



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

**Request for  
 Quotation**

RFO NUMBER  
 RMA10003

PAGE  
 1

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

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\*625092603 586-754-4200  
 ARMOND CASSIL RAILROAD CONST I  
 6403 RINKE STREET  
 WARREN MI 48091  
 ARMOND CASSIL RAILROAD  
 CONSTRUCTION INC.

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WV STATE RAIL AUTHORITY  
 (DBA) SOUTH BRANCH VALLEY  
 RAILROAD  
 120 WATER PLANT DRIVE  
 MOOREFIELD, WV  
 26836 304-538-2305

OCT 26 2009

RECEIVED

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
10/21/2009				
BID OPENING DATE: 10/29/2009		BID OPENING TIME 01:30PM		

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
***** ADDENDUM NO. 3 *****						
THIS ADDENDUM IS ISSUED TO EXTEND THE BID OPENING DATE AND PROVIDE THE ATTACHED BID CLARIFICATION.						
BID OPENING DATE IS CHANGED TO: 10/29/09 AT 1:30 PM						
0001	1	EA		160-52		
TRACK CONSTRUCTION, CROSSITE AND SWITCH TIE						
***** THIS IS THE END OF RFQ RMA10003 ***** TOTAL:						610,881.65

RECEIVED  
 2009 OCT 29 A 10:04  
 PURCHASING DIVISION  
 STATE OF WV

SEE REVERSE SIDE FOR TERMS AND CONDITIONS			
SIGNATURE <i>David A. Maga</i>	David A. Maga	TELEPHONE (586) 754-4200	DATE 10-28-09
TITLE President	FEIN 31-0997823	ADDRESS CHANGES TO BE NOTED ABOVE	

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

Line Item	Description	Unit Cost	Unit of Measure	Quantity	Extended Cost
	Tie Replacement (Including gaging of inserted ties)				
1	Ties	\$ 70.54	per tie	4,000	\$ 282,160.00
	Additional Switch Ties				
2	14' Switch Tie	\$ 211.08	per tie	8	\$ 1,688.64
3	15' Switch Tie	\$ 217.26	per tie	8	\$ 1,738.08
	Gaging (respiked crossties only)				
4	Ties	\$ 14.53	per tie	4,000	\$ 58,120.00
	Additional Surfacing/Ballast Regulation				
5	Additional Surfacing	\$ .42	per track foot	68,640 (13 miles)	\$ 28,828.80
6	Additional Regulating	\$ .81	per track foot	10,560 (2 miles)	\$ 8,553.60
	Track Construction at Elkins Wye (Includes all labor and materials for project - ties are included below)				
7	Track	\$ 91.00	per track foot	500	\$ 45,500.00
	Tie Replacement at Industrial Park Siding (Includes ties in track construction and other ties as marked)				
8	Ties	\$ 59.14	per tie	400	\$ 23,656.00
	Turnout Construction at Elkins Wye (includes all labor and materials)				
9	#8 <del>115-132</del> RE turnout	\$ 36,529.23	each	1	\$ 36,529.23

## RMA10003 Cost Sheet (continued)

	Culvert Replacement				
10	Culvert 24" x 20'	\$ 5,611.22	each	5	\$ 28,056.10
11	Culvert 24" x 40'	\$ 8,416.83	each	1	\$ 8,416.83
12	Existing 36" culvert lowered by 18" add 20' section and repair shoulder damage	\$ 9,549.95	each	1	\$ 9,549.95
	Tighten Bolts & Raise Joints				
13	Tighten Bolts	\$ 6.71	per joint	250	\$ 1,677.50
14	Raise Joints	\$	per joint	250	\$
	Cheat Bridge Crossover				
15	Install two switches in the Cheat Bridge Yard and create a crossover	\$ 76,406.92	Lump Sum	1	\$ 76,406.92
	Ballast Placement				
16	Ballast Placement	\$	per ton	600	\$
			TOTAL BID:		\$ 610,881.65

## Notes:

- 1) The above quantities are the agency's best estimate for the amount of work to be completed. Any variation in the actual quantities will be determined based on the unit price shown above for the given work.
- 2) Vendors should complete this form in its entirety in lieu of submitting other quote forms. Submitted form should be provided in a legible form. (Typewritten form preferred.)
- 3) Vendors must submit unit prices for all items. Failure to provide unit prices will result in the disqualification of the vendor's bid.



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

VENDOR

\*625092603 586-754-4200  
 ARMOND CASSIL RAILROAD CONST I  
 6403 RINKE STREET  
  
 WARREN MI 48091

SHIP TO

WV STATE RAIL AUTHORITY  
 (DBA) SOUTH BRANCH VALLEY  
 RAILROAD  
 120 WATER PLANT DRIVE  
 MOOREFIELD, WV  
 26836 304-538-2305

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
08/27/2009				

BID OPENING DATE: **10/06/2009** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
				SEND A COPY OF THE ADDENDUM TO THE STATE AGENCY FOR WHICH THE CONTRACT IS ISSUED.  (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.  (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.  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.:  NO. 1 .. 9-28-09 ..  NO. 2 .. 10-13-09 ..  NO. 3 .. 10-21-09 ..		

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE

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DATE PRINTED <b>08/27/2009</b>	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
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BID OPENING DATE: **10/06/2009**      BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
NO. 4		.....				
NO. 5		.....				
<p>I UNDERSTAND THAT FAILURE TO CONFIRM THE RECEIPT OF TH            ADDENDUM(S) MAY BE CAUSE FOR REJECTION OF THE BIDS.</p> <p>VENDOR MUST CLEARLY UNDERSTAND THAT ANY VERBAL            REPRESENTATION MADE OR ASSUMED TO BE MADE DURING ANY            ORAL DISCUSSION HELD BETWEEN VENDOR'S REPRESENTATIVES            AND ANY STATE PERSONNEL IS NOT BINDING. ONLY THE            INFORMATION ISSUED IN WRITING AND ADDED TO THE            SPECIFICATIONS BY AN OFFICIAL ADDENDUM IS BINDING.</p> <p><i>David A. Maga</i> .....SIGNATURE            David A. Maga            Armond Cassil Railroad Construction, Inc. ....COMPANY</p> <p>..10-28-09.....DATE</p> <p>REV. 11/96</p> <p>CONTRACTORS LICENSE</p> <p>WEST VIRGINIA STATE CODE 21-11-2 REQUIRES THAT ALL            PERSONS DESIRING TO PERFORM CONTRACTING WORK IN THIS            STATE MUST BE LICENSED. THE WEST VIRGINIA CONTRACTORS            LICENSING BOARD IS EMPOWERED TO ISSUE THE CONTRACTORS            LICENSE. APPLICATIONS FOR A CONTRACTORS LICENSE MAY BE            MADE BY CONTACTING THE WEST VIRGINIA DIVISION OF LABOR            CAPITOL COMPLEX, BUILDING 3, ROOM 319, CHARLESTON, WV            25305. TELEPHONE: (304) 558-7890.</p>						

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<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:      Armond Cassil Railroad Construction, Inc.</p> <p>CONTRACTORS LICENSE NO.:      WV001055</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 style="text-align: center;">APPLICABLE LAW</p> <p>THE WEST VIRGINIA STATE CODE, PURCHASING DIVISION RULES AND REGULATIONS, AND THE INFORMATION PROVIDED IN THE "REQUEST FOR QUOTATION" ISSUED BY THE PURCHASING DIVISION IS THE SOLE AUTHORITY GOVERNING THIS PROCUREMENT.</p> <p>ANY INFORMATION PROVIDED IN SPECIFICATION MANUALS, OR ANY OTHER SOURCE, VERBAL OR WRITTEN, WHICH CONTRADICTS OR ALTERS THE INFORMATION PROVIDED FROM THE SOURCES AS DESCRIBED IN THE ABOVE PARAGRAPH IS VOID AND OF NO EFFECT.</p> <p>BANKRUPTCY:      IN THE EVENT THE VENDOR/CONTRACTOR FILES FOR BANKRUPTCY PROTECTION, THE STATE MAY DEEM THE CONTRACT NULL AND VOID, AND TERMINATE SUCH CONTRACT WITHOUT FURTHER ORDER.</p> <p>REV. 5/2009</p>						

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<b>NOTICE</b>						
A SIGNED BID MUST BE SUBMITTED TO:						
DEPARTMENT OF ADMINISTRATION PURCHASING DIVISION BUILDING 15 2019 WASHINGTON STREET, EAST CHARLESTON, WV 25305-0130						
THE BID SHOULD CONTAIN THIS INFORMATION ON THE FACE OF THE ENVELOPE OR THE BID MAY NOT BE CONSIDERED:						
SEALED BID						
BUYER:      44						
REQ. NO.:      RMA10003						
BID OPENING DATE:      10/6/09						
BID OPENING TIME:      1:30 PM						
PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID:						
(586) 754-4200						
-----						
PLEASE PRINT OR TYPE NAME OF PERSON TO CONTACT CONCERNING THIS QUOTE:						
David A. Maga						
-----						

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THE AMERICAN INSTITUTE OF ARCHITECTS

AIA Document A310

Bid Bond

KNOW ALL MEN BY THESE PRESENTS, that we

Armond Cassil Railroad Construction, Inc.  
6403 Rinke Street, Warren, MI 48091

as Principal, hereinafter called the Principal, and  
Safeco Insurance Company of America  
1001 Fourth Ave, Safeco Plaza, Seattle, WA 98154

a corporation duly organized under the laws of the State of WA  
as Surety, hereinafter called the Surety, are held and firmly bound unto  
State of West Virginia

2019 Washington St East, Charloeston, WV 25305

as Obligee, hereinafter called the Obligee, in the sum of Five Percent of Amount Bid

Dollars (\$ 5% ),

for the payment of which sum well and truly to be made, the said Principal and the said Surety bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has submitted a bid for South Branch Valley RR Track Construction, crosstie & switch tie replacement RMA 10003

NOW, THEREFORE, if the Obligee shall accept the bid of the Principal and the Principal shall enter into a Contract with the Obligee in accordance with the terms of such bid, and give such bond or bonds as may be specified in the bidding or Contract Documents with good and sufficient surety for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof, or in the event of the failure of the Principal to enter such Contract and give such bond or bonds, if the Principal shall pay to the Obligee the difference not to exceed the penalty hereof between the amount specified in said bid and such larger amount for which the Obligee may in good faith contract with another party to perform the Work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect.

Signed and sealed this 6th day of October, 2009

Margaret M. Storch  
(Witness)

John C Stanchina  
(Witness)



Armond Cassil Railroad Construction, Inc.  
(Principal) (Seal)

By: David G. Magee  
(Title) President

Safeco Insurance Company of America  
(Surety) (Seal)

By: Kathleen M Moore  
(Title) Attorney-in-Fact



POWER  
OF ATTORNEY

KNOW ALL BY THESE PRESENTS:

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

That **SAFECO INSURANCE COMPANY OF AMERICA** and **GENERAL INSURANCE COMPANY OF AMERICA**, each a Washington corporation, does each hereby appoint

**Kathleen M Moore Richmond, VA**

its true and lawful attorney(s)-in-fact, with full authority to execute on its behalf the following surety bond:

Surety Bond Number: Bid Bond  
Principal: Armond Cassil Railroad Construction, Inc.  
Obligee: State of West Virginia  
Amount of Bond: See Bond Form

IN WITNESS WHEREOF, **SAFECO INSURANCE COMPANY OF AMERICA** and **GENERAL INSURANCE COMPANY OF AMERICA** has executed and attested these presents

this \_\_\_\_\_ 6th \_\_\_\_\_ day of \_\_\_\_\_ October \_\_\_\_\_, 2009

Dexter R. Legg, Secretary

Timothy A. Mikolajewski, Vice President

CERTIFICATE

Extract from the By-Laws of **SAFECO INSURANCE COMPANY OF AMERICA** and **GENERAL INSURANCE COMPANY OF AMERICA**:

"Article 8, Section 8.1 1. - FIDELITY AND SURETY BONDS . . . the President, any Vice President, the Secretary, and any Assistant Vice President appointed for that purpose by the officer in charge of surety operations, shall each have authority to appoint individuals as attorneys-in-fact or under other appropriate titles with authority to execute on behalf of the corporation fidelity and surety bonds and other documents of similar character issued by the corporation in the course of its business . . . On any instrument making or evidencing such appointment, the signatures may be affixed by facsimile. On any instrument conferring such authority or on any bond or undertaking of the corporation, the seal, or a facsimile thereof, may be impressed or affixed or in any other manner reproduced; provided, however, that the seal shall not be necessary to the validity of any such instrument or undertaking."

I, Dexter R. Legg, Secretary of **SAFECO INSURANCE COMPANY OF AMERICA** and **GENERAL INSURANCE COMPANY OF AMERICA**, do hereby certify that the foregoing extracts of the By-Laws of this corporation, and of a Power of Attorney issued pursuant thereto, are true and correct, and that both the By-Laws and the Power of Attorney are still in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the facsimile seal of said corporation

this \_\_\_\_\_ 6th \_\_\_\_\_ day of \_\_\_\_\_ October \_\_\_\_\_, 2009



Dexter R. Legg, Secretary



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

STATE OF Michigan

COUNTY OF Maccomb, TO-WIT:

I, David A. Maga, after being first duly sworn, depose and state as follows:

- 1. I am an employee of Armond Cassil Railroad Construction, Inc. (Company Name)
2. I do hereby attest that Armond Cassil Railroad Construction, Inc. (Company Name)

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

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

Armond Cassil Railroad Construction, Inc. (Company Name)

By: David A. Maga (Signature)
David A. Maga

Title: President

Date: 10-28-09

Taken, subscribed and sworn to before me this 28th day of October, 2009.

By Commission expires March 17, 2014

(Seal) MARGARET M. D'HERDE
NOTARY PUBLIC, STATE OF MI
COUNTY OF WAYNE
MY COMMISSION EXPIRES Mar 17, 2014
ACTING IN COUNTY OF Maccomb

Margaret M D'Herde (Signature)
(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.

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: Armond Cassil Railroad Construction, Inc.

Authorized Signature: David A. Maga Date: October 28, 2009