



**MID-ATLANTIC CONSTRUCTION, INC.**  
**GENERAL & MECHANICAL CONTRACTORS**

"Pride In Productivity"

RECEIVED

2011 MAR 31 PM 1

WV PURCHASING  
DIVISION

**Sealed Bid Enclosed**

RFQ Number: PTR11054

Buyer: 44

Bid Opening Date: 3/31/2011

Bid Opening Time: 1:30 p.m.

**Mail To:**

WV PURCHASING DIVISION  
2019 WASHINGTON ST E  
PO BOX 50130  
CHARLESTON WV 25305-0130



**Mid-Atlantic Construction, Inc.**

190 Camp Conley Road  
Pt. Pleasant, WV 25550

"Pride In Productivity"

CONTACT: JASON MCMILLAN

PHONE: (304) 675-8810

FAX: (304) 675-8811



# AIA<sup>®</sup>

# Document A305<sup>™</sup> – 1986

## Contractor's Qualification Statement

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

**SUBMITTED TO:** West Virginia Division of Public Transit

**ADDRESS:** Building 5, Room 906  
1900 Kanawha Blvd, East  
Charleston, WV 25305-0432

**SUBMITTED BY:** Mid-Atlantic Construction, Inc.

**NAME:** Robert W. McMillan

**ADDRESS:** 190 Camp Conley Road  
Point Pleasant, WV 25550

**PRINCIPAL OFFICE:** 190 Camp Conley Road  
Point Pleasant, WV 25550

- Corporation
- Partnership
- Individual
- Joint Venture
- Other

**NAME OF PROJECT:** *(If applicable)*  
Little Kanawha Bus  
Administrative & Maintenance Facility

**TYPE OF WORK:** *(File a separate form for each Classification of Work.)*

- General Construction
- HVAC
- Electrical
- Plumbing
- Other: *(Specify)*

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

### § 1.0 ORGANIZATION

§ 1.1 How many years has your organization been in business as a Contractor?

20 Years

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

**§ 2.0 LICENSING**

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

West Virginia - WV005529

Ohio - 812884

Kentucky - 926943

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

**§ 3.0 EXPERIENCE**

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

General & Mechanical Contractor

Pre-Engineered Buildings

Commercial & Industrial Buildings

Piping & Equipment Installation

**§ 3.2 Claims and Suits**

*(If the answer to any of the questions below is yes, attach details.)*

§ 3.2.1 Has your organization ever failed to complete any work awarded to it?

NO

§ 3.2.2 Are there any judgments, claims, arbitration proceedings or suits pending or outstanding against your organization or its officers?

NO

§ 3.2.3 Has your organization filed any law suits or requested arbitration with regard to construction contracts within the last five years?

NO

§ 3.3 Within the last five years, has any officer or principal of your organization ever been an officer or principal of another organization when it failed to complete a construction contract?

*(If the answer is yes, attach details.)*

NO

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

§ 3.4.1 State total worth of work in progress and under contract:

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

Lynn Angell Accounting  
736 Second Street  
Gallipolis, Ohio 45631

(740) 446-8677

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

YES

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

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

YES

§ 6.0 SIGNATURE



§ 6.1 Dated this 30<sup>TH</sup> day of MARCH 2011

Name of organization: Mid-Atlantic Construction, Inc.

By: Robert W. McMillan

Title: President

§ 6.2

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

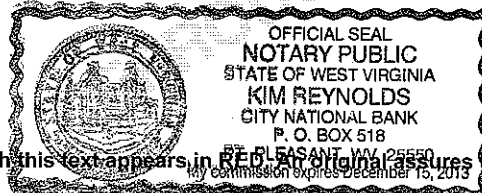
Subscribed and sworn before me this 30 day of MARCH 2011

Notary Public:



My commission expires:

12/15/13



CAUTION: You should sign an original AIA Contract Document, on which this text appears in **RED**. An original assures that changes will not be obscured.

Mid-Atlantic Construction, Inc.  
Major Clients and Work Performed

<u>Customer</u>	<u>Location</u>	<u>Plant</u>	<u>Type Work Performed</u>	<u>Approximate Value</u>	<u>Project Status</u> PC - Complete C - Current
Sunoco Chemicals	Kenova, WV	Neal	Plant Outage	\$ 2.2 Mil	PC
Sunoco Chemicals	Kenova, WV	Neal	T/M Format		PC
Air Products	New Martinsville, WV	Same	Outage-Main Air Compressor	\$.56 Mil	PC
IBEW Local 317	Huntington, WV		New Pre-Engineered Building	\$ 1.1 Mil	PC
State of Wv Dept. of Natural Resources	Pt. Pleasant, WV	Same	Steps & Concrete at Battle Monument	\$.86 Mil	PC
State of WV Regional Jail Authority	Mt. Hope, WV	Same	Gene Sparado Juevenile Detention Center	\$ 5.2 Mil	PC
Pleasant Valley Hospital	Pt. Pleasant, WV	Same	Office Suite Renovations	\$ .188 Mil	PC
American Electric Power	New Haven, WV	Mountaineer Plant	New Pre-Engineered Building - FGD Project - Spec# EH-105	\$ 2.1 Mil	PC
Fifth-Third Bank	Barboursville, WV		Construct New Branch Facility	\$ 1.0 Mil	PC
Sunoco Chemicals	Haverhill, OH	Haverhill	Installation of Underground Potable Water Line	\$ .178 Mil	PC
Air Products	New Martinsville, WV	Same	Outage-Misc. Maint. T/M Format		PC
Sunoco Chemicals	Kenova, WV	Neal	Boiler Work T/M Format	\$1.5 Mil	PC
Sunoco Chemcials	Kenova, WV	Neal	Misc. Maint. T/M Format	\$ 1.0 Mil	PC
Fifth-Third Bank	Cross Lanes, WV		Construct New Branch Facility	\$ 1.0 Mil	PC
Mason County Board of Education	New Haven, WV		New Facility & Renovations	\$ 5.5 Mil	PC
Fifth-Third Bank	Cannonsburg, KY		Renovations of Existing Facility	\$ 1.5 Mil	PC
Mason County Commission	Point Pleasant, WV		Construct New 911 Operations Center	\$1.5 Mil	PC

Mid-Atlantic Construction, Inc.  
Major Clients and Work Performed

Alcan Rolled Products	Ravenswood, WV		Plate Bay Safety Barricade Project	\$.40 Mil	PC
Dayton Power & Light / Black & Veatch	Aberdeen, Ohio	Killen/Stuart	Pre-Engineered Bldgs	\$4 Mil	PC
Dayton Power & Light / Black & Veatch	Aberdeen, Ohio	Killen/Stuart	Erect Limestone Bldg. - Siding, Doors, Roofing, Masonry	\$6.1 Mil	PC
Dayton Power & Light / Black & Veatch	Aberdeen, Ohio	Stuart	Install Piping/JBR's/Scrubbers/ 4 Units	\$15 Mil	PC
Dayton Power & Light / Black & Veatch	Aberdeen, Ohio	Stuart	Misc. Piping for JBR's 1-4 and Pipe Rack Piping from Limestone Storage Bldg.	\$25 Mil	PC
American Electric Power	Marietta, Ohio	Marietta	Service/Maintenance Center	\$.35 Mil	PC
American Electric Power	New Haven, WV	Sporn	Boiler Tube Storage Facility	\$.25 Mil	PC
Alcan Rolled Products	Ravenswood, WV		Installation of Table Rolls	\$.40 Mil	PC
Mason County PSD	Ashton, WV		New Water Treatment Plant	\$2 Mil	C

**Financial Statements**

of  
**MID-ATLANTIC CONSTRUCTION**  
For the Period Ended August 31, 2009



See Accountant's Review Report

MID-ATLANTIC CONSTRUCTION, rev 09.

Balance Sheet  
August 31, 2009

ASSETS

Current Assets

CASH-CNB CHECKING	\$	10,304,260.08
CASH-CNB CHECKING PR ACCT		200.00
CASH-5/3 SAVINGS		208,026.82
EMPLOYEE ADVANCES/LOANS		3,000.00
ACCOUNTS RECEIVABLE-MAC		133,663.45
ACCOUNTS RECEIVABLE-TRADE		1,120,765.79
ALLOWANCE FOR DOUBTFUL ACCTS		(22,178.12)
EXCESS BILLINGS UNDER		1,408.00
INVENTORY		5,000.00

Total Current Assets

\$ 11,754,146.02

Fixed Assets

EQUIPMENT & MACHINERY-GENERAL	988,943.19
VEHICLES & TRAILERS	525,515.54
FURNITURE & EQUIPMENT-OFFICE	58,201.00
BUILDING-2024 JEFFERSON	70,000.00
LEASEHOLD IMPROVEMENTS	12,040.00
ACCUMULATED DEPRN-MACH/EQUIP	(812,927.00)
ACCUMULATED DEPRN-VEH/TRAILERS	(462,410.00)
ACCUMULATED DEPRN-OFFICE F&E	(53,192.00)
ACCUMULATED DEPRN-BUILDING	(20,891.00)
ACCUMULATED DEPRN-LEASEHOLD	(2,183.00)
LAND-2024 JEFFERSON	12,500.00

Total Fixed Assets

315,596.73

Other Assets

LOANS RECEIVABLE-J.MCMILLAN	3,500.00
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Total Other Assets

3,500.00

Total Assets

\$ 12,073,242.75



MID-ATLANTIC CONSTRUCTION, rev 09.

Balance Sheet  
August 31, 2009

LIABILITIES AND EQUITY

Current Liabilities

RETAINAGE PAYABLE	\$	67,074.54
ACCOUNTS PAYABLE-TRADE		212,660.78
UNION PAYABLES		9,974.24
WV SALES TAX PAYABLE		58.50
EXCESS BILLINGS OVER		2,352,204.00
WV WITHHOLDING PAYABLE		2,221.67
WV UNEMPLOYMENT TAX		949.78
FUTA PAYABLE		76.50
EMPLOYEE CONTRIBUTIONS PAYABLE		2,520.00
OHIO WORKERS COMP PAYABLE		314.42
CORP FEDERAL TAX PAYABLE		1,714,971.00
STATE CORP INCOME TAX PAYABLE		<u>272,531.00</u>

Total Current Liabilities

\$ 4,635,556.43

Long Term Liabilities

LOAN-FORD CREDIT-07 NAVIGATOR	4,768.79
LOAN-UNITED-07 CHEVY #8836	3,991.70
LOAN-GMAC-2007 CHEVY #0213	3,616.38
LOAN-GMC-07 SIERRA #7349	3,934.14
LOAN-GMC-07 1500 PU #6710	3,951.15
WELLS FARGO FINANCE	<u>110,508.06</u>

Total Long Term Liabilities

130,770.22

Equity

CAPITAL STOCK	5,000.00
PAID IN CAPITAL	5,000.00
RETAINED EARNINGS MATCH 1120	2,150,603.65
Current Income (Loss)	<u>5,146,312.45</u>

Total Equity

7,306,916.10

Total Liabilities & Equity

\$ 12,073,242.75

**BID**

BF#1

Proposal of Mid-Atlantic Construction, Inc. hereinafter called Bidder, organized and existing under the laws of the State of West Virginia doing business as a Corporation \*. To the West Virginia Division of Public Transit, hereinafter called OWNER.

In compliance with you Advertisement for Bids, Bidder hereby proposed to perform all work for the new construction of a Administrative Office and Bus Maintenance Facility in Grantsville, Calhoun County, West Virginia in strict accordance with the Contract Documents, within the time and at the prices stated herein.

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

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

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

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

BASE BID: Two Million five hundred forty-five thousand five hundred dollars

(Amount to be shown in both words and numbers) \$ 2,545,500.00

BF#2

**GENERAL CONTRACTOR**

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

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

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

The Bidder, if successful and awarded a Contract, agrees that the work is to be substantially complete 365 days after Notice To Proceed is issued or 15 days after the encumbrance date of the Purchase Order if Notice to Proceed has not been received. The Bidder agrees to achieve Final Completion within 60 consecutive calendar days after the substantial completion. Liquidated damages shall be assessed at a rate of \$200 per day if substantial completion is not obtained within 365 calendar days of the Contractor's proceed date and liquidated damages shall be assessed at \$100 per day if final completion is not achieved within 60 calendar days of substantial completion.

BID FORM #  
BF5

CONTRACTORS LICENSE

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

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

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

**CONTRACTOR'S NAME:** Mid-Atlantic Construction, Inc.

**CONTRACTOR'S LICENSE NO:** WV005529

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

**BID FORM #7**

**BUY AMERICA CERTIFICATION**

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

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

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

MARCH 30, 2011

Date

Robert W. McMillan

Authorized Signature

Mid-Atlantic Construction, Inc.

Company Name

Robert W. McMillan

Name

President

Title

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

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Company Name

\_\_\_\_\_  
Name

\_\_\_\_\_  
Title



**BID FORM#8A**

Mid-Atlantic Construction, Inc. hereby certifies that it **IS** or **IS NOT** (specify one) included on the U.S Comptroller General's Consolidated List of Persons or Firms Currently Debarred for Violations of Various Public Contracts Incorporating Labor Standards Provisions.

MARCH 30, 2011  
Date

  
Authorized Signature

President  
Title

Mid-Atlantic Construction, Inc.  
Company Name

**BID FORM # 9****VENDOR'S CERTIFICATION OF  
UNDERSTANDING AND ACCEPTANCE**

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

MARCH 30, 2011  
Date

*Paul W. McMillan*  
Authorized Signature

President  
Title

Mid-Atlantic Construction, Inc.  
Company Name

**SPECIFICATION COMPLIANCE**

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

Bid proposal submitted meets and/or exceeds all specification requirements.

Bid proposal submitted contains deviations from specification requirements. Detailed descriptions of these deviations have been provided with this bid proposal.



**BID FORM #10**

**CERTIFICATION OF RESTRICTIONS ON LOBBYING**

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

1. No Federal appropriated funds have been paid or will be paid by or on behalf of the undersigned, to any person for influence or attempt to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress regarding the award of a Federal grant, loan (including a line of credit), cooperative agreement, loan guarantee, or loan insurance, or the extension, continuation, renewal, amendment, or modification of any Federal grant, loan (including a line of credit), cooperative agreement, loan guarantee, or loan insurance.
2. If any funds other than Federal appropriated funds have been or will be paid to any person to influence or attempt to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or any employee of a Member of Congress in connection with any application for a Federal grant, loan (including a line of credit), cooperative agreement, loan guarantee, or loan insurance, the undersigned assures that it will complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," Rev. 7-97; and
3. The undersigned understands that the language of this certification shall be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, subagreements, and contracts under grants, loans (including a line of credit), cooperative agreements, loan guarantees, and loan insurance.

Undersigned understands that this certification is a material representation of fact upon which reliance is placed by the Federal government and that submission of this certification is a prerequisite for providing a Federal grant, loan (including a line of credit), cooperative agreement, loan guarantee, or loan insurance for a transaction covered by 31 U.S.C. 1352. The undersigned also understands that any person who fails to file a required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

The (Vendor, Contractor) Mid-Atlantic Construction, Inc., certifies or affirms the truthfulness and accuracy of each statement of its certification and disclosure, if any. In addition, the (Vendor, Contractor) understands and agrees that the provisions of 31 U.S.C. §§ 3801, et seq., apply to this certification and disclosure.

3/30/11  
Date

  
Authorized Signature

President  
Title

**BID FORM #11**

**ADDENDUM ACKNOWLEDGMENT**

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

**Addendum No.'s:**

No. 1 2/24/11

No. 2 3/12/11

No. 3 3/16/11

No. 4 3/17/11

No. 5 \_\_\_\_\_

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

  
\_\_\_\_\_  
Signature

Mid-Atlantic Construction, Inc.  
Company

3/30/11  
\_\_\_\_\_  
Date



**BID FORM #13**

**DISADVANTAGED BUSINESS ENTERPRISE  
PARTICIPATION CONFIRMATION CERTIFICATION**

**NOTE: BID FORM #13 MUST BE INCLUDED FROM EACH DBE  
SUBCONTRACTOR/SUPPLIER THAT IS PARTICIPATING IN  
THE CONTRACT.\***

This DBE subcontractor/supplier confirms that he/she is participating in the contract as provided in the prime Contractor's Plan For DBE Participation (Bid Form #12). Signature on this form does not constitute a contract between the prime contractor and subcontractor/supplier.

3/16/2011  
Date

Edith Bennett  
Authorized Signature

owner / president  
Title

Feline Excavation and Construction  
Company Name

**\*Please make as many copies of this bid form as needed.**

BID FORM #13

DISADVANTAGED BUSINESS ENTERPRISE  
PARTICIPATION CONFIRMATION CERTIFICATION

**NOTE: BID FORM #13 MUST BE INCLUDED FROM EACH DBE  
SUBCONTRACTOR/SUPPLIER THAT IS PARTICIPATING IN  
THE CONTRACT.\***

This DBE subcontractor/supplier confirms that he/she is participating in the contract as provided in the prime Contractor's Plan For DBE Participation (Bid Form #12). Signature on this form does not constitute a contract between the prime contractor and subcontractor/supplier.

March 30, 2011  
Date

Patricia Johnson  
Authorized Signature

Pres.  
Title

North Central Parking, Inc.  
Company Name

*\*Please make as many copies of this bid form as needed.*

Little Kanawha Bus Administrative and Maintenance Facility

BID BOND BF#4

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, Mid-Atlantic Construction, Inc. of Point Pleasant, WV, as Principal, and Ohio Farmers Insurance Company of Westfield Center, Ohio, a corporation organized and existing under the laws of the State of Ohio with its principal office in the City of Westfield Center, as Surety, are held and firmly bound unto the State of West Virginia, as Oblige, in the penal sum of Five (5%) Five percent of amount bid 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 Administrative & Maintenance Facility for the WVDOT, Division of Public Transit and built for the Little Kanawha Bus located in Granstville, WV

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 Oblige 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 17th day of March, 20 11.

Principal Corporate Seal

Mid-Atlantic Construction, Inc. (Name of Principal)
By [Signature] (Must be President or Vice President)
PRESIDENT (Title)

Surety Corporate Seal

Ohio Farmers Insurance Company (Name of Surety)
[Signature]
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.

General  
Power  
of Attorney

POWER NO. 4750172 01

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

CERTIFIED COPY

Know All Men by These Presents, That WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY, corporations, hereinafter referred to individually as a "Company" and collectively as "Companies," duly organized and existing under the laws of the State of Ohio, and having its principal office in Westfield Center, Medina County, Ohio, do by these presents make, constitute and appoint  
**ANDREW K. TEETER, KIMBERLY L. MILES, JANIS KAY PEACOCK, DOUGLAS P. TAYLOR, PAMELA D. OBRIEN, DONNA J. PRICE, TRAVIS A. HILL, JR., PAMELA V. LANHAM, GARY R. FREEMAN, 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 **12th** day of **JANUARY** A.D., **2010**.

Corporate  
Seals  
Affixed



WESTFIELD INSURANCE COMPANY  
WESTFIELD NATIONAL INSURANCE COMPANY  
OHIO FARMERS INSURANCE COMPANY

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

State of Ohio  
County of Medina ss.:

On this **12th** day of **JANUARY** A.D., **2010**, before me personally came **Richard L. Kinnaird, Jr.** to me known, who, being by me duly sworn, did depose and say, that he resides in **Medina, Ohio**; that he is **Senior Executive** of WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY, the companies described in and which executed the above instrument; that he knows the seals of said Companies; that the seals affixed to said instrument are such corporate seals; that they were so affixed by order of the Boards of Directors of said Companies; and that he signed his name thereto by like order.

Notarial  
Seal  
Affixed



**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 **17th** day of **March** A.D., **2011**



**Frank A. Carrino, Secretary**



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

STATE OF WEST VIRGINIA,

COUNTY OF Mason, TO-WIT:

I, Robert W. McMillan, after being first duly sworn, depose and state as follows:

- 1. I am an employee of Mid-Atlantic Construction, Inc.; and,
2. I do hereby attest that Mid-Atlantic Construction, Inc.

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.

Mid-Atlantic Construction, Inc.
(Company Name)

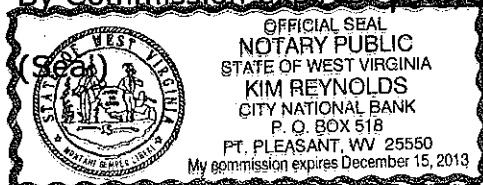
By: [Signature]

Title: President

Date: 3/30/11

Taken, subscribed and sworn to before me this 30 day of March 2011

By Commission expires 12-15-13



[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.



BF#14

RFQ No. PT11054

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: Mid-Atlantic Construction, Inc.

Authorized Signature: [Signature] Date: 3/30/11

State of West Virginia

County of Mason to-wit:

Taken, subscribed, and sworn to before me this 30 day of MARCH, 2011.

My Commission expires 12-15-13, 20  .

AFFIX SEAL HERE

NOTARY PUBLIC

[Signature]

