



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

WV PURCHASING ACA SECT Fax 304-558-4115

Oct 15 2012 11:27am P001/006

GSD136403

1

ADDRESS CORRESPONDENCE TO ATTENTION OF:

KRISTA FERRELL  
 304-558-2596

VENDOR

\*709035346 304-523-7560  
 E P LEACH & SONS INC  
 PO BOX 1823  
 HUNTINGTON WV 25719

SHIP TO

DEPARTMENT OF ADMINISTRATION  
 GENERAL SERVICES DIVISION  
 BUILDING SIX  
 1900 KANAWHA BOULEVARD, EAST  
 CHARLESTON, WV  
 25305 304-558-2317

DATE PRINTED  
 10/15/2012

BID OPENING DATE: 10/23/2012 BID OPENING TIME 1:30PM

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
ADDENDUM NO. 2						
THIS ADDENDUM IS ISSUED TO AMEND THE ORIGINAL SOLICITATION (GSD136403) PER THE ATTACHED.						
0001	1	LS		968-42		
INTERIOR RENOVATIONS TO BLDG#6, 8TH FLOOR						
***** THIS IS THE END OF RFQ GSD136403 *****						TOTAL: \$855,000.00
						<i>eight hundred fifty five thousand dollars</i>

RECEIVED  
 2012 OCT 23 PM 1:20  
 WV PURCHASING DIVISION

SIGNATURE *Wm. H. Treacy* TELEPHONE (304) 523-7560 DATE 10-23-2012  
 TITLE Vice President FEIN 55-0326982 ADDRESS CHANGES TO BE NOTED ABOVE

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

### Proposal Form

State of West Virginia – General Services Division

### INTERIOR RENOVATIONS TO EIGHTH FLOOR OF STATE OFFICE BUILDING NO. 6 WEST VIRGINIA CAPITAL COMPLEX, CHARLESTON, WEST VIRGINIA

Project No. GSD136403

NAME OF BIDDER: E. P. Leach & Sons, 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:**

For the sum of: eight hundred fifty five thousand  
dollars (\$ 855,000.00 ).

Base Bid includes sanitary drainage piping where indicated on Drawings and as specified. Separate Breakout Cost is to be provided for Owner's information only.

Separate Breakout Cost for Sanitary Drainage Piping: eighteen thousand dollars  
(\$ 18,000.00 ).

**ALTERNATES:**

The stated Base Bid is subject to the following additions or deductions for Alternates which the Owner may select. ('Provide' means 'furnish and install.' Include in bids below all related coordination and modification requirements associated with the Work of each Alternate.)

NOTE: Rubber Flooring and Cork Flooring as indicated on Drawings are not included in Base Bid.

Alternate Bid No. 1 - To provide Rubber Flooring in lieu of unfinished flooring where indicated on Drawings and as specified.

ADD To Base Bid the sum of: one hundred ten thousand dollars  
(\$ 110,000.00 ).

Alternate Bid No. 2 - To provide Cork Flooring in lieu of unfinished flooring where indicated on Drawings and as specified.

ADD To Base Bid the sum of: one hundred and six thousand dollars  
(\$ 106,000.00 ).

THE CONTRACT AMOUNT STATED ABOVE INCLUDES ALL APPLICABLE SALES TAXES, EXCISE AND OTHER TAXES FOR MATERIALS AND APPLIANCES SUBJECT TO AND UPON WHICH TAXES ARE LEVIED.

**Reference No. 1 Name:**

Cabell County Board of Education - Mike O'Dell

Position: Assistance Superintendent  
 Address: 2850 5th Avenue, Huntington, WV 25702  
 Telephone Number: (304) 528-5069  
 Project Name: Spring Hill Elementary School  
 Project Description: Complete Retrofit

**Reference No. 2 Name:**

Marshall University - Ron May

Position: Director of Facilities Management  
 Address: One John Marshall Drive, Huntington, WV 25755  
 Telephone Number: (304) 696-2585  
 Project Name: Shewey Building  
 Project Description: Remodel Football Locker Rooms

**Reference No. 3 Name:**

Sodex - Cheryl King

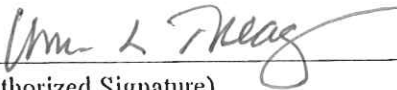
Position: Manager  
 Address: One John Marshall Drive, Huntington, WV 25755  
 Telephone Number: (304) 696-3329  
 Project Name: Remodel Twin Towers Cafeteria  
 Project Description: Complete Remodeling of Cafeteria and Kitchen

**CERTIFICATION AND SIGNATURE PAGE**

By signing below, I certify that I have reviewed this Solicitation in its entirety; understand the requirements, terms and conditions, and other information contained herein; that I am submitting this bid or proposal for review and consideration; that I am authorized by the bidder to execute this bid or any documents related thereto on bidder's behalf; that I am authorized to bind the bidder in a contractual relationship; and that to the best of my knowledge, the bidder has properly registered with any State agency that may require registration.

E. P. Leach & Sons, Inc.

\_\_\_\_\_  
(Company)



\_\_\_\_\_  
(Authorized Signature)  
William L. Treacy  
Vice President

\_\_\_\_\_  
(Representative Name, Title)

(304) 523-7560

(304) 523-1238

\_\_\_\_\_  
(Phone Number)

\_\_\_\_\_  
(Fax Number)

October 23, 2012

\_\_\_\_\_  
(Date)

**ADDENDUM ACKNOWLEDGEMENT FORM**  
**SOLICITATION NO.: GSD136403**

**Instructions:** Please acknowledge receipt of all addenda issued with this solicitation by completing this addendum acknowledgment form. Check the box next to each addendum received and sign below. Failure to acknowledge addenda may result in bid disqualification.

**Acknowledgment:** I hereby acknowledge receipt of the following addenda and have made the necessary revisions to my proposal, plans and/or specification, etc.

**Addendum Numbers Received:**

(Check the box next to each addendum received)

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Addendum No. 1 | <input type="checkbox"/> Addendum No. 6  |
| <input checked="" type="checkbox"/> Addendum No. 2 | <input type="checkbox"/> Addendum No. 7  |
| <input type="checkbox"/> Addendum No. 3            | <input type="checkbox"/> Addendum No. 8  |
| <input type="checkbox"/> Addendum No. 4            | <input type="checkbox"/> Addendum No. 9  |
| <input type="checkbox"/> Addendum No. 5            | <input type="checkbox"/> Addendum No. 10 |

I understand that failure to confirm the receipt of addenda may be cause for rejection of this bid. I further 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.

E. P. Leach & Sons, Inc.

\_\_\_\_\_  
Company



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

William L. Treacy, Vice President

October 23, 2012

\_\_\_\_\_  
Date

NOTE: This addendum acknowledgment should be submitted with the bid to expedite document processing.  
Revised 6/8/2012

## LIST OF PROPOSED SUBCONTRACTORS AND EQUIPMENT/MATERIAL SUPPLIERS

List below each major branch of work and major equipment/material supplier category for this proposal and the subcontractor or supplier proposed for that portion of work. Provide also the Contractor License Number for each subcontractor as required by the "West Virginia Contractor Licensing Act". If the branch of work is to be completed solely by an equipment/material supplier, indicate by notation below in the contractor license number column. The contractor is responsible for selecting or changing subcontractor or equipment/material supplier.

It is the responsibility of any contractor soliciting bids or quotes from subcontractors to verify the eligibility of all subcontractors and equipment/material suppliers being proposed to perform the work. The Contractor has full responsibility for satisfactory execution of all work in accordance with the Contract Documents. Any change of proposed subcontractors or equipment/material suppliers shall be at no cost to the Owner, as the Contractor has full responsibility for execution of the work.

I, William L. Treacy representing E.P. Leach & Sons, Inc.  
 (Signature of Responsible Company) (Company Name)  
 on this date 10-23-2012 submit the following list of subcontractors and major  
 material suppliers for your review and comment. This is the final and complete list of companies  
 who will be performing work or supplying materials for Interior Renovations to 8th Floor  
 (Project Name)

Branch of Work/ Material Category	Complete Name and Address Subcontractor/Supplier	Contractor License Number
1. <u>Electrical</u>	<u>Progressive Electric</u> <u>Box 3695 Charleston, WV</u> <u>25336</u>	<u>000005</u>
2. <u>HVAC</u>	<u>Elco</u> <u>Box 349 Charleston, WV</u> <u>25322</u>	<u>002087</u>
3. <u>Plumbing</u>	<u>Elco</u> <u>Box 349 Charleston, WV</u> <u>25322</u>	<u>002087</u>
4. <u>Finishes</u>	<u>Cornerstone Interiors</u> <u>Box 412 Elers, WV</u> <u>25070</u>	<u>025109</u>
5. _____	_____	_____

6.	_____	_____	_____
		_____	
7.	_____	_____	_____
		_____	
8.	_____	_____	_____
		_____	
9.	_____	_____	_____
		_____	
10.	_____	_____	_____
		_____	
11.	_____	_____	_____
		_____	
12.	_____	_____	_____
		_____	
13.	_____	_____	_____
		_____	
14.	_____	_____	_____
		_____	

# CONTRACTOR LICENSE

Authorized by the

**West Virginia Contractor Licensing Board**

**Number:** WV000362

**Classification:**

GENERAL BUILDING


E P LEACH & SONS INC  
DBA E P LEACH & SONS INC  
PO BOX 1823  
HUNTINGTON, WV 25719

**Date Issued**

**Expiration Date**

AUGUST 05, 2012

AUGUST 05, 2013

  
Authorized Company Signature

  
Chair, West Virginia Contractor  
Licensing Board

**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, E P Leach & Sons, Inc  
of PO Box 1823, Huntington, WV, as Principal, and Ohio Farmers Insurance Co  
of Westfield Center, OH, 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 Obligee, in the penal sum of Five Percent of 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  
State of WV - Remodel of selected areas in Bldg 6

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 those presents to be signed by their proper officers, this  
23rd day of October, 202012

Principal Corporate Seal

E P Leach & Sons, Inc.  
(Name of Principal)

By [Signature]  
(Must be President or  
Vice President)

William L. Treacy, Vice President  
(Title)

Surety Corporate Seal

Ohio Farmers Insurance Company  
(Name of Surety)

[Signature]  
Attorney-in-Fact

Brenda Kash

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.

THIS POWER OF ATTORNEY SUPERCEDES ANY PREVIOUS POWER BEARING THIS SAME POWER AND ISSUED PRIOR TO 11/19/09, FOR ANY PERSON OR PERSONS NAMED BELOW.

General Power of Attorney

POWER NO. 4750592 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 ARCH T. KELLER, C. DAVID ROBINSON, SIDNEY J. WHEELER, JR., BRENDA J. KASH, ZACHARY R. KELLER, JOINTLY OR SEVERALLY

of ONA 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 19th day of NOVEMBER A.D., 2009.

Corporate Seals Affixed



WESTFIELD INSURANCE COMPANY WESTFIELD NATIONAL INSURANCE COMPANY OHIO FARMERS INSURANCE COMPANY

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

State of Ohio County of Medina ss.:

On this 19th day of NOVEMBER A.D., 2009, before me personally came Richard L. Kinnaird, Jr. to me known, who, being by me duly sworn, did depose and say, that he resides in Medina, Ohio; that he is Senior Executive of WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY, the companies described in and which executed the above instrument; that he knows the seals of said Companies; that the seals affixed to said instrument are such corporate seals; that they were so affixed by order of the Boards of Directors of said Companies; and that he signed his name thereto by like order.

Notarial Seal Affixed



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 23rd day of October A.D., 2012



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 Cabell County, TO-WIT:

I, William L. Treacy, after being first duly sworn, depose and state as follows:

1. I am an employee of E. P. Leach & Sons, Inc.; and,  
(Company Name)

2. I do hereby attest that E. P. Leach & Sons, 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.

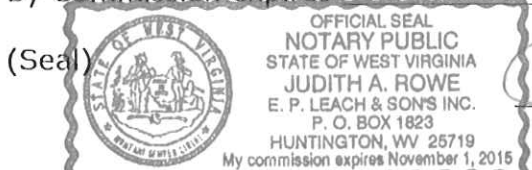
E. P. Leach & Sons, Inc.  
(Company Name)

By:   
William L. Treacy  
Title: Vice President

Date: October 23, 2012

Taken, subscribed and sworn to before me this 23rd day of October 2012.

By Commission expires November 1, 2015



(Notary Public)

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

STATE OF WEST VIRGINIA  
Purchasing Division

**PURCHASING AFFIDAVIT**

**MANDATE:** Under W. Va. Code §5A-3-10a, 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: (1) the debt owed is an amount greater than one thousand dollars in the aggregate; or (2) the debtor is in employer default.

**EXCEPTION:** The prohibition listed above does not apply where a vendor has contested any tax administered pursuant to chapter eleven of the W. Va. 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.

**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.

"Employer default" means having an outstanding balance or liability to the old fund or to the uninsured employers' fund or being in policy default, as defined in W. Va. Code § 23-2c-2, failure to maintain mandatory workers' compensation coverage, or failure to fully meet its obligations as a workers' compensation self-insured employer. An employer is not in employer default if it has entered into a repayment agreement with the Insurance Commissioner and remains in compliance with the obligations under the repayment agreement.

"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.

**AFFIRMATION:** By signing this form, the vendor's authorized signer affirms and acknowledges under penalty of law for false swearing (W. Va. Code §61-5-3) that neither vendor nor any related party owe a debt as defined above and that neither vendor nor any related party are in employer default as defined above, unless the debt or employer default is permitted under the exception above.

**WITNESS THE FOLLOWING SIGNATURE:**

Vendor's Name: E. P. Leach & Sons, Inc.

Authorized Signature: *William L. Treacy* Date: October 23, 2012  
William L. Treacy, Vice President

State of West Virginia

County of Cabell, to-wit:

Taken, subscribed, and sworn to before me this 23 day of October, 2012.

My Commission expires November 1, 2015, 2015.

AFFIX SEAL HERE



NOTARY PUBLIC

*Judith A. Rowe*