

VEXDOR

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

## Request for Quotation

DNR210148

PAGE 1

ADDRESS CORRESPONDENCE TO ATTENTION OF

FRANK WHITTAKER

\*709054919 304-653-422 ROSES EXCAVATING HC 64 BOX 424

HILLSBORO WV 24946

DIVISION OF NATURAL RESOURCES
SENECA STATE FOREST
ATTN: PARK SUPERINTENDENT
ROUTE 1, BOX 140
DUNMORE, WV
24934
304-799-6213

ADDRESS CHANGES TO BE NOTED ABOVE

DATE PRINTED TERMS OF SALE SHIP VIA F.O.B. FREIGHT TERMS 02/17/2010 BID OPENING DATE: 04/01/2010 BID **OPENING TIME** 01:30PM LINE QUANTITY UOP ITEM NUMBER UNIT PRICE AMOUNT NO 0001 LS 968-42 35, 386. 1 WASTE WATER TREATMENT PLANT RENOVATION THE WEST VIRGINIA PURCHASING DIVISION, FOR THE AGENCY, THE WEST VIRGINIA DIVISION OF NATURAL RESOURCES, IS SOLICITING BIDS FOR THE RENOVATION OF THE WASTEWATER TREATMENT SYSTEM AT SENECA STATE PARK. MANDATORY PRE-BID A MANDATORY PRE-BID WILL BE HELD ON 03/11/10 AT 1:00 PM AT SENECA STATE FOREST HEADQUARTERS. ALL INTERESTED PARTIES ARE REQUIRED TO ATTEND THIS MEETING. FAILURE TO ATTEND THE MANDATORY PRE-BID SHALL RESULT I DISQUALIFICATION OF THE BID. NO ONE PERSON MAY REPRESENT MORE THAN ONE BIDDER. AN ATTENDANCE SHEET WILL BE MADE AVAILABLE FOR ALL POTENTIAL BIDDERS TO COMPLETE. THIS WILL SERVE AS THE VERIFYING ATTENDANCE AT THE MANDATOR OFFICIAL DOCUMENT FAILURE TO PROVIDE YOUR COMPANY AND REPRESENTATIVE NAME ON THE ATTENDANCE SHEET WILL RESULT IN DISQUALIFICATION OF THE BID. THE STATE WILL NOT ACCEPT ANY OTHER DOCUMENTATION TO VERIFY ATTENDANCE. THE BIDDER IS RESPONSIBLE FOR ENSURING THEY HAVE COMPLETED THE INFORMATION REQUIRED ON THE ATTENDANCE SHEET. THE PURCHASING DIVISION AND THE STATE AGENCY WILL NOT ASSUME ANY RESPONSIBILITY FOR A BIDDER-S FAILURE TO COMPLETE THE PRE-BID ATTENDANCE SHEET. ADDITION, WE REQUEST THAT ALL POTENTIAL BIDDERS INCLUD 2010 MAR 30 PM 2:40 ADDRESS AND FAX NUMBER. THEIR E-MAIL WV PPP HANG ווטוטועט SEE REVERSE SIDE FOR TERMS AND CONDITIONS TELEPHON -25-10

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

- 1. Awards will be made in the best interest of the State of West Virginia.
- 2. The State may accept or reject in part, or in whole, any bid.
- 3. Prior to any award, the apparent successful vendor must be properly registered with the Purchasing Division and have paid the required \$125 fee.
- 4. All services performed or goods delivered under State Purchase Order/Contracts are to be continued for the term of the Purchase Order/Contracts, contingent upon funds being appropriated by the Legislature or otherwise being made available. In the event funds are not appropriated or otherwise available for these services or goods this Purchase Order/Contract becomes void and of no effect after June 30.
- 5. Payment may only be made after the delivery and acceptance of goods or services.
- 6. Interest may be paid for late payment in accordance with the West Virginia Code.
- 7. Vendor preference will be granted upon written request in accordance with the West Virginia Code.
- 8. The State of West Virginia is exempt from federal and state taxes and will not pay or reimburse such taxes.
- 9. The Director of Purchasing may cancel any Purchase Order/Contract upon 30 days written notice to the seller.
- 10. The laws of the State of West Virginia and the Legislative Rules of the Purchasing Division shall govern the purchasing process.
- 11. Any reference to automatic renewal is hereby deleted. The Contract may be renewed only upon mutual written agreement of the parties.
- 12. BANKRUPTCY: In the event the vendor/contractor files for bankruptcy protection, the State may deem this contract null and void, and terminate such contract without further order.
- 13. HIPAA BUSINESS ASSOCIATE ADDENDUM: The West Virginia State Government HIPAA Business Associate Addendum (BAA), approved by the Attorney General, is available online at www.state.wv.us/admin/purchase/vrc/hipaa.htm and is hereby made part of the agreement. Provided that the Agency meets the definition of a Cover Entity (45 CFR §160.103) and will be disclosing Protected Health Information (45 CFR §160.103) to the vendor.
- 14. 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.
- 15. 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, and the West Virginia Insurance Commission. 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.
- 16. 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.

l 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 material, 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.

#### **INSTRUCTIONS TO BIDDERS**

- 1. Use the quotation forms provided by the Purchasing Division. Complete all sections of the quotation form.
- 2. Items offered must be in compliance with the specifications. Any deviation from the specifications must be clearly indicated by the bidder. Alternates offered by the bidder as **EQUAL** to the specifications must be clearly defined. A bidder offering an alternate should attach complete specifications and literature to the bid. The Purchasing Division may waive minor deviations to specifications.
- 3. Unit prices shall prevail in case of discrepancy. All quotations are considered F.O.B. destination unless alternate shipping terms are clearly identified in the quotation.
- 4. All quotations must be delivered by the bidder to the office listed below prior to the date and time of the bid opening. Failure of the bidder to deliver the quotations on time will result in bid disqualifications: Department of Administration, Purchasing Division, 2019 Washington Street East, P.O. Box 50130, Charleston, WV 25305-0130
- 5. Communication during the solicitation, bid, evaluation or award periods, except through the Purchasing Division, is strictly prohibited (W.Va. C.S.R. §148-1-6.6).



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FRANK WHITTAKER 304-558-2316

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DIVISION OF NATURAL RESOURCES SENECA STATE FOREST ATTN: PARK SUPERINTENDENT ROUTE 1, BOX 140

DUNMORE, WV

24934

304-799-6213

ADDRESS CHANGES TO BE NOTED ABOVE

\*709054919 304-653-4<del>221</del>
ROSES EXCAVATING
HC 64 BOX 424
HILLSBORO WV 24946

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FRANK WHITTAKER

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DIVISION OF NATURAL RESOURCES SENECA STATE FOREST ATTN: PARK SUPERINTENDENT þ ROUTE 1, BOX 140 DUNMORE, WV 24934 304-799-6213

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FREIGHT TERMS DATE PRINTED TERMS OF SALE SHIP VIA FOB. 02/17/2010 BID OPENING DATE BID OPENING TIME 04/01/2010 01:30PM LINE QUANTITY UOP ITEM NUMBER UNIT PRICE AMOUNT 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. 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) 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. WORKERS' COMPENSATION: VENDOR IS REQUIRED TO PROVIDE A CERTIFICATE FROM WORKERS' COMPENSATION IF SUCCESSFUL. ALL OF THE ITEMS CHECKED BELOW WILL BE A REQUIREMENT OF THIS CONTRACT: (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. ) BUILDERS RISK INSURANCE: SUCCESSFUL VENDOR SHALL FURNISH PROOF OF BUILDERS RISK - ALL RISK INSURANCE IN AN AMOUNT EQUAL TO 100% OF THE AMOUNT OF THE CONTRACT. (XX) BONDS: FIVE PERCENT (5%) OF THE TOTAL AMOUNT OF SEE REVERSE SIDE FOR TERMS AND CONDITIONS: TELEPHONE SIGNATURE 03-25-10



304-653-4<del>221</del>

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BID OPENING DATE: 04/01/2010 BID OPENING TIME 01:30PM  LINE QUANTITY UOP CAT. NO TEMNUMBER UNIT PRICE AMOUNT  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 CHECKS ARE NOT ACCECPTABLE IN LIEU OF THE 5% BID BOND, PERFORMANCE	T
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BOND, OR LABOR AND MATERIAL BOND.	
( ) MAINTENANCE BOND: A TWO (2) YEAR MAINTENANCE BOND COVERING THE ROOFING SYSTEM WILL BE A REQUIREMENT OF THE SUCCESSFUL VENDOR.	
REV. 11/00 EXHIBIT 7	İ
DOMESTIC ALUMINUM, GLASS & STEEL IN PUBLIC WORKS PROJECTS	
IN ACCORDANCE WITH WEST VIRGINIA CODE 5-19-1 ET., SEQ., EVERY CONTRACT FOR CONSTRUCTION, RECONSTRUCTION, ALTERATION, REPAIR, IMPROVEMENT OR MAINTENANCE OF PUBLIC WORKS, WHERE THE COST IS MORE THAN \$50,000 AND, IN THE CASE OF STEEL ONLY, WHERE THE COST OF STEEL IS	nya
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	
SEE REVERSE SIDE FOR TERMS AND CONDITIONS	
TELEPHONE 304-653-4357 DATE 09-25-10	
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Request for Quotation

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DNR210148

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FRANK WHITTAKER 304-558-2316

357 304-653-4<del>221</del>

\*709054919 ROSES EXCAVATING HC 64 BOX 424

HILLSBORO WV 24946

DIVISION OF NATURAL RESOURCES
SENECA STATE FOREST
ATTN: PARK SUPERINTENDENT
ROUTE 1, BOX 140
DUNMORE, WV
24934
304-799-6213

ADDRESS CHANGES TO BE NOTED ABOVE

DATE PRINTED. TERMS OF SALE SHIP VIA F.O.B. FREIGHTTERMS 02/17/2010 BID OPENING DATE: 04/01/2010 BID OPENING TIME 01:30PM CAT. LINE QUANTITY UOP ITEM NUMBER UNITPRICE AMOUNT THE PRODUCT IS LESS THAN \$50,000 OR LESS THAN 10,000 POUNDS OF STEEL ARE USED IN PUBLIC WORKS PROJECTS. FOREIGN MADE ALUMINUM, GLASS OR STEEL PRODUCTS MAY BE ACCEPTED ONLY IF THE COST OF DAMESTIC PRODUCTS IS FOUND TO BE UNREASONABLE. SUCH COST IS UNREASONABLE IF IT I 20% OR MORE HIGHER THAN THE BID PRICE FOR FOREIGN MADE IF THE DOMESTIC ALUMINUM, GLASS OR STEEL PRODUCTS TO BE SUPPLIED OR PRODUCED IN A "SUBSTANTIAL LABOR SURPLUS AREA", AS DEFINED BY THE UNITED STATES DEPARTMENT OF LABOR, FOREIGN PRODUCTS MAY BE SUPPLIED ONLY IF DOMESTIC PRODUCTS ARE 30% OR MORE HIGHER IN PRICE THAN THE FOREIGN MADE PRODUCTS. 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. REV. 3/88 EXHIBIT 9 NOTICE FOR ISSUANCE & ACKNOWLEDGEMENT OF CONSTRUCTION PROJECT ADDENDA THE ARCHITECT/ENGINEER AND/OR AGENCY SHALL BE REQUIRED TO ABIDE BY THE FOLLOWING SCHEDULE IN ISSUING CONSTRUCTION PROJECT ADDENDA FOR STATE AGENCIES: SEE BEVERSE SIDE FOR TERMS AND CONDITIONS



Request for Quotation

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RFQ NUMBER

ADDRESS CORRESPONDENCE TO ATTENTION OF

FRANK WHITTAKER 304-558-2316

**\*709054919** 304-653-4221 ROSES EXCAVATING HC 64 BOX 424

HILLSBORO WV 24946 DIVISION OF NATURAL RESOURCES SENECA STATE FOREST PARK SUPERINTENDENT

P ROUTE 1, BOX 140

DUNMORE, WV

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304-799-6213

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**\*709054919** 

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# Request for Quotation

SH-p

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DNR210148

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ADDRESS CORRESPONDENCE TO ATTENTION OF

FRANK WHITTAKER 304-558-2316

**\*709054919** 304-653-4221 ROSES EXCAVATING HC 64 BOX 424

HILLSBORO WV 24946

DIVISION OF NATURAL RESOURCES SENECA STATE FOREST ATTN: PARK SUPERINTENDENT ROUTE 1, BOX 140 DUNMORE, WV

ADDRESS CHANGES TO BE NOTED ABOVE

24934 304-799-6213

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# SENECA STATE PARK WASTEWATER TREATMENT RENOVATION DIVISION OF NATURAL RESOURCES

#### **INVITATION TO BID-1**

The Division of Natural Resources, Parks and Recreation, requests bids for the renovation of the waste water treatment system for Seneca State Park.

Sealed bids will be received until 1:30 p.m. on 04/01/2010 the WV State Purchasing Division, 2019 Washington Street, East, Capitol Complex, Charleston, WV.

A mandatory Pre-Bid Conference will be held on 03/11/2010 at the Park Headquarters.

No bids will be considered from other than those present at the Pre-Bid Conference.

The bidding documents consist of the Request for Quotations, plans and specifications.

Request for quotations may be obtained by contacting:

Frank Whittaker, Senior Buyer
Finance and Administration, Purchasing Division
2019 Washington Street, East
Charleston, WV 25305
Telephone: 304-558-2316 Ext. 218

Plans and specifications may be acquired for no charge by contacting:

Sherri Goff Planning, Engineering and Maintenance 324 4<sup>th</sup> Avenue South Charleston, WV 25303 Telephone: 304-558-9125 Ext. 51820

The bidder understands that to the extent allowed by the West Virginia Code, the Owner reserves the right to waive any informality or irregularity in any Bid, or Bids, and to reject any or all Bids in whole or in part; to reject a bid not accompanied by the required bid security or by other data required by the Bidding Documents; to reject any condition of the bid by the Bidder that is in any way inconsistent with the requirements, terms and conditions of the Bidding Documents; or to reject a bid that is in any way incomplete or irregular.

The Bidder, if successful and awarded the contract, agrees that all work is to be complete within **120** consecutive calendar days following receipt of the Owner's written Notice to Proceed. For each calendar day of delay in achieving completion, the Contractor shall be liable for, and shall pay the Owner liquidated damages in the amount of \$100 per day.

Any work performed or any materials contracted for prior to the receipt of the Owner's written Notice to Proceed, shall be at the Bidder's risk.

PROGRESS PAYMENTS - The CONTRACTOR will make current estimates in writing once each month on AIA Forms G702 and G703 on or before the date set by the OWNER at the time of starting the WORK. The progress payments shall be a true



HODE

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

## Request for Quotation

DNR210148

ADDRESS CORRESPONDENCE TO ATTENTION OF

FRANK WHITTAKER

304-558-2316

304-653-4<del>221</del> **\*709054919** ROSES EXCAVATING HC 64 BOX 424 24946 HILLSBORO WV

DIVISION OF NATURAL RESOURCES SENECA STATE FOREST ATTN: PARK SUPERINTENDENT ROUTE 1, BOX 140 DUNMORE, WV 304-799-6213 24934

ADDRESS CHANGES TO BE NOTED ABOVE

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

- 1. Awards will be made in the best interest of the State of West Virginia.
- 2. The State may accept or reject in part, or in whole, any bid.

3. Prior to any award, the apparent successful vendor must be properly registered with the Purchasing Divisic and have paid the required \$125 fee.

- 4. All services performed or goods delivered under State Purchase Order/Contracts are to be continued for the term of the Purchase Order/Contracts, contingent upon funds being appropriated by the Legislature or otherwise being made available. In the event funds are not appropriated or otherwise available for these services or good this Purchase Order/Contract becomes void and of no effect after June 30.
- 5. Payment may only be made after the delivery and acceptance of goods or services.
- 6. Interest may be paid for late payment in accordance with the West Virginia Code.
- 7. Vendor preference will be granted upon written request in accordance with the West Virginia Code.
- 8. The State of West Virginia is exempt from federal and state taxes and will not pay or reimburse such taxes.
- 9. The Director of Purchasing may cancel any Purchase Order/Contract upon 30 days written notice to the seller.
- 10. The laws of the State of West Virginia and the Legislative Rules of the Purchasing Division shall govern the purchasing process.
- 11. Any reference to automatic renewal is hereby deleted. The Contract may be renewed only upon mutual writte agreement of the parties.
- 12. BANKRUPTCY: In the event the vendor/contractor files for bankruptcy protection, the State may deer this contract null and void, and terminate such contract without further order.
- 13. HIPAA BUSINESS ASSOCIATE ADDENDUM: The West Virginia State Government HIPAA Business Associa Addendum (BAA), approved by the Attorney General, is available online at www.state.wv.us/admin/purchase/vrc/hipaa.ht and is hereby made part of the agreement. Provided that the Agency meets the definition of a Cover Entit (45 CFR §160.103) and will be disclosing Protected Health Information (45 CFR §160.103) to the vendor.
- 14. CONFIDENTIALITY: The vendor agrees that he or she will not disclose to anyone, directly or indirectly, any sucpersonally identifiable information or other confidential information gained from the agency, unless the individual who the subject of the information consents to the disclosure in writing or the disclosure is made pursuant to the agency policies, procedures, and rules. Vendor further agrees to comply with the Confidentiality Policies and Informatic Security Accountability Requirements, set forth in http://www.state.wv.us/admin/purchase/privacy/noticeConfidentiality.pc
- 15. LICENSING: Vendors must be licensed and in good standing in accordance with any and all state and local laws ar requirements by any state or local agency of West Virginia, including, but not limited to, the West Virginia Secreta of State's Office, the West Virginia Tax Department, and the West Virginia Insurance Commission. The vendor must provide all necessary releases to obtain information to enable the director or spending unit verify that the vendor is licensed and in good standing with the above entities.
- 16. ANTITRUST: In submitting a bid to any agency for the State of West Virginia, the bidder offers and agrees the if the bid is accepted the bidder will convey, sell, assign or transfer to the State of West Virginia all rights, title and intere in and to all causes of action it may now or hereafter acquire under the antitrust laws of the United States and the State West Virginia for price fixing and/or unreasonable restraints of trade relating to the particular commodities or service 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.

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

#### **INSTRUCTIONS TO BIDDERS**

- 1. Use the quotation forms provided by the Purchasing Division. Complete all sections of the quotation form.
- 2. Items offered must be in compliance with the specifications. Any deviation from the specifications must be clearly indicated by the bidder. Alternates offered by the bidder as EQUAL to the specifications must be clearly defined. A bidder offering an alternate should attach complete specifications and literature to the bid. The Purchasing Division may waive minor deviations to specifications.
- 3. Unit prices shall prevail in case of discrepancy. All quotations are considered F.O.B. destination unless alternate shipping terms are clearly identified in the quotation.
- 4. All quotations must be delivered by the bidder to the office listed below prior to the date and time of the bic opening. Failure of the bidder to deliver the quotations on time will result in bid disqualifications: Department of Administration, Purchasing Division, 2019 Washington Street East, P.O. Box 50130, Charleston, WV 25305-0130
- 5. Communication during the solicitation, bid, evaluation or award periods, except through the Purchasing Division is strictly prohibited (W.Va. C.S.R. §148-1-6.6).



V E N D O R

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

PAGE

DNR210148

ADDRESS CORRESPONDENCE TO ATTENTION OF:

FRANK WHITTAKER 304-558-2316

\*709054919 304-653-4<del>221</del> ROSES EXCAVATING HC 64 BOX 424

HILLSBORO WV 24946 DIVISION OF NATURAL RESOURCES SENECA STATE FOREST ATTN: PARK SUPERINTENDENT ROUTE 1, BOX 140 DUNMORE, WV 24934 304-799-6213

DATE PRINTED TERMS OF SALE SHIP VIA FOB. FREIGHT TERMS 02/17/2010 BID OPENING DATE: 04/01/2010 BID OPENING TIME 01:30PM CAT LINE QUANTITY UOP UNIT PRICE ITEM NUMBER AMOUNT ALL POTENTIAL BIDDERS ARE REQUESTED TO ARRIVE PRIOR TO THE STARTING TIME FOR THE PRE-BID. BIDDERS WHO ARRIVE LATE, BUT PRIOR TO THE DISMISSAL OF THE TECHNICAL PORTION OF THE PRE-BID WILL BE PERMITTED TO SIGN IN. BIDDERS WHO ARRIVE AFTER CONCLUSION OF THE TECHNICAL PORTION OF THE PRE-BID, BUT DURING ANY SUBSEQUENT PART OF THE PRE-BID WILL NOT BE PERMITTED TO SIGN THE ATTENDANCE SHEET. ALL TECHNICAL QUESTIONS MUST BE SUBMITTED IN WRITING TO FRANK WHITTAKER IN THE PURCHASING DIVISION VIA EMAIL AT FRANK.M.WHITTAKERDWV.GOV OR VIA FAX AT 304-558-4115. DEADLINE FOR TECHNICAL QUESTIONS IS 03/16/2010. ALL TECHNICAL QUESTIONS WILL BE ADDRESSED BY ADDENDUM AFTER THE DEADLINE. EXHIBIT 5 WEST VIRGINIA CODE 21-1D-5 PROVIDES THAT: ANY SOLICITA-TION 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 ARTI-CLE 1D, CHAPTER 21 OF THE WEST VIRGINIA CODE. FAILURE TO SUBMIT THE SIGNED DRUG-FREE WORKPLACE AFFIDAVIT WITH THE BID SHALL RESULT IN DISQUALIFICATION OF SUCH BID. NOTICE TO PROCEED: THIS CONTRACT IS TO BE PERFORMED WITHIN 120 CALENDAR DAYS AFTER THE NOTICE TO PROCEED IS RECEIVED. UNLESS OTHERWISE SPECIFIED, THE FULLY EXECUTED PURCHASE ORDER WILL BE CONSIDERED NOTICE TO PROCEED.

ADDRESS CHANGES TO BE NOTED ABOVE

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

TELEPHONE



## Request for Quotation

DNR210148

PAGE 3

ADDRESS CORRESPONDENCE TO ATTENTION OF

FRANK WHITTAKER 304-558-2316

\*709054919 304-653-4<del>221</del> ROSES EXCAVATING HC 64 BOX 424

HILLSBORO WV 24946

DIVISION OF NATURAL RESOURCES
SENECA STATE FOREST
ATTN: PARK SUPERINTENDENT
ROUTE 1, BOX 140
DUNMORE, WV
24934
304-799-6213

ADDRESS CHANGES TO BE NOTED ABOVE

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**\*709054919** 

HC 64 BOX 424

HILLSBORO WV

ROSES EXCAVATING

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

24946

Request for Quotation

357

304-653-4<del>221</del>

RFQ NUMBER

DNR210148

ADDRESS CORRESPONDENCE TO ATTENTION OF

FRANK WHITTAKER

304-558-2316

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DIVISION OF NATURAL RESOURCES SENECA STATE FOREST ATTN: PARK SUPERINTENDENT ROUTE 1, BOX 140 DUNMORE, WV 24934

304-799-6213

F.O.B. FREIGHTTERMS TERMS OF SALE SHIP VIA DATE PRINTED 02/17/2010 BID OPENING DATE: 01:30PM BID OPENING TIME 04/01/2010 CAT AMOUNT QUANTITY UOP ITEM NUMBER UNIT PRICE LINE 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 A LETTER OF CREDIT SUBMITTED STATE OF WEST VIRGINIA. IN LIEU OF A BOND WILL ONLY BE ALLOWED FOR PROJECTS PERSONAL OR BUSINESS CHECKS ARE NOT UNDER \$100,000. ACCECPTABLE IN LIEU OF THE 5% BID BOND, PERFORMANCE BOND, OR LABOR AND MATERIAL BOND. ) MAINTENANCE BOND: A TWO (2) YEAR MAINTENANCE BOND COVERING THE ROOFING SYSTEM WILL BE A REQUIREMENT OF THE SUCCESSFUL VENDOR. REV. 11/00 EXHIBIT 7 DOMESTIC ALUMINUM, GLASS & STEEL IN PUBLIC WORKS PROJECTS IN ACCORDANCE WITH WEST VIRGINIA CODE 5-19-1 ET., SEQ., EVERY CONTRACT FOR CONSTRUCTION, RECONSTRUCTION, ALTERATION, REPAIR, IMPROVEMENT OR MAINTENANCE OF PUBLIC WORKS, WHERE THE COST IS MORE THAN \$50,000 AND, IN THE CASE OF STEEL ONLY, WHERE THE COST OF STEEL IS MORE THAN \$50,000 OR WHERE MORE THAN 10,000 POUNDS OF 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

FEIN 55-067/6*79*  TELEPHONE

ADDRESS CHANGES TO BE NOTED ABOVE

DATE

WHFN RESPONDING TO REQ. INSERT NAME AND ADDRESS IN SPACE ABOVE LABELED 'VENDOR'

SEE REVERSE SIDE FOR TERMS AND CONDITIONS



Request for Quotation

RFQ NUMBER DNR210148

ADDRESS CORRESPONDENCE TO ATTENTION OF

ADDRESS CHANGES TO BE NOTED ABOVE

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\*709054919 304-653-4221 ROSES EXCAVATING HC 64 BOX 424

HILLSBORO WV 24946

DIVISION OF NATURAL RESOURCES SENECA STATE FOREST PARK SUPERINTENDENT ATTN: ROUTE 1, BOX 140 T O DUNMORE, WV 24934 304-799-6213

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HILLSBORO WV

ROSES EXCAVATING HC 64 BOX 424

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

24946

Request for **B** Quotation

357

304-653-4221

DNR210148

ADDRESS CORRESPONDENCE TO ATTENTION OF:

FRANK WHITTAKER

RFQ:NUMBER

304-558-2316

DIVISION OF NATURAL RESOURCES SENECA STATE FOREST ATTN: PARK SUPERINTENDENT ROUTE 1, BOX 140 DUNMORE, WV

24934 304-799-6213

TERMS OF SALE SHIP VIA FREIGHT TEAMS DATE PRINTED FOB. 02/17/2010 BID OPENING DATE: 04/01/2010 BID OPENING TIME 01:30PM CAT. LINE QUANTITY UOP ITEM NUMBER UNIT PRICE AMOUNT 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. 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. ALL ADDENDA SHOULD BE FORMALLY ACKNOWLEDGED BY ALL SUBMITTED STATE PURCHASING BIDDERS AND TO THE DIVISION. SAME RULES AND REGULATIONS THE 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. REV. 11/96 EXHIBIT 10 ADDENDUM ACKNOWLEDGEMENT I HEREBY ACKNOWLEDGE RECEIPT OF THE FOLLOWING CHECKED ADDENDUM(S) AND HAVE MADE THE NECESSARY REVISIONS TO MY PROPOSAL, PLANS AND/OR SPECIFICATION, ETC. ADDENDUM NOS.:

SEE REVERSE SIDE FOR TERMS AND CONDITIONS.

03-25-10 ADDRESS CHANGES TO BE NOTED ABOVE

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



MODZEA

**\*709054919** 

ROSES EXCAVATING

HC 64 BOX 424

HILLSBORO WV

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

24946

304-653-4221

Request for REQNUMBER Quotation

DNR210148

ADDRESS CORRESPONDENCE TO ATTENTION OF

FRANK WHITTAKER 304-558-2316

24934

DUNMORE, WV

DIVISION OF NATURAL RESOURCES SENECA STATE FOREST ATTN: PARK SUPERINTENDENT ROUTE 1, BOX 140

304-799-6213

ADDRESS CHANGES TO BE NOTED ABOVE

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Request for Quotation

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DNR210148

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ADDRESS CORRESPONDENCE TO ATTENTION OF

FRANK WHITTAKER 304-558-2316

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\*709054919 304-653-422 ROSES EXCAVATING HC 64 BOX 424

HILLSBORO WV 24946

DIVISION OF NATURAL RESOURCES
SENECA STATE FOREST
ATTN: PARK SUPERINTENDENT
ROUTE 1, BOX 140
DUNMORE, WV
24934
304-799-6213

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



VENDOR

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

Request for Quotation

DNR210148

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FRANK WHITTAKER
304-558-2316

RFQ NUMBER

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HILLSBORO WV 24946

DIVISION OF NATURAL RESOURCES SENECA STATE FOREST ATTN: PARK SUPERINTENDENT ROUTE 1, BOX 140

DUNMORE, WV

24934 304-799-6213

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# SENECA STATE PARK WASTEWATER TREATMENT RENOVATION DIVISION OF NATURAL RESOURCES

**INVITATION TO BID-1** 

The Division of Natural Resources, Parks and Recreation, requests bids for the renovation of the waste water treatment system for Seneca State Park.

Sealed bids will be received until 1:30 p.m. on <u>04/01/2010</u> at the WV State Purchasing Division, 2019 Washington Street, East, Capitol Complex, Charleston, WV.

A mandatory Pre-Bid Conference will be held on 03/11/2010 at the Park Headquarters.

No bids will be considered from other than those present at the Pre-Bid Conference.

The bidding documents consist of the Request for Quotations, plans and specifications.

Request for quotations may be obtained by contacting:

Frank Whittaker, Senior Buyer
Finance and Administration, Purchasing Division
2019 Washington Street, East
Charleston, WV 25305
Telephone: 304-558-2316 Ext. 218

Plans and specifications may be acquired for no charge by contacting:

Sherri Goff
Planning, Engineering and Maintenance
324 4th Avenue
South Charleston, WV 25303
Telephone: 304-558-9125 Ext. 51820

The bidder understands that to the extent allowed by the West Virginia Code, the Owner reserves the right to waive any informality or irregularity in any Bid, or Bids, and to reject any or all Bids in whole or in part; to reject a bid not accompanied by the required bid security or by other data required by the Bidding Documents; to reject any condition of the bid by the Bidder that is in any way inconsistent with the requirements, terms and conditions of the Bidding Documents; or to reject a bid that is in any way incomplete or irregular.

The Bidder, if successful and awarded the contract, agrees that all work is to be complete within 120 consecutive calendar days following receipt of the Owner's written Notice to Proceed. For each calendar day of delay in achieving completion, the Contractor shall be liable for, and shall pay the Owner liquidated damages in the amount of \$100 per day.

Any work performed or any materials contracted for prior to the receipt of the Owner's written Notice to Proceed, shall be at the Bidder's risk.

PROGRESS PAYMENTS - The CONTRACTOR will make current estimates in writing once each month on AIA Forms G702 and G703 on or before the date set by the OWNER at the time of starting the WORK. The progress payments shall be a true

RE: RFQ. NO. DNR210148

MARCH 31, 2010

TO WHOM IT MAY CONCER:

OUR ORIGINAL BID WAS SUBMITTED BEFORE THE ADDENDUM WAS RECEIVED.

I AM SENDING A COPY OF THE ORIGINAL BID, ALONG WITH THE ADDENDUM CERTIFICATION.

DONALD E. ROSE, OWNER

**ROSE'S EXCAVATING** 

HC 64, BOX 424

HILLSBORO, WV 24946

304-653-4357



RFQ COPY

TYPE NAME/ADDRESS HERE

Donald E. Rose d/b/a

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

## Request for MEGNUMBER Quotation

DNR210148

ADDRESS:CORRESPONDENCE:TO:ATTENTION OF BRANK WHITTAKER

DIVISION OF NATURAL RESOURCES SENECA STATE FOREST ATTN: PARK SUPERINTENDENT

304-558-2316

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#### Addendum No. 1

1. What are the elevation references of the lines to and from the junction box, especially from the junction box to the new 1000 gallon septic tank?

To be determined by the contractor during the time of installation. All gravity sewer lines are to be installed with a slope to provide a minimum of 2 ft/s flow.

2. What are the soil compaction testing requirements for the septic tanks?

Soil compaction testing shall not be required. Any settlement around any underground installations which may develop within the one year contract will be required to be filled in by the contractor.

3. Can the extra soil from the septic tank pits be disposed of on the park property?

Only if it and can be contoured with the ground in the project areas as approved by the Owner.

 Please clarify the statement that the 1500 gallon concrete septic tank shall be water tight and made from materials that will not corrode as described in 1.2G.

The tank shall be corrosion resistant and be sealed as approvable by the Health Dept.

 Should the conditions specified for the 1500 gallon concrete septic tank described in 1.2G also apply to the 1000 gallon concrete septic tank described in 1.2E? ( materials that will not corrode)

Yes

6. 1.2M states that the contractor shall install a high water alarm placed in the superintendent's residence and also the park office. Does the electric supply to the superintendent's residence have to be installed underground?

The high water alarm shall be placed in the park office only.

7. Has the owner obtained any required approvals from the Board of Health for the sewer treatment modifications, including the 364 linear feet Elgin shallow leach field sewage treatment system described in 1.2R and shown on drawing 10101-2?

The contractor is required to obtain all approvals and permits. The system design has been in collaboration with the local Health Department.

8. Both concrete tanks shall have access manholes and be a minimum of 4'X4' square or 4'in diameter if circular.

- 9. The following will be the requirements for soil preparation and seeding:
  - A. The lawn should be graded properly so it is easy to mow, water doesn't collect into puddles. Slopes should be kept as gentle as possible. On fill there should be placed 4" to 6" of top soil. Where soil cannot be compacted over the leach field or the concrete tanks, enough soil should be placed so as to account for settling. All rocks and stones near the surface should be removed.
  - B. The area should be tilled to a depth of 4"to 6". Lime and fertilizer should be incorporated before the last tillage operation. The seed bed should be firm for seeding.
  - C. Lime should be added to correct the soil pH to between 6.0 and 6.5.
  - D. Fertilizer should be based on a soil test. If the contractor decides not to test, apply 100 to 150 lbs. of 10-20-10 prior to seeding.
  - E. Seed is to be sown using acceptable seeder. All equipment should be calibrated before use. Seed is to be divided in two lots. The second lot should be seeded at right angles to the first. All seedbeds should be firm before seeding and packed or rolled after seeding.
  - F. The seed species to be used is Red Fescue at 80 lbs/acre.
  - G. Mulch all areas for temporary erosion control. Mulch may be straw, hay, wood fiber or mulch netting. Apply straw or weed free hay at 2 Tons/acre. Apply wood fiber at 1,000 to 2,000 lbs/acre. Apply mulch netting according to manufacturer's recommendations
  - H. Anchor all mulch to insure it stays in place.

J ebad	Date: 3/11/1
SIGN IN SHEET	PLEASE PRINT
Senera State Forest Renovation 1100	Request for Proposal No. DNR 210148

2

\* PLEASE BE SURE TO PRINT LEGIBLY - IF POSSIBLE, LEAVE A BUSINESS CARD

2007 TELEPHONE & FAX PHONE 304 - 222 - 3246 TOLL FREE 7/54-304-553-5565 NUMBERS 304-64% 204-755-828D FAX 304-722 PHONE TOLL FREE PHONE TOIT FREE FAX 25360 wester 20452 MAILING ADDRESS 51550×4101645, WV となっているようと Po Bu 488 あるな Email Address: detriy of sone xoover, no. con DUNN EXCAURTING Email Address: \$ 500 15 @ Goster Supply, Can FIRM & REPRESENTATIVE NAME Je oo K アドじょう DERRECK SEMS Company: FOSTER SUPPLY Company: Moonside ととのすんばと Company: 5 MM Rep; Rep: Red

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AEP. Mike Shisler Marlinky, UU	35.	u( raee
Email Address: ablaconstructur, 11cm 11/100, Com		FAX 324-799. 4630

SIGN IN SHEET Request for Proposal No. DNR 210148 Seneca State Forest Wastewater Treitment Reprovation

Page 2 of 2

Cate:

PLEASE PRINT

TELEPHONE & FAX PHONE 314 653 4352 TOLL NUMBERS FAX 314 653-PHONE TOLL PHONE TOLL FREE PHONE TOLL FREE PHONE TOLL FREE FREE FREE FAX FAX ξ¥ FAX Hillsburg WV 24946 PLEASE BE SURE TO PRINT LEGIBLY - IF POSSIBLE, LEAVE A BUSINESS CARD MALING ADDRESS 11564 Buyzy FIRM & REPRESENTATIVE NAME Email Address: ULA DIER By Johre Cary Email Address: Email Address: Email Address: Email Address; Company: Company: Company Сотралу: Сопралу: Rep: Rep: Rep. (Rep: Hep:

# SENECA STATE PARK WASTEWATER TREATMENT RENOVATION

# DIVISION OF NATURAL RESOURCES

FORM OF PROPOSAL-3

# ADDENDUM ACKNOWLEDGEMENT

I hereby acknowledge receipt of the following checked addendum and have made the necessary revisions to my bid or proposal.

Addendum No.		T
1		Date
		3-30-10
I understand that fails of my bid or proposal.	are to confirm the receipt of the Adder	ndum is cause for rejection
Respectfully submitted	1:	
Date:		
	3-30-10	
WV Vendor		, , , , , , , , , , , , , , , , , , ,
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By: (signature in ink)		
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Title:		
	OWNER	
Firm Name:		
I mai reame.	Rose's Excavat	/ = (ne
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	Hillsborg, WV 2	4946
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BID BOND (Percentage)

<u>Bond Number: 70900614</u>
KNOW ALL PERSONS BY THESE PRESENTS, That we Donald B. Rose dbz Rose's Excavating
of
Hc 64, Box 421, Hillshoro, WV 24946, hereinafter
referred to as the Principal, and Western Surety Company
as Surety, are held and firmly bound unto State of West Virginia Department of Administration
of 2019 Washington Street E, P.O. Box 50130, Charleston, WV 25305-C130
hereinafter referred to as the Obligee, in the sum of (5%) percent of the greatest
amount bid, for the payment of which we bind ourselves, our legal representatives, successors and assigns, jointly and severally, firmly by these presents.
WHEREAS, Principal has submitted or is about to submit a proposal to Obligee on a contract for
Waste Water Freatment Plant Renovation at Seneca State Forest; RFQ No. DNR210148
NOW, THEREFORE, if the said contract be awarded to Principal and Principal shall, within such time as may be specified, enter into the contract in writing and give such bond or bonds as may be specified in the bidding or contract documents with surety acceptable to Obligee; or if Principal shall fail to do so, pay to Obligee the damages which Obligee may suffer by reason of such failure not exceeding the penalty of this bond, then this obligation shall be void; otherwise to remain in full force and effect.
SIGNED, SEALED AND DATED this 1st day of April 2016.  Donald E. Rose dba Rose's Excavating (Principal)  By Mall & Mary (Seal)
Western Surety Company (Surety)  By (Seal)
Edward Blaine Phil ps, II Attorney-in-Pact

CNA

3/29/2010 1:06:34 PM PAGE

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# BID BOND (Percentage)

·	Bond Number: 70900614
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Hc 64, Box 424, Hillsboro, WV 24946	, hereinafter
referred to as the Principal, and Western Surety Com	pany
as Surety, are held and firmly bound unto State of We of 2019 Washington Street E, F.O. Box 50130	
hereinafter referred to as the Obligee, in the sum of	Five ( 5 %) percent of the greatest
amount bid, for the payment of which we bind ourselve jointly and severally, firmly by these presents.	
WHEREAS, Principal has submitted or is about to submit	a proposal to Obligee on a contract for
Waste Water Treatment Plant Renovation at	Seneca State Forest; RFO No. DNR210148
NOW, THEREFORE, if the said contract be awarded to F specified, enter into the contract in writing and give such contract documents with surety acceptable to Obligee; damages which Obligee may suffer by reason of such is obligation shall be void; otherwise to remain in full force ar	n bond or bonds as may be specified in the bidding or or if Principal shall fail to do so, pay to Obliges the allure not exceeding the penalty of this bond, then this
SIGNED, SEALED AND DATED this 19t day of	Apri 2010
В	Donald E. Rose dba Rose's Excavating (Principal)  y
В	y Edward Blaine Phillips, II Attorney-in-Pact

# Western Surety Company

#### POWER OF ATTORNEY - CERTIFIED COPY

Row All Men By These Presents, that WESTERD SURETY COMPANY, a exponention about preprinted and editing under the lower of the State of Scuth Dakots, and having its principal effice in State Pale, South Dakots, the "Company"), does by these presents make, constitute and capyoint  Exter and lawful attenancy(s)-in-fact, with full power and authority bereby conferred, to execute, acknowledge and deliver for and on its behalf as Surety, boards for:  Principal: Denald E. Rose doa Rose's Excavating  Obliges: State of West Virginie Department of Administration  Armount: \$500,000.00  and to kind the Company thereby as fully and to the same extent as if such bonds were signed by the Senior Vice President, seeled with the components seal of the Company and duly statestal by its Secretary, hereby relifying and confirming all that the said attorney(s)-in-fact, and in the same in the components are said the Company and duly statestal by its Secretary, hereby relifying and confirming all that the said attorney(s)-in-fact, and in the same in the components are said the Company and duly statestal by its Secretary, hereby relifying and confirming all that the said attorney(s)-in-fact, and in the same in the components are such as a substance of the company by the President, Secretary, and Assistant Secretary, Transverse, or say Vice Freedidant or by such other afforms as the Secret of Directors by the President, Secretary, and Assistant Secretary, Transverse, or say Vice Freedidant or by such other afforms as the Secret of Directors by the President, Secretary, and Assistant Secretary, and Assistant Secretary, and Assistant Secretary, and Assistant Secretary, and Assistant Secretary, and Assistant Secretary, and Assistant Secretary, and Assistant Secretary, and Assistant Secretary, and Assistant Secretary, and Assistant Secretary, and Assistant Secretary, and Assistant Secretary, and Assistant Secretary, and Assistant Secretary, and Assistant Secretary, and Assistant Secretary, and Assistant Secretary, and Assistant Secretary, a	Bond No /U3UUSI4
Principal: Denald E. Rose dos Rose's Excavating  Obliges: State of West Virginia Department of Administration  Amount: \$500,000.00  and to bind the Company thereby as folly and to the same extent as if such bonds were signed by the Senior Vice President, sealed with the composure seal of the Company and duly attested by its Secretary, hereby relighing and confirming all that the said attance(in-figure and extent as if such bonds were signed by the Senior Vice President, sealed with the composure seal of the Company and duly attested by its Secretary, hereby relighing and confirming all that the said attance(in-figure and extent and by authority of the following bylaw of Western Source)  Southout 7. All bands, politice, undertainings, Powers of Attentions or other obligations of the composure name of the Company by the President, Secretary, any Assistant Secretary, Treasurer, of any Vice President or by such other efficiency as the Heart of Director may authorize. The President, Secretary, any Assistant Secretary, any Assistant Secretary, and Assistant Sec	of the State of Scuth Dakota, and having its principal office in Sioux Falls, South Dakota (the "Company"), does by these presents make
Amount: \$500,000.00  Amount: \$	
Amount: \$500,000.00  and to bind the Company thereby as fully and to the same extent as if such bonds were signed by the Senior Vice President, seeled with the corporate seal of the Company and duly attested by its Secretary, hereby realifying and confirming all that the said attorney(e)-in-fact may do within the showe stated limitations. Said appointment is made under and by authority of the following bylaw of Western Surety Dumpany which yearshins in full force and effect.  "Socian 7. All bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation shall be occupted in the responses nome of the Company by the President, Sewetary, any Assistant Secretary, Preserver, or any Vice President or by such other corporate seal of Discreter may support Attorneys in Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not ancessary for the vellicity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the expension. The signature of any such officer and the corporate seal may be printed by facitarily in the name of the Company.  All authority hereby conferred shall arpice and terminate, without notice, unders used before midnight of July 1	Principal: Donald E. Rose dba Rose's Excavating
and to kind the Company thereby as fully and to the same extent as if such bonds were signed by the Senior Vice President, sealed with the components seal of the Company and duly statested by its Secretary, hereby relifying and confirming all that the said atterney(s)-in-fact, may do within the above stated limitations. Said appointment is made under and by antikerity of the following bylaw of Western Sovety Jourge any which remains in full force and effect.  Soution 7. All bonds, policide, undertakings, Powers of Attentory or other obligations of the corperation shall be executed in the separate name of the Company by the President, Severkary, and Assistant Severatory, Treasurer, or any Vice President or by such other may appoint Attentory in Fact or against who shall have authority to fesse bonds, policide, or undertakings for the remains of the Company. The acceptance seal is not measured for the vehiclity of any bonds, policide, undertakings, Powers of Atterney or other obligations of the corporation. The algorithms of the armorphism of the corporation. The algorithms of the armorphism of the armorphism of the armorphism of the corporation. The algorithms shall be irrevocable and in full force and affect.  In Witness Whereof, Western Surety Company has caused these presents to be signed by its Senior Vice President, Paul T. Bruffat, 2010 , but until such time shall be irrevocable and in full force and affect.  In Witness Whereof, Western Surety Company has caused these presents to be signed by its Senior Vice President, Paul T. Bruffat, 2010    WESTER SURETY COMPANY and antinovhologed said instruments to be the voluntary and and deed of said corporation.  **WESTER SURETY COMPANY and antinovhologed said instruments to be the voluntary and and deed of said corporation.  **WESTER SURETY COMPANY and antinovhologed said instruments to be the voluntary and and deed of said corporation.  **WESTER SURETY COMPANY and antinovhologed said instruments to be the voluntary and and deed of said corporation.  **In the unde	Obligee: State of West Virginia Department of Administration
the composate seal of the Company and duly attested by its Secretary, hereby religing and confirming all that the said atterney(s)-in-dead may do within the showe stated fillential fillents and appointment is made under and by antihority of the following bylaw of Western Sweety Jomp any which remains in full force and effect.  "Soution 7. All bands, politics, undertakings, Powers of Attentory or other obligations of the corporation shall be executed in the experience more of the Company by the President, Sweetern, any despited and Directors may appoint attended of Directors may appoint attended of Directors may appoint attended of the corporates are all and measures y for the vehicity of any bonds, spolities, undertakings, Powers of Attended or the corporation. The signature of any such officer and the composition. The signature of any such officer and the composition. The signature of any such officer and the composition. The signature of any such officer and the composition. The signature of any such officer and the composition. The signature of any such officer and terminate, without notice, unless used before midmight of	Amount: \$500,000.00
in Witness Whereof, Western Surety Company has aused these presents to be signed by its Section, and who it is a sure of the company in Pact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The signature of any such officer and the corporate seal is not necessary for the velidity of any bonds, policies, or undertakings in the name of the Company. The signature of any such officer and the emporate seal may be printed by factively.  All authority hereby conferred shall expire and terminate, without notice, unless used before midmight of	he corporate seal of the Company and duly attested by its Secretary, herety ratifying and confirming all that the said attorney(s) in-fact may do within the above stated limitations. Said appointment is made under and by authority of the following bylaw of Western Surety
In Witness Whereof, Western Surety Company has caused these presents to be signed by its Secient Vice President, Paul T. Bruffat, and its company has part of the signed by its Secient Vice President, Paul T. Bruffat, and its company has been been presents to be signed by its Secient Vice President, Paul T. Bruffat, and its company has been been been been been been been bee	estporate name of the Company by the President, Secretary, any Assistant Secretary, Treasurer, or any Vice President or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys in Fact or agents who shell have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the velidity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the
WESTERN SURETY COMPANY  THE FOR SURETY COMPANY  Paul T. Erufat Sanior Vice President  THE FOR SURETY COMPANY  On this 10° day of Abril in the year 2010 before me, a mutary public, personally appeared and T. Bruffat, who being to me duly sworn, acknowledged that he signed the above Power of Attorney as the aforesaid officer of ASTERN SURETY COMPANY and acknowledged said instrument to be the voluntary act and deed of said corporation.  B. KRELL  DOTART PUBLICAN  My Commission Explices November 30, 2012  I the undersigned officer of Western Surety Company, a stock corporation of the State of South Deketa, do horeby cartify that the stacked Power of Attorney is in full force and effect and is irrevocable, and furthermore, that Section 7 of the bylaws of the Company as it forth in the Power of Attorney is now in force.  In testimony whereof, I have horsunte set my hand and seal of Western Surety Company this 1st day of April 2010.  WESTERN SURETY COMPANY	cold
talt. Buflet	WESTERN SURETY COMPANY  TREFF SCITTED ASTA  On this 10 day of Acril in the year 2010 before ms, a notary public, personally superared and T. Bruflat, who being to me duly sworn, acknowledged that he signed the above Power of Attorney as the aforesaid officer of ESTERN SURETY COMPANY and acknowledged said instrument to be the voluntary act and deed of said corporation.  B. KRELL  AND THE PUBLIC SOUTH DAKOTA  Notary Public - South Daketa  The undersigned officer of Western Surety Company, a stock corporation of the State of South Daketa, do hereby cartify that the stacked Power of Attorney is in full force and effect and is irrevocable, and flutthermore, that Section 7 of the bylaws of the Company as at forth in the Power of Attorney is now in force.  In testimony whereof, I have hereunto set my hand and seal of Western Surety Company this 1st day of April 2010.
	Paul T. Bruflatt Senior Vice President

CNA

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70900614

# Western Surety Company

### POWER OF ATTORNEY - CERTIFIED COPY

	B0B0 140.
Rnow All of the State of constitute and	Men By These Presents, that WESTERN SURETY COMPANY, a corporation duly organized and existing under the laws Scuth Dakota, and having its principal office in Sioux Falls, South Dakota (the "Company"), does by these presents make, appoint Edward Blaine Phillips. II
its true and lat behalf as Suret	wful attorney(s)-in-fact, with full power and authority hereby conferred, to execute, acknowledge and deliver for and on its y, bonds for:
Principal:	Donald E. Rose dba Rose's Excavating
Ob <u>lig</u> ee:	State of West Virginia Department of Administration
Amount	\$500,000.00
the corporate s may do within	e Company thereby as fully and to the same extent as if such bonds were signed by the Senior Vice President, sealed with seal of the Company and duly attested by its Secretary, hereby ratifying and confirming all that the said attorney(s)-in-fact the above stated limitations. Said appointment is made under and by authority of the following bylaw of Western Sursty h remains in full force and effect.
corporate name officers as the I may appoint A The corporate	All bonds, policies, undertakings, Powers of Attorney as other obligations of the corporation shall be executed in the corporation shall be executed, in the corporaty by the President, Secretary, any Assistant Secretary, Treasurer, or any Vice President or by such other Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer thomeys in Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company, seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the be signature of any such officer and the company as may be printed by factionile."
All author 2010	ity hereby conferred shall expire and terminate, without notice, unless used before midnight of
In Withdam and its couples and its couples and its couples are also are also and its couples are also are also and its couples are also are al	WESTERN Surety Company has caused these presents to be signed by its Scalor Vice President, Paul T. Bruflat, tassed to be affixed this 1st day of
weyfern su	132 day of April , in the year 2010 , before me, a notary public, personally appeared t, who being to me duly sworn, admondedged that he signed the above Power of Attorney as the aforesaid officer of RETY COMPANY and admondedged said instrument to be the voluntary set and deed of said corporation.  D. KRELL  WOTARY PUBLIC SOUTH DAKOTA  Notary Futble - South Dakota  pomnission Expires November 30, 2012
attached Power set forth in the	ersigned efficer of Western Surcty Company, a stock corporation of the State of South Dakota, do horoby cartify that the ref Attorney is in full force and effect and is irrevocable, and furthermore, that Section 7 of the bylaws of the Company as Power of Attorney is now in force.
In testimo Apri	my whenever i liery i mercumb sou my mana and a mana an
	WESTERN SURETY COMPANY

STATE OF West Virginia COUNTY OF Greenbrier	(Attorney-in-Fact)	Bond No. 70900614
On this 29th day of and for said County, personally appeared	March Edward Blains	2010 , before me, a notary public in Phillips, II
to me personally known and being by me	luly sworn, did say, that he is the Attorney-i	n-Fact of WESTERN SURETY COMPANY,
	a, created, organized and existing under and	
	ecuted on behalf of the said corporation by a Edward Blaine Phil	authority of its Board of Directors and that
without affixing the corporate seal of said	*	-
Ronceverte	eunto subscribed my name and affixed my of West Virginia	, the day and year last above written.
My commission expires  June 14 2015	Brandi Sherioo	sol .
		Notary Fublic

ACKNOWLEDGMENT OF SURETY

Form 106-4-2000

DFFICIAL SEAL
NOTARY PUBLIC
STATE OF WEST VIRGINIA
BRANDI SHERWOOD
118 EAST WASHINGTON STREET
LEWISBURG, WEST VIRGINIA 2800
MY COMMISSION EXPIRES JUNE 14, 2015

CNA

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STATE OF West Virginia	(Attorney-in-Fact)	Bond No. 70900514
STATE OF West Virginia (COUNTY OF Greenbrier	) AT	
On this 29th day of	March Edward Blaine	2010 , before me, a notary public in
to me personally known and being by me d	luly swom, did say, that he is the Attorney-ir	1-Fact of WESTERN SURETY COMPANY,
a corporation of Sioux Falls, South Dakota Dakota, that the said instrument was exe	e, created, organized and existing under and couted on behalf of the said corporation by s	by virtue of the laws of the State of South uthority of its Boord of Directors and that
the said	ree act and deed of said corporation and tha	ips. II
without affixing the corporate seal of said of		A HO HES SCHWILLER OF FIRM OF THE PROPERTY.
¥	eunto subscribed my name and affixed my off	icial seal at, the day and year last above written.
My commission expires  June 14 2015	Brandi Sherwoon	
		Notary Public

ACKNOWLEDGMENT OF SURETY

Form 108-4-2000



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Rev March 2009



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

STATE OF West Virginia
COUNTY OF <u>Pocahontas</u> , TO-WIT:
I, Chrishpher S. Rose, after being first duly sworn, depose and state as follows:
1. I am an employee of Rose's Excavating; and, (Company Name)
2. I do hereby attest that Roscis Excavating (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.
Rose's Excavating (Company Name)
By: Our Mar
Title: Employee
Date: 3-25-10
Taken, subscribed and sworn to before me this 25th day of March.
By Commission expires June 29, 2017
OFF C AL SEAL  NOTARY PUBLIC  STATE OF WEST VIRGINIA
STATE OF WEST VIRGINIA  EMILY K. SHARP  (Notary Public)
THIS AFFIDAVITEMUST BESUBMITTED WITH THE BID IN ORDER TO
COMPLY WITH WV CODE PROVISIONS. FAILURE TO INCLUDE THE

THE BID.

Rev March 2009



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

STATE OF West Virginia
COUNTY OF <u>Pocahontas</u> , TO-WIT:
I, Christopher S. Rose, after being first duly sworn, depose and state as follows:
1. I am an employee of Rose's Excavating; and, (Company Name)
2. I do hereby attest that Koscis Excavating (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.
Kose's Excavating (Company Name)
(Company Name)
By: Un Mar
Title: Employee
Date: 3-25-10
Taken, subscribed and sworn to before me this 25 day of March.
By Commission expires <u>June</u> 29, 2017
OFF C AL SEAL NOTARY PUBLIC STATE OF WEST VIRGINIA  OFF C AL SEAL NOTARY PUBLIC STATE OF WEST VIRGINIA
EMILY K. SHARP (Notary Public)
THIS AFFIDAVITEMUST BE SUBMITTED WITH THE BID IN ORDER TO
THE PERSON OF TH
COMPLY WITH WV CODE PROVISIONS. FAILURE TO INCLUDE THE AFFIDAVIT WITH THE BID SHALL RESULT IN DISQUALIFICATION OF

THE BID.

RFQ No. DNR 2/0148

#### STATE OF WEST VIRGINIA Purchasing Division

# **PURCHASING AFFIDAVIT**

West Virginia Code §5A-3-10a states: 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 owned is an amount greater than one thousand dollars in the aggregate

#### **DEFINITIONS:**

"Debt" means any assessment, premium, penalty, fine, tax or other amount of money owed to the state or any of its political subdivisions because of a judgment, fine, permit violation, license assessment, defaulted workers' compensation premium, penalty or other assessment presently delinquent or due and required to be paid to the state or any of its political subdivisions, including any interest or additional penalties accrued thereon.

"Debtor" means any individual, corporation, partnership, association, Limited Liability Company or any other form or business association owing a debt to the state or any of its political subdivisions. "Political subdivision" means any county commission; municipality, county board of education; any instrumentality established by a county or municipality; any separate corporation or instrumentality established by one or more counties or municipalities, as permitted by law; or any public body charged by law with the performance of a government function or whose jurisdiction is coextensive with one or more counties or municipalities. "Related party" means a party, whether an individual, corporation, partnership, association, limited liability company or any other form or business association or other entity whatsoever, related to any vendor by blood, marriage, ownership or contract through which the party has a relationship of ownership or other interest with the vendor so that the party will actually or by effect receive or control a portion of the benefit, profit or other consideration from performance of a vendor contract with the party receiving an amount that meets or exceed five percent of the total contract amount.

EXCEPTION: The prohibition of this section does not apply where a vendor has contested any tax administered pursuant to chapter eleven of this code, workers' compensation premium, permit fee or environmental fee or assessment and the matter has not become final or where the vendor has entered into a payment plan or agreement and the vendor is not in default of any of the provisions of such plan or agreement.

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.

# My Commission expires Time 29, 20 **AFFIX SEAL HERE**



WITNESS THE FOLLOWING SIGNATURE

RFQ No. DMC 2/0148

# STATE OF WEST VIRGINIA Purchasing Division

# **PURCHASING AFFIDAVIT**

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#### **DEFINITIONS:**

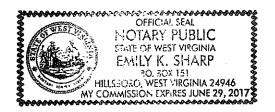
"Debt" means any assessment, premium, penalty, fine, tax or other amount of money owed to the state or any of its political subdivisions because of a judgment, fine, permit violation, license assessment, defaulted workers' compensation premium, penalty or other assessment presently delinquent or due and required to be paid to the state or any of its political subdivisions, including any interest or additional penalties accrued thereon.

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**EXCEPTION:** The prohibition of this section does not apply where a vendor has contested any tax administered pursuant to chapter eleven of this code, workers' compensation premium, permit fee or environmental fee or assessment and the matter has not become final or where the vendor has entered into a payment plan or agreement and the vendor is not in default of any of the provisions of such plan or agreement.

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: Rise's Excavating Authorized Signature: Date: 03-25-10 State of West Virginia County of Polahontas, to-wit: Taken, subscribed, and sworn to before me this 25 day of March, 2010. My Commission expires Tung 29, 2017, 20... AFFIX SEAL HERE NOTORY PUBLIC Emily K.Shaw



WITNESS THE FOLLOWING SIGNATURE