



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

Solicitation

NUMBER
LOT508

PAGE
1

ADDRESS CORRESPONDENCE TO ATTENTION OF:
CONNIE OSWALD 304-558-2157

VENDOR

*709043152 304-346-0546
 ELCO MECHANICAL CONTRACTORS
 PO BOX 349
 CHARLESTON WV 25322

SHIP TO

WEST VIRGINIA LOTTERY
 900 PENNSYLVANIA AVE
 CHARLESTON, WV
 25302 304-558-0500

DATE PRINTED
05/01/2013

BID OPENING DATE: 06/04/2013 BID OPENING TIME 1:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	JB		031-03		
THE STATE OF WEST VIRGINIA AND ITS AGENCY, THE WEST VIRGINIA LOTTERY REQUEST A QUOTE TO PROVIDE ALL INCLUSIVE LABOR & MATERIALS TO INSTALL FOUR (4) DAIKEN (OR EQUAL) HEATING & COOLING UNITS AND VARIOUS MATERIALS, AND TO REMOVE ONE (1) DAIKEN UNIT; MOVE ONE (1) EXISTING UNIT AND MODIFY CONTROLS PER THE ATTACHED SPECIFICATIONS. REFERENCE ATTACHED INSTRUCTIONS TO BIDDERS AND TERMS & CONDITIONS. MANDATORY PRE-BID MEETING: MAY 15, 2013 AT 1:30 PM BID OPENING: JUNE 4, 2013 AT 1:30 PM						06/04/13 12:35:45 PM West Virginia Purchasing Division
ALL INCLUSIVE LABOR & MATERIALS TO REMOVE ONE (1) DAIKIN UNIT; MOVE ONE (1) EXISTING UNIT APPROXIMATELY 4 FT. AND MODIFY CONTROLS IN ACCORDANCE WITH SECTION 3.1						SEE PAGE 32
0002	1	JB		031-03		
ALL INCLUSIVE LABOR & MATERIALS TO INSTALL FOUR (4)						Exhibit A

SIGNATURE	TELEPHONE	DATE
	304 346 0546	JUNE 4, 2013
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE
SPES.	55 053 4807	

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

ADDITIONAL TERMS AND CONDITIONS (Construction Contracts Only)

1. **CONTRACTOR'S LICENSE:** West Virginia Code § 21-11-2 requires that all persons desiring to perform contracting work in this state be licensed. The West Virginia Contractors Licensing Board is empowered to issue the contractor's license. Applications for a contractor's license may be made by contacting the West Virginia Division of Labor.

West Virginia Code § 21-11-11 requires any prospective Vendor to include the contractor's license number on its bid. Failure to include a contractor's license number on the bid shall result in Vendor's bid being disqualified. Vendors should include a contractor's license number in the space provided below.

Contractor's Name: ELCO MECHANICAL CONTRACTORS

Contractor's License No. WV002087

The apparent successful Vendor must furnish a copy of its contractor's license prior to the issuance of a purchase order/contract.

2. **DRUG-FREE WORKPLACE:** W. Va. Code § 21-1D-5 provides that any solicitation for a public improvement contract requires each Vendor that submits a bid for the work to submit at the same time an affidavit that the Vendor has a written plan for a drug-free workplace policy. To comply with this law, Vendor must either complete the enclosed drug-free workplace affidavit and submit the same with its bid or complete a similar affidavit that fulfills all of the requirements of the applicable code. Failure to submit the signed and notarized drug-free workplace affidavit, or a similar affidavit that fully complies with the requirements of the applicable code, with the bid shall result in disqualification of Vendor's bid.
3. **AIA DOCUMENTS:** All construction contracts that will be completed in conjunction with architectural services procured under Chapter 5G of the West Virginia Code will be governed by the AIA A101-2007 and A201-2007 or the A107-2007 documents, as amended by the Supplementary Conditions for the State of West Virginia, in addition to the terms and conditions contained herein.
4. **SUBCONTRACTOR LIST SUBMISSION:** In accordance with W. Va. Code § 5-22-1, The apparent low bidder on a contract for the construction, alteration, decoration, painting or improvement of a new or existing building or structure valued at more than \$500,000.00 shall submit a list of all subcontractors who will perform more than \$25,000.00 of work on the project including labor and materials. This provision shall not apply to any other construction projects, such as highway, mine reclamation, water or sewer projects.



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

STATE OF WV

COUNTY OF Kanawha, TO-WIT:

I, S.H. Ellis, after being first duly sworn, depose and state as follows:

- 1. I am an employee of ELCO MECHANICAL CONTRACTORS; and,
(Company Name)
- 2. I do hereby attest that ELCO MECHANICAL CONTRACTORS
(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.

ELCO MECHANICAL CONTRACTORS
(Company Name)

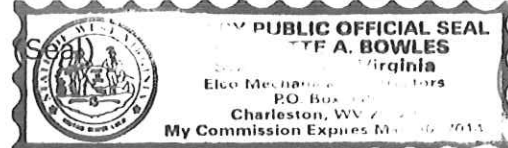
By: [Signature]

Title: [Signature]

Date: 6-4-13

Taken, subscribed and sworn to before me this 4th day of June, 13.

By Commission expires 3-30-2014



Charlotte A. Bowles
(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. LOT508

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: Elco Mechanical Contractors

Authorized Signature: [Signature] Date: JUNE 4, 2013

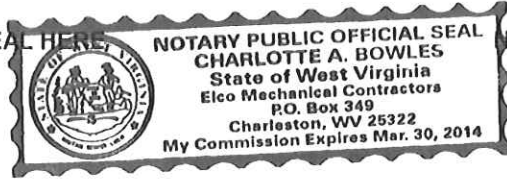
State of WV

County of Kanawha, to-wit:

Taken, subscribed, and sworn to before me this 4th day of June, 2013.

My Commission expires 3:30-2014, 20 .

AFFIX SEAL HERE



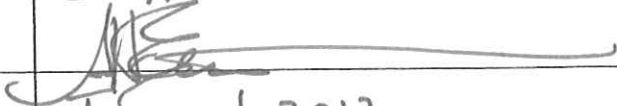
NOTARY PUBLIC Charlotte A. Bowles

REQUEST FOR QUOTATION
[RFQ LOT508] [DAIKIN (or equal) HEATING & COOLING UNITS]

9. PRICING PAGE

"Exhibit A"

1. All inclusive labor and materials to remove one (1) Daikin unit; move one (1) existing unit approximately 4 ft. and modify controls in accordance with section 3.1	\$ — 578.00 —
2. All inclusive labor and materials to install four (4) Dakin (or equal) heating and cooling units in accordance with section 3.2 QTY - 1 - MODEL # BSV4Q36PVJU INDOOR UNIT QTY - 4 -- MODEL # FXZQ07M7VJU INDOOR UNIT QTY - 3 - MODEL # BRC1E72 NAVIGATION REMOTE CONTROLLER 2013 QTY - 3 - MODEL # KHRP26A22T 2 PIPE REFNET JOINT 100 FEET CONDENSATE DRAIN 100 FEET HIGH VOLTAGE WIRE 100 FEET CONTROL VOLTAGE WIRE to be used with the four (4) Model FXZQ07M7VJU	\$ -56,900.00 -
Grand Total (Items 1 & 2 above)	\$ 57,478.00 -

COMPANY NAME	ELCO MECHANICAL CONTRACTORS
ADDRESS	P.O. Box 349
CITY / STATE / ZIP CODE	CHARLESTON WV 25322
CONTACT PERSON	S.H. ELLIS
SIGNATURE	
DATE	JUNE 4, 2013
PHONE NUMBER	304-346-0546
EMAIL ADDRESS	elco@suddenlinkmail.com
FAX	304-346-0548

Contract will be awarded to the Vendor with the lowest grand total meeting specifications.

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.

ELCO MECHANICAL CONTRACTORS

(Company)



(Authorized Signature)

Steve Bunn, President

(Representative Name, Title)

304-346-0546

(Phone Number)

304-346-0548

(Fax Number)

JUNE 4, 2013

(Date)

ADDENDUM ACKNOWLEDGEMENT FORM
SOLICITATION NO.: LOT508

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 <i>5/16/13</i>
<input checked="" type="checkbox"/> Addendum No. 2 <i>5/29/13</i>
<input type="checkbox"/> Addendum No. 3
<input type="checkbox"/> Addendum No. 4
<input type="checkbox"/> Addendum No. 5 | [] | [] | Addendum No. 6
Addendum No. 7
Addendum No. 8
Addendum No. 9
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.

ELCO MECHANICAL CONTRACTORS
Company


Authorized Signature

JUNE 4, 2013
Date

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

BID BOND

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, Elco Mechanical Contractors, LLC
of Charleston, WV, as Principal, and Fidelity and Deposit Company of Maryland
of Schaumburg, IL, a corporation organized and existing under the laws of the State of
MD with its principal office in the City of Schaumburg, 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
All Inclusive Labor and Materials to Remove (1) Daiken Unit, Install (4) New Daiken Units and Modify Controls

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

4th day of June, 2013.

Principal Corporate Seal

Elco Mechanical Contractors, LLC

(Name of Principal)

By 

(Must be President or
Vice President)

(Title)

Surety Corporate Seal

Fidelity and Deposit Company of Maryland

(Name of Surety)

By: 

Kimberly L. Miles, Licensed 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.**

**Power of Attorney
FIDELITY AND DEPOSIT COMPANY OF MARYLAND**

KNOW ALL MEN BY THESE PRESENTS: That the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, a corporation of the State of Maryland, by FRANK E. MARTIN JR., Vice President, and GREGORY E. MURRAY, Assistant Secretary, in pursuance of authority granted by Article VI, Section 2, of the By-Laws of said Company, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, does hereby nominate, constitute and appoint Andrew K. TEETER, Janis K. PEACOCK, Kimberly L. MILES, Douglas P. TAYLOR, Donna J. PRICE and Pamela V. LANHAM, all of Charleston, West Virginia, EACH its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: any and all bonds and undertakings, and the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Company, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the Company at its office in Baltimore, Md., in their own proper persons. This power of attorney revokes that issued on behalf of Andrew K. TEETER, Janis K. PEACOCK, Kimberly L. MILES, Douglas P. TAYLOR, Donna J. PRICE, dated July 13, 2004.

The said Assistant Secretary does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article VI, Section 2, of the By-Laws of said Company, and is now in force.

IN WITNESS WHEREOF, the said Vice-President and Assistant Secretary have hereunto subscribed their names and affixed the Corporate Seal of the said FIDELITY AND DEPOSIT COMPANY OF MARYLAND, this 11th day of November, A.D. 2004.

ATTEST:

FIDELITY AND DEPOSIT COMPANY OF MARYLAND



Gregory E. Murray

Frank E. Martin Jr.

By:

Gregory E. Murray Assistant Secretary

Frank E. Martin Jr.

Vice President

State of Maryland }
City of Baltimore } ss:

On this 11th day of November, A.D. 2004, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, came FRANK E. MARTIN JR., Vice President, and GREGORY E. MURRAY, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and they each acknowledged the execution of the same, and being by me duly sworn, severally and each for himself deposed and saith, that they are the said officers of the Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and that the said Corporate Seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above written.



Maria D. Adamski

Maria D. Adamski

Notary Public

My Commission Expires: July 8, 2015

EXTRACT FROM BY-LAWS OF FIDELITY AND DEPOSIT COMPANY OF MARYLAND

“Article VI, Section 2. The Chairman of the Board, or the President, or any Executive Vice-President, or any of the Senior Vice-Presidents or Vice-Presidents specially authorized so to do by the Board of Directors or by the Executive Committee, shall have power, by and with the concurrence of the Secretary or any one of the Assistant Secretaries, to appoint Resident Vice-Presidents, Assistant Vice-Presidents and Attorneys-in-Fact as the business of the Company may require, or to authorize any person or persons to execute on behalf of the Company any bonds, undertaking, recognizances, stipulations, policies, contracts, agreements, deeds, and releases and assignments of judgements, decrees, mortgages and instruments in the nature of mortgages,...and to affix the seal of the Company thereto.”

CERTIFICATE

I, the undersigned, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the foregoing Power of Attorney is still in full force and effect on the date of this certificate; and I do further certify that the Vice-President who executed the said Power of Attorney was one of the additional Vice-Presidents specially authorized by the Board of Directors to appoint any Attorney-in-Fact as provided in Article VI, Section 2, of the By-Laws of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND.

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 10th day of May, 1990.

RESOLVED: "That the facsimile or mechanically reproduced seal of the company and facsimile or mechanically reproduced signature of any Vice-President, Secretary, or Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed."

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the said Company,

this 4th day of June, 2013.



Assistant Secretary