

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

Request for Quotation

DNR210246

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FRANK WHITTAKER 304-558-2316

WISEMAN CONSTRUCTION COMPANY I

304-344-1200

CHARLESTON WV 25312

*709050415

1616 6TH AVENUE

DIVISION OF NATURAL RESOURCES HAWKS NEST STATE PARK 177 WEST MAIN STREET POST OFFICE BOX 857 ANSTED, WV 25812 304-658-5196

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DIVISION OF NATURAL RESOURCES HAWKS NEST STATE PARK 177 WEST MAIN STREET POST OFFICE BOX 857 ANSTED, WV 25812

304-658-5196

TERMS OF SALE: SHIP VIA FREIGHTTERMS DATE PRINTED FOB. 06/16/2010 BID OPENING DATE: **BID OPENING TIME** 01:30PM 07/27/2010 QUANTITY ITEM NUMBER UNIT PRICE AMOUNT LINE UOP THE ENVELOPE OR THE BID MAY NOT BE CONSIDERED: SEALED BID BUYER: 44 DNR210246 REQ. NO.: BID OPENING DATE: 07/27/2010 BID OPENING TIME: 1:30 PM PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID: ___(<u>304)</u>_<u>344</u>-1281 PLEASE PRINT OR TYPE NAME OF PERSON TO CONTACT CONCERNING THIS QUOTE: John A. Wiseman (304) 344-1200 ext. 201 THIS IS THE END OF RFQ DNR210246 ***** TOTAL: \$124,720.00 SEE REVERSE SIDE FOR TERMS AND CONDITIONS: 304-344-1200 55-0602314 ADDRESS CHANGES TO BE NOTED ABOVE

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 obtained by contacting:

Chapman Technical Group 200 Sixth Avenue St. Albans, West Virginia 25177 (304) 727-5501 (304) 727-5580 Fax

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 60 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 \$300 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 estimate of the materials complete in place and the amount of WORK performed in accordance with the CONTRACT during the preceding month and the value thereof figured at the CONTRACT unit prices or based on the approved schedule of value. Should there be any doubt of the OWNER as to the integrity of any part of the COMPLETED work, the estimates for that portion will not be allowed modified by the CONTRACTOR accordingly. CONTRACTOR shall submit evidence to document the extent of progress payments as required by the OWNER.

Progress payments will not be made when the total value of the WORK done since the last estimate amounts to less than Five Hundred Dollars (\$500.00). From the total of the amounts ascertained as payable, an amount equivalent to and in accordance with Article 9 of A201-2007 Supplementary Conditions of the State of West Virginia will be deducted and retained by the OWNER until completion of the entire CONTRACT in an acceptable manner. The balance, less all previous payments, will be certified for payment by the OWNER.

When the WORK under contract has been completed and its acceptance is recommended by the OWNER, the retainage shall be released and paid to the CONTRACTOR.

Hawks Nest State Park Lodge Roof Repairs DIVISION OF NATURAL RESOURCES

INVITATION TO BID-1

The Division of Natural Resources, Parks and Recreation, requests bids for structural repairs of the roof at the Hawks Nest Lodge at Hawks Nest State Park in Fayette County, West Virginia.

Sealed bids will be received until 1:30 p.m. on 7/27, 2010 at the WV State Purchasing Division, 2019 Washington Street, East, Capitol Complex, Charleston, WV.

A mandatory Pre-Bid Conference will be held on 6/30, at 1:30 PM at Hawks Nest State Park Lodge.

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 obtained by contacting:

Chapman Technical Group 200 Sixth Avenue St. Albans, West Virginia 25177 (304) 727-5501 (304) 727-5580 Fax

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 60 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 \$300 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.

Hawks Nest State Park Lodge Roof Repairs DIVISION OF NATURAL RESOURCES

INVITATION TO BID-2

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 estimate of the materials complete in place and the amount of WORK performed in accordance with the CONTRACT during the preceding month and the value thereof figured at the CONTRACT unit prices or based on the approved schedule of value. Should there be any doubt of the OWNER as to the integrity of any part of the COMPLETED work, the estimates for that portion will not be allowed modified by the CONTRACTOR accordingly. CONTRACTOR shall submit evidence to document the extent of progress payments as required by the OWNER.

Progress payments will not be made when the total value of the WORK done since the last estimate amounts to less than Five Hundred Dollars (\$500.00). From the total of the amounts ascertained as payable, an amount equivalent to and in accordance with Article 9 of A201-2007 Supplementary Conditions of the State of West Virginia will be deducted and retained by the OWNER until completion of the entire CONTRACT in an acceptable manner. The balance, less all previous payments, will be certified for payment by the OWNER.

When the WORK under contract has been completed and its acceptance is recommended by the OWNER, the retainage shall be released and paid to the CONTRACTOR.

| Agency | WVDNR | |
|--------|-------------|--|
| REQ.P. | O#DNR210246 | |

BID BOND

| | KNOW ALL MEN E | Y THESE P | RESENTS, That v | we, the undersig | ned, Wiser | man Con | struction | Company, Inc. |
|-----------------|---|--|---|--|----------------------------|--|------------------------------|---|
| of | Charleston | , | WV | | , as Princip | al, and U | nited Sta | ites Surety Company |
| of | Timonium | | MD | , a corpora | tion organiz | ed and ex | isting und | ler the laws of the State of |
| N | /ID with its pr | incipal office | in the City of | Timonium | , as | Surety, ar | e held and | d firmly bound unto the State |
| | | | | | | | |) for the payment of which |
| well and | d truly to be made, w | e jointly and | severally bind ou | rselves, our heir | s, administra | ators, exec | cutors, su | ccessors and assigns. |
| | The Condition of th | e above oblic | gation is such tha | t whereas the Pr | incipal has | submitted | to the Pu | rchasing Section of the |
| Departr | | | | | | | | nto a contract in writing for |
| | Structural Repair F | | | | | | | |
| | | | | | | | | |
| | NOW THEREFORE | <u> </u> | | | | | | |
| agreem force an | and shall furnish any | be accepted other bonds ceptance of sly understoo | I and the Principa and insurance rea said bid, then this od and agreed tha | quired by the bid s obligation shall at the liability of t | or proposa be null and | I, and sha I void, othe | II in all oth erwise this | he bid or proposal atlached ner respects perform the s obligation shall remain in ful s hereunder shall, in no event |
| | The Surety, for the paired or affected by otice of any such ext | any extensio | ed, hereby stipula n of the time withi | tes and agrees t in which the Obli | hat the obli gee may ac | gations of ccept such | said Sure bid, and | ly and its bond shall be in no said Surety does hereby |
| | IN WITNESS WHE | REOF, Princi | ipal and Surety ha | ave hereunto set | their hands | s and seal | s, and suc | ch of them as are corporation |
| have ca | used their corporate | seals to be a | iffixed hereunto a | nd these presen | ls to be sigr | ned by the | ir proper | officers, this |
| 27th | day of Ji | ıly | 2010 | | | | | |
| Principa | ıl Corporate Seal | | | | Wise By _ | Jh | (Napm (Must Vice | on Company, Inc. Sol Principal) be President or President) |
| | | | | | | Pres | ident | (Title) |
| Surely (| Corporate Seal | | | | Unit | ed States | | Company e of Surety) |
| | | | | Kim | By: perly J. Wilk | ////////////////////////////////////// | HUU(V Resider | Oll Uluxon nt/Agent Attorney-in-Fact |

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

POWER OF ATTORNEY

MERICAN CONTRACTORS INDEMNITY COMPANY—UNITED STATES SURETY COMPANY—U.S. SPECIALTY INSURANCE COMPAN

KNOW ALL MEN BY THESE PRESENTS: That American Contractors Indemnity Company, a California comporation, United States Surety Company, a Maryland corporation, and U.S. Specialty Insurance Company, a Texas corporation (collectively, the "Companies"), do by these presents make constitute and appoint: Gregory T. Gordon, Larry D. Kerr, Allan L. McVev.

Patricia A. Moye, Emberry J. Wilkinson

its true and lawful Attorney(s)-in-fact, each in their separate capacity if more than one is named above, with full power and authority hereby conferred in its <u>name. place and stead, to execute, acknowledge and deliver any and all bonds, recegnizances, undertakings or other instruments</u> or contracts of suretyship to include riders, amendments, and consents of surety. This Power of Attorney is granted under and by authority of the following resolutions adopted by the Boards of Directors of the Companies: American country conserved and a server of the server of t

Be it Resolved, that the President, any Vice-President, any Assistant Vice-President, any Secretary or any Assistant Secretary 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:

ttorney-in-Eact may be given full power and authority for and in the name of and on belant of the Company, to execute, acknowledge and deliver, any and all bonds recognizances, contracts, agreements or indemnity and other conditional or obligatory undertakings and any and all notices and documents canceling or terminating the Company's liability thereunder, and any such instruments so executed by any such Attorney-in-Fact shall be binding upon the Company as if signed by the President and sealed and effected by the Corporate Secretary.

nd sealed and effected by the Corporate Secretary.

Be it Resolved, that the signature of any authorized officer and seal of the Company heretofore of hereafter affixed to any power of attorney or any certificate relating thereto by facsimile, and any power of attorney or certificate bearing facsimile signature or facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached.

NVIII THE WHEREOF THE Companies have caused this metumen to be signed and their companies eals to be hereto affixed, this

AMERICAN CONTRACTORS INDEMNITY COMPANY _UNITED STATES SURETY COMPANY _ U.S. SPECIALTY INSURANCE COMPANY Corporate Seals 📉 🦱 🦛







Peter W. Carman, Vice President

State of Maryland County of Baltimore

On this 4th day of December, 2008, before me, Jean Grzymala, a notary public, personally appeared Peter W. Carman, Vice President of American Contractors Indemnity Company, United States Surety Company and U.S. Specialty Insurance Company who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I sertify under PENALTY OF PERIOR and correct. WITHESE hand and official seal.

PUBLIC

Signature

My commission expires the 15th day of December, 2012

[and E Me M., Assistant Secretary of American Contractors Internet Company, United States Surely Company and U.S. Specially Instrument 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; furthermore, the resolutions of the Boards of Directors, set out in the Power of Attorney are in full force and effect.

Witness Whereof, I have hereunto set my hand and affixed the seals of said Companies at Baltimore, Maryland this of







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

| STATE OF West Virginia |
|--|
| COUNTY OF Kanawha TO-WIT: |
| I, <u>John A. Wiseman</u> , after being first duly sworn, depose and state as follows: |
| 1. I am an employee of Wiseman Construction Co., Inc.; and, (Company Name) |
| 2. I do hereby attest that <u>Wiseman Construction Co., Inc.</u> (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. |
| Wiseman Construction Co., Inc. (Company Name) |
| By: Miseman Title: President |
| Date:July 27, 2010 |
| Taken, subscribed and sworn to before me this 27th day of July 2010 |
| STATE OF WEST VIRGINIA NOTARY PUBLIC James C. Linkinoggor 189 Arnoldsburg Rd. Spercer, WV 25276 My Commission Expires October 28, 2019 |
| (Notary Public) |
| THIS AFFIDAVIT MUST BE SUBMITTED WITH THE BID IN ORDER TO |

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

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 owed 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 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, vendor by blood, marriage, ownership or contract through which the party has a relationship of ownership or other interest 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.

WITNESS THE FOLLOWING SIGNATURE

Spencer, WV 25276

| Vendor's Name: Wiseman Construction Co., Inc. |
|---|
| Authorized Signature: Date: July 27 2010 |
| State of West Virginia John A. Wiseman-President |
| County of Kanawha , to-wit: |
| Taken, subscribed, and sworn to before me this 27t bay ofJuly |
| My Commission expires October 28 , 20 19 |
| AFFIX SEAL HERE NOTARY PUBLIC Jam |
| OFFICIAL SEAL STATE OF WEST VIRGINIA NOTARY PUBLIC |