



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
GSD096453

PAGE
1

ADDRESS CORRESPONDENCE TO ATTENTION OF
**KRISTA FERRELL
304-558-2596**

*321135136 304-925-3190
MAYNARD C SMITH CONSTRUCTION C
3410 CHESTERFIELD AVENUE
CHARLESTON WV 25304

DEPARTMENT OF ADMINISTRATION
GENERAL SERVICES DIVISION
BUILDING 1
1900 KANAWHA BOULEVARD, EAST
CHARLESTON, WV 25305 304-558-3517

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
11/01/2010				

BID OPENING DATE: 11/03/2010 BID OPENING TIME 01:30PM

LINE	QUANTITY	UoP	CAT NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
				ADDENDUM NO. 4		
				THIS ADDENDUM IS ISSUED TO PROVIDE THE ATTACHED SUPPLEMENTARY CONDITIONS TO THE AIA A201-2007 DOCUMENT.		
				BID OPENING DATE REMAINS: 11/03/2010		
				BID OPENING TIME REMAINS 1:30 PM		
				***** END ADDENDUM NO. 4 *****		
0001	1	LS		968-42		
				HOUSE/SENATE HVAC REPLACEMENT PROJECT		
				***** THIS IS THE END OF RFQ GSD096453 ***** TOTAL:		

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NOV - 1 2010

MAYNARD C. SMITH
CONSTRUCTION COMPANY, INC.

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2010 NOV - 3 PM 1:24

WV PURCHASING
DIVISION

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE 	John Strickland	TELEPHONE 304-925-3190	DATE 11/03/10
TITLE President	FEN 55-0739233	ADDRESS CHANGES TO BE NOTED ABOVE	

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



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321135136 304-925-3190
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 410 CHESTERFIELD AVENUE
 CHARLESTON WV 25304

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 1900 KANAWHA BOULEVARD, EAST
 CHARLESTON, WV
 25305 304-558-3517

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
10/28/2010				

BID OPENING DATE: 11/03/2010 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
ADDENDUM NO. 3						
THIS ADDENDUM IS ISSUED TO PROVIDE ANSWERS TO ALL TECHNICAL QUESTIONS, CLARIFICATIONS, AND PRODUCT SUBSTITUTIONS SUBMITTED IN ACCORDANCE WITH THE PROVISIONS OF THE ORIGINAL RFQ (GSD09453)						
BID OPENING DATE REMAINS: 11/03/2010						
BID OPENING TIME REMAINS: 1:30 PM						
***** END ADDENDUM NO. 3 *****						
0001	1	LS		968-42		
HOUSE/SENATE HVAC REPLACEMENT PROJECT						
***** THIS IS THE END OF RFQ GSD096453 ***** TOTAL:						

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 CONSTRUCTION COMPANY, INC.

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SIGNATURE	John Strickland	TELEPHONE	304-925-3190
TITLE	President	DATE	11/03/10
FEIN	55-0739233	ADDRESS CHANGES TO BE NOTED ABOVE	

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 25305 304-558-3517

DATE PRINTED 10/21/2010	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
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BID OPENING DATE: **11/03/2010** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
				ADDENDUM NO. 2		
				THIS ADDENDUM IS ISSUED TO EXTEND THE BID OPENING DATE.		
				TECHNICAL QUESTIONS, CLARIFICATIONS, AND REQUESTS FOR PRODUCT SUBSTITUTIONS WILL BE ANSWERED BY SUBSEQUENT ADDENDUM.		
				BID OPENING DATE IS EXTENDED TO: 11/03/2010		
				BID OPENING TIME REMAINS: 1:30 PM		
				***** END ADDENDUM NO. 2 *****		
0001	1	LS		968-42		
				HOUSE/SENATE HVAC REPLACEMENT PROJECT		
				***** THIS IS THE END OF RFQ GSD096453 ***** TOTAL: _____		

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 CONSTRUCTION COMPANY, INC.

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TITLE President	FEIN 55-0739233	ADDRESS CHANGES TO BE NOTED ABOVE	

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OCT. 8. 2010 1:40PM WV DIV OF PURCH



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RFQ NUMBER	NO. 0140	P. 1/6
GSD096453		

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DATE PRINTED	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS
10/08/2010				

BID OPENING DATE	QUANTITY	UOP	CAT NO	ITEM NUMBER	BID OPENING TIME	UNIT PRICE	AMOUNT
10/19/2010					01:30PM		

0001	1	LS		968-42	<p>ADDENDUM NO. 1</p> <p>THIS ADDENDUM IS ISSUED TO:</p> <p>1.) PROVIDE A COPY OF THE MANDATORY PRE-BID ATTENDEE LIST,</p> <p>2.) SET DATE AND TIME FOR FOLLOW-UP SITE VISITS</p> <p>3.) POSTPONE THE DEADLINE FOR ALL TECHNICAL QUESTIONS</p> <p>DEADLINE FOR ALL TECHNICAL QUESTIONS : 10/14/2010 AT THE CLOSE OF BUSINESS</p> <p>4.) EXTEND THE BID OPENING DATE</p> <p>BID OPENING DATE IS EXTENDED TO: 10/26/2010</p> <p>BID OPENING TIME REMAINS: 1:30 PM</p> <p>***** NO OTHER CHANGES *****</p>		
					<p>OCT - 8 2010</p> <p>MAYNARD C. SMITH CONSTRUCTION COMPANY, INC.</p>		
					<p>HOUSE/SENATE HVAC REPLACEMENT PROJECT</p>		

SIGNATURE		TELEPHONE		DATE
		304-925-3190		11/03/10
TITLE	FEN	ADDRESS CHANGES TO BE NOTED ABOVE		
President	55-0739233			

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0001	1	LS		968-42		
<p>HOUSE/SENATE HVAC REPLACEMENT PROJECT</p> <p>REQUEST FOR QUOTATION (RFQ) CONSTRUCTION</p> <p>THE WEST VIRGINIA STATE PURCHASING DIVISION FOR THE AGENCY, THE WEST VIRGINIA DIVISION OF GENERAL SERVICES, IS SOLICITING BIDS TO PROVIDE THE AGENCY WITH ALL LABOR AND MATERIALS FOR THE REPLACEMENT OF THE MAIN CAPITOL HOUSE AND SENATE OFFICES (FIRST AND SECOND FLOOR) HEATING, VENTILATION, AND AIR-CONDITIONING (HVAC) SYSTEM.</p> <p>PROJECT MANUAL AND DRAWINGS MAY BE OBTAINED BY CONTACTING:</p> <p>CHARLESTON BLUEPRINT 1203 VIRGINIA STREET, EAST CHARLESTON, WV 25301 PHONE: 304-343-1063 FAX: 304-343-1095</p> <p>A NON-REFUNDABLE FEE OF \$300.00 IS REQUIRED FOR EACH SET.</p> <p>A MANDATORY PRE-BID WILL BE HELD ON THURSDAY, OCTOBER 07, 2010 AT 10:00 AM IN ROOM MB60 LOCATED IN THE BASEMENT OF THE MAIN CAPITOL BUILDING. ALL INTERESTED PARTIES ARE REQUIRED TO ATTEND THIS MEETING</p>						

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TITLE	President	DATE	11/03/10
FEIN	55-0739233	ADDRESS CHANGES TO BE NOTED ABOVE	

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<p>FAILURE TO ATTEND THE MANDATORY PRE-BID SHALL RESULT IN DISQUALIFICATION OF THE BID. NO ONE PERSON MAY REPRESENT MORE THAN ONE BIDDER.</p> <p>AN ATTENDANCE SHEET WILL BE MADE AVAILABLE FOR ALL POTENTIAL BIDDERS TO COMPLETE. THIS WILL SERVE AS THE OFFICIAL DOCUMENT VERIFYING ATTENDANCE AT THE MANDATORY PRE-BID. FAILURE TO PROVIDE YOUR COMPANY AND REPRESENTATIVE NAME ON THE ATTENDANCE SHEET WILL RESULT IN DISQUALIFICATION OF THE BID. THE STATE WILL NOT ACCEPT ANY OTHER DOCUMENTATION TO VERIFY ATTENDANCE. THE BIDDER IS RESPONSIBLE FOR ENSURING THEY HAVE COMPLETED THE INFORMATION REQUIRED ON THE ATTENDANCE SHEET. THE PURCHASING DIVISION AND THE STATE AGENCY WILL NOT ASSUME ANY RESPONSIBILITY FOR A BIDDER-S FAILURE TO COMPLETE THE PRE-BID ATTENDANCE SHEET. IN ADDITION, WE REQUEST THAT ALL POTENTIAL BIDDERS INCLUDE THEIR E-MAIL ADDRESS AND FAX NUMBER.</p> <p>ALL POTENTIAL BIDDERS ARE REQUESTED TO ARRIVE PRIOR TO THE STARTING TIME FOR THE PRE-BID. BIDDERS WHO ARRIVE LATE, BUT PRIOR TO THE DISMISSAL OF THE TECHNICAL PORTION OF THE PRE-BID WILL BE PERMITTED TO SIGN IN. BIDDERS WHO ARRIVE AFTER CONCLUSION OF THE TECHNICAL PORTION OF THE PRE-BID, BUT DURING ANY SUBSEQUENT PART OF THE PRE-BID WILL NOT BE PERMITTED TO SIGN THE ATTENDANCE SHEET.</p> <p>TECHNICAL QUESTIONS, CLARIFICATIONS, AND REQUESTS FOR PRODUCT SUBSTITUTIONS MUST BE SUBMITTED IN WRITING TO KRISTA FERRELL IN THE WEST VIRGINIA STATE PURCHASING DIVISION VIA MAIL AT THE ADDRESS SHOWN IN THE BODY OF THIS RFQ, VIA FAX AT 304-558-4115, OR VIA EMAIL AT KRISTA.S.FERRELL@WV.GOV. DEADLINE FOR ALL TECHNICAL QUESTIONS IS OCTOBER 11, 2010 AT THE CLOSE OF BUSINESS. ANY TECHNICAL QUESTIONS RECEIVED WILL</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE John Strickland TELEPHONE 304-925-3190 DATE 11/03/10

TITLE President FEIN 55-0739233 ADDRESS CHANGES TO BE NOTED ABOVE

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<p>BE ANSWERED BY FORMAL ADDENDUM TO BE ISSUED BY THE PURCHASING DIVISION AFTER THE DEADLINE HAS LAPSED.</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 900 CALENDAR DAYS AFTER THE NOTICE TO PROCEED IS ISSUED. A COMPLETE NOTICE TO PROCEED SCHEDULE IS CONTAINED IN THE INSTRUCTION TO BIDDERS ATTACHED. A WRITTEN NOTICE TO PROCEED WILL BE ISSUED TO THE SUCCESSFUL VENDOR BY THE AGENCY.</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 KANAWHA COUNTY, PURSUANT TO WEST VIRGINIA CODE 21-5A, ET, SEQ. (PREVAILING WAGE RATES APPLY TO THIS PROJECT)</p>						

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<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. MINIMUM INSURANCE REQUIREMENTS ARE CONTAINED IN THE PROJECT MANUAL.</p> <p>(XX) BUILDERS RISK INSURANCE: SUCCESSFUL VENDOR SHALL FURNISH PROOF OF BUILDERS RISK - ALL RISK INSURANCE IN AN AMOUNT EQUAL TO 100% OF THE AMOUNT OF THE CONTRACT.</p> <p>(XX) BONDS: FIVE PERCENT (5%) OF THE TOTAL AMOUNT OF THE BID PAYABLE TO THE STATE OF WEST VIRGINIA, SHALL B 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 TH 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 ACCEPABLE IN LIEU OF THE 5% BID BOND, PERFORMANCE BOND, OR LABOR AND MATERIAL BOND.</p>						

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				<p>() 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 & 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 ALUMINUM GLASS, OR STEEL PRODUCTS PRODUCED IN THE UNITED STATES. IN ADDITION, ITEMS OF MACHINERY OR EQUIPMENT PURCHASED FOR USE AT THE SITE OF PUBLIC WORKS SHALL BE MADE OF DOMESTIC ALUMINUM, GLASS OR STEEL, UNLESS THE COST OF 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>		

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<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 & ACKNOWLEDGEMENT OF CONSTRUCTION PROJECT ADDENDA</p> <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>						

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BID OPENING DATE: 10/19/2010 BID OPENING TIME 01:30PM

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<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 MY PROPOSAL, PLANS AND/OR SPECIFICATION, ETC.</p> <p>ADDENDUM NOS. :</p> <p>NO. 1 . . . 10/08/10</p> <p>NO. 2 . . . 10/21/10</p> <p>NO. 3 . . . 10/28/10</p> <p>NO. 4 . . . 11/01/10</p> <p>NO. 5 </p> <p>I UNDERSTAND THAT FAILURE TO CONFIRM THE RECEIPT OF THE ADDENDUM(S) MAY BE CAUSE FOR REJECTION OF THE BIDS.</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	John Strickland	TELEPHONE	304-925-3190	DATE	11/03/10
TITLE	President	FEIN	55-0739233	ADDRESS CHANGES TO BE NOTED ABOVE	

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



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

Request for Quotation

RFQ NUMBER:
 GSD096453

PAGE:
 8

ADDRESS CORRESPONDENCE TO ATTENTION OF:
 KRISTA FERRELL
 304-558-2596

VENDOR

*321135136 304-925-3190
 MAYNARD C SMITH CONSTRUCTION C
 3410 CHESTERFIELD AVENUE

 CHARLESTON WV 25304

SHIP TO

DEPARTMENT OF ADMINISTRATION
 GENERAL SERVICES DIVISION
 BUILDING 1
 1900 KANAWHA BOULEVARD, EAST
 CHARLESTON, WV
 25305 304-558-3517

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B	FREIGHT TERMS
09/23/2010				

BID OPENING DATE: 10/19/2010 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
<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>[Signature]</i>SIGNATURE John Strickland, President Maynard C. Smith Construction Company, Inc. COMPANY</p> <p>November 3, 2010DATE</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 B 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: Maynard C. Smith Construction Company, Inc.</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS			
SIGNATURE	John Strickland	TELEPHONE	304-925-3190
		DATE	11/03/10
TITLE	President	FEIN	55-0739233
ADDRESS CHANGES TO BE NOTED ABOVE			

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 Department of Administration
 Purchasing Division
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 Charleston, WV 25305-0130

Request for Quotation

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KRISTA FERRELL 304-558-2596

VENDOR

*321135136 304-925-3190
 MAYNARD C SMITH CONSTRUCTION C
 3410 CHESTERFIELD AVENUE

 CHARLESTON WV 25304

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DEPARTMENT OF ADMINISTRATION
 GENERAL SERVICES DIVISION
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 1900 KANAWHA BOULEVARD, EAST
 CHARLESTON, WV
 25305 304-558-3517

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
09/23/2010				

BID OPENING DATE: 10/19/2010 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
				CONTRACTORS LICENSE NO. : .WV000011.....		
				THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FURNISH A COPY OF THEIR CONTRACTORS LICENSE PRIOR TO ISSUANCE OF A PURCHASE ORDER/CONTRACT		
				APPLICABLE LAW		
				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.		
				ANY INFORMATION PROVIDED IN SPECIFICATION MANUALS, OR ANY OTHER SOURCE, VERBAL OR WRITTEN, WHICH CONTRADICTS OR ALTERS THE INFORMATION PROVIDED FROM THE SOURCES AS DESCRIBED IN THE ABOVE PARAGRAPH IS VOID AND OF NO EFFECT.		
				BANKRUPTCY: IN THE EVENT THE VENDOR/CONTRACTOR FILES FOR BANKRUPTCY PROTECTION, THE STATE MAY DEEM THE CONTRACT NULL AND VOID, AND TERMINATE SUCH CONTRACT WITHOUT FURTHER ORDER.		
				REV. 5/2009		
				NOTICE		
				A SIGNED BID MUST BE SUBMITTED TO:		
				DEPARTMENT OF ADMINISTRATION PURCHASING DIVISION BUILDING 15 2019 WASHINGTON STREET, EAST		

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	John Strickland	TELEPHONE	304-925-3190	DATE	11/03/10
TITLE	President	FEIN	55-0739233	ADDRESS CHANGES TO BE NOTED ABOVE	

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



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

Request for Quotation

RFQ NUMBER
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ADDRESS CORRESPONDENCE TO ATTENTION OF:
KRISTA FERRELL 304-558-2596

VENDOR

*321135136 304-925-3190
 MAYNARD C SMITH CONSTRUCTION C
 3410 CHESTERFIELD AVENUE
 CHARLESTON WV 25304

SHIP TO

DEPARTMENT OF ADMINISTRATION
 GENERAL SERVICES DIVISION
 BUILDING 1
 1900 KANAWHA BOULEVARD, EAST
 CHARLESTON, WV
 25305 304-558-3517

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
09/23/2010				

BID OPENING DATE: 10/19/2010 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
				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: KRISTA FERRELL-FILE 21		
				REQ. NO.: GSD096453		
				BID OPENING DATE: 10/19/2010		
				BID OPENING TIME: 1:30 PM		
				PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID:		
				304-925-3228		
				PLEASE PRINT OR TYPE NAME OF PERSON TO CONTACT CONCERNING THIS QUOTE:		
				John Strickland		
				***** THIS IS THE END OF RFQ GSD096453 ***** TOTAL:		

SEE REVERSE SIDE FOR TERMS AND CONDITIONS			
SIGNATURE	John Strickland	TELEPHONE	304-925-3190
TITLE	President	DATE	11/03/10
FEIN	55-0739233	ADDRESS CHANGES TO BE NOTED ABOVE	

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

Section 00100 – Instructions to Bidders

In the event that any information contained in this (or any other) Section of the Project Manual is in conflict with West Virginia State Law and/or Purchasing Division rules, policies, and procedures, the State's law, rules, policies and procedures prevail.

1.01 Summary

- A. The Acquisition and Contract Administration Section of the Purchasing Division "State" for the West Virginia General Services Division is soliciting quotations to provide Replacement of the State Capitol Complex Building #1 House and Senate Offices First and Second Floor HVAC Systems located in Charleston, West Virginia. This document is intended to supplement information provided in the standard "Request for Quotation" and "General Terms and Conditions" issued by the Purchasing Division for this project. Bidders shall carefully review all documents.
- B. Project Description
- (a) The project consists of the replacement of the existing hydronic fan-coil terminal system with a new ducted variable-air-volume (VAV) system served by new air handlers with capability for fresh air ventilation, building air exhaust, and equipped with energy recovery features. The VAV system will also feature space-by-space electric reheat coils for temperature control for each space.
- (b) The Owner is soliciting bids for a Base Bid which includes all infrastructural work for the entire project and the first quadrant of work (defined as Senate-South Side Renovations). The Owner will also review bids for Alternate #1 (defined as House-South Side Renovations), Alternate #2 (defined as House-North Side Renovations), and Alternate #3 (defined as Senate-North Side Renovations). The Owner's intent is to award a contract for the Base Bid, plus whatever number of alternates it believes to be within its budgetary capabilities, with priority given to Alternate #1, then to Alternate #2, and then to Alternate #3. Refer to Summary specification section (#01100) for details.
- (c) The project is organized into four (4) phases with the first phase (base bid) allowing for the basic common support infrastructure to be installed for the project and for completion of the first quadrant (25%) of the office space. The subsequent three (3) phases (alternates) are to allow the continued work to complete similar renovations in the remaining quadrants (each at 25%) of the office space.

C. Contract Period and Liquidated Damages:

Upon issuance of the Notice To Proceed, the Contractor is authorized to proceed with procurement of necessary materials and equipment, developing schedules and coordinating all activities with the Owner's Project Representative.

The Contractor agrees that all Work for each phase (separate construction periods for Base Bid, Alternate #1, Alternate #2, and Alternate #3) is to be Substantially Complete

within the days allotted from the issuance of the Notice To Proceed. Final Completion shall be achieved within forty-five (45) calendar days, thereafter.

For the Base Bid, the Contractor agrees that all Work will be Substantially Complete within 360 days after the issuance of the Notice To Proceed. For Alternate #1, the Contractor agrees that all Work will be Substantially Complete within an additional 180 days after the issuance of the Notice To Proceed. The additional 180 days is for the Work included in Alternate #1 only. The Substantial Completion date for the Base Bid is unchanged by the additional Work in Alternate #1. For Alternate #2, the Contractor agrees that all Work will be Substantially Complete within an additional 180 days after the issuance of the Notice To Proceed. The additional 180 days is for the Work included in Alternate #2 only. The Substantial Completion date for the Base Bid and for Alternate #1 is unchanged by the additional Work in Alternate #2. For Alternate #3, the Contractor agrees that all Work will be Substantially Complete within an additional 180 days after the issuance of the Notice To Proceed. The additional 180 days is for the Work included in Alternate #3 only. The Substantial Completion date for the Base Bid, Alternate #1 and Alternate #2 is unchanged by the additional Work in Alternate #3. Each phase of the four (4) phases of the Project (Base Bid, Alternate #1, Alternate #2, and Alternate #3) will have their own separate Substantial Completion and Final Completion dates.

All work shall be substantially complete within nine hundred (900) calendar days of the issuance of the Notice to Proceed. Final Completion shall be achieved within forty-five (45) calendar days, thereafter. Failure to substantially complete work will result in liquidated damages of \$1,000.00 per calendar day.

D. All inquiries for specification clarification shall be addressed to:

Krista Ferrell, Buyer Supervisor
Purchasing Division
P. O. Box 50130
Charleston, West Virginia 25305-0130
Phone: (304)558-2596
Fax: (304) 558-4115
Krista.S.Ferrell@wv.gov

1.02 Pre-Bid Meeting

- A. A **mandatory** pre-bid conference will be held at the same time and place noted in the Request for Quotations. A walk-through of project specific areas will be part of the meeting. See Purchasing Division Request for Quotation for additional information.
- B. Project Address: 1900 Kanawha Boulevard East, Building 1
Charleston, WV 25305

1.03 Definitions

- A. Bidding Documents include the Bidding Requirements and the proposed Contract Documents. The Bidding Requirements consist of the Request for Quotation and Standard Terms and Conditions issued by the Purchasing Division for this project, Instructions to Bidders, the Bid

Form and other sample bidding and contract forms. The proposed Contract Documents consist of the Bidding Documents, the form of Agreement between the Owner and Contractor, Conditions of the Contract (General, Special, Supplementary and other Conditions), Drawings, Specifications and all Addenda issued prior to execution of the Contract.

- B. Definitions set forth in the General Conditions of the Contract for Construction, AIA Document A201-2007, as amended by the State of West Virginia Supplementary Conditions to AIA Document A201-2007, or in other Contract Documents are applicable to the Bidding Documents.
- C. Addenda are written or graphic instruments issued by the Purchasing Division prior to execution of the Contract which modify or interpret the Bidding Documents by additions, deletions, clarifications or corrections.
- D. A Bid is a complete and properly executed quotation to do the work for the sums stipulated therein, submitted in accordance with the Bidding Documents.
- E. The Base Bid is the sum stated in the Bid for which the Bidder offers to perform the Work described in the Bidding Documents as the base, to which Work may be added or from which Work may be deleted for sums stated in Alternate Bids.
- F. An Alternate Bid (or Alternate) is an amount stated in the Bid to be added to or deducted from the amount of the Base Bid if the corresponding change in the Work, as described in the Bidding Documents is accepted.
- G. A Unit Price is an amount stated in the Bid as a price per unit of measurement for materials, equipment or services or a portion of the Work as described in the Bidding Documents. Unit prices shall be used solely for the formulation of any change orders subsequently requested for the awarded contract.
- H. A Bidder is a person or entity who submits a Bid and who meets the requirements set forth in the Bidding Documents.
- I. A Sub-Bidder is a person or entity who submits a bid to a Bidder for materials, equipment or labor for a portion of the Work.

1.04 Bidding Documents

- A. Bidders may obtain only complete sets of the plans and specifications of the Bidding Documents at:

Charleston Blueprint, 1203 Virginia Street, East, Charleston, WV 25301, Phone: 304-343-1063 or 800-220-9625, Fax: 304-343-1095

A NON-REFUNDABLE deposit of \$300.00 is required for each set.

State of West Virginia
General Services Division

- B. Plans and specifications for the Bidding Documents will not be issued directly to Sub-bidders or others. All interested parties may refer to documents on file at a location as identified below.
- C. Bidders shall use complete sets of Bidding Documents in preparing Bids: neither the Owner nor Architect assumes responsibility for errors or misinterpretations resulting from the use of incomplete sets of Bidding Documents.
- D. The Owner and Architect make copies of the Bidding Documents available on the above terms for the purpose of obtaining Bids on the Work. No license or grant of use is conferred by issuance of copies of the Bidding Documents.
- E. Plans and Specifications may be examined at the following locations:

CMA Engineering, Inc.
824 Cross Lanes Drive
Charleston, WV 25313
Phone: 304-343-0316
Fax: 304-343-5146

N-Visions Architects
200 Main Street
St. Albans, WV 25177
Phone: 304-744-3654
Fax: 304 201-1209

Ham Engineering
411 ½ D Street
South Charleston, WV 25303
Phone: 304-744-3017
Fax: 304 744-3196

McGraw-Hill Construction / Dodge
1502 West Virginia Avenue
Dunbar, West Virginia 25064
Phone: 304-982-5458
Fax: 304-982-5459

Contractors Association of West Virginia
2114 Kanawha Boulevard East
Charleston, West Virginia 25311
Phone: 304-342-1166
Fax: 304-342-1074

Construction Employers Association
2794 White Hall Blvd.
White Hall, WV 26554
Phone: 304-367-1290
Fax: 304-367-0126

State of West Virginia
General Services Division

State Capitol Complex
Building #1 House & Senate
First & Second Floor HVAC Replacement
Project No. GSD 096453

Parkersburg Marietta Contractors Association
4424 Emerson Avenue
Parkersburg, WV 26104
Phone: 304-485-6485
Fax: 304-428-7622

Dodge Reports
600 Waterfront Drive, Suite 200
Pittsburgh, PA 15222
Phone: 412-330-2205
Fax: 412-231-6662

Ohio Valley Construction Employers Council
21 Armory Drive
Wheeling, WV 26003
Phone: 304-242-0520
Fax: 304-242-7261

Pittsburgh Builders Exchange
1813 Franklin Street
Pittsburgh, PA
Phone: 412-922-4200
Fax: 412-928-9406

1.05 Addenda:

- A. Addenda will be transmitted by the Purchasing Division to all who attend the mandatory Pre-Bid Conference. Copies of Addenda may be made available where Bidding Documents are on file for inspection.
- B. Each Bidder shall ascertain prior to submitting a Bid that the Bidder has received all Addenda issued, and the Bidder shall acknowledge their receipt in the Bid. If the Bidder fails to acknowledge receipt of each Addendum, then the Bid may be rejected.
- C. Addenda will not be available to Subcontractors through the Architect's/Engineer's Office. Subcontractors should check the West Virginia State Purchasing Bulletin through their web site or General Contractor.

1.06 Bidder's Representations

- A. By submitting a Bid, the Bidder represents that:
 - 1. The Bidder and all subcontractors the Bidder intends to use have carefully and thoroughly reviewed the Bidding Documents and have found them complete and free from ambiguities and sufficient for the purpose intended.
 - 2. The Bidder has visited the site, and is fully acquainted with all conditions which will affect the performance of the Contract including provisions for delivery, rigging, storage

and other requirements. The contractor's bid shall be presumed to be based upon such examination.

3. The Bid is based upon the materials, equipment and systems required by the Bidding Documents without exception.
4. The Bidder and all workers, employees and subcontractors the Bidder intends to use are skilled and experienced in the type of construction represented by the Bidding Documents.
5. The Bid is based solely upon the Bidding Documents, including properly issued written addenda, and not upon any other written representation.
6. Neither the Bidder nor any of the Bidder's employees, agents, intended suppliers or subcontractors have relied upon any verbal representatives from the Owner, or the Owner's employees or agents including architects, engineers or consultants, in assembling the Bid figure.

1.07 Bidding Procedures

- A. The Owner invites the bids as stipulated in the bidding documents and as prescribed in the bid forms. No alternate proposals except those stated on the bid forms will be accepted. Conditional bids will not be accepted.
- B. Bids shall be submitted on forms, identical to the form included with the Bidding Documents.
- C. All information on the bid form should be legibly filled in by typewriter or manually in ink. The State's Request for Quotation shall also be completed and signed in a similar manner.
- D. Where so indicated on the bid form, sums should be expressed in both words and figures. In case of discrepancy between the two, the amount written words shall govern.
- E. All erasures, interlineations, alterations and other physical changes in the bid form should be signed or initialed by the bidder. Bids containing any conditions, commissions, erasures, alterations or items not called for in the Bid Form, or irregularities of any kind may be rejected by the Owner as being incomplete or irregular.
- F. All requested Alternates shall be bid. If no change in the Base Bid is required, enter "No Change".

1.08 Substitutions (Prior to Bidding)

- A. All references in the Project Manual and Drawings to brand or manufacturer specific items are included only to establish a quality level for materials, products or equipment provided to fulfill the Contract, and thus should be considered to be followed by the words, "or equal".
- B. Requests to approve substitutions or additions to any listed brand or manufacturer specific items shall be submitted by the date for receipt of technical questions in the Request for Quotation, in a written format.
- C. Submission of requests to approve substitutions or additions shall be made by prime Bidders; no consideration will be given to items submitted directly by manufacturers, suppliers, distributors, or subcontractors. Substitutions of materials, products or equipment for those

items specified will be considered only when submitted accompanied by manufacturer's product data information. It is strongly preferred this data is manufacturer's original information, though copies may be accepted if clear and legible. Burden of proof of merit of requested substitutions' meeting the requirement of the specifications is upon the submitter.

- D. Approval of requests for substitution or addition will be set forth by Addenda issued in accordance with these Instructions to Bidders. All items allowed by Addenda are subject to the full provisions of the original Bidding Documents, including all modifications thereto and shall be warranted as substitutions conforming to the Bidding Documents.

1.09 Submission of Bids

- A. Follow all directions for submission of bids as detailed in the Purchasing Division Request for Quotation.

1.10 Modification or Withdrawal of Bids

- A. Any alteration or withdrawal of bids must be in accordance with WV Code 5A-3-11 (c) and West Virginia Code of Rules 148 CSR 1 Section 6.2.6-6.2.8.

1.11 List of Proposed Subcontractor and Equipment/Material Suppliers

- A. The Successful Bidder shall submit a listing of all subcontractors and all major equipment/material suppliers (along with the contractor's license number for each subcontractor as required by the "West Virginia Contractor Licensing Act") proposed for each major branch of work, to the Owner within ten (10) business days of award of the Contract. Only one subcontractor or equipment/material supplier may be listed for each area of work.
- B. In addition, the Successful bidder, thereafter known as the Contractor, maybe requested within thirty (30) calendar days after award of contract to furnish to the Owner or Architect a more detailed and complete list of the materials and equipment, together with the product manufacturer's name and catalog number and catalog cut or illustration thereof.
- C. Each Bidder shall establish the reliability and responsibility of all proposed subcontractors and equipment/material suppliers being proposed, to perform the work, and verify availability of proposed subcontractors.
- D. Should it develop that any of the equipment or materials named do not meet the requirements and intent of the Contract Documents, the Bidder shall be required to furnish to the Owner other materials or equipment acceptable and fully complying with the specifications at no change in contract price. Preliminary review and acceptance of the listing provided shall not relieve the Contractor from furnishing equipment and materials in complete accordance with the specifications.

1.12 Qualification Statement

- A. The qualified Contractor shall have at least three (3) years experience performing such work on projects of a similar size and type. **All bidders** should include at least three (3) references indicating their capabilities to perform such work. References shall include the name, location,

ownership, and use of the building in addition to the name, address and telephone number of a contact person with the building's owner familiar with the work completed by the Contractor.

1.13 Bonds

- A. **Each Bid shall be accompanied by** a bid security in the form and amount required by and stated in the Request for Quotation. Sample Bid Bond forms are included in the Bidding Documents.
- B. The Bidder to whom any contract is to be awarded shall pay for, execute and deliver to the Purchasing Division, **prior to award of contract**, a corporate surety Performance and Labor and Material Payment Bond on the State of West Virginia bond forms bound herein, and a two year roofing maintenance bond for the full value of the roofing system to be executed by an A.M. Best, A- or better rated surety company listed on the most current Federal Register, Circular 570, and which is authorized to do business in the State of West Virginia, in the sum of one hundred percent (100%) of the amount of the contract, insuring the full and faithful performance of the work and payment in full for all materials, machinery, equipment and labor, and covering all the guarantees called for in the specifications and all other obligations arising thereunder. Sample of forms provided in the Bidding Documents.
- C. Failure or refusal of the Successful Bidder to deliver the required Performance and Labor and Material Payment bond and all other Contract Documents, properly executed, within the timeframe established by the Purchasing Division from the notification of intent to award the contract may result in disqualification of their bid.

1.14 Contract Time and Liquidated Damages

- A. The Successful Bidder, as a condition of the Contract, agrees that all Work is to be Substantially Complete within the Contract Time stated in these Instructions to Bidders or Request for Quotation.
- B. The Owner will suffer financial loss if the work is not Substantially Complete within the Contract Time. For each calendar day of delay in achieving Substantial Completion, the Contractor shall be liable for and shall pay the Owner the amount of liquidated damages stated in these Instructions to Bidders and/or Request for Quotation, not as a penalty, but as liquidated damages. Allowances may be made for delays due to shortages of materials and/or energy resources, subject to proof by documentation, and also for delays due to strikes and other delays beyond the control of the Contractor. All delays and any claim for extension of the Contract Time must be properly documented in accordance with the Contract Documents by the Contractor.

1.15 Contractor's Licensing

- A. West Virginia Code §21-11-2 requires that all persons desiring to perform contracting work in the State of West Virginia must be licensed. The West Virginia Contractors Licensing Board is empowered to issue the contractor's license. Application for a contractor's license may be made by contacting the West Virginia Division of Labor.

State of West Virginia
General Services Division

- B. **West Virginia Code §21-11-11 requires any prospective Bidder to include the Bidder's contractor's license number on their Bid.**
- C. The Successful Bidder will be required to furnish a copy of their contractor's license prior to issuance of a Purchase Order/Contract.
- D. Each Subcontractor shall register with WV Tax Department (304) 558-2500, WV Employment Security (304) 558-2524, WV Workers Compensation (304) 558-2580, Secretary of State (304) 558-4000 and WV Division of Labor (304) 558-7890. All companies must be registered with each of these agencies before their Contractors License to work in West Virginia can be issued.
- E. For further information regarding Contractors Licensing contact: West Virginia Division of Labor, Capital Complex, Building 3, Room 319, Charleston, West Virginia 25305; Phone (304) 558-7890.

1.16 Wage Rates

- A. The Successful Bidder and all Subcontractors shall pay the higher of the U.S. Department of Labor minimum wage rates or the West Virginia Department of Labor wage rates as established for the County in which the Project is located pursuant to West Virginia Code §21-5-1 et.seq. Applicable prevailing wage rates are included in the bid documents.
- B. Copies of wage rates are included in the bid package as determined by the WV Department of Labor for the resident county of the Project. Additional information may be obtained at: www.wvsos.com/adiaw/wagerates/buildings03.htm or contact the office of the WV Secretary of State (304) 558-6000.
- C. Bidders are reminded that subject to the provisions of Chapter 21-5A of the West Virginia Code, a legible statement of all fair minimum wage rates to be paid the various classes of workers employed, shall be posted in a prominent place at the project site by each Contractor and Subcontractor.

1.17 Vendor Registration

- A. The Successful Bidder must be a registered vendor with the West Virginia Department of Administration Purchasing Division, prior to issuance of a purchase order. For assistance with Vendor Registration, contact the State Purchasing Division at (304)558-2311.

1.18 Notice to Proceed

- A. Any work performed or any materials contracted for prior to issuance of the Owner's written Notice to Proceed and /or Purchase Order shall be at the Bidder's risk.

1.19 Award of Contract

- A. The Bidder will note that Bids consist of the Base Bid and may also include several related add or deduct Alternate items, all comprising items that will form the contract as a whole. The

State of West Virginia
General Services Division

State Capitol Complex
Building #1 House & Senate
First & Second Floor HVAC Replacement
Project No. GSD 096453

Owner may award the contract on the basis of the Base Bid alone, or if and when conditions warrant, accept such alternates appearing on the proposal, thereby reducing or increasing the amount of the Base Bid to form the Contract amount.

- B. The Contract shall be deemed as having been awarded only upon execution of the approved, signed purchase order by the State Purchasing Division.

1.20 Form of Agreement between Owner and Contractor

- A. The Agreement for the Work shall be written on AIA Document A101 – 2007, Standard Form of Agreement between Owner and Contractor (where the basis of payment is a Stipulated Sum) including the General Terms and Conditions provided in the A201-2007 General Conditions of the Contract for Construction and the 'State of West Virginia Supplementary Conditions to the AIA Document A201-2007 General Conditions of the Contract for Construction'.

END OF DOCUMENT 00100

State of West Virginia
General Services Division

Bid Form

State of West Virginia – General Services Division
West Virginia State Capitol
State Capitol Complex
Building 1 House & Senate
First & Second Floor HVAC Replacement
Charleston, West Virginia

Project No. GSD 096453

Name of Bidder: Maynard C. Smith Construction Company, Inc.

The undersigned, hereinafter called Bidder, being familiar with and understanding the Bidding Documents and also having examined the site and being familiar with all local conditions affecting the project hereby proposes to furnish all labor, material, equipment, supplies and transportation and to perform all Work in accordance with the Bidding Documents within the time set forth for the sum of:

Base Bid:

Three million one hundred twenty nine thousand and
00/100 ————— Dollars (\$3,129,000.00)

(Show amount in both words and numbers)

(In the event of a difference between the written amount and the number amount, the written amount shall govern.)

Alternates:

Alternate No. 1:
House-South Side Renovations

(Add) \$ 2,134,000.00

Alternate No. 2:
House-North Side Renovations

(Add) \$ 2,369,000.00

Alternate No. 3:
Senate-North Side Renovations

(Add) \$ 2,228,000.00

State of West Virginia
General Services Division

The Bidder, if successful and awarded the contract, agrees that all work is to be complete within the specified time period following issuance of the OWNER'S written notice to proceed. For each calendar day of delay in achieving Substantial completion, the Contractor shall be liable for, and shall pay the OWNER liquidated damages in the amount specified in the Contract Documents. No work shall be performed prior to issuance of a signed Purchase Order issued by the State Purchasing Division and Notice to Proceed issued by the Owner. Any materials contracted for prior to the issuance of the OWNER'S written Notice to Proceed shall be at the Bidder's risk.

Signature of Bidder:

Name of Firm: Maynard C. Smith Construction Company, Inc.

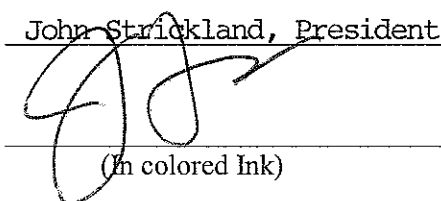
Address: P.O. Box 11888

City/ State/ Zip Charleston, WV 25339-1888

Phone No. (304) 925-3190

Fax No. (304) 925-3228

By: John Strickland, President

Signature: 
(In colored Ink)

Signed and Sealed this 3rd day of November, 2010

Addenda:

The undersigned acknowledges receipt of the following Addenda covering revisions to the Drawings, Specification and Bidding Documents. The cost, if any, of such revisions is included in the prices quoted.

Addendum No. 1, Dated 10/08/10

Addendum No. 2, Dated 10/21/10

Addendum No. 3, Dated 10/28/10

Addendum No. 4, Dated 11/01/10

Addendum No. _____, Dated _____

Addendum No. _____, Dated _____

State of West Virginia
General Services Division

State Capitol Complex
Building #1 House & Senate
First & Second Floor HVAC Replacement
Project No. GSD 096453

Contractor's License:

West Virginia Contractor's License No. WV000011

State of West Virginia
General Services Division

State Capitol Complex
Building #1 House & Senate
First & Second Floor HVAC Replacement
Project No. GSD 096453

References:

Reference No 1: CAMC Facilities Development
Reference Name: Karen Seim
Position: Director
Address: 3410 Staunton Avenue, S.E., Charleston, WV 25304
Telephone Number: 304-388-9740
Project Name & Owner: Robert C. Byrd Clinical Teaching Center Owner-CAMC
Project Location: 3200 MacCorkle Avenue, S.E., Charleston, WV 25304
Project Description: Nine-story Addition and Renovation to the CAMC Memorial Hospital Campus

Reference No 2: West Virginia Division of Culture and History
Reference Name: Randall Reid-Smith
Position: Commissioner
Address: 1900 Kanawha Boulevard, E., Charleston, WV 25305-0300
Telephone Number: 304-558-0220
Project Name & Owner: Renovation to the WV Culture and History Museum Owner-State of WV
Project Location: The Culture Center - Capitol Complex - 1900 Kanawha Boulevard, E.,
Project Description: Interior Renovation Charleston, WV 25305-0300

Reference No 3: WV Public Service Commission
Reference Name: Don Sangid/Mike Albert
Position: Facilities Manager/Commissioner
Address: 201 Brooks Street, Charleston, WV 25301
Telephone Number: 304-340-0300
Project Name & Owner: WVPS Parking Garage and WVPS Office Building
Project Location: 201 Brooks Street and Quarrier Avenue, Charleston, WV 25301
Project Description: New Parking Structure and Office Renovation that was an adaptive reuse of an existing building into office space.

BID BOND

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, _____
_____ of _____, _____, as Principal, and _____
_____ of _____, _____, a corporation organized and existing under the laws of the State of _____
_____ with its principal office in the City of _____, as Surety, are held and firmly bound unto the State
of West Virginia, as Obligee, in the penal sum of _____ (\$ _____) 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

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 Obligee 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 such 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
_____ day of _____, 20____.

Principal Corporate Seal

(Name of Principal)

By _____
(Must be President or
Vice President)

(Title)

Surety Corporate Seal

(Name of Surety)

Attorney-in-Fact

**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.**

BID BOND PREPARATION INSTRUCTIONS

AGENCY (A)
RFQ/RFP# (B)

Bid Bond

- (A) WV State Agency
(Stated on Page 1 "Spending Unit")
Request for Quotation Number (upper
right corner of page #1)
(C) Your Company Name
(D) City, Location of your Company
(E) State, Location of your Company
(F) Surety Corporate Name
(G) City, Location of Surety
(H) State, Location of Surety
(I) State of Surety Incorporation
(J) City of Surety Incorporation
(K) Minimum amount of acceptable bid
bond is 5% of total bid. You may state
"5% of bid" or a specific amount on
this line in words.
(L) Amount of bond in figures
(M) Brief Description of scope of work
(N) Day of the month
(O) Month
(P) Year
(Q) Name of Corporation
(R) Raised Corporate Seal of Principal
(S) Signature of President or Vice
President
(T) Title of person signing
(U) Raised Corporate Seal of Surety
(V) Corporate Name of Surety
(W) Signature of Attorney in Fact of the
Surety

NOTE: Dated, Power of Attorney with Raised
Surety Seal must accompany this bid
bond.

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned,
(C) of (D), (E)
as Principal, and (F) of (G),
(H), a corporation organized and existing under the laws
of the State of (I) with its principal office in the City of
(J), as Surety, are held and firmly bound unto The State
of West Virginia, as Obligee, in the penal sum of (K)
(\$ (L)) 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 (M)

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 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 time within which the Obligee 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 such of them as are corporations have caused their corporate
seals to be affixed hereto and these presents to be signed by their proper officers,
this (N) day of (O), 20 (P).

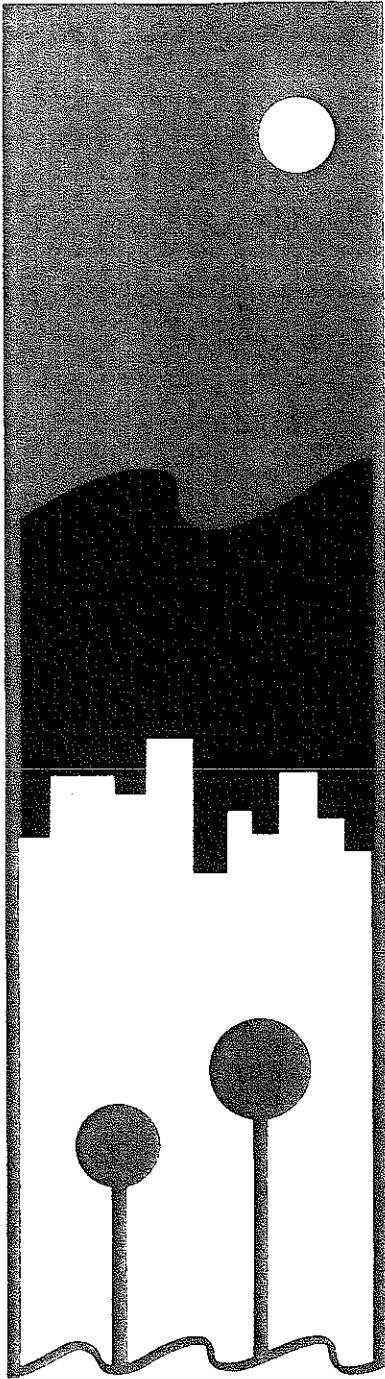
Principal Corporate Seal

(R)

Surety Corporate Seal
(U)

(Q)
(Name of Principal)
By (S)
(Must be President or
Vice President)
(T)
Title
(V)
(Name of Surety)
(W)
Attorney-in-Fact

IMPORTANT - Surety executing bonds must be licensed in West Virginia to
transact surety insurance. Raised Corporate Seals must be affixed and a Power of
Attorney must be attached.



**WEST VIRGINIA
CONTRACTOR
LICENSING
BOARD**

CONTRACTOR LICENSE

Authorized by the
West Virginia Contractor Licensing Board

Number: WV000011

Classification:

GENERAL BUILDING

MAYNARD C SMITH CONSTRUCTION CO INC
DBA MAYNARD C SMITH CONSTRUCTION CO INC
3410 CHESTERFIELD AVE
CHARLESTON, WV 25304-2648

Date Issued

JANUARY 20, 2010

Expiration Date

JANUARY 20, 2011



Authorized Company Signature



Chair, West Virginia Contractor
Licensing Board

This license, or a copy thereof, must be posted in a conspicuous place at every construction site where work is being performed. This license number must appear in all advertisements, on all bid submissions and on all fully executed and binding contracts. This license cannot be assigned or transferred by licensee. Issued under provisions of West Virginia Code, Chapter 21, Article 11.

BID BOND

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, Maynard C. Smith Construction Company Inc.
of Charleston, WV, as Principal, and Ohio Farmers Insurance Company
of Westfield Center, OH, a corporation organized and existing under the laws of the State of
OH with its principal office in the City of Westfield Center, as Surety, are held and firmly bound unto the State
of West Virginia, as Obligee, in the penal sum of Five Percent of Amount Bid (\$ 5%) 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
House/Senate HVAC Replacment Project - State Capitol Complex, Building #1 House & Senate First & Second
Floor HVAC Replacement - RFQ# GSD096453 - According to Plans & Specifications

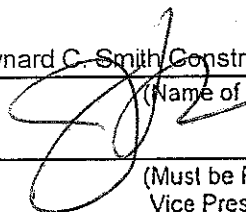
NOW THEREFORE,

(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.

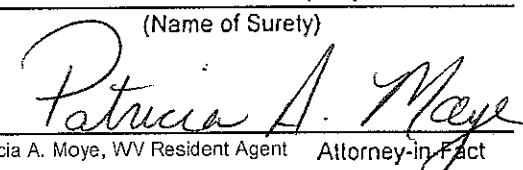
The Surety, for the value received, hereby stipulates and agrees that the obligations of said Surety and its bond shall be in no
way impaired or affected by any extension of the time within which the Obligee may accept such bid, and said Surety does hereby
waive notice of any such extension.

IN WITNESS WHEREOF, Principal and Surety have hereunto set their hands and seals, and such 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
19th day of October, 2010.

Principal Corporate Seal

Maynard C. Smith Construction Company Inc.
(Name of Principal)
By 
(Must be President or
Vice President)
John Strickland President
(Title)

Surety Corporate Seal

Ohio Farmers Insurance Company
(Name of Surety)
By: 
Patricia A. Moye, WV Resident 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.

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

POWER NO. 4752152 06

General Power of Attorney

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," are organized and existing under the laws of the State of Ohio, and having its principal office in Westfield Center, Medina County, Ohio, do by these presents make, constitute and appoint LARRY D. KERR, GREGORY T. GORDON, STEPHEN B. STODDEN, PATRICIA A. MOYE, ALLAN L. MC VEY, KIMBERLY J. WILKINSON, JOINTLY OR SEVERALLY

of CHARLESTON 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 canceling or terminating the Company's liability thereunder, and any such instruments so executed by any such Attorney-in-Fact shall be as binding upon the Company as if signed by the President and sealed and attested by the Corporate Secretary."

"Be it Further Resolved, that the signature of any such designated person and the seal of the Company heretofore or hereafter affixed to any power of attorney or any certificate relating thereto by facsimile, and any power of attorney or certificate bearing facsimile signatures or facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached." (Each adopted at a meeting held on February 8, 2000).

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

Corporate Seals Affixed



WESTFIELD INSURANCE COMPANY WESTFIELD NATIONAL INSURANCE COMPANY OHIO FARMERS INSURANCE COMPANY

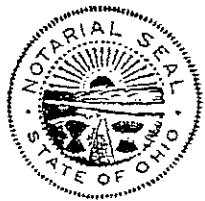
Richard L. Kinnaid, Jr. (Signature)

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

State of Ohio County of Medina ss.:

On this 25th day of JUNE A.D., 2008 , before me personally came Richard L. Kinnaid, 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



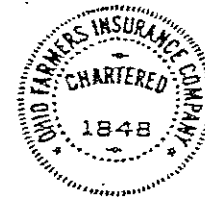
William J. Kahelin (Signature)

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 19th day of October A.D., 2010 .



Frank A. Carrino (Signature) Secretary



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, John Strickland, after being first duly sworn, depose and state as follows:

1. I am an employee of Maynard C. Smith Construction Company, Inc.; and,
(Company Name)

2. I do hereby attest that Maynard C. Smith Construction Company, 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.

Maynard C. Smith Construction Company, Inc.
(Company Name)

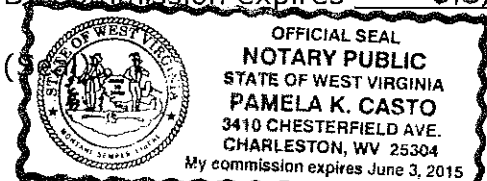
By: [Signature]
John Strickland

Title: President

Date: November 3, 2010

Taken, subscribed and sworn to before me this 3rd day of November, 2010

By Commission expires 6/3/2015



Pamela K. Casto
(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.

RFQ No. GSD096453

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 separate corporation or instrumentality established by one or more counties or municipalities, as permitted by law; or any public body charged by law with the performance of a government function or whose jurisdiction is coextensive with one or more counties or municipalities. "Related party" means a party, whether an individual, corporation, partnership, association, limited liability company or any other form or business association or other entity whatsoever, related to any vendor by blood, marriage, ownership or contract through which the party has a relationship of ownership or other interest with the vendor so that the party will actually or by effect receive or control a portion of the benefit, profit or other consideration from performance of a vendor contract with the party receiving an amount that meets or exceeds 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

Vendor's Name: Maynard C. Smith Construction Company, Inc.

Authorized Signature: *[Signature]* Date: November 3, 2010
John Strickland, President

State of West Virginia

County of Kanawha, to-wit:

Taken, subscribed, and sworn to before me this 3rd day of November, 2010.

My Commission expires 6/3/2015, 20 .

AFFIX SEAL HERE

NOTARY PUBLIC *Pamela K. Casto*

