



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

Solicitation

NUMBER
GSD136407

PAGE
1

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

VENDOR

RFQ COPY
TYPE NAME/ADDRESS HERE
 N-Powell Company, Inc.
 P.O. Box 239
 Weirton, WV 26062

SHIP TO

**DEPARTMENT OF ADMINISTRATION
 GENERAL SERVICES DIVISION
 JOBSITE
 SEE SPECIFICATIONS**

304-558-2317

DATE PRINTED
02/20/2013

BID OPENING DATE: **03/26/2013** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	LS		968-42	\$ 375,000.00	\$ 375,000.00
<p>EXTERIOR DOOR REPLACEMENT PROJECT, BLDGS 5/6/7</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 ALL LABOR, MATERIALS, EQUIPMENT, AND SUPPLIES FOR THE INSTALLATION OF REPLACEMENT EXTERIOR DOORS ON BUILDINGS 5, 6, AND 7 LOCATED ON THE WEST VIRGINIA STATE CAPITOL COMPLEX IN CHARLESTON, WEST VIRGINIA PER THE ATTACHED SPECIFICATIONS.</p>						
<p>04/02/13 01:14:39 PM West Virginia Purchasing Division</p>						

SIGNATURE *Nicholas Powell* TELEPHONE 304-748-3338 DATE April 2, 2013
 TITLE President FEIN 47-0947745 ADDRESS CHANGES TO BE NOTED ABOVE

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

**Proposal Form – RFQ#GSD136407
FIRE SEPARATION AND EXTERIOR DOOR REPLACEMENT FOR
BUILDING NOS. 5, 6, & 7
WEST VIRGINIA CAPITOL COMPLEX**

NAME OF BIDDER: N-Powell Company, Inc. - WV Contractor's License 037247

A. 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: Three hundred seventy Five thousand dollars and ⁰⁰/₁₀₀ —
(\$ 375,000.00)

Base Bid includes all work shown and specified for all specified interior doors of Buildings 5, 6 & 7, and exterior doors including only those doors for State Office Building No. 7, and excluding work described in Alternates appearing below.

BID BREAKDOWN:

For Owner accounting purposes only, provide a breakdown of the Base Bid, by Building, as follows:

Base Bid, Building Five forty three thousand seven hundred dollars and ⁰⁰/₁₀₀ — (\$ 43,700.00)
Base Bid, Building Six forty eight thousand one hundred dollars and ⁰⁰/₁₀₀ — (\$ 48,100.00)
Base Bid, Building Seven two hundred eighty three thousand two hundred dollars and ⁰⁰/₁₀₀ — (\$ 283,200.00)

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.) Owner may award contract for Base Bid alone; or, if available funds for the project budget allow, for first the Base Bid Plus Alternate #1; or, if available funds for the project still allow, for the Base Bid, Alternate #1, and then Alternate #2.

Alternate Bid No. 1 - To provide exterior Lobby Doors for State Office Building No. 5 where indicated on Drawings and as specified.

ADD the sum of: Two hundred forty eight thousand one hundred ninety one dollars and ⁰⁰/₁₀₀ — (\$ 248,191.00)

Alternate Bid No. 2 - To provide exterior Lobby Doors for State Office Building No. 6 where indicated on Drawings and as specified.

ADD the sum of: Two hundred forty seven thousand three hundred eleven dollars and ⁰⁰/₁₀₀ — (\$ 247,311.00)

Reference No. 1 Name:

ZMM Architects

Position: David Ferguson, Principal

Address: 222 Lee Street West, Charleston, WV 25302

Telephone Number: 304-342-0159

Project Name: Cabell County Bus Garage

Project Description: \$6.44 million Bus Garage for Cabell
County Board of Education

Reference No. 2 Name:

Dept. of Homeland Security

Position: Mike McPeak, Contracting Officer's Tech. Rep.

Address: 19844 Blue Ridge Mountain Rd., Bluemont, VA 20135

Telephone Number: 540-542-2153

Project Name: Several multi-million dollar projects
and numerous other smaller projects from

Project Description: 2007 to present

Reference No. 3 Name:

National Park Service

Position: Albert O'Mara, Contracting Officer

Address: Philadelphia, PA

Telephone Number: 303-969-2056

Project Name: Stabilization of historic Nuttallburg Mine Complex
at New River Gorge National River, WV

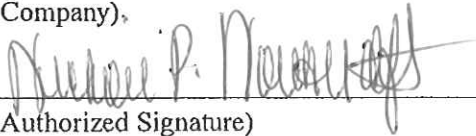
Project Description: _____

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.

N-Powell Company, Inc.

(Company)



(Authorized Signature)

Nichole P. Northcraft, President

(Representative Name, Title)

(304) 748-3338

(Phone Number)

(304) 748-2307

(Fax Number)

April 2, 2013

(Date)

ADDENDUM ACKNOWLEDGEMENT FORM**SOLICITATION NO.:** GSD136407

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:

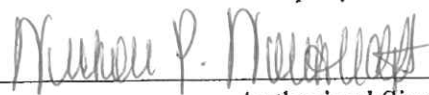
(Check the box next to each addendum received)

- | | |
|--|--|
| <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.

N - Powell Company, Inc.

Company



Authorized Signature

April 2, 2013

Date

NOTE: This addendum acknowledgment should be submitted with the bid to expedite document processing.

RFQ No. 65D136407

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 exceed 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: N - Powell Company, Inc.

Authorized Signature: *[Signature]* Date: April 2, 2013

State of West Virginia

County of Brooke, to-wit:

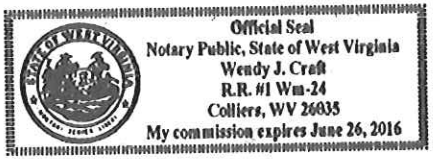
Taken, subscribed, and sworn to before me this 2nd day of April, 2013.

My Commission expires June 26, 2016

AFFIX SEAL HERE

NOTARY PUBLIC *Wendy J Craft*

Purchasing Affidavit (Revised 07/01/2012)





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

STATE OF West Virginia

COUNTY OF Brooke, TO-WIT:

I, Nichole P. Northcraft, after being first duly sworn, depose and state as follows:

- 1. I am an employee of N-Powell Company, Inc.; and,
(Company Name)
- 2. I do hereby attest that N - Powell 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.

N - Powell Company, Inc.
(Company Name)

By: Nichole P. Northcraft

Title: President

Date: April 2, 2013

Taken, subscribed and sworn to before me this 2nd day of April 2013

By Commission Expires June 26, 2016
Official Seal
Notary Public, State of West Virginia
Wendy J. Craft
R.R. #1 Wm-24
Colliers, WV 26035
My commission expires June 26, 2016

Wendy J. Craft
(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.

Agency _____
REQ.P.O# _____

BID BOND

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, N-Powell Company, Inc.
of Weirton, West Virginia, as Principal, and Western Surety Company
of Sioux Falls, South Dakota, a corporation organized and existing under the laws of the State of South Dakota with its principal office in the City of Sioux Falls, as Surety, are held and firmly bound unto the State of West Virginia, as Obligor, in the penal sum of Five Percent (5%) of 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 Replace exterior doors at WV State Capital Complex, Charleston, 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 Obligor 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 26th day of March, 20 13.

Principal Corporate Seal

N-Powell Company, Inc.
(Name of Principal)
By [Signature]
(Must be President or Vice President)
President
(Title)

Surety Corporate Seal

Western Surety Company
(Name of Surety)
[Signature]
Maggie Loeser 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.

Western Surety Company

POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men By These Presents, That WESTERN SURETY COMPANY, a South Dakota corporation, is a duly organized and existing corporation having its principal office in the City of Sioux Falls, and State of South Dakota, and that it does by virtue of the signature and seal herein affixed hereby make, constitute and appoint

Mark N Coleman, Frank P Middelberg, Kyp L Ross, Lori A Proch, Gary E Roadruck, Robert W Lampus, Faith A Studeny, Kathy Van Tassel, Linda M Cowin, Louis A Colagrossi, Sandy Kruger, Maggie Loeser, Individually

of Cleveland, OH, its true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on its behalf bonds, undertakings and other obligatory instruments of similar nature

- In Unlimited Amounts -

and to bind it thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of the corporation and all the acts of said Attorney, pursuant to the authority hereby given, are hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the By-Law printed on the reverse hereof, duly adopted, as indicated, by the shareholders of the corporation.

In Witness Whereof, WESTERN SURETY COMPANY has caused these presents to be signed by its Vice President and its corporate seal to be hereto affixed on this 3rd day of October, 2012.



WESTERN SURETY COMPANY

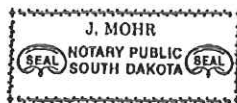
Paul T. Bruffat

Paul T. Bruffat, Vice President

State of South Dakota }
County of Minnehaha } ss

On this 3rd day of October, 2012, before me personally came Paul T. Bruffat, to me known, who, being by me duly sworn, did depose and say: that he resides in the City of Sioux Falls, State of South Dakota; that he is the Vice President of WESTERN SURETY COMPANY described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said corporation and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said corporation.

My commission expires
June 23, 2015



J. Mohr

J. Mohr, Notary Public

CERTIFICATE

I, L. Nelson, Assistant Secretary of WESTERN SURETY COMPANY do hereby certify that the Power of Attorney hereinabove set forth is still in force, and further certify that the By-Law of the corporation printed on the reverse hereof is still in force. In testimony whereof I have hereunto subscribed my name and affixed the seal of the said corporation this 26th day of March, 2013.



WESTERN SURETY COMPANY

L. Nelson

L. Nelson, Assistant Secretary

Authorizing By-Law

ADOPTED BY THE SHAREHOLDERS OF WESTERN SURETY COMPANY

This Power of Attorney is made and executed pursuant to and by authority of the following By-Law duly adopted by the shareholders of the Company.

Section 7. All bonds, policies, undertakings, Powers of Attorney, or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, and Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys in Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile.

WESTERN SURETY COMPANY
 Sioux Falls, South Dakota
 Statement of Net Admitted Assets and Liabilities
 December 31, 2011

ASSETS

Bonds	\$1,403,423,957
Stocks	22,726,363
Cash and short-term investments	66,852,340
Uncollected premiums and agents' balances	34,207,619
Funds held by or deposited with reinsured companies	13,980,081
Net deferred tax asset	25,802,839
Investment income due and accrued	17,647,175
Other assets	<u>2,489,406</u>
Total Assets	<u>\$1,587,129,780</u>

LIABILITIES AND SURPLUS

Losses	\$296,352,421
Loss adjustment expense	82,551,462
Contingent and other commissions payable	5,246,025
Other expense	28,831,919
Taxes, licenses and fees	1,925,642
Federal and foreign income taxes payable	5,637,067
Unearned premiums	247,814,064
Other liabilities	<u>29,286,547</u>
Total Liabilities	697,645,147

Surplus Account:	
Capital paid up	\$4,000,000
Gross paid in and contributed surplus	176,435,232
Special Surplus	7,321,616
Unassigned funds	<u>701,727,785</u>
Surplus as regards policyholders	\$889,484,633
Total Liabilities and Capital	<u>\$1,587,129,780</u>

I, Amy M. Smith, Assistant Vice President of Western Surety Company hereby certify that the above is an accurate representation of the financial statement of the Company dated December 31, 2011, as filed with the various Insurance Departments and is a true and correct statement of the condition of Western Surety Company as of that date.

Western Surety Company

By Amy M. Smith
 Assistant Vice President

Subscribed and sworn to me this 12th day of March, 2012.

My commission expires:



Kathleen Schroeder
 Notary Public