



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

Solicitation

NUMBER
RMA12032

PAGE
1

ADDRESS CORRESPONDENCE TO ATTENTION OF:
PAUL REYNOLDS 304-558-0468

RFQ COPY
 TYPE NAME/ADDRESS HERE

VENDOR

SHIP TO

WV STATE RAIL AUTHORITY
 (DBA) SOUTH BRANCH VALLEY
 RAILROAD
 120 WATER PLANT DRIVE
 MOOREFIELD, WV
 26836 304-538-2305

DATE PRINTED
06/08/2012

BID OPENING DATE: 06/21/2012 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
ADDENDUM NO. 1						
ISSUED TO DISTRIBUTE ADDITIONAL TERMS AND CONDITIONS PER THE ATTACHED.						
BID OPENING DATE AND TIME REMAINS 06/21/12 @1:30 P.M.						
0001		EA		550-70		
SIGNS, RAILROAD CROSSING (ELECTRIC)						
***** THIS IS THE END OF RFQ RMA12032 *****						TOTAL: \$1,517,535.50

RECEIVED
 2012 AUG -2 AM 9:16
 WV PURCHASING
 DIVISION

SIGNATURE	TELEPHONE 856-423-9385	DATE 8-2-12
TITLE Vice President	FEIN 22-2402473	ADDRESS CHANGES TO BE NOTED ABOVE

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



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*A30104133 856-423-9385
 RAILROAD CONSTRUCTORS INC
 705 MANTUA AVE
 PAULSBORO NJ 08066

SHIP TO

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 MOOREFIELD, WV
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DATE PRINTED
06/12/2012

BID OPENING DATE: 07/26/2012 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
				ADDENDUM NO. 2		
				BID OPENING DATE CHANGED		
				FROM: 06/21/12 @ 1:30 P.M.		
				TO: 07/26/12 @ 1:30 P.M.		
				SIGN IN SHEET ATTACHED		
				NO OTHER CHANGES		
0001		EA		550-70		
				SIGNS, RAILROAD CROSSING (ELECTRIC)		
***** THIS IS THE END OF RFQ RMA12032 ***** TOTAL:						\$1,517,535.50

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DATE PRINTED
06/27/2012

BID OPENING DATE: 07/26/2012 BID OPENING TIME 1:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
ADDENDUM NO. 3						
ADD: PURCHASING DIVISION'S NEW TERMS AND CONDITIONS EFFECTIVE 06/08/2012.						
REVISED SPECIFICATIONS AND 16 SHEETS OF DRAWINGS TO REPLACE THE ORIGINAL SPECIFICATIONS AND DRAWINGS IN ITS ENTIRETY.						
BID OPENING DATE AND TIME REMAINS 07/26/12 @1:30 P.M.						
0001		EA		550-70		
SIGNS, RAILROAD CROSSING (ELECTRIC)						
***** THIS IS THE END OF RFQ RMA12032 *****						TOTAL: \$1,517,535.50

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TITLE Vice President	FEIN 22-2402473	ADDRESS CHANGES TO BE NOTED ABOVE

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DATE PRINTED
07/20/2012

BID OPENING DATE: 08/02/2012 BID OPENING TIME 1:30PM

LINE	QUANTITY	UOP	CAT. NO	ITEM NUMBER	UNIT PRICE	AMOUNT
				ADDENDUM NO. 5		
				ANSWER TO TECHNICAL QUESTIONS ATTACHED		
				BID OPENING DATE CHANGED		
				FROM: 07/26/12 @1:30 P.M.		
				TO: 08/02/12 @1:30 P.M.		
				NO OTHER CHANGES		
0001		EA		550-70		
				SIGNS, RAILROAD CROSSING (ELECTRIC)		
***** THIS IS THE END OF RFQ RMA12032 *****						TOTAL: \$1,517,535.50

SIGNATURE	TELEPHONE 856-423-9385	DATE 8-2-12
TITLE Vice President	FEIN 22-2402473	ADDRESS CHANGES TO BE NOTED ABOVE

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RMA Cost Sheet

Line Item	Description	Unit Cost	Unit of Measure	Quantity	Extended Cost
	Tie Replacement <i>(including gaging of inserted tie)</i>				
1	Ties - Grade 5	\$103.00	per tie	4,130	\$423,390.00
	Includes Norton, Coalton, Belington Yard and 2000 additional MP 12-22				
2	Gaging of Respiked Crossies	\$13.90	per tie	826	\$11,481.40
3	Switch Ties:				
	9 foot	\$336.75	per tie	17	\$5,724.75
	10 foot	\$365.90	per tie	10	\$3,659.00
	11 foot	\$373.65	per tie	10	\$4,510.80
	12 foot	\$375.90	per tie	12	\$4,510.80
	13 foot	\$397.80	per tie	7	\$2,784.60
	14 foot	\$400.60	per tie	10	\$4,006.00
	15 foot	\$411.90	per tie	9	\$3,707.10
	16 foot	\$424.00	per tie	6	\$2,544.00
	Additional Surfacing/Ballast Regulation				
4	Additional Surfacing - Spot (Mainly Curves)	\$0.75	per track foot	26,400	\$19,800.00
	Belington Yard Upgrades				
6	Install one 132 RE #12 turnout & switchties	\$55,000.00	each	1	\$55,000.00
7	Install two 132 RE #8 turnout & switchties	\$41,000.00	each	2	\$82,000.00
	One complete set of #8 switchties are reusable				
8	Install two 132 RE #10 turnouts & switchties	\$48,000.00	per	2	\$96,000.00
9	Track adjustment of mainline (per drawing)	\$413,254.50	each	1	\$413,254.50
	This adjustment includes moving circuits for signals and all comps				
	Norton				

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: Railroad Constructors Inc.

Contractor's License No. WV044970

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 will be governed by the AIA A101-2007 and A201-2007 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.

c. **Required Information.** The subcontractor list shall contain the following information:

- i. Bidder's name
- ii. Name of each subcontractor

ADDENDUM ACKNOWLEDGEMENT FORM
SOLICITATION NO.: RMA12032

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 checked="" type="checkbox"/> Addendum No. 3 | <input type="checkbox"/> Addendum No. 8 |
| <input checked="" type="checkbox"/> Addendum No. 4 | <input type="checkbox"/> Addendum No. 9 |
| <input checked="" 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.

Railroad Constructors, Inc.

Company



Authorized Signature

August 2, 2012

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, Railroad Constructors, Inc.
of Paulsboro, New Jersey, as Principal, and Liberty Mutual Insurance Company
of Boston, Massachusetts, a corporation organized and existing under the laws of the State of Massachusetts with its principal office in the City of Boston, as Surety, are held and firmly bound unto the State of West Virginia, as Obligee, in the penal sum of Five Percent of Amount (\$ 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 Railroad Track Construction; Bellington, WV; Crosstie Replacement, Surfacing, Regulating, Rail Replacement, Track Adjustment and Private Crossing; RMA 12032

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 21st day of June, 20 12.

Principal Corporate Seal

Railroad Constructors, Inc.

(Name of Principal)
By [Signature]

(Must be President or Vice President)
Vice President

(Title)

Surety Corporate Seal

Liberty Mutual Insurance Company

(Name of Surety)
[Signature]

Cecelia D. Brown, 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.

CONSENT OF SURETY

KNOW ALL MEN BY THESE PRESENTS, that for and consideration of the sum of \$1.00, lawful money of the United States of America, the receipt whereof is hereby acknowledged, paid the undersigned, and for other valuable consideration the

Liberty Mutual Insurance Company _____ Surety Company,
(Name)

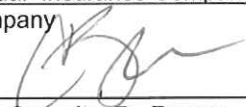
Boston, MA _____
(Address)

existing under the laws of the State of Massachusetts and licensed to do business in the State of West Virginia certifies and agrees, that if a contract with (Contracting Agency) The State of West Virginia for: (Project) Railroad Track Construction; Bellington, VW; Crosstie Replacement, Surfacing, Regulating, Rail Replacement, Track Adjustment and Private Crossing; RMA 12032 is awarded to (Bidder) Railroad Constructors, Inc.

the undersigned will execute the bond or bonds as required of the contract documents and will become Surety in the full amount set forth in the contract documents for the faithful performance of all obligations of the Bidder, provided however, that this commitment shall expire sixty (60) days from the bid opening, unless agreed upon by Bidder, Owner and Surety to be extended.

Signed, sealed and dated this 21st day of June, 2012

Liberty Mutual Insurance Company _____
Surety Company

By:  _____
(Name) Cecelia D. Brown
Attorney-in-Fact

(To be accompanied by the usual proof of Authority of Officers of the Surety Company to execute same)

THIS POWER OF ATTORNEY IS NOT VALID UNLESS IT IS PRINTED ON RED BACKGROUND.

5059515

This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

LIBERTY MUTUAL INSURANCE COMPANY
BOSTON, MASSACHUSETTS
POWER OF ATTORNEY

KNOW ALL PERSONS BY THESE PRESENTS: That Liberty Mutual Insurance Company (the "Company"), a Massachusetts stock insurance company, pursuant to and by authority of the By-law and Authorization hereinafter set forth, does hereby name, constitute and appoint STEVEN G. RAFFUEL, CECELIA D. BROWN, ALL OF THE CITY OF TRENTON, STATE OF NEW JERSEY.....

, each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations in the penal sum not exceeding TWENTY FIVE MILLION AND 00/100..... DOLLARS (\$ 25,000,000.00.....) each, and the execution of such undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents, shall be as binding upon the Company as if they had been duly signed by the president and attested by the secretary of the Company in their own proper persons.

That this power is made and executed pursuant to and by authority of the following By-law and Authorization:

ARTICLE XIII - Execution of Contracts: Section 5. Surety Bonds and Undertakings.

Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

By the following instrument the chairman or the president has authorized the officer or other official named therein to appoint attorneys-in-fact:

Pursuant to Article XIII, Section 5 of the By-Laws, David M. Carey, Assistant Secretary of Liberty Mutual Insurance Company, is hereby authorized to appoint such attorneys-in-fact as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

That the By-law and the Authorization set forth above are true copies thereof and are now in full force and effect.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of Liberty Mutual Insurance Company has been affixed thereto in Plymouth Meeting, Pennsylvania this day of 20th day of December 2011.



LIBERTY MUTUAL INSURANCE COMPANY

By David M. Carey
David M. Carey, Assistant Secretary

COMMONWEALTH OF PENNSYLVANIA ss
COUNTY OF MONTGOMERY

On this 20th day of December, 2011, before me, a Notary Public, personally came David M. Carey, to me known, and acknowledged that he is an Assistant Secretary of Liberty Mutual Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Liberty Mutual Insurance Company thereto with the authority and at the direction of said corporation.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at Plymouth Meeting, Pennsylvania, on the day and year first above written.



By Teresa Pastella
Teresa Pastella, Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of Liberty Mutual Insurance Company, do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy, is in full force and effect on the date of this certificate; and I do further certify that the officer or official who executed the said power of attorney is an Assistant Secretary specially authorized by the chairman or the president to appoint attorneys-in-fact as provided in Article XIII, Section 5 of the By-laws of Liberty Mutual Insurance Company.

This certificate and the above power of attorney may be signed by facsimile or mechanically reproduced signatures under and by authority of the following vote of the board of directors of Liberty Mutual Insurance Company at a meeting duly called and held on the 12th day of March, 1980.

VOTED that the facsimile or mechanically reproduced signature of any assistant secretary of the company, wherever appearing upon a certified copy of any power of attorney issued by the company in connection with surety bonds, 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 21st day of June, 2012.



By Gregory W. Davenport
Gregory W. Davenport, Assistant Secretary

Not valid for mortgage, note, loan, letter of credit, bank deposit, currency rate, interest rate or residual value guarantees.

To confirm the validity of this Power of Attorney call 1-610-832-8240 between 9:00 am and 4:30 pm EST on any business day.