fort Village
4	Upper End of Riverside Campground Playground Bears Playground Custom Proudest Monkey Tree Fort Village or equal.	Bears	Proudest monkey Tree Fort Village
5	Beaver Creek Campground Playground Bears Playground Custom Swiss Tree Fort Village or equal.	Bears	Swiss Tree Fort Village
6	Picnic Area Playground Bears Playground Custom Hundred Acre Wood or equal	Bears	Hundred Acre Wood
7	Certified engineered wood fiber playground surface	Ziegler	
8	<b>ADD ALTERNATE NUMBER ONE</b> - Picnic Shelter Playground Bears Playground Magical Log Kingdom or equal.	Bears	magical Log Kingdom

**WVDNR209172  
Watoga State Park Playground Equipment  
PRICING SHEET**

Item No.	Quantity	Description	Unit Price	Amount
1	1	Pine Run Cabin Area Bears Playground Magical Log Kingdom or equal	8,085 <sup>90</sup>	8,085 <sup>90</sup>
2	1	Recreation Hall Playground Bears Playground Custom Swiss Tree Fort Village or equal	17,729 <sup>20</sup>	17,729 <sup>20</sup>
3	1	Bucks Run Cabin Area Playground Bears Playground Custom Proudest Monkey Tree Fort Village or equal	14,611 <sup>80</sup>	14,611 <sup>80</sup>
4	1	Upper End of Riverside Campground Playground Bears Playground Custom Proudest Monkey Tree Fort Village or equal.	14,611 <sup>80</sup>	14,611 <sup>80</sup>
5	1	Beaver Creek Campground Playground Bears Playground Custom Swiss Tree Fort Village or	17,729 <sup>20</sup>	17,729 <sup>80</sup>
6	1	Picnic Area Playground Bears Playground Custom Hundred Acre Wood or equal	21,240 <sup>50</sup>	21,240 <sup>50</sup>
7	335 cubic yards	Certified engineered wood fiber playground surface	5,991 <sup>59</sup>	5,991 <sup>59</sup>
8	1	ADD ALTERNATE NUMBER ONE - Picnic Shelter Playground Bears Playground Magical Log Kingdom or equal.	8,085 <sup>90</sup>	8,085 <sup>90</sup>
			TOTAL	108,085. <sup>89</sup>

one hundred eight thousand eighty five and <sup>89</sup>/<sub>100</sub>

**WVDNR209172**  
**WATOGA STATE PARK PLAYGROUND SPECIFICATIONS**

To supply playground equipment and supervise in-house installation of playground equipment. The equipment is to offer play activities for children age two (2) to twelve (12) at Watoga State Park, Marlinton, West Virginia. The award may be split if it is in the best interest of the West Virginia Division of Natural Resources. All items must be F.O.B. Destination: Freight or delivery charges must be included in the price of goods. Delivery and installation must be made within ninety (90) days of purchase order award.

**PINE RUN CABIN AREA PLAYGROUND**

Bears Playground Magical Log Kingdom or equal. Structure must be composed of the following components:

**WAYS UP**

- One (1) Bears Playgrounds 8' rock wall or equal. Rock wall climbing face must be a minimum of 8' long and constructed of a composite material.
- One (1) Bears Playgrounds 5' rock wall or equal. Rock wall climbing face must be a minimum of 5' long and constructed of a composite material.
- One (1) Bears Playground small tree hugger climbing event or equal.
- One (1) Bears Playgrounds ADA transfer station or equal.

**WAYS DOWN**

- One (1) Bears Playgrounds premium slide or equal. Slide must be double wall construction.

**OVERHEAD EVENTS**

- One (1) Bears Playgrounds lower monkey bars (overhead ladder) or equal. Bars must not exceed 5' high from surface.

**OTHER**

- One (1) Bears Playgrounds wooden roof or equal. Roof must be a minimum of 48" wide or 55" long.

West Virginia prevailing wage rates must be paid for Pocahontas County West Virginia. (<http://www.wvsos.com/adlaw/wagerates/heavyhighway/heavyhighway08/allhh.pdf>) Installation must be complete within ninety (90) days of purchase order award.

**WVDNR209172**  
**WATOGA STATE PARK PLAYGROUND SPECIFICATIONS**

**RECREATION HALL PLAYGROUND**

Bears Playgrounds Custom Swiss Tree Fort village or equal. Bears Playgrounds Custom Swiss Tree Fort design must consist of two (2) structures:

Structure one: Bears Playgrounds Ponderosa to include an upper and lower deck with approximate outside dimensions of 6' x 9'.

The second structure: Bears Playgrounds Proudest Monkey Tree Fort is a single deck structure with the approximate outside dimensions of 5' x 6'. The structures must be functionally play linked with a way across as described below. Structure must include the following components:

**WAY ACROSS**

- One (1) Bears Playground fully netted real log suspension bridge or equal.

**WAYS UP**

- One (1) Bears Playgrounds inverted rock wall or equal. Rock wall climbing face must include an inverted curve face towards the top for greater challenge and constructed of a composite material.
- One (1) Bears Playgrounds 5' rock wall or equal. Rock wall must be a minimum of 5' long and constructed of a composite material.
- One (1) Bears Playground large tree hugger climbing event or equal.
- One (1) Bears Playgrounds small tree hugger climbing event or equal.
- One (1) Bears Playgrounds standard access component to lower deck or equal.
- One (1) Bears Playgrounds crooked log climber to lower deck or equal.
- One (1) Bears Playgrounds ADA transfer station or equal.

**WAYS DOWN**

- One (1) Bears Playgrounds premium wave slide or equal. Slide must be double wall construction.
- One (1) Bears Playgrounds premium super scoop wave slide or equal. Slide must be double wall construction.
- One (1) Bears Playgrounds premium tube slide or equal. Slide must be double wall construction in the bottom section

**WVDNR209172**  
**WATOGA STATE PARK PLAYGROUND SPECIFICATIONS**

**OTHER**

- Three (3) Bears Playgrounds wooden roofs or equal. One roof must cover each deck and roof must be approximately 48" wide x 55" long.

West Virginia prevailing wage rates must be paid for Pocahontas County, West Virginia. ([http://www.wvsos.com/adlaw/wagerates/heavvhighway/heavy\\_highway08/allhh.pdf](http://www.wvsos.com/adlaw/wagerates/heavvhighway/heavy_highway08/allhh.pdf)). Installation must be complete within ninety (90) days of purchase order award.

**BUCK'S RUN CABIN AREA PLAYGROUND**

Custom Proudest Monkey Tree Fort Village or equal. Custom play unit must be composed of two structures: both structures are monkey models with lower decks and approximate outside dimension of 5' x 6'. The proudest structure must be functionally play linked with a way across as described below:

**WAY ACROSS**

- One (1) Bears Playgrounds fully netted real log suspension bridge or equal.

**WAYS UP**

- One (1) Bears Playgrounds 5' rock wall or equal. Rock wall climbing face must be a minimum of 5' long and constructed of a composite material.
- One (1) Bears Playgrounds baby rock wall crawl or equal rock crawl climbing face must be a minimum of 5' long and constructed of a composite material.
- One (1) Bears Playground small tree hugger climbing event or equal.
- One (1) Bears Playground ADA transfer station.

**WAYS DOWN**

- One (1) Bears Playgrounds premium wave slide or equal. Slide must be double wall construction.
- One (1) Bears Playgrounds super duty double side by side slide or equal Slide must be double wall construction.

**OTHER**

- Three (3) Bears Playgrounds wooden roofs (one to cover each deck) or equal. Roofs must be approximately 48" wide x 55" long. Barrier rails or equal.

West Virginia prevailing wage rates must be paid for Pocahontas County, West Virginia.

**WVDNR209172**  
**WATOGA STATE PARK PLAYGROUND SPECIFICATIONS**

(<http://www.wvsos.com/adlaw/wagerates/heavyhighway/heavyhighway08/allhh.pdf>).  
Installation must be complete within ninety (90) days of purchase order award.

**UPPER END OF RIVERSIDE CAMPGROUND**

Custom Proudest Monkey Tree Fort Village or equal. Custom play unit must be composed of two structures: both structures are monkey models with lower decks and approximate outside dimension of 5' x 6'. The proudest structure must be functionally play linked with a way across as described below:

**WAY ACROSS**

- One (1) Bears Playgrounds fully netted log suspension bridge or equal.

**WAYS UP**

- One (1) Bears Playgrounds 5' rock wall or equal. Rock wall climbing face must be a minimum of 5' long and constructed of a composite material.
- One (1) Bears Playgrounds small tree hugger climbing event or equal.
- One (1) Bears Playgrounds ADA transfer station.

**WAYS DOWN**

- One (1) Bears Playgrounds premium wave slide or equal. Slide must be double wall construction.
- One (1) Bears Playgrounds super duty double side by side slide or equal. Slide must be double wall construction.

**OTHER**

- Three (3) Bears Playgrounds wooden roofs (one to cover each deck) or equal. Roofs must be approximately 48" wide by 55" long. Barrier rails or equal.

West Virginia prevailing wage rates must be paid for Pocahontas County, West Virginia.  
(<http://www.wvsos.com/adlaw/wagerates/heavyhighway/heavyhighway08/allhh.pdf>).  
Installation must be complete within ninety (90) days of purchase order award.



**WVDNR209172**  
**WATOGA STATE PARK PLAYGROUND SPECIFICATIONS**

**BEAVER CREEK CAMPGROUND PLAYGROUND**

Bears Playgrounds Custom Swiss Tree Fort village or equal. Bears Playgrounds Custom Swiss Tree Fort design must consist of two (2) structures: Structure one: Bears Playgrounds Ponderosa to include an upper and lower deck with approximate outside dimensions of 6' x 9'. The second structure: Bears Playgrounds Proudest Monkey Tree Fort is a single deck structure with the approximate outside dimensions of 5' x 6'. The structures must be functionally play linked with a way across as described below. Structure must include the following components:

**WAYS ACROSS**

- One (1) Bears Playgrounds fully netted real log suspension bridge or equal.

**WAYS UP**

- One (1) Bears Playgrounds inverted rock wall or equal. Rock wall climbing face must include an inverted curve face towards the top for greater challenge and be constructed of a composite material.
- One (1) Bears Playgrounds 5' rock wall or equal. Rock wall climbing face must be a minimum of 5' long and constructed of a composite material.
- One (1) Bears Playgrounds 8' rock wall or equal. Rock wall climbing face must be a minimum of 8' long and constructed of a composite material.
- One (1) Bears Playground large tree hugger climbing event or equal.
- One (1) Bears playground small tree hugger climbing event or equal.
- One (1) Bears Playgrounds standard access components to the low deck or equal.
- One (1) Bears Playgrounds ADA transfer station or equal.

**WAYS DOWN**

- One (1) Bears Playgrounds premium wave slide or equal. Slide must be double wall construction.
- One (1) Bears Playgrounds premium super scoop wave slide or equal. Slide must be double wall construction.
- One (1) Bears Playgrounds premium tube slide or equal. Slide must be double wall construction in the bottom section and one piece to section.

**OTHER**

- Three (3) Bears Playground wooden roofs or equal. One roof must cover each deck and roof must be approximately 48" wide x 55" long.

**WVDNR209172**  
**WATOGA STATE PARK PLAYGROUND SPECIFICATIONS**

West Virginia prevailing wage rates must be paid for Pocahontas County, West Virginia. ([http://www.wvsos.com/adlaw/wagerates/heavyhighway/heavy\\_highway08/allhh.pdf](http://www.wvsos.com/adlaw/wagerates/heavyhighway/heavy_highway08/allhh.pdf)). Installation must be complete within ninety (90) days of purchase order award.

**PICNIC AREA PLAYGROUND**

Bears Playground Custom Hundred Acre Wood or equal. Structure must consist of two structures: both structures must be modeled after the Bears Playgrounds Ponderosa and must include an upper and lower deck with approximate outside dimensions of each structure being approximately 6' x 9'.

Structures must be functionally play linked with a way across as described below:

**WAYS ACROSS**

One (1) Bears Playground fully netted high bridge or equal.

**WAYS UP**

- One (1) Bears Playgrounds inverted rock wall or equal. Rock wall climbing face must include an inverted curve face towards the top and be constructed of a composite material.
- One (1) Bears Playgrounds 5' rock wall or equal. Rock wall climbing face must be a minimum of 5' long and constructed of a composite material.
- One (1) Bears Playgrounds 8' rock wall or equal. Rock wall climbing face must be a minimum of 8' long and constructed of a composite material
- One (1) Bears Playground baby rock crawl or equal. Rock crawl climbing face must be a minimum of 8' long and constructed of a composite material.
- One (1) Bears Playground small tree hugger climbing event or equal.
- One (1) Bears Playgrounds large tree hugger climbing event or equal.
- Two (2) Bears Playground standard access components to the low deck or equal.
- One (1) Bears Playgrounds ADA transfer station or equal.

**WAYS DOWN**

- Two (2) Bears Playgrounds premium wave slides. Slide must be double wall construction.
- Two (2) Bears Playgrounds premium super scoop wave slide. Slide must be double wall construction.

**WVDNR209172**  
**WATOGA STATE PARK PLAYGROUND SPECIFICATIONS**

**OTHER**

- Four (4) Bears Playgrounds wooden roofs or equal. One roof must cover each deck and roof must be approximately 48' x55' long.

West Virginia prevailing wage rates must be paid for Pocahontas County, West Virginia. ([http://www.wvsos.com/adlaw/wagerates/heavyhighway/heavy\\_highway08/allhh.pdf](http://www.wvsos.com/adlaw/wagerates/heavyhighway/heavy_highway08/allhh.pdf)). Installation must be complete within ninety (90) days of purchase order award.

Certified Engineered Wood Fiber Playground Surface 335 cubic yard. Material must be recently harvested and debarked; free of chemical treatments and additives; free of soil, twigs, leaves and other contaminants.

**ADD ALTERNATE NUMBER ONE**

**PICNIC SHELTER PLAYGROUND**

Bears Playground Magical Log Kingdom or equal. Structure must be composed of the following components:

**WAYS UP**

- One (1) Bears Playgrounds 8' rock wall or equal. Rock wall climbing face must be a minimum of 8' long and constructed of a composite material.
- One (1) Bears Playgrounds 5' rock wall or equal. Rock wall climbing face must be a minimum of 5' long and constructed of a composite material.
- One (1) Bears Playground small tree hugger climbing event or equal.
- One (1) Bears Playgrounds ADA transfer station or equal.

**WAYS DOWN**

- One (1) Bears Playgrounds premium slide or equal. Slide must be double wall construction.

**OVERHEAD EVENTS**

- One (1) Bears Playgrounds lower monkey bars (overhead ladder) or equal. Bars must not exceed 5' high from surface.

**WVDNR209172**  
**WATOGA STATE PARK PLAYGROUND SPECIFICATIONS**

**OTHER**

- One (1) Bears Playgrounds wooden roof or equal. Roof must be a minimum of 48" wide or 55" long.

West Virginia prevailing wage rates must be paid for Pocahontas County, West Virginia.  
([http://www.wvsos.com/adlaw/wagerates/heavyhighway/heavy\\_highway08/allhh.pdf](http://www.wvsos.com/adlaw/wagerates/heavyhighway/heavy_highway08/allhh.pdf)).  
Installation must be complete within ninety (90) days of purchase order award.

**WVDNR209172**  
**WATOGA STATE PARK PLAYGROUND SPECIFICATIONS**

All playground equipment and engineered wood fiber must meet the following Requirements:

- Compliance with US Consumer Product Safety Commission, Handbook for Public Playground Safety.
- Compliance with Architectural and Transportation Barriers Compliance Board, Americans with Disabilities (ADA) Accessibility Guidelines for Buildings and Facilities; Play Areas.

Vendors must submit the following attachments:

- Complete manufacturer's parts specifications and warranties.
- Layout drawing to scale of the proposed play structure or equipment
- ASTM and CPSC Statement of compliance

Additionally, the playground structures must primarily consist of cedar logs to integrate the playground with other Watoga State Park facilities and maintain the heritage of the park.

Warranties:

- All equipment and engineered wood fiber must be guaranteed to be free of defects in workmanship and material for a minimum of one year from date of acceptance. However, if manufacturer warranty periods are longer than the required minimum one year warranty, those warranties shall apply.

**BID BOND**

BEARS KNOW ALL MEN BY THESE PRESENTS. That we, the undersigned, BEARS MANAGEMENT GROUP INC. DBA PLAYGROUNDS of 7625 E. MAIN RD., LIMA, NY 14485 as Principal, and WESTERN SURETY COMPANY of PO BOX 5077, SIOUX FALLS, SD 57117 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 PERCENT OF AMOUNT BID (\$ --5%--) 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 MANUFACTURING & INSTALLING PLAYGROUND EQUIPMENT AT WATOGA STATE PARK

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 6TH day of MAY, 20 09.

Principal Corporate Seal

BEARS MANAGEMENT GROUP INC.  
DBA BEARS PLAYGROUNDS  
(Name of Principal)

By *[Signature]*

(Must be President or Vice President)

*President*  
(Title)

Surety Corporate Seal

WESTERN SURETY COMPANY  
(Name of Surety)

*Carol Aldrich*  
Attorney-in-Fact  
**CAROL ALDRICH**

**IMPORTANT - Surety executing bonds must be licensed in West Virginia to transact surety insurance. Raised corporate seals must be affixed, a power of attorney must be attached.**

ACKNOWLEDGMENT OF PRINCIPAL - IF A CORPORATION

STATE OF NEW YORK  
COUNTY OF LIVINGSTON } ss

On the 7<sup>th</sup> day of May, 2009 before me personally appeared  
C. Daniel Bears to be known, who, being by me duly sworn, did depose and  
say; that he/she resides at 7625 E. Main Rd., that he/she is the  
President of Bears Management Group the corporation  
described in and which executed the within instrument; and that he/she signed his/her name  
thereto by order of the Board of Directors of said corporation.

Julie A. Moulton  
.....  
Notary Public

JULIE A. MOULTON #01M06054523  
NOTARY PUBLIC, State of New York  
Qualified In Livingston County  
Commission Expires 3/5/11

ACKNOWLEDGMENT OF SURETY COMPANY

STATE OF NEW YORK  
COUNTY OF MONROE } ss

On this 6TH day of MAY, 2009 before me personally came CAROL ALDRICH to me known,  
who, being by me duly sworn, did depose and say; that he/she resides in ROCHESTER, NY;  
that he/she is the ATTORNEY-IN-FACT of WESTERN SURETY COMPANY the corporation  
described in and which executed the within instrument; and that he/she signed her/his name  
thereto by order of the Board of Directors of said corporation.

Cristine M. Best  
.....  
Notary Public

CRISTINE M. BEST  
NOTARY PUBLIC, STATE OF NEW YORK  
MONROE COUNTY  
MY COMMISSION EXPIRES  
DECEMBER 3, 2009

# 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

**Andrew J Meloni, Shelley G Pasinski, Carol Aldrich, Matthew Riedinger, Cristina Miller, Individually**

of Rochester, NY, 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 19th day of August, 2008.



WESTERN SURETY COMPANY

Paul T. Bruflat, Senior Vice President

State of South Dakota }  
County of Minnehaha } ss

On this 19th day of August, 2008, 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, 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 6TH day of MAY, 2009.



WESTERN SURETY COMPANY

L. Nelson, Assistant Secretary



**WESTERN SURETY COMPANY**  
**Sioux Falls, South Dakota**  
**Statement of Condition and Affairs**  
**December 31, 2008**

ASSETS

Bonds	\$1,008,502,414
Stocks	20,960,267
Cash and short-term investments	73,631,995
Uncollected premiums and agents' balances	36,880,707
Amounts recoverable from reinsurers	3,378,807
Funds held by or deposited with reinsured companies	29,505,820
Net deferred tax asset	19,970,930
Electronic data processing equipment and software	1,806,700
Investment income due and accrued	13,053,922
Other assets	<u>1,901,307</u>
Total Assets	<u><u>\$1,209,592,869</u></u>

LIABILITIES AND SURPLUS

Losses	\$257,306,815
Loss adjustment expense	71,399,288
Contingent and other commissions payable	6,015,130
Other expense	31,615,064
Taxes, licenses and fees	2,424,229
Federal and foreign income taxes payable	2,078,327
Unearned premiums	251,722,105
Retroactive reinsurance reserve assumed	11,063,519
Other liabilities	<u>21,330,970</u>
Total Liabilities	654,955,447

Surplus Account:

Capital paid up	\$4,000,000
Gross paid in and contributed surplus	176,435,232
Unassigned funds	<u>374,202,190</u>

Surplus as regards policyholders	<u>\$554,637,422</u>
Total Liabilities and Capital	<u><u>\$1,209,592,869</u></u>

I, Philip E. Lundy, Vice President and Treasurer of Western Surety Company hereby certify that the above is an exact copy of the financial statement of the Company dated December 31, 2008, as filed with the various Insurance Departments and is a true and correct statement of the condition of Western Surety Company as of that date.



Western Surety Company

By Philip E. Lundy  
 Vice President, Treasurer

Subscribed and sworn to me this 31 day of March, 2009.

My commission expires:

KATHRYN J. SCHROEDER  
 My Commission Expires 7-21-2009

Kathryn J. Schroeder  
 Notary Public

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:**

*West Virginia Code* §21-1D-5 provides that: Any solicitation for a public improvement construction contract shall require each vendor that submits a bid for the work to submit at the same time an affidavit that the vendor has a written plan for a drug-free workplace policy in compliance with Article 1D, Chapter 21 of the West Virginia Code. A 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. Vendors should visit [www.state.wv.us/admin/purchase/privacy](http://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 is in compliance with the requirements as stated.

Vendor's Name: Bears Playgrounds  
Authorized Signature: [Signature] Date: 5/7/09

05/11/2009 15:35 3847994833

GLADES BUILDING SUPJ

PAGE 01/01

WV PURCHASING ACA SECT Fax 304-558-4115

May 11 2009 03:57PM P001/001



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

### Request for Quotation

DNR209172

1

FRANK WHITTAKER  
304-558-2316

RFQ COPY  
TYPE NAME/ADDRESS HERE

*Beers*  
7625 E. Main Rd  
Uma, NY 14485

DIVISION OF NATURAL RESOURCES  
WATOGA STATE PARK  
ATTN: PARK SUPERINTENDENT  
HC82, BOX 252  
MARLINTON, WV  
24954-9550 799-4087

DATE PRINTED	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS
05/11/2009				
BID OPENING DATE	BID OPENING TIME			
05/21/2009	01:30PM			

LINE	QUANTITY	UNIT	ITEM NUMBER	UNIT PRICE	AMOUNT
***** ADDENDUM NO. 1 *****					
THIS ADDENDUM IS ISSUED TO EXTEND THE BID OPENING DATE AND TIME TO: 05/21/09 AT 1:30 PM.					
TECHNICAL QUESTIONS WILL BE ADDRESSED IN A SUBSEQUENT ADDENDUM.					
0001	1	LS	650-38		
PLAYGROUND EQUIPMENT WATOGA STATE PARK					
***** THIS IS THE END OF RFQ DNR209172 ***** TOTAL:					

RECEIVED  
2009 MAY 20 A 10:37  
PURCHASING DIVISION  
STATE OF WV

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE: *[Signature]* TELEPHONE: 585 624-5694 DATE: 5.20.09

TITLE: *President* FROM: 13-35100-17 ADDRESS CHANGES TO BE NOTED ABOVE

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

APR 20 2009 11:24M

WV DIV OF PURCH

NO. 6012 P. 8



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  
**DNR209172**

PAGE  
**6**

ADDRESS OF OFFEROR  
**FRANK WHITTAKER  
304-558-2316**

RFC COPY  
TYPE NAME/ADDRESS HERE

*Bears*  
7625 E. Main Rd.  
Lima, NY 14485

DIVISION OF NATURAL RESOURCES  
WATOGA STATE PARK  
ATTN: PARK SUPERINTENDENT  
HC82, BOX 252  
MARLINTON, WV  
24954-9550 799-4087

DATE PRINTED	TERMS OF SALE	SHIP VIA	COF	SPEC. ITEMS
04/13/2009				
BID OPENING DATE: 05/12/2009		BID OPENING TIME: 01:30PM		

LINE	DESCRIPTION	NO.	UNIT PRICE	AMOUNT
	<p>OPENING DATE.</p> <p>(5) 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 ADDENDUM(S) AND HAVE MADE THE NECESSARY REVISIONS TO MY PROPOSAL, PLANS AND/OR SPECIFICATION, ETC.</p> <p>ADDENDUM NOS.:</p> <p>NO. 1 .. <i>Extend Bid Date + tech questions</i></p> <p>NO. 2 .. <i>To provide answers, overhead drawings, sign w sheet</i></p> <p>NO. 3 ..</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>			

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE: *[Signature]* TELEPHONE: 505-624-5694 DATE: 5.20.09

TITLE: *President* PERM: 13-35100-17 ADDRESS CHANGES TO BE NOTED ABOVE

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

WV PURCHASING ACA SECT Fax 304-558-4115

May 14 2009 11:57am P001/008



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  
**DNR209172**

PAGE  
**1**

ADDRESS CORRESPONDENCE TO: ATTENTION OF  
**FRANK WHITTAKER  
304-558-2316**

RFQ COPY  
TYPE NAME/ADDRESS HERE

*Bears  
7625 E main Rd  
Lima, NY 14485*

**DIVISION OF NATURAL RESOURCES  
WATOGA STATE PARK  
ATTN: PARK SUPERINTENDENT  
HC82, BOX 252  
MARLINTON, WV  
24954-9550 799-4067**

DATE PRINTED	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS
05/14/2009				

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

LINE	QUANTITY	UOP	QAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
***** ADDENDUM NO. 2 *****						
THIS ADDENDUM IS ISSUED TO PROVIDE THE FOLLOWING:						
1) VENDOR SIGN IN SHEET RESULTING FROM THE MANDATORY PRE-BID MEETING HELD ON 04/30/09.						
2) TECHNICAL QUESTIONS AND ANSWERS.						
3) 4 OVERHEAD DRAWINGS.						
BID OPENING DATE AND TIME HAVE NOT CHANGED.						
0001	1	LS		550-38		
PLAYGROUND EQUIPMENT WATOGA STATE PARK						
***** THIS IS THE END OF RFQ DNR209172 ***** TOTAL:						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>[Signature]</i>	TELEPHONE <b>585.624.5694</b>	DATE <b>5-20-09</b>
TITLE <b>President</b>	FERN <b>13-35100-17</b>	ADDRESS CHANGES TO BE NOTED ABOVE

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



**Bears Management Group Inc.**  
7625 E. Main Rd. (Routes 5 & 20), Lima NY 14485 (585) 624-5694, fax 585-624-7590

**Fax Transmittal Form**

To **FRANK WHITTAKER**

From: Danny Bears

Organization **State of WV  
Purchasing**

Organization Bears Mgt. Group Inc.

Address:

Address: 7625 E. Main Rd., (Routes 5 & 20)  
Lima, NY 14485

Phone: **304-558-2316**  
Fax: **304-558-4115**  
Email:

Phone 585-624-5694

Fax 877-807-PLAY (7529)

Email: 585-624-7590 fax

E-mail: dannybears@bearsplaygrounds.com

Re: **DNR 209172  
Watoga State Park**

Date written: Wednesday, May 20, 2009

- Urgent
- For Review
- Please Comment
- Please Reply

Time: 1

Page w/ cover: 1

Cc:

**Message:**

*This is to formally Acknowledge  
Addendum No 1 and No 2.*

*5-20-09*

Respectfully,

Danny Bears



**www.bearsplaygrounds.com**