



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: EDD310043
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PAGE: 1
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ADDRESS CORRESPONDENCE TO ATTENTION OF: SHELLY MURRAY 304-558-8801
--

RFQ COPY

TYPE NAME/ADDRESS HERE

West Virginia Paving, Inc.  
 PO Box 544  
 Dunbar, WV 25064

DEPARTMENT OF EDUCATION

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

DATE PRINTED 01/28/2009	TERMS OF SALE NET 30	SHIP VIA TRUCK	FOB DESTINATION	FREIGHT TERMS NET 30
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BID OPENING DATE: 02/18/2009 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
----- ADDENDUM NO. 1 -----						
<p>DUE TO INCLEMENT WEATHER, THE PREBID SCHEDULED FOR 01/27/2009 IS BEING POSTPONED TO 02/03/2009 AT 10:00 AM AT THE CEDAR LAKES CONFERENCE CENTER, RIPLEY, WV. AGAIN, ALL VENDORS INTERESTED IN SUBMITTING A BID FOR THIS PROJECT MUST ATTEND THIS MEETING. ANY VENDOR FAILING TO ATTEND WILL BE DISQUALIFIED. NO ONE PERSON MAY REPRESENT MORE THAN MORE VENDOR.</p> <p>THE TECHNICAL QUESTION SUBMISSION DEADLINE HAS ALSO BEEN EXTENDED FROM 01/29/2009 TO 02/05/2009. ALL TECHNICAL QUESTIONS MUST BE SUBMITTED IN WRITING TO SHELLY MURRAY IN THE PURCHASING DIVISION VIA MAIL, AT THE ADDRESS SHOWN AT THE TOP OF THIS ADDENDUM, VIA FAX AT 304-558-4115, OR VIA EMAIL AT SHELLY.L.MURRAY@WV.GOV. ALL TECHNICAL QUESTIONS RECEIVED, IF ANY, WILL BE ADDRESS BY ADDENDUM AFTER THE DEADLINE.</p> <p>THE BID OPENING HAS BEEN CHANGED:</p> <p>FROM: 02/11/2009            TO : 02/18/2009</p>						
----- END OF ADDENDUM NO. 1 -----						

**RECEIVED**

2009 MAR 10 A 8:25

PURCHASING DIVISION  
 STATE OF WV

SIGNATURE 		SEE REVERSE SIDE FOR TERMS AND CONDITIONS		TELEPHONE 304-768-9733	DATE March 11, 2009
TITLE VICE PRESIDENT		FEIN 55-057-0769-4-00		ADDRESS CHANGES TO BE NOTED ABOVE	

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



State of West Virginia  
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ADDRESS CORRESPONDENCE TO ATTENTION OF  
 SHELLY MURRAY  
 304-558-8801

VENDOR

\*709044732      304-768-9733  
 WV PAVING INC  
 PO BOX 544  
 DUNBAR WV 25064

SHIP TO

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

DATE PRINTED	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS
02/06/2009	<b>NET 30</b>	<b>TRUCK</b>	<b>DESTINATION</b>	<b>NET 30</b>
BID OPENING DATE: 02/25/2009		BID OPENING TIME: 01:30PM		

LINE	QUANTITY	UOP	CAT NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
----- ADDENDUM NO. 2 -----  THIS ADDENDUM IS ISSUED TO EXTEND THE DEADLINE FOR QUESTION SUBMISSION:  FROM: 02/05/2009 TO : 02/10/2009  THE BID OPENING DATE IS ALSO BEING EXTENDED:  FROM: 02/18/2009 TO : 02/25/2009  ATTACHMENT: MANDATORY PRE-BID SIGN IN SHEET  ----- END OF ADDENDUM NO. 2 -----						
001	1	LS		968-42		
PAVING CONSTRUCTION						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
	304-768-9733	March 11, 2009
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE
VICE PRESIDENT	55-057-0769-4-00	

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WV PURCHASING ACT SECT 5 Fax 304-558-4115

Feb 24 2009 11:08am P001/008

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 304-558-8801**

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 TYPE NAME/ADDRESS HERE

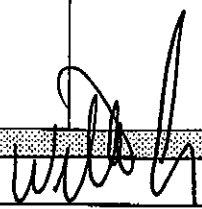
West Virginia Paving, Inc.  
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DEPARTMENT OF EDUCATION  
 BUILDING 6  
 1900 KANAWHA BOULEVARD, EAST  
 CHARLESTON, WV  
 25305-0330

DATE PRINTED	TERMS OF SALE	SHIP VIA	POB	FREIGHT TERMS
02/24/2009	<b>NET 30</b>	<b>TRUCK</b>	<b>DESTINATION</b>	<b>NET 30</b>
BID OPENING DATE: 03/11/2009		BID OPENING TIME: 03:30PM		

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
ADDENDUM NO. 3 THIS ADDENDUM IS ISSUED TO ADDRESS THE QUESTIONS RAISE PRIOR TO THE QUESTION SUBMISSION DEADLINE OF 2/10/2009. THE BID OPENING DATE IS EXTENDED: FROM: 2/25/2009 TO : 3/11/2009 THE ATTACHED DRUG FREE WORKPLACE CONFORMANCE AFFIDAVIT MUST BE SUBMITTED WITH THE VENDOR'S BID. END OF ADDENDUM NO. 3						
001	1	LS		968-42		
HAVING CONSTRUCTION						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE: 

TITLE: **VICE PRESIDENT**

TELEPHONE: **304-768-9733**

DATE: **March 11, 2009**

FEIN: **55-057-0769-4-00**

ADDRESS CHANGES TO BE NOTED ABOVE

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 PO BOX 544  
 DUNBAR WV 25064**

**DEPARTMENT OF EDUCATION  
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 1900 KANAWHA BOULEVARD, EAST  
 CHARLESTON, WV  
 25305-0330**

VENDOR

SHIP TO

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
01/12/2009	<b>NET 30</b>	<b>TRUCK</b>	<b>DESTINATION</b>	<b>NET 30</b>

BID OPENING DATE: **02/11/2009**      BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	LS		968-42		
<p>THE WV PURCHASING DIVISION, FOR THE AGENCY, THE WV DEPARTMENT OF EDUCATION, IS SOLICITING BIDS TO PROVIDE PAVING CONSTRUCTION SERVICES.</p> <p>A MANDATORY PRE-BID CONFERENCE WILL BE HELD ON 1/27/09 AT 10:00 AM AT THE CEDAR LAKES CONFERENCE CENTER, RIPLEY, WV. ALL VENDORS INTERESTED IN SUBMITTING A BID FOR THIS PROJECT MUST ATTEND THIS MEETING. ANY VENDOR FAILING TO ATTEND WILL BE DISQUALIFIED. NO ONE PERSON MAY REPRESENT MORE THAN ONE VENDOR.</p> <p>TECHNICAL QUESTIONS MUST BE SUBMITTED IN WRITING TO SHELLY MURRAY IN THE WV PURCHASING DIVISION VIA MAIL, AT THE ADDRESS SHOWN AT THE TOP OF THIS RFQ, VIA FAX AT 304-558-4115, OR VIA EMAIL AT SHELLY.L.MURRAY@WV.GOV. DEADLINE FOR ALL TECHNICAL QUESTIONS IS 1/29/2009 AT THE CLOSE OF BUSINESS. ALL TECHNICAL QUESTIONS RECEIVED, IN ANY, WILL BE ADDRESSED BY ADDENDUM AFTER THE DEADLINE.</p> <p>QUESTIONS CONCERNING THE ACTUAL PROCESS BY WHICH A VENDOR MAY SUBMIT A BID TO THE STATE OF WV ARE NOT CONSIDERED TO BE TECHNICAL QUESTIONS AND MAY BE SUBMITTED AT ANY TIME PRIOR TO THE RFQ OPENING DATE AND IN ANY FORMAT.</p>						
<p>PAVING CONSTRUCTION</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE 	TELEPHONE <b>304-768-9733</b>	DATE March 11, 2009
TITLE <b>VICE PRESIDENT</b>	FEIN <b>55-057-0769-4-00</b>	ADDRESS CHANGES TO BE NOTED ABOVE

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**CHARLESTON, WV**  
**25305-0330**

DATE PRINTED	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS
01/12/2009	<b>NET 30</b>	<b>TRUCK</b>	<b>DESTINATION</b>	<b>NET 30</b>

BID OPENING DATE: **02/11/2009**      BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
<p><b>EXHIBIT 5</b></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 PURCHASING 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 PURCHASING AFFIDAVIT WITH THE BID SHALL RESULT IN DISQUALIFICATION OF SUCH BID.</p> <p>NOTICE TO PROCEED: THIS CONTRACT IS TO BE PERFORMED WITHIN 180 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 JACKSON 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</p>						

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SIGNATURE <i>[Signature]</i>	TELEPHONE <b>304-768-9733</b>	DATE <b>March 11, 2009</b>
TITLE <b>VICE PRESIDENT</b>	FEIN <b>55-057-0769-4-00</b>	ADDRESS CHANGES TO BE NOTED ABOVE

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ADDRESS CORRESPONDENCE TO ATTENTION OF  
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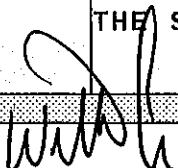
**\*709044732      304-768-9733**  
**WV PAVING INC**  
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**DUNBAR WV 25064**

**DEPARTMENT OF EDUCATION**  
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**CHARLESTON, WV**  
**25305-0330**

DATE PRINTED	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS
01/12/2009	NET 30	TRUCK	DESTINATION	NET 30

BID OPENING DATE: **02/11/2009**      BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>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> <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 ACCEPCTABLE IN LIEU OF THE 5% BID BOND, PERFORMANCE BOND, OR LABOR AND MATERIAL BOND.</p> <p>( ) MAINTENANCE BOND: A TWO (2) YEAR MAINTENANCE BOND COVERING THE ROOFING SYSTEM WILL BE A REQUIREMENT OF THE SUCCESSFUL VENDOR.</p>						

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**SHELLY MURRAY  
 304-558-8801**

**\*709044732      304-768-9733**  
**WV PAVING INC**  
**PO BOX 544**  
  
**DUNBAR WV 25064**

**DEPARTMENT OF EDUCATION**  
  
**BUILDING 6**  
**1900 KANAWHA BOULEVARD, EAST**  
**CHARLESTON, WV**  
**25305-0330**

DATE PRINTED <b>01/12/2009</b>	TERMS OF SALE <b>NET 30</b>	SHIP VIA <b>TRUCK</b>	F.O.B. <b>DESTINATION</b>	FREIGHT TERMS <b>NET 30</b>
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BID OPENING DATE: **02/11/2009**      BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
				<p>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 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</p>		

SIGNATURE		SEE REVERSE SIDE FOR TERMS AND CONDITIONS		TELEPHONE <b>304-768-9733</b>	DATE <b>March 11, 2009</b>
TITLE <b>VICE PRESIDENT</b>	FEIN <b>55-057-0769-4-00</b>	ADDRESS CHANGES TO BE NOTED ABOVE			

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**\*709044732      304-768-9733**  
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**DUNBAR WV 25064**

**DEPARTMENT OF EDUCATION**  
**BUILDING 6**  
**1900 KANAWHA BOULEVARD, EAST**  
**CHARLESTON, WV**  
**25305-0330**

DATE PRINTED <b>01/12/2009</b>	TERMS OF SALE <b>NET 30</b>	SHIP VIA <b>TRUCK</b>	FOB <b>DESTINATION</b>	FREIGHT TERMS <b>NET 30</b>
BID OPENING DATE: <b>02/11/2009</b>		BID OPENING TIME <b>01:30PM</b>		

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT																																			
<p>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> <table border="0"> <tr> <td>NO. 1</td> <td>X</td> <td><i>WC</i></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>NO. 2</td> <td>X</td> <td><i>WC</i></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>NO. 3</td> <td>X</td> <td><i>WC</i></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>NO. 4</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>NO. 5</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </table> <p>I UNDERSTAND THAT FAILURE TO CONFIRM THE RECEIPT OF TH 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</p>							NO. 1	X	<i>WC</i>					NO. 2	X	<i>WC</i>					NO. 3	X	<i>WC</i>					NO. 4							NO. 5						
NO. 1	X	<i>WC</i>																																							
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DATE PRINTED <b>01/12/2009</b>	TERMS OF SALE <b>NET 30</b>	SHIP VIA <b>TRUCK</b>	F.O.B. <b>DESTINATION</b>	FREIGHT TERMS <b>NET 30</b>
BID OPENING DATE: <b>02/11/2009</b>		BID OPENING TIME <b>01:30PM</b>		

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>INFORMATION ISSUED IN WRITING AND ADDED TO THE SPECIFICATIONS BY AN OFFICIAL ADDENDUM IS BINDING.</p> <p>.....SIGNATURE</p> <p><b>WEST VIRGINIA PAVING, INC.</b>.....COMPANY</p> <p>.....March 11, 2009.....DATE</p> <p>REV. 11/96</p> <p><b>CONTRACTORS LICENSE</b></p> <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: .....<b>WEST VIRGINIA PAVING, INC.</b>.....</p> <p>CONTRACTORS LICENSE NO.: .....<b>WV-001429</b>.....</p> <p>THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FURNISH A COPY OF THEIR CONTRACTORS LICENSE PRIOR TO ISSUANCE OF</p>						

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**WV PAVING INC**  
**PO BOX 544**  
**DUNBAR WV 25064**

**DEPARTMENT OF EDUCATION**  
**BUILDING 6**  
**1900 KANAWHA BOULEVARD, EAST**  
**CHARLESTON, WV**  
**25305-0330**

DATE PRINTED <b>01/12/2009</b>	TERMS OF SALE <b>NET 30</b>	SHIP VIA <b>TRUCK</b>	FOB <b>DESTINATION</b>	FREIGHT TERMS <b>NET 30</b>
BID OPENING DATE: <b>02/11/2009</b>		BID OPENING TIME <b>01:30PM</b>		

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
<p><b>A PURCHASE ORDER/CONTRACT</b></p> <p><b>APPLICABLE LAW</b></p> <p><b>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.</b></p> <p><b>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.</b></p> <p><b>BANKRUPTCY: IN THE EVENT THE VENDOR/CONTRACTOR FILES FOR BANKRUPTCY PROTECTION, THIS CONTRACT IS AUTOMATICALLY NULL AND VOID, AND IS TERMINATED WITHOUT FURTHER ORDER.</b></p> <p><b>REV. 1/2005</b></p> <p><b>NOTICE</b></p> <p><b>A SIGNED BID MUST BE SUBMITTED TO:</b></p> <p><b>DEPARTMENT OF ADMINISTRATION          PURCHASING DIVISION          BUILDING 15          2019 WASHINGTON STREET, EAST          CHARLESTON, WV 25305-0130</b></p> <p><b>THE BID SHOULD CONTAIN THIS INFORMATION ON THE FACE OF</b></p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS			
SIGNATURE 	TELEPHONE <b>304-768-9733</b>	DATE <b>March 11, 2009</b>	
TITLE <b>VICE PRESIDENT</b>	FEIN <b>55-057-0769-4-00</b>	ADDRESS CHANGES TO BE NOTED ABOVE	

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



## ADVERTISEMENT FOR BIDS

Sealed bids for **Phase 3 Road Paving Project For The Cedar Lakes Conference Center**, Ripley, West Virginia, will be received by the State of West Virginia, in accordance with the Request for Quotations issued by the Purchasing Division, until 1:30 pm, local time, on the date listed in the State's Request for Quotations. Bids will opened and publicly read aloud at that time.

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

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

Request for Quotations may be obtained by contacting:

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

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

Kan. Valley Builder's Assoc. 1627 Bigley Avenue Charleston, WV 25302 304-342-7141	McGraw-Hill/F. W. Dodge 437 19 <sup>th</sup> Street Dunbar, WV 25064 304-766-6880/ FAX 304-766-6882	Contractors Association of West Virginia 2114 Kanawha Boulevard East Charleston, WV 25311 304-342-1166
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Procedures, policies and relevant sections of law, as well as the terms and conditions, of the State of West Virginia and/or the Purchasing Division take precedence, over any similar language within the contract, required by the School Building Authority. Furthermore, in no instance will the requirements of the SBA lessen any requirement of the State of West Virginia and/or the Purchasing Division. The order of precedence over conflicting sections, shall be first, documents issued by the Purchasing Division, second, the specifications for the project as defined by the Architects, and third, any attachments or supplemental information included with the specifications.

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

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: WEST VIRGINIA PAVING, INC.  
Authorized Signature:  Date: March 11, 2009

# BID FORM

DATED: March 11, 2009  
(Bidder to insert date bid submitted)

SUBMITTED BY: (Name and Address) West Virginia Paving, Inc. PO Box 544 Dunbar, WV 25064

WEST VIRGINIA CONTRACTOR LICENSE NUMBER: WV-001429

SUBMITTED TO: State of West Virginia  
Finance and Administration  
Purchasing Division

The undersigned, being familiar with local conditions affecting the cost of the work and the contract documents, including Instructions to Bidders, Bid Form, General Conditions, Drawings, and Specifications and any Addenda issued, hereby propose to perform everything required to be performed and to provide and furnish all the labor, materials, tools, expendable equipment and all services necessary to complete in a workmanlike manner all the work required for the:

## ROAD PAVING PROJECT FOR THE CEDAR LAKES CONFERENCE CENTER

### RIPLEY, WEST VIRGINIA

all in accordance with the drawings and specifications as prepared by ZMM, Inc., 222 Lee Street West, Charleston, West Virginia 25302, as follows:

#### BASE BID:

For the sum of: ONE HUNDRED, FIFTY-NINE THOUSAND, FIVE HUNDRED & TWENTY THREE DOLLARS

(\$ 159,523.00).

#### ALTERNATES:

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 Bid No. 1 - To construct the Assembly Loop as designated on Drawings as Alternate No. 1 and as specified.

ADD the sum of: EIGHTY FIVE THOUSAND, THREE HUNDRED & SIXTY EIGHT DOLLARS

(\$ 85,368.00).

Alternate Bid No. 2 - To construct the Main Lodge Loop as designated on Drawings as Alternate No. 2 and as specified.

ADD the sum of: SEVENTY ONE THOUSAND, ONE HUNDRED & FORTY THREE DOLLARS

\_\_\_\_\_ (\$ 71,143.00 \_\_\_\_\_).

Alternate Bid No. 3 - To construct the Mountaineer Lodge Loop as designated on Drawings as Alternate No. 3 and as specified.

ADD the sum of: EIGHTY NINE THOUSAND & FIFTY THREE DOLLARS

\_\_\_\_\_ (\$ 89,053.00 \_\_\_\_\_).

Alternate Bid No. 4 - To construct the Dining Hall Loading as designated on Drawings as Alternate No. 4 and as specified.

ADD the sum of: FORTY SIX THOUSAND, FIVE HUNDRED & THIRTY DOLLARS

\_\_\_\_\_ (\$ 46,530.00 \_\_\_\_\_).

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

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

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

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

The bidder hereby agrees to commence work under this contract on or before a date to be stipulated in the written Notice to Proceed by the Owner and to fully complete the scope of this prime contract in accordance with the Project Schedule and in sufficient time to permit FINAL COMPLETION of the entire project *within one hundred eighty (180) consecutive days of receipt of the Notice to Proceed.*

Liquidated damages will be assigned at the rate of \$500 per day for every calendar day thereafter beyond the 180 day limit stated in the Notice to Proceed.

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




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

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

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

**SIGNATURE OF BIDDER:**

Firm: West Virginia Paving, Inc.  
Address: 2950 Charles Ave.  
Address: Dunbar, WV  
Address: 25064

By:  \_\_\_\_\_  
Title: VICE PRESIDENT  
Phone: 304-720-6419  
Fax: 304-768-9351

**END OF BID FORM**



THIS POWER OF ATTORNEY IS NOT VALID UNLESS IT IS PRINTED ON RED BACKGROUND.

This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

LIBERTY MUTUAL INSURANCE COMPANY  
BOSTON, MASSACHUSETTS  
POWER OF ATTORNEY

KNOW ALL PERSONS BY THESE PRESENTS:

That Liberty Mutual Insurance Company (the "Company"), a Massachusetts stock insurance company, pursuant to and by authority of the By-law and Authorization hereinafter set forth, does hereby name, constitute and appoint **GARY A. WINFREE, SCOTT WITHROW, MATTHEW CAMPBELL, JOHN HAMBEL, VICTORIA W. MCGREW, ALL OF THE CITY OF DUNBAR, STATE OF WEST VIRGINIA**, each individually if there be more than one named. Its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all bid bonds when the bid bond does not exceed **ONE MILLION AND 00/100 DOLLARS (\$ 1,000,000.00)** each, on behalf of **WEST VIRGINIA PAVING, INC.; SOUTHERN WEST VIRGINIA PAVING, INC.** and the execution of such bid bonds, in pursuance of these presents, shall be as binding upon the Company as if they had been duly signed by the president and attested by the secretary of the Company in their own proper persons.

That this power is made and executed pursuant to and by authority of the following By-law and Authorization:

ARTICLE XIII - Execution of Contracts: Section 5 - Surety Bonds and Undertakings.

Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

By the following instrument the chairman or the president has authorized the officer or other official named therein to appoint attorneys-in-fact:

Pursuant to Article XIII, Section 5 of the By-laws, Garnet W. Elliott, an Assistant Secretary of Liberty Mutual Insurance Company, is hereby authorized to appoint such attorneys-in-fact as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

That the By-law and the Authorization set forth above are true copies thereof and are now in full force and effect.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of Liberty Mutual Insurance Company has been affixed thereto in Plymouth Meeting, Pennsylvania this 26th day of September, 2008

LIBERTY MUTUAL INSURANCE COMPANY



By Garnet W. Elliott  
Garnet W. Elliott, Assistant Secretary

COMMONWEALTH OF PENNSYLVANIA ss  
COUNTY OF MONTGOMERY

On this 26th day of September, 2008, before me, a Notary Public, personally came Garnet W. Elliott, to me known, and acknowledged that he is an Assistant Secretary of Liberty Mutual Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Liberty Mutual Insurance Company thereto with the authority and at the direction of said corporation.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at Plymouth Meeting, Pennsylvania, on the day and year first above written.



COMMONWEALTH OF PENNSYLVANIA  
Notarial Seal  
Teresa Pastella, Notary Public  
Plymouth Twp., Montgomery County  
My Commission Expires Mar. 28, 2009  
Member, Pennsylvania Association of Notaries

Teresa Pastella  
Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of Liberty Mutual Insurance Company, do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy, is in full force and effect on the date of this certificate; and I do further certify that the officer or official who executed the said power of attorney is an Assistant Secretary specially authorized by the chairman or the president to appoint attorneys-in-fact as provided in Article XIII, Section 5 of the By-laws of Liberty Mutual Insurance Company.

This certificate and the above power of attorney may be signed by facsimile or mechanically reproduced signatures under and by authority of the following vote of the board of directors of Liberty Mutual Insurance Company at a meeting duly called and held on the 12th day of March, 1980.

VOTED that the facsimile or mechanically reproduced signature of any assistant secretary of the company, wherever appearing upon a certified copy of any power of attorney issued by the company in connection with surety bonds, shall be valid and binding upon the company with the same force and effect as though manually affixed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the said company, this 14th day of January, 2009



David M. Carey  
David M. Carey, Assistant Secretary

Not valid for mortgage, note, loan, letter of credit, bank deposit, currency rate, interest rate or residual value guarantees.

To confirm the validity of this Power of Attorney call 1-610-832-8240 between 9:00 am and 4:30 pm EST on any business day.



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

**STATE OF WEST VIRGINIA,**

**COUNTY OF** Kanawha **, TO-WIT:**

I, Willie Crane, after being first duly sworn, depose and state as follows:

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

WEST VIRGINIA PAVING, INC.  
(Company Name)


By: *Willie Crane*

Title: VICE PRESIDENT

Date: March 11, 2009

Taken, subscribed and sworn to before me this 11<sup>th</sup> day of March.

By Commission expires September 29, 2016

(Seal)  OFFICIAL SEAL  
NOTARY PUBLIC  
STATE OF WEST VIRGINIA  
CHET W. RODABAUGH  
PO Box 644  
Dunbar, WV 26064  
My Commission Expires Sept. 29, 2016

*Chet W. Rodabaugh*  
(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.**