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TYPE NAME/ADDRESS HERE

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

Request for Quotation

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ADDRESS CORRESPONDENCE TO ATTENTION OF

ROBERTA WAGNER

&H-P TO

HEALTH AND HUMAN RESOURCES OPERATIONS VARIOUS LOCALES AS INDICATED ON PURCHASE ORDER

NEIGHBORGALL CONSTRUCTION P.O. BOX 281 HUNTINGTON, WV 25707

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IGNATURE COLLEGE 304.525.5181 DATE	May 28, 2009
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Request for Quotation

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ROBERTA WAGNER

HEALTH AND HUMAN RESOURCES
OPERATIONS
VARIOUS LOCALES AS INDICATED
ON PURCHASE ORDER

RFQ COPY

NEIGHBORGALL CONST. COMPANY
PO Box 281
HUNTINGTON, WV 25707-0281

FREIGHTTERMS SHIP VIA F.O.B TERMS OF SALE DATE PRINTED 04/15/2009 BID OPENING DATE: 01:30PM OPENING TIME 05/19/2009 AMOUNT UNIT PRICE ITEM NUMBER QUANTITY UOP LINE NO HEALTH AS SPECIFIED IN THE ATTACHED REQ AND ATTACHMENTS ALL WORK SHALL BE COMPLETED WITHIN 150 CALENDAR DAYS FROM RECEIPT OF THE NOTICE TO PROCEED. INQUIRIES: WRITTEN QUESTIONS SHALL BE ACCEPTED THROUGH CLOSE OF APRIL 30, 2009. QUESTIONS MAY BE SENT BUSINESS ON VIA USPS, FAK, COURIER OR E-MAIL. IN ORDER TO ASSURE NO VENDOR RECEIVES AN UNFAIR ADVANTAGE, NO SUBSTANTIVE QUESTIONS WILL BE ANSWERED ORALLY. IF POSSIBLE, E-MAIL QUESTIONS ARE PREFERRED. ADDRESS INQUIRIES TO: ROBERTA WAGNER DEPARTMENT OF ADMINISTRATION PURCHASING DIVISION 2019 Washington Street, EAST CHARLESTON, WV 25811 FAX: (304) 558-4115 E-MAIL: ROBERTA.A.WAGNER@WV.GOV THE MODEL/BRAND/SPECIFTCATIONS NAMED HEREIN ESTABLISH THE ACCEPTABLE LEVEL OF QUALITY ONLY AND ARE NOT INTENDED TO REFLECT A PREFERENCE OR FAVOR ANY VENDORS WHO ARE BIDDING PARTICULAR BRAND OR VENDOR. ALTERNATES SHOULD SO STATE AND INCLUDE PERTINENT LITERATURE AND SPECIFICATIONS. FAILURE TO PROVIDE Y ALTERNATES MAY BE GROUN SEE REVERSE SIDE FOR TERMS AND CONDITIONS GROUNDS. TELEPHONE SIGNATURE May 28, 2009 304.525.5181 ADDRESS CHANGES TO BE NOTED ABOVE 55-0321717 President



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

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ROBERTA WAGNER

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NEIGHBORGALL CONST. COMPANY PO Box 281 HUNTINGTON, WV 25707-0281

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NEIGHBORGALL CONST. COMPANY PO Box 281 **HUNTINGTON, WV 25707-0281**

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TITLE

President

RFQ COPY

PO Box 281

NEIGHBORGALL CONST. COMPANY

HUNTINGTON, WV 25707-0281

State of West Virginia
Department of Administration
Purchasing Division
2019 Washington Street East
Post Office Box 50100 Charleston, WV 25305-0130

Request for Quotation

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ADDRESS CHANGES TO BE NOTED ABOVE

ROBERTA WAGNER

304-558-0067

HEALTH AND HUMAN RESOURCES **OPERATIONS** þ

VARIOUS LOCALES AS INDICATED ON PURCHASE ORDER

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

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ROBERTA WAGNER 304-558-0067

HEALTH AND HUMAN RESOURCES **OPERATIONS** VARIOUS LOCALES AS INDICATED ON PURCHASE ORDER

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NEIGHBORGALL CONST. COMPANY PO Box 281 HUNTINGTON, WV 25707-0281

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Request for Quotation

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TITLE

President

RFO COPY

PO Box 281

NEIGHBORGALL CONST. COMPANY

HUNTINGTON, WV 25707-0281

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

Request for Quotation

HHR901

CORRESPONDENCE TO ATTENTION OF

ADDRESS CHANGES TO BE NOTED ABOVE

ROBERTA WAGNER

304-558-0067

HEALTH AND HUMAN RESOURCES **OPERATIONS** VARIOUS LOCALES AS INDICATED

ON PURCHASE ORDER

DATE PRINTED TERMS OF SALE SHIP VIA FOB. FREIGHTTERMS BID OPENING DATE: 05/19/2009 BID OPENING TIME 01:30PM CAT, NO QUANTITY LINE UOP ITEM NUMBER UNIT PRICE AMOUNT AND REGULATIONS, AND THE INFORMATION PROVIDED IN THE "REQUEST|FOR QUOTATION" ISSUED BY THE PURCHASING DIVISION IS THE SOLE AUTHORITY GOVERNING THIS PROCUREMENT. 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. BANKRUPTCY: IN THE EVENT THE VENDOR/CONTRACTOR FILES FOR BANKRUPT¢Y PR¢TECT‡ON, THIS CONTRA¢T IS AUTOMATI-CALLY NULL AND VOID, AND IS TERMINATED WITHOUT FURTHER DRDER. REV. 1/2005 NOTICE SIGNED BID MUST BE SUBMITTED TO: DEPARTMENT OF ADMINISTRATION PURCHASING DIVISION BUILDING 15 2019 WASHINGTON STREET, EAST CHARLESTON, WV 2\$305-0130 PLEASE NOTE: A CONVENIENCE COPY WOULD BE APPRECIATED. THE BID SHOULD CONTAIN THIS INFORMATION ON THE FACE OF THE ENVELOPE OR THE BID MAY NOT BE CONSIDERED: SEALED BID SIGNATURE TELEPHONE 304.525.5181 May 28, 2009

55-0321717



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DATE PRINTED

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

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Request for Quotation

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ROBERTA WAGNER 304-558-0067

HEALTH AND HUMAN RESOURCES

F.O.B

OPERATIONS NEIGHBORGALL CONST. COMPANY VARIOUS LOCALES AS INDICATED PO Box 281 ON PURCHASE ORDER **HUNTINGTON, WV 25707-0281**

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ROBERTA	WAGNER
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HEALTH AND HUMAN RESOURCES **OPERATIONS** VARIOUS LOCALES AS INDICATED ON PURCHASE ORDER

ADDRESS CORRESPONDENCE TO ATTENTION OF

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DATE PRINTED		ERMS OF SA	LE	SHII	PVIA		FOB		FREIGHT	TERMS
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State of West Virginia Department of Administration Purchasing Division 2019 Washington Street East Post Office Box 50130 Charleston, WV 25305-0130

Request for Quotation

HHR90110

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WADDRESS CORRESPONDENCE TO ANTIENTION OF

ROBERTA WAGNER

HEALTH AND HUMAN RESOURCES
OPERATIONS
VARIOUS LOCALES AS INDICATED
ON PURCHASE ORDER

NEIGHBORGALL CONST. COMPANY PO Box 281 HUNTINGTON, WV 25707-0281

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Request for Quotation

BEO NUMBER HHR90110

ADDRESS CORRESPONDENCE TO A TENTION OF

ROBERTA WAGNER 304-558-0067

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NEIGHBORGALL CONST. COMPANY PO Box 281 HUNTINGTON, WV 25707-0281

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ROBERTA WAGNER 304-558-0067

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Request for Quotation

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ADDRESS CORRESPONDENCE TO ATTENTION OF

ROBERTA WAGNER

HEALTH AND HUMAN RESOURCES
OPERATIONS
VARIOUS LOCALES AS INDICATED
ON PÜRCHASE ORDER

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NEIGHBORGALL CONST. COMPANY PO BOX 281 HUNTINGTON, WV 25707-0281

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NEIGHBORGALL CONST. COMPANY

HUNTINGTON, WV 25707-0281

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

Request for

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ROBERTA WAGNER 304-558-0067

HEALTH AND HUMAN RESOURCES **OPERATIONS**

VARIOUS LOCALES AS INDICATED ON PURCHASE ORDER

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

HHR90110

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ROBERTA WAGNER 304-558-0067

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

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ROBERTA WAGNER <del>304-558-0067</del>

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ROBERTA WAGNER 304-558-0067

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**NEIGHBORGALL CONST. COMPANY** PO Box 281

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**HUNTINGTON, WV 25707-0281** 

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

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ROBERTA WAGNER 304-558-0067

NEIGHBORGALL CONST. COMPANY PO Box 281 HUNTINGTON, WV 25707-0281

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ROBERTA WAGNER

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NEIGHBORGALL CONSTRUCTION P.O. BOX 281 HUNTINGTON, WV 25701 ATTN: DONALD BATES

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ROBERTA WAGNER

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**NEIGHBORGALL CONSTRUCTION** P.O. BOX 281 **HUNTINGTON, WV 25701 ATTN: DONALD BATES** 

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PO Box 281

PRESIDENT

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

NEIGHBORGALL CONST. COMPANY

HUNTINGTON, WV 25707-0281

### Request for Quotation

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ROBERTA WAGNER 304-558-0067

HEALTH AND HUMAN RESOURCES **OPERATIONS** VARIOUS LOCALES AS INDICATED ON PURCHASE ORDER

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P.O. BOX 281

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**HUNTINGTON, WV 25701** 

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

**NEIGHBORGALL CONSTRUCTION** 

#### Request for Quotation

HHR90110

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OBERTA	WAGNER		

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HEALTH AND HUMAN RESOURCES **OPERATIONS** 

VARIOUS LOCALES AS INDICATED ON PURCHASE ORDER

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### Request for Quotation

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ADDRESS CORRESPONDENCE TO ATTENTION OF:

ROBERTA WAGNER 304-558-0067

HEALTH AND HUMAN RESOURCES **OPERATIONS** VARIOUS LOCALES AS INDICATED ON PURCHASE ORDER

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

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		eby attest that	•	(Compan	ny Name)	····
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The ab	ove sta	tements are sw	orn to und	ler the penalt	y of perjury.	
			Neig		struction Comp iny Name)	any
		··	By: _	C. R. Nei President	ghborgall, IV	
			Date:	May 28, 2	009	
Taken,	subscr	lbed and sworn	to before	me this 28	day ofMay	. 2009
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RFQ No. HHR90110

#### 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.

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Agency,		
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#### **BID BOND**

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

THIS POWER OF ATTORNEY SUPERCEDES ANY PREVIOUS POWER BEARING THIS SAME POWER # AND ISSUED PRIOR TO 06/25/08, FOR ANY PERSON OR PERSONS NAMED BELOW.

POWER NO. 4752152 06

General Power of Attorney

CERTIFIED COPY

# Westfield Insurance Co. Westfield National Insurance Co. Ohio Farmers Insurance Co.

Westfield Center. Ohio

Know All Men by These Presents, That WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY, corporations, hereinafter referred to individually as a "Company" and collectively as "Companies," only organized and existing under the laws of the State of Ohio, and having its principal office in Westfield Center, Medina County, Ohio, do by these presents make, constitute and appoint

LARRY D. KERR, GREGORY T. GORDON, STEPHEN B. STOGDEN, PATRICIA A. MOYE, ALLAN L. MC VEY, KIMBERLY J.

WILKINSON, JOINTLY OR SEVERALLY

of CHARLESTON and State of WV its true and lawfu: Attorney(s)-in-Fact, 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.

LIMITATION: THIS POWER OF ATTORNEY CANNOT BE USED TO EXECUTE NOTE GUARANTEE, MORTGAGE DEFICIENCY, MORTGAGE GUARANTEE, OR BANK DEPOSITORY BONDS.

and to bind any of the Companies thereby as fully and to the same extent as if such bonds were signed by the President, sealed with the corporate seal of the applicable Company and duly attested by its Secretary, hereby ratifying and confirming all that the said Attorney(s)-in-Fact may do in the premises. Said appointment is made under and by authority of the following resolution adopted by the Board of Directors of each of the WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY:

"Be It Resolved, that the President, any Senior Executive, any Secretary or any Fidelity & Surety Operations Executive or other Executive shall be and is hereby vested with full power and authority to appoint any one or more suitable persons as Attorney(s)-in-Fact to represent and act for

and on behalf of the Company subject to the following provisions:

The Attorney-in-Fact. 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, contracts, agreements of indemnity and other conditional or obligatory undertakings and any and all notices and documents canceling or terminating the Company's liability thereunder, and any such instruments so executed by any such Attorney-in-Fact shall be as binding upon the Company as if signed by the President and sealed and attested by the Corporate Secretary."

"Be it Further Resolved, that the signature of any such designated person and the seal of the Company heretofore or hereafter affixed to any power of attorney or any certificate relating thereto by facsimile, and any power of attorney or certificate bearing facsimile signatures or facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached." (Each adopted at a meeting

held on February 8, 2000).

In Witness Whereof, WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY have caused these presents to be signed by their Senior Executive and their corporate seals to be hereto affixed this 25th day of JUNE A.D., 2008.

State of Ohio
County of Medina ss.:

SEAL S

CHARTERED S

WESTFIELD INSURANCE COMPANY
WESTFIELD NATIONAL INSURANCE COMPANY
OHIO FARMERS INSURANCE COMPANY

By: / / Richard L. Kinnaird, Jr., Senior Executive

On this 25th day of JUNE A.D., 2008, before me personally came Richard L. Kinnaird, Jr. to me known, who, being by me duly sworn, did depose and say, that he resides in Medina, Ohio; that he is Senior Executive of WESTFIELD INSURANCE COMPANY. WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY, the companies described in and which executed the above instrument: that he knows the seals of said Companies; that the seals affixed to said instrument are such corporate seals; that they were so affixed by order of the Boards of Directors of said Companies; and that he signed his name thereto by like order.

Notarial Seal Affixed

State of Ohio County of Medina

ss.:



William J. Kahelin, Attorney at Law, Notary Public

My Commission Does Not Expire (Sec. 147.03 Ohio Revised Code)

I, Frank A. Carrino, Secretary of WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS 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; and 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 seals of said Companies at Westfield Center, Ohio, this 2 gradual day of

Na. A.D., 2009 SEAL &

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Frank A. Carrino, Secretary arvino Secretar



## Request for Quotation

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**NEIGHBORGALL CONSTRUCTION** P.O. BOX 281 **HUNTINGTON, WV 25701 ATTN: DONALD BATES** 

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

### Request for Quotation

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

### Request for Quotation

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PO Box 281

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

NEIGHBORGALL CONST. COMPANY

HUNTINGTON, WV 25707-0281

### Request for Quotation

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**HUNTINGTON, WV 25701** 

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

**NEIGHBORGALL CONSTRUCTION** 

#### Request for Quotation

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S CORRESPONDENCE TO ATTENTION OF

ROBERTA WAGNER 04-558-0067

HEALTH AND HUMAN RESOURCES **OPERATIONS** VARIOUS LOCALES AS INDICATED ON PURCHASE ORDER

MAY 28, 2009

ADDRESS CHANGES TO BE NOTED ABOVE

ATTN: DONALD BATES TERMS OF SALE DATE PRINTED SHIP VIA F.O.B 05/13/2009 BID OPENING DATE 05/28/2009 01:30PM OPENING TIME CAT. QUANTITY LINE UOP ITEM NUMBER UNIT PRICE AMOUNT ADDENIDUM NO. 3 TO INCLUDE THE SECOND ASBESTOS REPORT PROVIDED THE TRIAN ENVIRONMENTAL CONSULTING, ATTACHED. ADDENDUM ACKNOWLEDGEMENT IS ATTACHED. THIS DOCUMENT SHOULD BE SIGNED AND RETURNED WITH YOUR BID. FAILURE TO \$IGN AND RETURN MAY RESULT IN DISQUALIFICATION OF YOUR BID. EXHIBIT 10 REQUISITION NO.: HHR90110 ADDENDUM ACKNOWLEDGEMENT HEREBY ACKNOWLEDGE RECEIPT OF THE FOLLOWING CHECKED ADDENDUM(S) AND HAVE MADE THE NECESSARY REVISIONS TO MY PROPOSAL, PLANS AND/OR SPECIFICATION, ETC. ADDENDUM NO. NO. 1 NO. 2 MO. NO. NO. 5 UNDERSTAND THAT FAILURE TO CONFIRM THE RECEIPT OF THE ADDENDUM(S) MAY BE CAUSE FOR REJECTION SEE REVERSE SIDE FOR TERMS AND CONDITIONS

55-0321717

TELEPHONE

304.525.5181



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**PO Box 281** 

**NEIGHBORGALL CONST. COMPANY** 

HUNTINGTON, WV 25707-0281

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

### Request for Quotation

HHR90110

ROBERTA WAGNER 304-558-0067

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TITLE PRESI	DENT	!	FEIN	55-032	1717			AD	DRESS CHA	NGES TO	BE NOTE	D ABOVE

Rev March 2009



## 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, <u>C.R. Neighborgall</u> , <u>IV</u> , after being first duly sworn, depose and state as follows:
1. I am an employee of <u>Neighborgall Construction Company</u> ; and, (Company Name)
2. I do hereby attest that Neighborgall Construction Company (Company Name)
maintains a valid written drug free workplace policy and that such policy is in compliance with <b>West Virginia Code</b> §21-1D-5.
The above statements are sworn to under the penalty of perjury.
Neighborgall Construction Company (Company Name)
By: End Uis C. R. Neighborgall, IV Title: President
Date: <u>May 28, 2009</u>
Taken, subscribed and sworn to before me this $28$ day of $3$ day of $3$ day.
Sepi State of West Virginia TRINA D. GOLE
The Neighborgali Construction Co.  P. O. Box 281  Huntington, WV 28707-0281  By Commission Expires October 4, 2009  THIS AFETDAVIT MUST RE SURMITTED 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.

RFQ No. 1441290110

#### 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.

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 entitles.

#### 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.

	NETGHBORGALL	CONSTRUCTION	COMPANY					 
				Date:	May	28,	2009	
Authorized Signature:	crifund	Neighborgal						
Purchasing Affidavit (Revised	d 01/01/09 🗸 K.	Merauporar.	r, in - ii	COTHEIR	•			

Agency
REQ.P.O#_HHR90110

#### **BID BOND**

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KNOW ALL MEN BY THESE PRES	SENTS, That we, the undersigned,	Neighborgall Construc	tion Company					
of Huntington	_, <u>WV</u>	, as Principal, and <u>Oh</u>	io Farmers Insurance Company					
of Westfield Center , OH	, a corporation o	ion organized and existing under the laws of the State of						
OH with its principal office in t	he City of Westfield Center	, as Surety, are held a	nd firmly bound unto the State					
of West Virginia, as Obligee, in the penal sur	m of Five Percent of Amount Bid	(\$5%	) for the payment of which,					
well and truly to be made, we jointly and sev	erally bind ourselves, our heirs, adn	ninistrators, executors, s	successors and assigns.					
The Condition of the above obligation	on is such that whereas the Principa	al has submitted to the F	Purchasing Section of the					
Department of Administration a certain bid or								
RFQ #HHR90110 - New Hydraulic Elev	ator - Prestera Center Admin. B	uilding - According to	Plans & Specifications					
NOW THEREFORE,								
(a) If said bid shall be rejected, or (b) If said bid shall be accepted an hereto and shall furnish any other bonds and agreement created by the acceptance of said force and effect. It is expressly understood a exceed the penal amount of this obligation as	i insurance required by the bid or pr d bid, then this obligation shall be no and agreed that the liability of the Si	oposal, and shall in all c ull and void, otherwise ti	other respects perform the nis obligation shall remain in full					
The Surety, for the value received, I way impaired or affected by any extension of waive notice of any such extension.	hereby stipulates and agrees that the fine within which the Obligee r	ne obligations of said Su may accept such bid, an	rety and its bond shall be in no d said Surety does hereby					
IN WITNESS WHEREOF, Principal	and Surety have hereunto set their	hands and seals, and s	uch of them as are corporations					
have caused their corporate seals to be affixed	ed hereunto and these presents to	be signed by their prope	r officers, this					
28th day of May	, 2009 .							
Principal Corporate Seal		Neighborgall Constr (Nai By Zinfug M	ne of Principal					
		/ / (Mu	of the President or President)					
		C.R. Neighborgall, N	/ President (Title)					
Surety Corporate Seal		Ohio Farmers Insura						
,		(Nai	ne of Surety)					
	Patricia A. Moye, WV R	By: Talue	a.H. //Oyl					
	ratiicia A. Moye, WV R	esidelii Watir — Wii	orney-in-Fact					

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

THIS POWER OF ATTORNEY SUPERCEDES ANY PREVIOUS POWER BEARING THIS SAME POWER # AND ISSUED PRIOR TO 06/25/08, FOR ANY PERSON OR PERSONS NAMED BELOW.

POWER NO. 4752152 06

General Power of Attorney

CERTIFIED COPY

#### Westfield Insurance Co. Westfield National Insurance Co. Ohio Farmers Insurance Co.

Westfield Center. Ohio

Know All Men by These Presents, That WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY, corporations, hereinafter referred to individually as a "Company" and collectively as "Companies," duly organized and existing under the laws of the State of Ohio, and having its principal office in Westfield Center, Medina County, Ohio, go by these presents make, constitute and appoint

LARRY D. KERR, GREGORY T. GORDON, STEPHEN B. STOGDEN, PATRICIA A. MOYE, ALLAN L. MC VEY, KIMBERLY J.

WILKINSON, JOINTLY OR SEVERALLY

and State of WV its true and lawfu: Attorneyts)-in-Fact, with full power and authority hereby conferred in its name. of CHARLESTON place and stead, to execute, acknowledge and deliver any and all bonds, recognizances, undertakings, or other instruments or contracts of 

LIMITATION: THIS POWER OF ATTORNEY CANNOT BE USED TO EXECUTE NOTE GUARANTEE, MORTGAGE DEFICIENCY, MORTGAGE GUARANTEE, OR BANK DEPOSITORY BONDS.

and to bind any of the Companies thereby as fully and to the same extent as if such bonds were signed by the President, sealed with the corporate seal of the applicable Company and duly attested by its Secretary, hereby ratifying and confirming all that the said Attorney(s)-in-Fact may do in the premises. Said appointment is made under and by authority of the following resolution adopted by the Board of Directors of each of the WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY:

"Be It Resolved, that the President, any Senior Executive, any Secretary or any Fidelity & Surety Operations Executive or other Executive shall be and is hereby vested with full power and authority to appoint any one or more suitable persons as Attorney(s)-in-Fact to represent and act for

and on behalf of the Company subject to the following provisions:

The Attorney-in-Fact, 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, contracts, agreements of indemnity and other conditional or obligatory undertakings and any and all notices and documents canceling or terminating the Company's liability thereunder, and any such instruments so executed by any such Attorney-in-Fact shall be as binding upon the Company as if signed by the President and sealed and attested by the Corporate Secretary."

"Be it Further Resolved, that the signature of any such designated person and the seal of the Company heretofore or hereafter affixed to any power of attorney or any certificate relating thereto by facsimile, and any power of attorney or certificate bearing facsimile signatures or facsimile seal shalf be valid and binding upon the Company with respect to any bond or undertaking to which it is attached." (Each adopted at a meeting

held on February 8, 2000).

In Witness Whereof, WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY have caused these presents to be signed by their Senior Executive and their corporate seals to be hereto affixed this 25th day of JUNE A.D. 2008

Corporate Seals Affixed State of Ohio

County of Medina

WESTFIELD INSURANCE COMPANY WESTFIELD NATIONAL INSURANCE COMPANY OHIO FARMERS INSURANCE COMPANY

By: Richard L. Kinnaird, Jr., Senior Executive

On this 25th day of JUNE A.D., 2008, before me personally came Richard L. Kinnaird, Jr. to me known, who, being by me duly sworn, did depose and say, that he resides in Medina, Ohio; that he is Senior Executive of WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY, the companies described in and which executed the above instrument; that he knows the seals of said Companies; that the seals affixed to said instrument are such corporate seals; that they were so affixed by order of the Boards of Directors of said Companies: and that he signed his name thereto by like order.

Notarial Seal Affixed

State of Ohio County of Medina

SS.

William J. Kahelin, Attorney at Law, Notary Public My Commission Does Not Expire (Sec. 147.03 Ohio Revised Code)

I. Frank A. Carrino, Secretary of WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS 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; and 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 seals of said Companies at Westfield Center, Ohio, this ZY**L day of

A.D., 2009.

