



**F A X**

**Shuck Construction Co., LLC**

412 Fairmont Ave.  
Fairmont, WV 26554  
304-366-9407  
www.shuckconstwv.com

To: Frank Whittaker  
Fax number: 304-558-3970

From: Robert Yanero/Rich Straight  
Fax number: 304-366-9407

Date: 7/28/2009

Regarding:  
CENTRA Building Repair Bid

Phone number for follow-up:  
304-816-0207

**To:**

**Department of Administration  
Purchasing Division  
Building 15  
2019 Washington Street, East  
Charleston, WV 25305-0130**

**RECEIVED**  
2009 JUL 28 P 1:02  
PURCHASING DIVISION  
STATE OF WV

**SEALED BID**

Buyer: 44

RFQ#: PTR10002

Bid Opening Date: 7/28/09

Bid Opening Time: 1:30 p.m.

37

Pages including cover

**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. All quotations are governed by the *West Virginia Code* and the *Legislative Rules* of the Purchasing Division.
4. Prior to any award, the apparent successful vendor must be properly registered with the Purchasing Division and have paid the required \$125 fee.
5. 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.
6. Payment may only be made after the delivery and acceptance of goods or services.
7. Interest may be paid for late payment in accordance with the *West Virginia Code*.
8. Vendor preference will be granted upon written request in accordance with the *West Virginia Code*.
9. The State of West Virginia is exempt from federal and state taxes and will not pay or reimburse such taxes.
10. The Director of Purchasing may cancel any Purchase Order/Contract upon 30 days written notice to the seller.
11. The laws of the State of West Virginia and the *Legislative Rules* of the Purchasing Division shall govern all rights and duties under the Contract, including without limitation the validity of this Purchase Order/Contract.
12. Any reference to automatic renewal is hereby deleted. The Contract may be renewed only upon mutual written agreement of the parties.
13. **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.
14. **HIPAA BUSINESS ASSOCIATE ADDENDUM:** The West Virginia State Government HIPAA Business Associate Addendum (BAA), approved by the Attorney General, and available online at the Purchasing Division's web site (<http://www.state.wv.us/admin/purchase/vrc/hipaa.htm>) 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.
15. **WEST VIRGINIA ALCOHOL & DRUG-FREE WORKPLACE ACT:** If this Contract constitutes a public improvement construction contract as set forth in Article 1D, Chapter 21 of the West Virginia Code ("The West Virginia Alcohol and Drug-Free Workplace Act"), then the following language shall hereby become part of this Contract: "The contractor and its subcontractors shall implement and maintain a written drug-free workplace policy in compliance with the West Virginia Alcohol and Drug-Free Workplace Act, as set forth in Article 1D, Chapter 21 of the West Virginia Code. The contractor and its subcontractors shall provide a sworn statement in writing, under the penalties of perjury, that they maintain a valid drug-free work place policy in compliance with the West Virginia and Drug-Free Workplace Act. It is understood and agreed that this Contract shall be cancelled by the awarding authority if the Contractor: 1) Fails to implement its drug-free workplace policy; 2) Fails to provide information regarding implementation of the contractor's drug-free workplace policy at the request of the public authority; or 3) Provides to the public authority false information regarding the contractor's drug-free workplace policy."

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**INSTRUCTIONS TO BIDDERS**

1. Use the quotation forms provided by the Purchasing Division.
2. **SPECIFICATIONS:** 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. Complete all sections of the quotation form.
4. Unit prices shall prevail in case of discrepancy.
5. All quotations are considered F.O.B. destination unless alternate shipping terms are clearly identified in the quotation.
6. **BID SUBMISSION:** 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



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  
**PTR10002**

PAGE  
**1**

ADDRESS CORRESPONDENCE TO A PERSON OF  
**FRANK WHITTAKER**  
**304-558-2316**

**RFQ COPY**

TYPE NAME/ADDRESS HERE

**Shuck Construction, LLC**  
**412 Fairmont Ave.**  
**Suite 2**  
**Fairmont, WV 26554**

**DIVISION OF PUBLIC TRANSIT**

**BUILDING 5, ROOM 906**  
**1900 KANAWHA BOULEVARD, EAST**  
**CHARLESTON, WV**  
**25305-0432 304-558-0428**

DATE PRINTED	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERM
06/11/2009				
BID OPENING DATE: 07/28/2009		BID OPENING TIME 01:30PM		

LINE	QUANTITY	UOP	QTY NO	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	LS		968-20		# 202,987.00
<p><b>BUILDING CONSTRUCTION</b></p> <p>THE WEST VIRGINIA PURCHASING DIVISION, FOR THE AGENCY, THE WEST VIRGINIA DIVISION OF PUBLIC TRANSIT, IS SOLICITING BIDS FROM RESPONSIBLE VENDORS TO PROVIDE ALL LABOR, MATERIALS, EQUIPMENT, AND SUPPLIES FOR THE REPLACEMENT OF AN EXISTING ROOF AND STRUCTURE REPAIRS OF A CURRENT ADMINISTRATIVE MAINTENANCE FACILITY FOR THE WEST VIRGINIA DEPARTMENT OF TRANSPORTATION, DIVISION OF PUBLIC TRANSIT AND REPAIRED FOR CENTRA LOCATED IN CLARKSBURG, WV.</p> <p>ALL BIDS MUST BE SUBMITTED IN ACCORDANCE WITH THE BIDDING DOCUMENTS ISSUED BY THE ARCHITECT AND THE REQUEST FOR QUOTATION PTR10002 ISSUED BY THE WEST VIRGINIA PURCHASING DIVISION.</p> <p>A MANDATORY PRE-BID CONFERENCE WILL BE HELD AT THE CENTRA OFFICES LOCATED AT 208 NORTH 4TH STREET, CLARKSBURG, WV 26301 ON JUNE 30, 2009 AT 10:30 AM. FAILURE TO ATTEND THE PRE-BID MEETING WILL RESULT IN BID DISQUALIFICATION. AN INDIVIDUAL MAY NOT REPRESENT MORE THAN ONE FIRM AT THE PRE-BID MEETING.</p> <p>FOR DIRECTIONS TO THE PRE-BID MEETING PLEASE CONTACT: MS. BELINDA ROLLINS AT 304-623-6002.</p> <p>TECHNICAL QUESTIONS MUST BE SUBMITTED IN WRITING TO FRANK WHITTAKER IN THE PURCHASING DIVISION VIA FAX AT 304-558-4115 OR VIA EMAIL AT FRANK.M.WHITTAKER@WV.GOV</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Robert L. Yarned</i>	TELEPHONE 304-816-0207	DATE 7-28-09
TITLE Operations Manager	FIRM 550780688	ADDRESS CHANGES TO BE NOTED ABOVE



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  
**PTR10002**

PAGE  
**2**

ADDRESS FOR CORRESPONDENCE AND INQUIRY  
**FRANK WHITTAKER  
 304-558-2316**

RFQ COPY  
 TYPE NAME/ADDRESS HERE

Shuck Construction Co., LLC  
 412 Fairmont Ave, Suite 2  
 Fairmont, WV 26554

DIVISION OF PUBLIC TRANSIT  
 BUILDING 5, ROOM 906  
 1900 KANAWHA BOULEVARD, EAST  
 CHARLESTON, WV  
 25305-0432 304-558-0428

DATE PRINTED	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERM
06/11/2009				

BID OPENING DATE: **07/28/2009** BID OPENING TIME: **01:30PM**

LINE	QUANTITY	UNIT	UNIT PRICE	AMOUNT
<p>DEADLINE FOR TECHNICAL QUESTIONS AND APPROVED EQUAL REQUESTS IS JULY 9, 2009 AT 4:00 PM. ALL REQUESTS WILL BE ADDRESSED BY ADDENDUM AFTER THE DEADLINE.</p> <p>PO BOX ALUM CREEK, WV 25003-0469                      304-756-2564</p> <p>CHAPMAN TECHNICAL GROUP                      ENGINEERS AND ARCHITECTS                      200 SIXTH AVENUE                      ST. ALBANS, WV 25177                      304-727-5501</p> <p>DOCUMENTS MAY BE PURCHASED AT \$150.00, PLUS SHIPPING AND HANDLING FOR SETS THAT ARE MAILED, WHICH IS NONREFUNDABLE. BIDDERS AND MATERIAL SUPPLIERS MAY PROCURE ADDITIONAL SETS AT ACTUAL COST. ONLY COMPLETE SETS WILL BE ISSUED.</p> <p>EXHIBIT 5</p> <p>WEST VIRGINIA CODE 21-1D-5 PROVIDES THAT: ANY SOLICITATION FOR A PUBLIC IMPROVEMENT CONSTRUCTION CONTRACT REQUIRES EACH VENDOR THAT SUBMITS A BID FOR THE WORK TO SUBMIT AT THE SAME TIME AN AFFIDAVIT OF COMPLIANCE WITH THE BID. THE ENCLOSED DRUG-FREE WORKPLACE AFFIDAVIT MUST BE SIGNED AND SUBMITTED WITH THE BID AS EVIDENCE OF THE VENDOR'S COMPLIANCE WITH THE PROVISIONS OF ARTICLE 1D, CHAPTER 21 OF THE WEST VIRGINIA CODE. FAILURE TO SUBMIT THE SIGNED DRUG-FREE WORKPLACE AFFIDAVIT WITH THE BID SHALL RESULT IN DISQUALIFICATION OF SUCH BID.</p> <p>NOTICE TO PROCEED: THIS CONTRACT IS TO BE PERFORMED WITHIN 120 CALENDAR DAYS AFTER THE NOTICE TO PROCEED</p>				

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Robert L. James</i>	TELEPHONE 304-816-0207	DATE 7-28-09
TITLE Operations Manager	FERN 550780688	ADDRESS CHANGES TO BE NOTED ABOVE



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

**Request for Quotation**

REQ NUMBER  
**PTR10002**

PAGE  
**3**

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

RFQ COPY  
 TYPE NAME/ADDRESS HERE

Shuck Construction Co., LLC  
 412 Fairmont Ave, Suite 2  
 Fairmont, WV 26554

DIVISION OF PUBLIC TRANSIT  
 BUILDING 5, ROOM 906  
 1900 KANAWHA BOULEVARD, EAST  
 CHARLESTON, WV  
 25305-0432 304-558-0428

DATE PRINTED <b>06/11/2009</b>	TERMS OF SALE	SHIP VIA	FOH	PAIDMENT TERMS
BID OPENING DATE <b>07/28/2009</b>	BID OPENING TIME <b>01:30PM</b>			

LINE	QUANTITY	UOP	QTY REQ	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>IS RECEIVED. UNLESS OTHERWISE SPECIFIED, THE FULLY EXECUTED PURCHASE ORDER WILL BE CONSIDERED NOTICE TO PROCEED.</p> <p>CANCELLATION: THE DIRECTOR OF PURCHASING RESERVES THE RIGHT TO CANCEL THIS CONTRACT IMMEDIATELY UPON WRITTEN NOTICE TO THE VENDOR IF THE MATERIALS OR WORKMANSHIP SUPPLIED ARE OF AN INFERIOR QUALITY OR DO NOT CONFORM WITH THE SPECIFICATIONS OF THE BID AND CONTRACT HERE IN.</p> <p>WAGE RATES: THE CONTRACTOR OR SUBCONTRACTOR SHALL PAY THE HIGHER OF THE U.S. DEPARTMENT OF LABOR MINIMUM WAGE RATES AS ESTABLISHED FOR HARRISON COUNTY, PURSUANT TO WEST VIRGINIA CODE 21-5A, ET, SEQ. (PREVAILING WAGE RATES APPLY TO THIS PROJECT)</p> <p>ARBITRATION: ANY REFERENCES MADE TO ARBITRATION OR INTEREST FOR PAYMENTS DUE (EXCEPT FOR ANY INTEREST REQUIRED BY STATE LAW) CONTAINED IN THIS CONTRACT OR IN ANY AMERICAN INSTITUTE OF ARCHITECTS DOCUMENTS PERTAINING TO THIS CONTRACT ARE HEREBY DELETED.</p> <p>WORKERS' COMPENSATION: VENDOR IS REQUIRED TO PROVIDE A CERTIFICATE FROM WORKERS' COMPENSATION IF SUCCESSFUL.</p> <p>ALL OF THE ITEMS CHECKED BELOW WILL BE A REQUIREMENT OF THIS CONTRACT:</p> <p>(XX) INSURANCE: SUCCESSFUL VENDOR SHALL FURNISH PROOF OF COMMERCIAL GENERAL LIABILITY INSURANCE PRIOR TO ISSUANCE OF CONTRACT. UNLESS OTHERWISE SPECIFIED IN THE BID DOCUMENTS, THE MINIMUM AMOUNT OF INSURANCE COVERAGE REQUIRED IS \$1,000,000.</p> <p>(XX) BUILDERS RISK INSURANCE: SUCCESSFUL VENDOR SHALL</p>						

SIGNATURE <i>Robert C. Jamiro</i>				TELEPHONE <b>304-816-0207</b>	DATE <b>7-28-09</b>
TITLE <b>Operations Manager</b>	FON <b>550780688</b>	ADDRESS CHANGES TO BE NOTED ABOVE			



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

### Request for Quotation

REQ NUMBER  
**PTR10002**

PAGE  
**4**

ADDRESS TO CORRESPONDENCE OR ATTENTION  
**FRANK WHITTAKER  
 304-558-2316**

RFQ COPY  
 TYPE NAME/ADDRESS HERE

Shuck Construction Co., LLC  
 412 Fairmont Ave, Suite Z  
 Fairmont, WV 26554

DIVISION OF PUBLIC TRANSIT  
 BUILDING 5, ROOM 906  
 1900 KANAWHA BOULEVARD, EAST  
 CHARLESTON, WV  
 25305-0432 304-558-0428

DATE PRINTED	TERMS OF SALE	SHIP VIA	POB	FREIGHT TERMS
06/11/2009				

BID OPENING DATE: **07/28/2009** BID OPENING TIME: **01:30PM**

QTY	DESCRIPTION	UNIT PRICE	AMOUNT	
	<p>FURNISH PROOF OF BUILDERS RISK - ALL RISK INSURANCE IN AN AMOUNT EQUAL TO 100% OF THE AMOUNT OF THE CONTRACT.</p> <p>(XX) BONDS: FIVE PERCENT (5%) OF THE TOTAL AMOUNT OF THE BID PAYABLE TO THE STATE OF WEST VIRGINIA, SHALL BE SUBMITTED WITH EACH BID AS A BID BOND. THE SUCCESSFUL BIDDER SHALL ALSO FURNISH A PERFORMANCE BOND AND LABOR/MATERIAL BOND FOR 100% OF THE AMOUNT OF THE CONTRACT. BONDS MAY BE PROVIDED IN THE FORM OF A CERTIFIED CHECK, IRREVOCABLE LETTER OF CREDIT, OR BOND FURNISHED BY A SOLVENT SURETY COMPANY AUTHORIZED TO DO BUSINESS IN THE STATE OF WEST VIRGINIA. A LETTER OF CREDIT SUBMITTED IN LIEU OF A BOND WILL ONLY BE ALLOWED FOR PROJECTS UNDER \$100,000. PERSONAL OR BUSINESS CHECKS ARE NOT ACCEPTABLE IN LIEU OF THE 5% BID BOND, PERFORMANCE BOND, OR LABOR AND MATERIAL BOND.</p> <p>(XX) MAINTENANCE BOND: A TWO (2) YEAR MAINTENANCE BOND COVERING THE ROOFING SYSTEM WILL BE A REQUIREMENT OF THE SUCCESSFUL VENDOR.</p> <p>REV. 11/00</p> <p>EXHIBIT 7</p> <p>DOMESTIC ALUMINUM, GLASS &amp; STEEL IN PUBLIC WORKS PROJECTS</p> <p>IN ACCORDANCE WITH WEST VIRGINIA CODE 5-19-1 ET., SEQ., EVERY CONTRACT FOR CONSTRUCTION, RECONSTRUCTION, ALTERATION, REPAIR, IMPROVEMENT OR MAINTENANCE OF PUBLIC WORKS, WHERE THE COST IS MORE THAN \$50,000 AND, IN THE CASE OF STEEL ONLY, WHERE THE COST OF STEEL IS MORE THAN \$50,000 OR WHERE MORE THAN 10,000 POUNDS OF STEEL ARE REQUIRED, THE STATE WILL ACCEPT ONLY ALUMINU</p>			

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Robert L. James</i>	TELEPHONE 304-816-0207	DATE 7-28-09
TITLE Operations Manager	FON 550780688	ADDRESS CHANGES TO BE NOTED ABOVE



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

**Request for Quotation**

REQ NUMBER  
**PTR10002**

PAGE  
**5**

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

**RFQ COPY**  
 TYPE NAME/ADDRESS HERE

Shuck Construction Co, LLC  
 412 Fairmont Ave, Suite 2  
 Fairmont, WV 26584

**DIVISION OF PUBLIC TRANSIT**  
**BUILDING 5, ROOM 906**  
**1900 KANAWHA BOULEVARD, EAST**  
**CHARLESTON, WV**  
**25305-0432 304-558-0428**

DATE PRINTED	TERMS OF SALE	SHIP VIA	FOB	REVISION TERMS
06/11/2009				
BID OPENING DATE: 07/28/2009		BID OPENING TIME 01:30PM		

LINE	QUANTITY	UNIT	UNIT PRICE	AMOUNT
<p>GLASS, OR STEEL PRODUCTS PRODUCED IN THE UNITED STATES. IN ADDITION, ITEMS OF MACHINERY OR EQUIPMENT PURCHASED FOR USE AT THE SITE OF PUBLIC WORKS SHALL BE MADE OF DOMESTIC ALUMINUM, GLASS OR STEEL, UNLESS THE COST OF THE PRODUCT IS LESS THAN \$50,000 OR LESS THAN 10,000 POUNDS OF STEEL ARE USED IN PUBLIC WORKS PROJECTS.</p> <p>FOREIGN MADE ALUMINUM, GLASS OR STEEL PRODUCTS MAY BE ACCEPTED ONLY IF THE COST OF DOMESTIC PRODUCTS IS FOUND TO BE UNREASONABLE. SUCH COST IS UNREASONABLE IF IT IS 20% OR MORE HIGHER THAN THE BID PRICE FOR FOREIGN MADE PRODUCTS. IF THE DOMESTIC ALUMINUM, GLASS OR STEEL PRODUCTS TO BE SUPPLIED OR PRODUCED IN A "SUBSTANTIAL LABOR SURPLUS AREA", AS DEFINED BY THE UNITED STATES DEPARTMENT OF LABOR, FOREIGN PRODUCTS MAY BE SUPPLIED ONLY IF DOMESTIC PRODUCTS ARE 30% OR MORE HIGHER IN PRICE THAN THE FOREIGN MADE PRODUCTS.</p> <p>IF, PRIOR TO THE AWARD OF A CONTRACT UNDER THE ABOVE PROVISIONS, THE SPENDING OFFICER OF THE SPENDING UNIT DETERMINES THAT THERE EXISTS A BID FOR LIKE FOREIGN ALUMINUM, GLASS OR STEEL THAT IS REASONABLE AND LOWER THAN THE LOWEST BID DOMESTIC PRODUCTS, THE SPENDING OFFICE MAY REQUEST, IN WRITING, A REEVALUATION AND REDUCTION IN THE LOWEST BID FOR SUCH DOMESTIC PRODUCTS. ALL VENDORS MUST INDICATE IN THEIR BID IF THEY ARE SUPPLYING FOREIGN ALUMINUM, GLASS OR STEEL.</p> <p>REV. 3/88</p> <p>EXHIBIT 9</p> <p>NOTICE FOR ISSUANCE &amp; ACKNOWLEDGEMENT OF CONSTRUCTION PROJECT ADDENDA</p>				

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Robert L. Gano</i>	TELEPHONE 304-816-0207	DATE 7-28-07
TITLE Operations Manager	FEIN 550780688	ADDRESS CHANGES TO BE NOTED ABOVE



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  
**PTR10002**

PAGE  
**6**

ADDRESS CORRESPONDENCE TO AN ENCLAVE OR  
**FRANK WHITTAKER**  
**304-558-2316**

RFQ COPY  
 TYPE NAME/ADDRESS HERE

Shuck Construction Co., LLC  
 412 Fairmont Ave, Suite 2  
 Fairmont, WV 26554

DIVISION OF PUBLIC TRANSIT  
 BUILDING 5, ROOM 906  
 1900 KANAWHA BOULEVARD, EAST  
 CHARLESTON, WV  
 25305-0432 304-558-0428

DATE PRINTED	TERMS OF SALE	SHIP VIA	COPIES	FREIGHT TERMS
06/11/2009				
BID OPENING DATE: 07/28/2009		BID OPENING TIME 01:30PM		

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>THE ARCHITECT/ENGINEER AND/OR AGENCY SHALL BE REQUIRED TO ABIDE BY THE FOLLOWING SCHEDULE IN ISSUING CONSTRUCTION PROJECT ADDENDA FOR STATE AGENCIES:</p> <p>(1) THE ARCHITECT/ENGINEER SHALL PREPARE THE ADDENDUM AND A LIST OF ALL PARTIES THAT HAVE PROCURED DRAWINGS AND SPECIFICATIONS FOR THE PROJECT. THE ADDENDUM AND LIST SHALL BE FORWARDED TO THE BUYER IN THE STATE PURCHASING DIVISION. THE ARCHITECT/ENGINEER SHALL ALSO SEND A COPY OF THE ADDENDUM TO THE STATE AGENCY FOR WHICH THE CONTRACT IS ISSUED.</p> <p>(2) THE BUYER SHALL SEND THE ADDENDUM TO ALL INTERESTED PARTIES AND, IF NECESSARY, EXTEND THE BID OPENING DATE. ANY ADDENDUM SHOULD BE RECEIVED BY THE BUYER WITHIN FOURTEEN (14) DAYS PRIOR TO THE BID OPENING DATE.</p> <p>(3) ALL ADDENDA SHOULD BE FORMALLY ACKNOWLEDGED BY ALL BIDDERS AND SUBMITTED TO THE STATE PURCHASING DIVISION. THE SAME RULES AND REGULATIONS THAT APPLY TO THE ORIGINAL BIDDING DOCUMENT SHALL ALSO APPLY TO AN ADDENDUM DOCUMENT. THE ONLY EXCEPTION MAY BE FOR AN ADDENDUM THAT IS ISSUED FOR THE SOLE PURPOSE OF CHANGING A BID OPENING TIME AND/OR DATE.</p> <p>REV. 11/96</p> <p>EXHIBIT 10</p> <p>ADDENDUM ACKNOWLEDGEMENT</p> <p>I HEREBY ACKNOWLEDGE RECEIPT OF THE FOLLOWING CHECKED ADDENDUM(S) AND HAVE MADE THE NECESSARY REVISIONS TO</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Robert L. James</i>	TELEPHONE 304-816-0207	DATE 7-28-09
TITLE Operations Manager	FAX 550780688	ADDRESS CHANGES TO BE NOTED ABOVE





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  
**PTR10002**

PAGE  
**7**

ADDRESS CORRESPONDENCE TO AGENCY  
**FRANK WHITTAKER  
 304-558-2316**

RFQ COPY  
 TYPE NAME/ADDRESS HERE

Shuck Construction Co., LLC  
 412 Fairmont Ave, Suite 2  
 Fairmont, WV 26554

DIVISION OF PUBLIC TRANSIT  
 BUILDING 5, ROOM 906  
 1900 KANAWHA BOULEVARD, EAST  
 CHARLESTON, WV  
 25305-0432 304-558-0428

DATE PRINTED	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS
06/11/2009				
BID OPENING DATE: 07/28/2009		BID OPENING TIME 01:30PM		

LINE	QUANTITY	UOM	UNIT PRICE	AMOUNT
MY PROPOSAL, PLANS AND/OR SPECIFICATION, ETC. ADDENDUM NOS. : NO. 1 ..... NO. 2 ..... NO. 3 ..... NO. 4 ..... NO. 5 .....				
I UNDERSTAND THAT FAILURE TO CONFIRM THE RECEIPT OF THE ADDENDUM(S) MAY BE CAUSE FOR REJECTION OF THE BIDS.  VENDOR MUST CLEARLY UNDERSTAND THAT ANY VERBAL REPRESENTATION MADE OR ASSUMED TO BE MADE DURING ANY ORAL DISCUSSION HELD BETWEEN VENDOR'S REPRESENTATIVES AND ANY STATE PERSONNEL IS NOT BINDING. ONLY THE INFORMATION ISSUED IN WRITING AND ADDED TO THE SPECIFICATIONS BY AN OFFICIAL ADDENDUM IS BINDING.				
<i>Robert L. General</i> ..... SIGNATURE Shuck Construction Company, LLC ..... COMPANY 7-28-09 ..... DATE				
REV. 11/96		CONTRACTORS LICENSE		WV032419

SEE REVERSE SIDE FOR TERMS AND CONDITIONS				
SIGNATURE	TELEPHONE	DATE		
<i>Robert L. General</i>	304-816-0207	7-28-09		
TITLE	FERT	ADDRESS CHANGES TO BE NOTED ABOVE		
Operations Manager	550780688			



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

**Request for Quotation**

RFQ NUMBER  
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PAGE  
**8**

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

RFQ COPY  
 TYPE NAME/ADDRESS HERE

Shuck Construction Co., LLC  
 412 Fairmont Ave., Suite 2  
 Fairmont, WV 26554

DIVISION OF PUBLIC TRANSIT  
 BUILDING 5, ROOM 906  
 1900 KANAWHA BOULEVARD, EAST  
 CHARLESTON, WV  
 25305-0432 304-558-0428

DATE PRINTED	TERMS OF SALE	UNIT/WT	COF	FREIGHT TERMS
06/11/2009				
BID OPENING DATE: 07/28/2009		BID OPENING TIME 01:30PM		

LINE	QUANTITY	UOP	UNIT PRICE	AMOUNT
<p>WEST VIRGINIA STATE CODE 21-11-2 REQUIRES THAT ALL PERSONS DESIRING TO PERFORM CONTRACTING WORK IN THIS STATE MUST BE LICENSED. THE WEST VIRGINIA CONTRACTORS LICENSING BOARD IS EMPOWERED TO ISSUE THE CONTRACTORS LICENSE. APPLICATIONS FOR A CONTRACTORS LICENSE MAY BE MADE BY CONTACTING THE WEST VIRGINIA DIVISION OF LABOR CAPITOL COMPLEX, BUILDING 3, ROOM 319, CHARLESTON, WV 25305. TELEPHONE: (304) 558-7890.</p> <p>WEST VIRGINIA STATE CODE 21-11-11 REQUIRES ANY PROSPECTIVE BIDDER TO INCLUDE THE CONTRACTORS LICENSE NUMBER ON THEIR BID.</p> <p>BIDDER TO COMPLETE:</p> <p>CONTRACTORS NAME: ..... Shuck Construction Company, LLC .....</p> <p>CONTRACTORS LICENSE NO.: WV032419 .....</p> <p>THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FURNISH A COPY OF THEIR CONTRACTORS LICENSE PRIOR TO ISSUANCE OF A PURCHASE ORDER/CONTRACT</p> <p>APPLICABLE LAW</p> <p>THE WEST VIRGINIA STATE CODE, PURCHASING DIVISION RULES AND REGULATIONS, AND THE INFORMATION PROVIDED IN THE "REQUEST FOR QUOTATION" ISSUED BY THE PURCHASING DIVISION IS THE SOLE AUTHORITY GOVERNING THIS PROCUREMENT.</p> <p>ANY INFORMATION PROVIDED IN SPECIFICATION MANUALS, OR ANY OTHER SOURCE, VERBAL OR WRITTEN, WHICH CONTRADICTS OR ALTERS THE INFORMATION PROVIDED FROM THE SOURCES AS DESCRIBED IN THE ABOVE PARAGRAPH IS VOID AND OF NO EFFECT.</p>				

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE: *Robert L. James* TELEPHONE: 304-816-0207 DATE: 7-28-09

TITLE: Operations Manager PHONE: 550780688 ADDRESS CHANGES TO BE NOTED ABOVE



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

**Request for  
 Quotation**

ITEM NUMBER  
**PTR10002**

PAGE  
**9**

ADDRESS FOR CORRESPONDENCE (IF APPLICABLE)  
**FRANK WHITTAKER  
 304-558-2316**

RFQ COPY  
 TYPE NAME/ADDRESS HERE

Shuck Construction Co., LLC  
 412 Fairmont Ave, Suite 2  
 Fairmont, WV 26554

DIVISION OF PUBLIC TRANSIT

BUILDING 5, ROOM 906  
 1900 KANAWHA BOULEVARD, EAST  
 CHARLESTON, WV  
 25305-0432 304-558-0428

DATE PRINTED <b>06/11/2009</b>	TERMS OF SALE	SHIP VIA	FOB	FRIGHT TERMS
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BID OPENING DATE: <b>07/28/2009</b>	BID OPENING TIME <b>01:30PM</b>
--	------------------------------------

LINE	QUANTITY	UOP	UNIT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
<p><b>BANKRUPTCY: IN THE EVENT THE VENDOR/CONTRACTOR FILES FOR BANKRUPTCY PROTECTION, THE STATE MAY DEEM THE CONTRACT NULL AND VOID, AND TERMINATE SUCH CONTRACT WITHOUT FURTHER ORDER.</b></p> <p>REV. 5/2009</p> <p style="text-align: center;"><b>NOTICE</b></p> <p><b>A SIGNED BID MUST BE SUBMITTED TO:</b></p> <p style="text-align: center;"><b>DEPARTMENT OF ADMINISTRATION                  PURCHASING DIVISION                  BUILDING 15                  2019 WASHINGTON STREET, EAST                  CHARLESTON, WV 25305-0130</b></p> <p><b>THE BID SHOULD CONTAIN THIS INFORMATION ON THE FACE OF THE ENVELOPE OR THE BID MAY NOT BE CONSIDERED:</b></p> <p><b>SEALED BID</b></p> <p><b>BUYER: 44</b></p> <p><b>REQ. NO.: PTR10002</b></p> <p><b>BID OPENING DATE: 07/28/09</b></p> <p><b>BID OPENING TIME: 1:30 PM</b></p> <p><b>PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID:</b></p> <p style="text-align: right;"><b>304-366-9407</b></p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS			
SIGNATURE <i>Robert L. Clavens</i>	TELEPHONE <b>304-816-0207</b>	DATE <b>7-28-09</b>	
TITLE <b>Operations Manager</b>	FAX <b>550780688</b>	<b>ADDRESS CHANGES TO BE NOTED ABOVE</b>	



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  
**PTR10002**

PAGE  
**10**

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

RFQ COPY

TYPE NAME/ADDRESS HERE

Shuck Construction Co., LLC  
 412 Fairmont Ave, Suite 2  
 Fairmont, WV 26554

DIVISION OF PUBLIC TRANSIT

BUILDING 5, ROOM 906  
 1900 KANAWHA BOULEVARD, EAST  
 CHARLESTON, WV  
 25305-0432 304-558-0428

DATE PRINTED	TERMS OF SALE	UNIT/VA	FOBI	FREIGHT TERMS
06/11/2009				

BID OPENING DATE: **07/28/2009** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	QTY NO	ITEM NUMBER	UNIT PRICE	AMOUNT
PLEASE PRINT OR TYPE NAME OF PERSON TO CONTACT CONCERNING THIS QUOTE: Richard Straight						
***** THIS IS THE END OF RFQ PTR10002 ***** TOTAL: <u>\$202,987.00</u>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE *Robert L. Yarnes* TELEPHONE **304-816-0207** DATE **7-28-09**

TITLE **Operations Manager** PERM **550780689** ADDRESS CHANGES TO BE NOTED ABOVE



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  
**PTR10002**

PAGE  
**1**

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

VENDOR

RFQ COPY  
 TYPE NAME/ADDRESS HERE

Shuck Construction Company, LLC  
 412 Fairmont Ave.  
 Suite 2  
 Fairmont, WV 26554

VENDOR

DIVISION OF PUBLIC TRANSIT  
 BUILDING 5, ROOM 906  
 1900 KANAWHA BOULEVARD, EAST  
 CHARLESTON, WV  
 25305-0432 304-558-0428

DATE PRINTED	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS
07/14/2009				

BID OPENING DATE:	07/28/2009	BID OPENING TIME	01:30PM
-------------------	------------	------------------	---------

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
***** ADDENDUM NO.1 *****						
THIS ADDENDUM IS ISSUED TO PROVIDE THE ATTACHED BID CLARIFICATIONS, TECHNICAL QUESTIONS & ANSWERS, AIA DOCUMENT A305, OBSERVATION REPORT, MANDATORY PRE-BID SIGN SHEET,						
0001	1	LS		968-20		
BUILDING CONSTRUCTION						
***** THIS IS THE END OF RFQ PTR10002 ***** TOTAL:						\$202,987.00

BEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
<i>Robert L. Gano</i>	304-816-0207	7-28-09

TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE
Operations Manager	550780688	

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

Page PO#PTR10002  
Spending Unit: West Virginia Dept. Of Transportation  
Division of Public Transit

**BID**

**BF#1**

Proposal of Shuck Construction Company, LLC hereinafter called  
Bidder, organized and existing under the laws of the State of West Virginia doing business  
as a limited liability company \*. To the West Virginia  
Division of Public Transit, hereinafter called OWNER.

In compliance with you Advertisement for Bids, Bidder hereby proposed to perform all work for the replacement of a roof and related building repairs in Clarksburg, Harrison County, West Virginia in strict accordance with the Contract Documents, within the time and at the prices stated herein.

By submission of this Bid, each Bidder certifies, and in the case of a joint Bid, each party hereto certifies as to his own organization, that this Bid has been arrived at independently, without consultation, communication, or agreement as to any matter relating to this Bid with any other Bidder or with any competitor.

Bidder hereby agrees to commence work under this Contract on or before a date to be specified in the Notice to Proceed and to obtain substantial completion and final completion for the Project as called for in these Contract Documents.

NOTE: Bids include all applicable taxes, permits, and fees.

\* Insert "a corporation," "a partnership," or "an individual" as applicable.

Page \_\_\_\_\_ PO#PTR10002  
Spending Unit: West Virginia Dept. Of Transportation  
Division of Public Transit

27

BF#2

**GENERAL CONTRACTOR**

**GENERAL WORK** This price to include all work shown and noted in the Contract Documents. The General Contractor shall be responsible for the coordination, scheduling, and normal administrative activities of the project.

In the event of a difference between the written amount and the number amount, the written amount shall prevail.

The Bidder understands that to the extent allowed by applicable Codes, 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 a Contract, agrees that the work is to be substantially complete 90 days after Notice To Proceed is issued or 15 days after the encumbrance date of the Purchase Order if Notice to Proceed has not been received. The Bidder agrees to achieve Final Completion within 30 consecutive calendar days after the substantial completion. Liquidated damages shall be assessed at a rate of \$200 per day if substantial completion is not obtained within 90 calendar days of the Contractor's proceed date and liquidated damages shall be assessed at \$100 per day if final completion is not achieved within 30 calendar days of substantial completion.

Agency: WV Division of Public Transit  
REQ.P.O# PTR10002

**BID BOND BF#4**

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, Shuck Construction Company, LLC  
of Fairmont, West Virginia, as Principal, and Ohio Farmers Insurance  
Company of Westfield Center, Ohio, a corporation organized and existing under the laws of the State of Ohio  
with its principal office in the City of Westfield Center, as Surety, are held and firmly bound unto the State  
of West Virginia, as Obligees, in the penal sum of 5% of bid (\$ 202,987.00 ) for the payment of which,  
well and truly to be made, we jointly and severally bind ourselves, our heirs, administrators, executors, successors and assigns.

The Condition of the above obligation is such that whereas the Principal has submitted to the Purchasing Section of the  
Department of Administration a certain bid or proposal, attached hereto and made a part hereof, to enter into a contract in writing for  
Replacement of existing roof and structure repairs of a current administrative maintenance facility in Clarksburg

**NOW THEREFORE,**

(a) If said bid shall be rejected, or  
(b) If said bid shall be accepted and the Principal shall enter into a contract in accordance with the bid or proposal attached  
hereto and shall furnish any other bonds and insurance required by the bid or proposal, and shall in all other respects perform the  
agreement created by the acceptance of said bid, then this obligation shall be null and void, otherwise this obligation shall remain in full  
force and effect. It is expressly understood and agreed that the liability of the Surety for any and all claims hereunder shall, in no event,  
exceed the penal amount of this obligation as herein stated.

The Surety, for the value received, hereby stipulates and agrees that the obligations of said Surety and its bond shall be in no  
way impaired or affected by any extension of the time within which the Obligees may accept such bid, and said Surety does hereby  
waive notice of any such extension.

IN WITNESS WHEREOF, Principal and Surety have hereunto set their hands and seals, and each of them as are corporations  
have caused their corporate seals to be affixed hereunto and these presents to be signed by their proper officers, this

7<sup>th</sup> day of July, 2009.

Shuck Construction Company, LLC

Principal Corporate Seal

By [Signature]  
(Name of Principal)

(Must be President or  
Vice President)

President

(Title)

Ohio Farmers Insurance Company

(Name of Surety)

[Signature]  
Attorney-in-Fact

Surety Corporate Seal

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



POWER NO. 4750352 02

General Power of Attorney

Westfield Insurance Co. Westfield National Insurance Co. Ohio Farmers Insurance Co. Westfield Center, Ohio

CERTIFIED COPY

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, do by these presents make, constitute and appoint ROBERT ALAN ICE

of SHINNSTON and State of WV its true and lawful 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 cancelling 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 22nd day of JUNE A.D., 2009.

Corporate Seals Affixed



WESTFIELD INSURANCE COMPANY WESTFIELD NATIONAL INSURANCE COMPANY OHIO FARMERS INSURANCE COMPANY

Signature of Richard L. Kinnaird, Jr.

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

State of Ohio County of Medina ss:

On this 22nd day of JUNE A.D., 2009, 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



Signature of William J. Kahelin

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

State of Ohio County of Medina ss:

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 28th day of July 2009 A.D.



Signature of Frank A. Carrino Secretary

Page \_\_\_\_\_ PO#PTR10002  
Spending Unit: West Virginia Dept. of Transportation  
Division of Public Transit

**BID FORM #  
BF5**

**CONTRACTORS LICENSE**

WEST VIRGINIA STATE CODE 21-11-2 REQUIRES THAT ALL PERSONS DESIRING TO PERFORM CONTRACTING WORK IN THIS STATE MUST BE LICENSED. THE WEST VIRGINIA CONTRACTORS LICENSING BOARD IS EMPOWERED TO ISSUE THE CONTRACTORS LICENSE. APPLICATIONS FOR A CONTRACTORS LICENSE MAY BE MADE BY CONTACTING THE WEST VIRGINIA DIVISION OF LABOR, CAPITOL COMPLEX, BUILDING 3, ROOM 319, CHARLESTON, WV 25305. TELEPHONE: (304) 558-7890.

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

**BIDDER TO COMPLETE AND SUBMIT WITH BID:**

**CONTRACTOR'S NAME:** Shuck Construction Company, LLC

**CONTRACTOR'S LICENSE NO:** WV032419

**THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FURNISH A COPY OF THEIR CONTRACTORS LICENSE PRIOR TO ISSUANCE OF A PURCHASE ORDER/CONTRACT.**

BF#6



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

STATE OF West Virginia

COUNTY OF Marion, TO-WIT:

I, Robert Yanero, after being first duly sworn, depose and state as follows:

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

maintains a valid written drug free workplace policy and that such policy is in compliance with **West Virginia Code §21-1D-5**.

The above statements are sworn to under the penalty of perjury.

Shuck Construction Company, LLC  
(Company Name)


By: Robert L. Yanero

Title: Operations Manager

Date: 7-28-09

Taken, subscribed and sworn to before me this 28<sup>th</sup> day of July.

By Commission expires March 28, 2015

(Seal)  OFFICIAL SEAL  
NOTARY PUBLIC  
STATE OF WEST VIRGINIA  
TAMMY CUNNINGHAM  
P. O. Box 731  
Barrackville, West Virginia 26569

Tammy Cunningham  
(Notary Public)

**THIS AFFIDAVIT MUST BE SUBMITTED WITH THE BID IN ORDER TO COMPLY WITH WV CODE PROVISIONS. FAILURE TO INCLUDE THE AFFIDAVIT WITH THE BID SHALL RESULT IN DISQUALIFICATION OF THE BID.**

Page \_\_\_\_\_ PO#PTR10002  
Spending Unit: West Virginia Dept. of Transportation  
Division of Public Transit **32**

**BID FORM #7**

**BUY AMERICA CERTIFICATION**

***Bidder or offerer to complete correct certification.***

**Certificate of Compliance with Section 165(a)**

The bidder or offerer hereby certifies that it will comply with the requirements of section 165(a) of the Surface Transportation Act of 1982, as amended, and the applicable regulations in 49 CFR part 661.

7-28-09  
Date  
Robert L. Yanero  
Authorized Signature  
Shuck Construction Company, LLC  
Company Name  
Robert Yanero  
Name  
Operations Manager  
Title

**Certificate for Non-Compliance with Section 165(a)**

The bidder or offerer hereby certifies that it cannot comply with the requirements of section 165(a) of the Surface Transportation Assistance Act of 1982, as amended, but it may qualify for an exception to the requirement pursuant to section 165(b)(2) or (b)(4) of the Surface Transportation Act of 1982, as amended, and the regulations in 49 CFR 661.7.

7-28-09  
Date  
Robert L. Yanero  
Authorized Signature  
Shuck Construction Company, LLC  
Company Name  
Robert Yanero  
Name  
Operations Manager  
Title

**BID FORM # 8**

**VENDOR'S CERTIFICATION OF UNDERSTANDING AND ACCEPTANCE**

The Contractor hereby certifies that all Technical Specifications and Contract Terms and Conditions have been carefully reviewed, are fully understood and shall be adhered to in performance and completion of any contract resulting from this bid.

7-28-09  
Date  
Robert L. Yancey  
Authorized Signature  
Operations Manager  
Title  
Shuck Construction Company, LLC  
Company Name

**SPECIFICATION COMPLIANCE**

**NOTE: Please check** if what is offered is in exact compliance with specifications. Any discrepancies must be listed as an attachment to the bid proposal. Exact dimensions and/or descriptions must be provided as a part of the Contractor's bid proposal when submitted.

- \* Bid proposal submitted meets and/or exceeds all specification requirements.
- Bid proposal submitted contains deviations from specification requirements. Detailed descriptions of these deviations have been provided with this bid proposal.

\* We accept no responsibility for correctness of drawings in regard to actual building conditions

Page \_\_\_\_\_ PO#PTR10002  
Spending Unit: West Virginia Dept. of Transportation  
Division of Public Transit

**BID FORM #9**

**CERTIFICATION OF PRIMARY PARTICIPANT REGARDING  
DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS**

The Primary Participant (applicant for an FTA grant or cooperative agreement, or potential contractor for a major third party contract)

Shuck Construction Company, LLC (COMPANY NAME) certifies to the best of its knowledge and belief, that it and its principals:

1. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
2. Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
3. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (2) of this certification; and
4. Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

(If the primary participant (applicant for an FTA grant, or cooperative agreement, or potential third party contractor) is unable to certify to any of the statements in this certification, the participant shall attach an explanation to this certification.)

**THE PRIMARY PARTICIPANT (APPLICANT FOR AN FTA GRANT OR COOPERATIVE AGREEMENT, OR POTENTIAL CONTRACTOR FOR A MAJOR THIRD PARTY CONTRACT),**

Shuck Construction Company, LLC, CERTIFIES OR AFFIRMS THE TRUTHFULNESS AND ACCURACY OF THE CONTENTS OF THE STATEMENTS SUBMITTED ON OR WITH THIS CERTIFICATION AND UNDERSTANDS THAT THE PROVISIONS OF 31 U.S.C. SECTIONS 3801 ET SEQ. ARE APPLICABLE THERETO.

Robert L. Yawers Operations Manager  
Signature and Title of Authorized Official

PO#PTR10002

Virginia Dept. of Transportation

Spending Unit: West

Division of Public Transit

**BID FORM #10**

**CERTIFICATION OF RESTRICTIONS ON LOBBYING**

The undersigned (Vendor, Contractor) certifies, to the best of his or her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for making lobbying contacts to an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions. [as amended by "Government Wide Guidance for New Restrictions on Lobbying," 61 Fed. Reg. 1413 (1/19/96). Note: Language in paragraph (2) herein has been modified in accordance with Section 10 of the Lobbying Disclosure Act of 1995 (P.L. 104-65, to be codified at 2 U.S.C. 1601, et seq.)]
3. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31 U.S.C. § 1352 (as amended by the Lobbying Disclosure Act of 1995). Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure. [Note: Pursuant to 31 U.S.C. § 1352(c)(1)-(2)(A), any person who makes a prohibited expenditure or fails to file or amend a required certification or disclosure form shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such expenditure or failure.]

The Vendor, Shuck Construction Company, LLC, certifies or affirms the truthfulness and accuracy of each statement of its certification and disclosure, if any. In addition, the Vendor understands and agrees that the provisions of 31 U.S.C. § 3801, et seq., apply to this certification and disclosure, if any.

7-28-09                      Robert L. Yarnes  
 Date                                      Authorized Signature

Operations Manager  
 Title

PO#PTR10002  
Virginia Dept. of Transportation

Page \_\_\_\_\_  
Spending Unit: West  
Division of Public Transit

**BID FORM #11**  
**ADDENDUM ACKNOWLEDGMENT**

I hereby acknowledge receipt of the following checked addendum(s) and have made the necessary revisions to my proposal, plans and/or specifications, etc.

**Addendum No.'s:**

- No. 1   Py
- No. 2
- No. 3
- No. 4
- No. 5

I understand that failure to confirm the receipt of the addendum(s) is cause for rejection of bids.

Robert L. Yonero  
Signature  
Shuck Construction Company, LLC  
Company  
7-28-09  
Date





BF#13

Page \_\_\_\_\_ PO#PTR10002  
Spending Unit: West Virginia Dept. of Transportation  
Division of Public Transit

38

RFQ No. \_\_\_\_\_

STATE OF WEST VIRGINIA  
Purchasing Division  
**PURCHASING AFFIDAVIT**

**VENDOR OWING A DEBT TO THE STATE:**  
*West Virginia Code §5A-3-10a* provides that: No contract or renewal of any contract may be awarded by the state or any of its political subdivisions to any vendor or prospective vendor when the vendor or prospective vendor or a related party to the vendor or prospective vendor is a debtor and the debt owed is an amount greater than one thousand dollars in the aggregate.

**PUBLIC IMPROVEMENT CONTRACTS & DRUG-FREE WORKPLACE ACT:**  
If this is a solicitation for a public improvement construction contract, the vendor, by its signature below, affirms that it has a written plan for a drug-free workplace policy in compliance with Article 1D, Chapter 21 of the *West Virginia Code*. The vendor must make said affirmation with its bid submission. Further, public improvement construction contract may not be awarded to a vendor who does not have a written plan for a drug-free workplace policy in compliance with Article 1D, Chapter 21 of the *West Virginia Code* and who has not submitted that plan to the appropriate contracting authority in timely fashion. For a vendor who is a subcontractor, compliance with Section 5, Article 1D, Chapter 21 of the *West Virginia Code* may take place before their work on the public improvement is begun.

**ANTITRUST:**  
In submitting a bid to any agency for the state of West Virginia, the bidder offers and agrees that if the bid is accepted the bidder will convey, sell, assign or transfer to the state of West Virginia all rights, title and interest in and to all causes of action it may now or hereafter acquire under the antitrust laws of the United States and the state of West Virginia for price fixing and/or unreasonable restraints of trade relating to the particular commodities or services purchased or acquired by the state of West Virginia. Such assignment shall be made and become effective at the time the purchasing agency tenders the initial payment to the bidder.

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

**LICENSING:**  
Vendors must be licensed and in good standing in accordance with any and all state and local laws and requirements by any state or local agency of West Virginia, including, but not limited to, the West Virginia Secretary of State's Office, the West Virginia Tax Department, West Virginia Insurance Commission, or any other state agencies or political subdivision. Furthermore, the vendor must provide all necessary releases to obtain information to enable the Director or spending unit to verify that the vendor is licensed and in good standing with the above entities.

**CONFIDENTIALITY:**  
The vendor agrees that he or she will not disclose to anyone, directly or indirectly, any such personally identifiable information or other confidential information gained from the agency, unless the individual who is the subject of the information consents to the disclosure in writing or the disclosure is made pursuant to the agency's policies, procedures and rules. Vendor further agrees to comply with the Confidentiality Policies and Information Security Accountability Requirements, set forth in <http://www.state.wv.us/admin/purchase/privacy/noticeConfidentiality.pdf>.

Under penalty of law for false swearing (*West Virginia Code §61-5-3*), it is hereby certified that the vendor affirms and acknowledges the information in this affidavit and is in compliance with the requirements as stated.

Vendor's Name: Shuck Construction Company, LLC  
Authorized Signature: Robert L. Jurens Date: 7-28-09  
Purchasing Affidavit (Revised 01/01/09)

Page \_\_\_\_\_ PO#PTR10002  
Spending Unit: West Virginia Dept. Of Transportation  
Division of Public Transit

39

Bid Form #14

UNIT PRICES

"Reference Specifications Section 07620 Sheetmetal Flashing and Trim and the drawing details pertaining to "Through Wall Flashing". Provide a single unit cost per lineal foot to be added to or deducted from the Base Bid. Amount of Through Wall Flashing installed will be verified by visual inspection, materials receipts, and daily logs. Contract amount will be adjusted by Change Order.

One Lineal Foot of Through Wall Flashing	Cost in numbers: \$ 160.00	Cost in writing: One hundred <sup>six</sup> Dollars <sup>5</sup> <sup>¢</sup> <sup>no</sup> cents
--	-------------------------------	--

THE AMERICAN INSTITUTE OF ARCHITECTS



AIA Document A305

Contractor's Qualification Statement
1986 EDITION

This form is approved and recommended by The American Institute of Architects (AIA) and The Associated General Contractors of America (AGC) for use in evaluating the qualifications of contractors. No endorsement of the submitting party or verification of the information is made by the AIA or AGC.

The Undersigned certifies under oath that the information provided herein is true and sufficiently complete so as not to be misleading.

SUBMITTED TO: WV Department of Administration, Purchasing Division
ADDRESS: Building 15, 2019 Washington St., East
Charleston, WV 25305

SUBMITTED BY:

NAME: Shuck Construction Company, LLC
ADDRESS: 412 Fairmont Ave.
PRINCIPAL OFFICE: Suite 2
Fairmont, WV 26554

- Corporation [ ]
Partnership [ ]
Individual [ ]
Joint Venture [ ]
Other [X]

Limited Liability Company

NAME OF PROJECT (if applicable):

TYPE OF WORK (file separate form for each Classification of Work):

- X General Construction
Plumbing
Other (please specify)
HVAC
Electrical

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**1. ORGANIZATION**

- 1.1 How many years has your organization been in business as a Contractor?  
**8 years**
- 1.2 How many years has your organization been in business under its present business name?  
**8 years**
- 1.2.1 Under what other or former names has your organization operated?

- 1.3 If your organization is a corporation, answer the following:
- 1.3.1 Date of incorporation:  
1.3.2 State of incorporation:  
1.3.3 President's name:  
1.3.4 Vice-president's name(s):

N/A

- 1.3.5 Secretary's name:  
1.3.6 Treasurer's name:
- 1.4 If your organization is a partnership, answer the following:
- 1.4.1 Date of organization:  
1.4.2 Type of partnership (if applicable):  
1.4.3 Name(s) of general partner(s):

N/A

- 1.5 If your organization is individually owned, answer the following:
- 1.5.1 Date of organization:  
1.5.2 Name of owner:

February 26, 2001  
Roy E. Shuck, II - Sole Member

- 1.6 If the form of your organization is other than those listed above, describe it and name the principals:

N/A

## 2. LICENSING

- 2.1 List jurisdictions and trade categories in which your organization is legally qualified to do business, and indicate registration or license numbers, if applicable.

**WV Contractor License – WV032419**

- 2.2 List jurisdictions in which your organization's partnership or trade name is filed.

**West Virginia Ohio and Virginia**

## 3. EXPERIENCE

- 3.1 List the categories of work that your organization normally performs with its own forces.

**Industrial Building Construction, remodeling, excavation and site preparation, foundation and concrete, general building services, new product installation, architectural and engineering, ongoing maintenance and repair, metal fabrication**

- 3.2 Claims and Suits. (If the answer to any of the questions below is yes, please attach details.)

3.2.1 Has your organization ever failed to complete any work awarded to it? **No**

3.2.2 Are there any judgments, claims, arbitration proceedings or suits pending or outstanding against your organization or its officers? **No**

3.2.3 Has your organization filed any law suits or requested arbitration with regard to construction contracts within the last five years? **No**

- 3.3 Within the last five years, has any officer or principal of your organization ever been an officer or principal of another organization when it failed to complete a construction contract? (If the answer is yes, please attach details.) **No**

3.4 On a separate sheet, list major construction projects your organization has in progress, giving the name of project, owner, architect, contract amount, percent complete and scheduled completion date.

3.4.1 State total worth of work in progress and under contract: **\$3,073,000**

3.5 On a separate sheet, list the major projects your organization has completed in the past five years, giving the name of project, owner, architect, contract amount, date of completion and percentage of the cost of the work performed with your own forces.

3.5.1 State average annual amount of construction work performed during the past five years:  
**\$3,500,000**

3.6 On a separate sheet, list the construction experience and present commitments of the key individuals of your organization.

#### 4. REFERENCES

##### 4.1 Trade References:

Huntington Steel - Gary Stiles 304-296-2112

Mont Levine - Frank Stern 304-366-2452

Allegheny Industrial Supply, LLC - Steve Tennant

##### 4.2 Bank References:

WesBanco Bank, Inc.  
301 Adams St., Fairmont WV 26554

Kimberly Taylor  
304-368-5174

##### 4.3 Surety:

4.3.1 Name of bonding company:

Westfield Insurance Co.

4.3.2 Name and address of agent:

Robert Alan Ice  
329 Pike St., Shinnston WV 26554

3.4

Contract Description and Location		1		2	3	4	5			
		Contract Price including Approved Change Orders					Contractor's Estimated Cost At Time of Bid (1)	Total Amount Billed To Date including Retainage (2)	Total Costs To Date	Revised Estimated Costs To Complete
Name and Address of Contractor	SHUCK CONSTRUCTION COMPANY LLC 412 FAIRMONT AVE-SUITE 2, FAIRMONT, WV	Date Started		Uncompleted Contracts	7/24/09	Page Of	Mn.	Yr.		
		Mo.	Yr.							
1.	CONSOL BAILEY PREP. PLANT, PA	01	09	2.5 MIL	1.6 MIL	1.75 MIL	1.08 MIL	NO CHANGE	12	09
2.	WVU BENNETT HALL, MORGANTOWN, WV	6	09	73,000	45,000	NONE	8,000	NO CHANGE	07	09
3.	CONSOL - ENLOW FORK SILO REPAIR	01	09	TIME & MAT.	3,000/WK	138,000	80,000	NO CHANGE	12	09
4.	LOVERDIGE MINE-MAIN DUMP REPAIR	02	09	TIME & MAT.	3,500/WK	127,400	88,000	NO CHANGE	12	09
5.										
6.										
7.										
8.										
9.										
10.										
11.										
12.										
<b>TOTALS</b>										

Contracts Completed Since Last Fiscal Closing Statement or Last Status Report

Contract Description and Location	Date Started		Final Contract Price	Final Cost	Gross Profit or Loss
	Mo.	Yr.			

1. Include contractor's original estimated total cost plus cost of all change orders and extra work orders approved in detail.

2. Do not include "claims" or disputed items. If desired, attach an explanation.



## 3.5

**PROJECT REFERENCES (WORK EXPERIENCE)**

List the 4 largest contracts completed in the last 3 years:

1.

Owner/General Contractor <b>CONSOLIDATION COAL COMPANY</b>		Phone No.: 724-663-7480	
Address: 1000 CONSOL ENERGY DRIVE, CANNONSBURG, PA 15317		Fax No: Contact <b>BRIAN KELLY</b>	
Contract Price 451,000	Gross Profit (Loss) 101,500	Year Completed ONGOING CONTRACT	Bonded? NO
Job Description/Location INSTALLATION OF DUST COLLECTOR TO REMOVE DUST FROM CRUSHER BUILDING AND ON GOING REPAIR AND MAINTENANCE AT THE BAILY PREPARATION PLANT IN PA.			

2.

Owner/General Contractor <b>PHILLIPS LIGHTING</b>		Phone No.: 785-577-2040	
Address: RT 3 BOX 505, FAIRMONT, WV 26554		Fax No: Contact <b>CINDY BYRD</b>	
Contract Price 1,200,000	Gross Profit (Loss) 373,340	Year Completed 2005	Bonded? NO
Job Description/Location RELOCATION OF TWO LIGHT BULD COATING LINES FROM BLDG FOUR TO BLDG ONE; DEMOLITION OF BUILDING FOUR AND START UP RESPONSIBILITY FOR BOTH COATING LINES.			

3.

Owner/General Contractor <b>SFK PULP</b>		Phone No.: 304-368-0900 EXT 288	
Address: 702 AFR DRIVE, FAIRMONT, WV 26554		Fax No: Contact <b>STEVE DEMYON</b>	
Contract Price 850,000	Gross Profit (Loss) 290,900	Year Completed 2008	Bonded? NO
Job Description/Location COMPLETE INSTALLATION OF A NEW POLYPAPER POLYMER. THIS UNIT IS USED IN THE RECYCLED PAPER MARKET PROVIDING THE ABILITY TO RECYCLE BEEBOR PAPER OR GLOSSY PAPER WITH WRITING.			

4.

Owner/General Contractor <b>INTERNATIONAL COAL GROUP (ICG)</b>		Phone No.: 913-244-7604	
Address: 1 EDMISTON WAY, SUITE 126, BUCKHANNON, WV 26201		Fax No: Contact <b>LARRY DEAN</b>	
Contract Price 697,000 WITH CHANGES 1.0 MIL	Gross Profit (Loss) 401,015	Year Completed 2007	Bonded? NO
Job Description/Location CONSISTED OF TAKING EXISTING ELEVATOR SHAFT AND TRANSFERRING INTO AN AIR INTAKE FAN PROVIDING OUTSIDE AIR VENTILATION THROUGH THE MINE SHAFT.			

### 3.6 Roy Edward Shuck II

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**Experience:**

**2001-Present**

**Shuck Construction Company LLC – Fairmont, WV**  
Owner / General Manager

- A Qualified HUB-Zone Small Business Concern
- Only 4 employees at inception, currently employs a staff of 40.
- Staff has 40 years of experience in project management and quality control.
- Oversees all levels of commercial building construction, erection and contract building maintenance and renovation.
- Possesses the ability to manage and execute multiple projects effectively and efficiently.
- Currently contracted with Consol Energy's Bailey Preparation Plant to perform all repair and maintenance.

**1999-Present**

**Shuck Steel Fabricators LLC – Fairmont, WV**  
Owner / General Manager

- Purchased family business established in 1959 by Roy Shuck Sr.
- Worked for grandfather while in high school and college.
- Employs over 35 qualified individuals who are continually trained and educated.
- Oversee the fabrication of all ferrous and non-ferrous metals from detailed drawings submitted by customer or by experienced in-house engineer.
- Fabrication projects range from fabrication of steel beams for building construction to all other various fabrications of products.
- Original equipment manufacturer for the energy industry.

**Robert Yanero**

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**Experience:**

**2003-Present**

**Shuck Construction Company, LLC – Fairmont, WV**  
Operations Manager

- Responsible for management of daily operations
- Responsible for Product Management & Purchasing
- Conducts human resource duties including hiring, employee performance management, payroll, and budgeting

**Melvin Bible**

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**Experience:**

**2000-Present**

**Shuck Steel Fabricators & Shuck Construction Company LLC – Fairmont, WV**  
Site Superintendent / Quality Control Systems Manger

- Job oversight, including, managing job in time frame of project deadline.
- Oversees crew of approximately 10 employees.
- Ensures all safety requirements are followed and implemented.
- Value key to the completion of Phillips Lighting project

**Jay Phillips**

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**Experience:**

**2000-Present**

**Shuck Steel Fabricators & Shuck Construction Company LLC – Fairmont, WV**  
Estimating, Engineering and Fabrication Technician

- Estimating, purchasing, shop management, inventory control, job scheduling, preparing shop fabrication drawings utilizing AutoCAD, meeting with clients, meeting with sales representatives, fabrication shop quality control, coordinating deliveries to job sites and clients, visiting job sites and collecting data to produce client requested fabricated items.

**5. FINANCING**

**5.1 Financial Statement.**

5.1.1 Attach a financial statement, preferably audited, including your organization's latest balance sheet and income statement showing the following items:

Current Assets (e.g., cash, joint venture accounts, accounts receivable, notes receivable, accrued income, deposits, materials inventory and prepaid expenses);

Net Fixed Assets;

Other Assets;

Current Liabilities (e.g., accounts payable, notes payable, accrued expenses, provision for income taxes, advances, accrued salaries and accrued payroll taxes);

Other Liabilities (e.g., capital, capital stock, authorized and outstanding shares par values, earned surplus and retained earnings).

5.1.2 Name and address of firm preparing attached financial statement, and date thereof:

Steve L. Holbert, CPA AC 530 Fairmont Ave., Fairmont WV 12/31/2008

5.1.3 Is the attached financial statement for the identical organization named on page one?

Yes

5.1.4 If not, explain the relationship and financial responsibility of the organization whose financial statement is provided (e.g., parent-subsidiary).

5.2 Will the organization whose financial statement is attached act as guarantor of the contract for construction?

Yes

## 5.1.1

**Shuck Construction Company, LLC**  
**STATEMENT OF ASSETS, LIABILITIES & CAPITAL**  
**Income Tax Basis**  
**As of December 31, 2008**

<b>ASSETS</b>		<b>LIABILITIES</b>	
<b>CURRENT ASSETS</b>		<b>CURRENT LIABILITIES</b>	
Petty Cash	\$1,000.00	Accounts Payable	\$5,320.82
Cash in Bank	143,929.56	Profit Sharing Payable	39,792.54
Cash – Savings	528,486.84	WV Sales Tax Payable	186.88
Trade Accounts Receivable	195,515.93	Notes Payable – Current	<u>40,000.00</u>
Pete Dye Memberships	<u>18,000.00</u>		
<b>Total Current Assets</b>	<u>889,923.33</u>	<b>Total Current Liabilities</b>	<u>85,300.24</u>
<b>PROPERTY AND EQUIPMENT</b>		<b>LONG-TERM LIABILITIES</b>	
Machinery & Equipment	467,811.42	Line of credit – WesBanco	248,965.83
Office Equipment	17,109.55	Note Payable – WesBanco	160,969.15
Vehicles	456,464.92	Note Payable – First United	9,615.45
Less: Accumulated Depreciation	<u>(585,837.89)</u>	Note Payable – First United	6,669.32
<b>Net Property and Equipment</b>	<u>355,548.00</u>	Less Current Portion	<u>(40,000.00)</u>
		<b>Total Long-Term Liabilities</b>	<u>386,219.75</u>
<b>OTHER ASSETS</b>		<b>Total Liabilities</b>	<u>471,519.99</u>
Loan Costs	3,707.00		
Less Accumulated Amortization	<u>(926.00)</u>		
<b>Total Other Assets</b>	<u>2,781.00</u>		
<b>TOTAL ASSETS</b>	<u>\$1,248,261.33</u>	<b>MEMBERS' CAPITAL</b>	
		<b>MEMBERS' EQUITY</b>	
		Capital Accounts	<u>776,741.34</u>
		<b>Total Member's Equity</b>	<u>776,741.34</u>
		<b>TOTAL LIABILITIES AND MEMBER'S EQUITY</b>	<u>\$1,248,261.33</u>

## 5.1.1

**Shuck Construction Company LLC**  
**STATEMENT OF REVENUES AND EXPENSES**

Income Tax Basis

As of December 31, 2008

**Sales**

Sales -- Construction WV	\$ 1,074,726.37
Sales -- Construction VA	59,296.90
Sales -- Construction PA	3,019,438.52
Sales -- Construction OH	4,300.00
Miscellaneous Revenue	4,660.00
Less Returns & Allowances	0.00
<b>Total Sales</b>	<u><b>4,162,420.79</b></u>

**Cost of Goods Sold**

Purchases	226,199.20
Shop Supplies	1,914.41
Field Supplies	197.38
IC Cost of Sales -- Fabrication	676,727.80
Contract Labor	500.00
Training Expense	9,220.17
Equipment Leasing Expense	17,229.75
Job Travel & Per Diem	32,582.83
<b>Total Cost of Goods Sold</b>	<u><b>964,571.54</b></u>

**Gross Profit**

**3,197,849.25**

**Operating Expenses**

Accounting Expense	7,515.00
Advertising Expense	30,421.68
Contributions	15,568.00
Depreciation Expense	162,009.00
Professional Fees	1,060.00
Gas, Oil and Grease Expense	26,476.08
Vehicle Insurance	46,260.63
Laundry and Cleaning	1,063.38
Travel -- Mileage Reimbursement	7,190.40
Medical Expense	324.49
Office Expense	6,397.13
Pension Plan Contribution	19,292.54
Plan Administration Expense	1,000.00
Postage Expense	578.06
Rent Expense	62,700.00
Repairs -- Equipment	9,449.71
Salaries -- Sales	877,826.47
Salaries -- Administration	6,800.00
Sales Promotion and Employee Rel	18,566.27
Travel & Lodging	3,879.69
Meals & Entertainment	11,212.00
Truck Expense	9,602.12
Telephone Expense	10,657.05
Utilities Expense	1,288.01
Miscellaneous Expense	1,041.67
Licenses & Registration Fees	3,170.97
Workman's Compensation	66,669.11
SUTA	40,185.51
FUTA	3,310.34
Employer FICA	72,337.94
Vehicle Tax and License	4,797.96
Use Tax	455.95
Carrier Tax	7.91

**Total Operating Expenses**

**1,629,135.27**

**Operating Income**

**1,568,713.98**

**Other Income (Expense)**

**(25,567.76)**

**Interest Expense****Total Other Income (Expense)**

**(25,567.76)**

**Net Income Before Taxes**

**1,543,146.22**

**Net Income**

**\$ 1,543,146.22**

6. SIGNATURE

6.1 Dated at Fairmont, WV this

19

28th day of July, 2009

Name of Organization:

Shuck Construction Company, LLC

By:

*[Handwritten Signature]*

Title: General Manager

6.2

M being  
duly sworn deposes and says that the information provided herein is true and sufficiently complete so as not to be misleading.

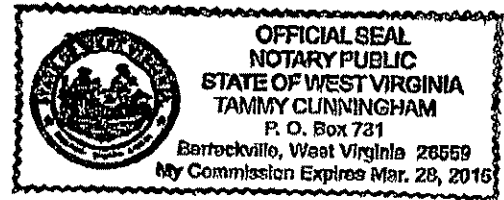
Subscribed and sworn before me this

19

28th day of July, 2009

Notary Public: *Tammy Cunningham*

My Commission Expires: *March 28, 2015*



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