

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

### Solicitation

NUMBER DNR214097

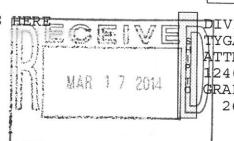
PAGE 1

ADDRESS CORRESPONDENCE TO ATTENTION OF

DEAN WINGERD 04-558-0468

RFQ COPY TYPE NAME/ADDRESS HERE

Stuart McMunn Co. ATTN: Rod Henderson 137 N. 6th Street Clarksburg, WV 26301



DIVISION OF NATURAL RESOURCES TYGART LAKE STATE PARK ATTN: PARK SUPERINTENDENT 1240 PAUL E MALONE RD RAFTON, WV

26354 304-265-3383

ADDRESS CHANGES TO BE NOTED ABOVE

DATE PRINTED 03/13/2014

President

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMO	TNUC
		AI	DDEND	UM NO. 1			
	ADDENDUM IS :						
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	Henderson						diamentos.



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BID OPENING DATE:

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

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## Solicitation

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BID OPENING TIME

PAGE

ADDRESS CORRESPONDENCE TO ATTENTION OF: DEAN WINGERD 04-558-0468

1:30PM

DIVISION OF NATURAL RESOURCES TYGART LAKE STATE PARK ATTN: PARK SUPERINTENDENT 1240 PAUL E MALONE RD GRAFTON, WV 26354 304-265-3383

DATE PRINTED 03/25/2014 04/03/2014

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBE	R	UNITPRICE		AMOUNT
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Nu	y Huelle	ton	-	l'et	EPHONE 304-623	-6666	1	2, 2014
President	dent	<sup>FEIN</sup> 55-	032636	2			IANGES TO BE	NOTED ABOVE

# ADDENDUM ACKNOWLEDGEMENT FORM SOLICITATION NO.: DNR214097

**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)

[ X]	Addendum No. 1	Ι	]	Addendum No. 6
[x]	Addendum No. 2	[	]	Addendum No. 7
[ ]	Addendum No. 3	[	]	Addendum No. 8
[ ]	Addendum No. 4	[	]	Addendum No. 9
[	Addendum No. 5	[	]	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.

Stuart McMunn Company
Company
Authorized Signature
April 2, 2014
Date

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



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DIVISION OF NATURAL RESOURCES
STYGART LAKE STATE PARK
ATTN: PARK SUPERINTENDENT
1240 PAUL E MALONE RD
0 GRAFTON, WV
26354
304-265-3383

02/27/2014

BID OPENING DATE: 04/03/2014

BID OPENING TIME

1 . 30 PM

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DIVISION OF NATURAL RESOURCES

TYGART LAKE STATE PARK HATTN: PARK SUPERINTENDENT

1240 PAUL E MALONE RD

GRAFTON, WV

26354

304-265-3383

DATE PRINTED 02/27/2014

VENDOR

04/03/2014 BID OPENING DATE:

BID OPENING TIME

1:30PM

	LINE	QUANTITY	UOP GAT ITEM NU	IMBER L	JNIT PRICE	AMOUNT
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0.	001 L	1	S 958-20 HVAC RENOVATIONS	\$ 4(e)	,250,50	\$461,250.°°
	*	**** THIS	IS THE END OF RFQ	DNR214097 ***	*** TOTAL:	461, 250.N
	SIGNATURE LATT		<i>⊙</i> 7 <sup>FEIN</sup> 55–0326362	TELEPHONE 304-623-		04/02/2014 TO BE NOTED ABOVE

#### **BID BOND**

11	KNOW ALL MEN BY THE	SE PRESENTS, That we, the undersign	ed, Stuart-McMunn Company
of	Clarksburg	_,,	as Principal, and Great American Insurance Company
of	Cincinnati	_,, OH, a corporati	on organized and existing under the laws of the State of
OF	with its principal	office in the City of Cincinnati	, as Surety, are held and firmly bound unto the State
of West V	rirginia, as Obligee, in the	penal sum of Five Percent of Amount	
well and t	ruly to be made, we jointly	y and severally bind ourselves, our heirs,	administrators, executors, successors and assigns.
•	The Condition of the abov	e obligation is such that whereas the Pri	ncipal has submitted to the Purchasing Section of the
Departme	ent of Administration a cer	tain bid or proposal, attached hereto and	made a part hereof, to enter into a contract in writing for
Tygart L	ake State Park Lodge	-Kitchen HVAC Reno Grafton, WV	DNR214097
		1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1	
i	NOW THEREFORE,		
	a) If said bid shall be rej		
) hereto an	b) It said bid shall be ac	cepted and the Principal shall enter into a conds and insurance required by the bid	a contract in accordance with the bid or proposal attached or proposal, and shall in all other respects perform the
agreemer	nt created by the acceptar	nce of said bid, then this obligation shall I	be null and void, otherwise this obligation shall remain in full
		derstood and agreed that the liability of the	ne Surety for any and all claims hereunder shall, in no event,
			at the obligations of said Surety and its bond shall be in no
	ired or affected by any ex ice of any such extension		gee may accept such bid, and said Surety does hereby
		•	
1	N WITNESS WHEREOF,	Principal and Surety have hereunto set	their hands and seals, and such of them as are corporations
	M*	to be affixed hereunto and these present	s to be signed by their proper officers, this
3rd	_day ofApril		
Principal (	Corporate Seal		Stuart-McMunn Company (Name of Principal)
		of annual reproduction and a substitution on annual con-	(Name of Frincipal)
		CEIVEIN	(Must be President or
			Vice President)
		MAR 2 7 2014	President
			(Title)
Suraly Co	rporate Seal		
outery oc	iporate ocai		Great American Insurance Company
			(Name of Surety)
			-1/1/20111
			By: Muly Studoth
			Kimberly S Burdette, 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.

### GREAT AMERICAN INSURANCE COMPANY®

Administrative Office: 301 E 4TH STREET CINCINNATI, OHIO 45202 513-369-5000 FAX 513-723-2740

The number of persons authorized by this power of attorney is not more than **FIVE** 

No. 0 20409

#### POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That the GREAT AMERICAN INSURANCE COMPANY, a corporation organized and existing under and by virtue of the laws of the State of Ohio, does hereby nominate, constitute and appoint the person or persons named below, each individually if more than one is named, its true and lawful attorney-in-fact, for it and in its name, place and stead to execute on behalf of the said Company, as surety, any and all bonds. undertakings and contracts of suretyship, or other written obligations in the nature thereof; provided that the liability of the said Company on any such bond, undertaking or contract of suretyship executed under this authority shall not exceed the limit stated below.

Name

Address

Limit of Power

ANDREW K. TEETER

KIMBERLY L. MILES

ALL OF

ALL

DOUGLAS P. TAYLOR

KIMBERLY S. BURDETTE

CHARLESTON, WEST VIRGINIA

\$100,000,000

PAMELA V. LANHAM

This Power of Attorney revokes all previous powers issued on behalf of the attorney(s)-in-fact named above.

IN WITNESS WHEREOF the GREAT AMERICAN INSURANCE COMPANY has caused these presents to be signed and attested by its appropriate discorporate seal hereunto affixed this 6TH day of MARCH 2014 officers and its corporate seal hereunto affixed this day of

Attest

GREAT AMERICAN INSURANCE COMPANY

Assistant Secretary

Divisional Senior Vice President

STATE OF OHIO, COUNTY OF HAMILTON - ss:

DAVID C. KITCHIN (877-377-2405)

On this 6TH day of MARCH , 2014 , before me personally appeared DAVID C. KITCHIN, to me known, being duly sworn, deposes and says that he resides in Cincinnati, Ohio, that he is a Divisional Senior Vice President of the Bond Division of Great American Insurance Company, the Company described in and which executed the above instrument; that he knows the seal of the said Company; that the seal affixed to the said instrument is such corporate seal; that it was so affixed by authority of his office under the By-Laws of said Company, and that he signed his name thereto by like authority.



Shelle Clontz Notary Public, State of Ohio My Commission Expires 08-09-2015

Shelle Clork

This Power of Attorney is granted by authority of the following resolutions adopted by the Board of Directors of Great American Insurance Company by unanimous written consent dated June 9, 2008.

RESOLVED: That the Divisional President, the several Divisional Senior Vice Presidents, Divisional Vice Presidents and Divisional Assistant Vice Presidents, or any one of them, be and hereby is authorized, from time to time, to appoint one or more Attorneys-in-Fact to execute on behalf of the Company, as surety, any and all bonds, undertakings and contracts of suretyship, or other written obligations in the nature thereof; to prescribe their respective duties and the respective limits of their authority; and to revoke any such appointment at any time.

RESOLVED FURTHER: That the Company seal and the signature of any of the aforesaid officers and any Secretary or Assistant Secretary of the Company may be affixed by facsimile to any power of attorney or certificate of either given for the execution of any bond, undertaking, contract of suretyship, or other written obligation in the nature thereof, such signature and seal when so used being hereby adopted by the Company as the original signature of such officer and the original seal of the Company, to be valid and binding upon the Company with the same force and effect as though manually affixed.

#### CERTIFICATION

I, STEPHEN C. BERAHA, Assistant Secretary of Great American Insurance Company, do hereby certify that the foregoing Power of Attorney and the Resolutions of the Board of Directors of June 9, 2008 have not been revoked and are now in full force and effect.

Signed and sealed this

3rd

day of April

Assistant Secretary

#### 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:	STUART	MCMUNN	COMPANY	<del>гология стана, у про-мена расучение го</del>
Contractor's License N	WVOC	00235		

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 AFFIDAVIT: 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.
  - 2.1 DRUG-FREE WORKPLACE POLICY: Pursuant to W. Va. Code § 21-1D-4, Vendor and its subcontractors must implement and maintain a written drug-free workplace policy that complies with said article.

The awarding public authority may cancel this contract if: (1) Vendor fails to implement and maintain a written drug-free workplace policy described in the preceding paragraph, (2) Vendor fails to provide information regarding implementation of its drug-free workplace policy at the request of the public authority; or (3) Vendor provides to the public authority false information regarding the contractor's drug-free workplace policy.

3. DRUG FREE WORKPLACE REPORT: Pursuant to W. Va. Code § 21-1D-7b, no less than once per year, or upon completion of the project, every contractor shall provide a certified report to the public authority which let the contract. For contracts over \$25,000, the public authority shall be the West Virginia Purchasing Division. For contracts of \$25,000 or less, the public authority shall be the agency issuing the contract. The report shall include:

- (1) Information to show that the education and training service to the requirements of West Virginia Code § 21-1D-5 was provided;
- (2) The name of the laboratory certified by the United States Department of Health and Human Services or its successor that performs the drug tests;
- (3) The average number of employees in connection with the construction on the public improvement;
- (4) Drug test results for the following categories including the number of positive tests and the number of negative tests: (A) Pre-employment and new hires; (B) Reasonable suspicion; (C) Post-accident; and (D) Random.

Vendor should utilize the attached Certified Drug Free Workplace Report Coversheet when submitting the report required hereunder.

- 4. 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.
- 5. 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 \$250,000.00 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. Additionally, if no subcontractors who will perform more than \$25,000.00 of work are to be used to complete the project, it will be noted on the subcontractor list.
  - a. Required Information. The subcontractor list shall contain the following information:
    - i. Bidder's name
    - ii. Name of each subcontractor
    - iii. License numbers as required by W. Va. Code § 21-11-1 et. seq.
    - iv. Notation that no subcontractor will be used to perform more than \$25,000.00 of work, when applicable
  - b. Submission. The completed subcontractor list shall be provided to the Purchasing Division within one business day of the opening of bids for review. Failure to submit the subcontractor list within one business day after the deadline for submitting bids shall result in disqualification of the bid.
  - c. Substitution of Subcontractor. Written approval must be obtained from the State Spending Unit before any subcontractor substitution is permitted. Substitutions are not permitted unless:

- i. The subcontractor listed in the original bid has filed for bankruptcy,
- ii. The subcontractor in the original bid has been debarred or suspended; or
- iii. The contractor certifies in writing that the subcontractor listed in the original bill fails, is unable, or refuses to perform his subcontract.
- 6. GREEN BUILDINGS MINIMUM ENERGY STANDARDS: In accordance with § 22-29-4, all new building construction projects of public agencies that have not entered the schematic design phase prior to July 1, 2012, or any building construction project receiving state grant funds and appropriations, including public schools, that have not entered the schematic design phase prior to July 1, 2012, shall be designed and constructed complying with the ICC International Energy Conservation Code, adopted by the State Fire Commission, and the ANS I/ASHRAE/IESNA Standard 90.1-2007: Provided, That if any construction project has a commitment of federal funds to pay for a portion of such project, this provision shall only apply to the extent such standards are consistent with the federal standards.

### **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.

STUART MCMUNN CO	OMPANY				
(Company) Catt Her	deison				
(Authorized Signature)					
Scott Henderson,	Scott Henderson, President				
(Representative Name, Title	e)				
(304) 623-6666	(304)	623-4646			
(Phone Number)	(Fax Numbe	r)			
April 2, 2014					
(Date)					

\* \* \* \* \* .



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

STATE OF WEST VIRGINIA,
COUNTY OF HARRISON, TO-WIT:
I, Scott Henderson , after being first duly sworn, depose and state as follows:
1. I am an employee of Stuart McMunn Company ; and,
(Company Name)
2. I do hereby attest thatStuart McMunn Company
(Company Name)
maintains a valid written drug free workplace policy and that such policy is in compliance with <b>West Virginia Code</b> §21-1D.
The above statements are sworn to under the penalty of perjury.
By: Llatt Henderson
Title: President
Company Name: Stuart McMunn Company
Date:April 2, 2014
Taken, subscribed and sworn to before me this 2nd day of April , 2014 .
By Commission expires March 15, 2021
OFFICIAL SEAL Notary Public, State Of West Virginia LEE ANNE WATKINS 1669 Corbin Branch Road Bridgeport, WV 26330 My Commission Expires March 15, 2021  (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.	DNR214097
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# 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:**

WITNESS THE FOLLOWING SIGNATURE:

Notary Public, State Of West Virginia LEE ANNE WATKINS

1669 Corbin Branch Road Bridgeport, WV 26330 My Commission Expires March 15, 2021

"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.

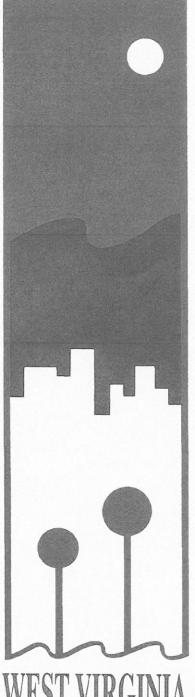
"Employer default" means having an outstanding balance or liability to the old fund or to the uninsured employers' fund or being in policy default, as defined in W. Va. Code § 23-2c-2, failure to maintain mandatory workers' compensation coverage, or failure to fully meet its obligations as a workers' 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.

#### STUART MEMUNN COMPANY Vendor's Name: April 2, 2014 erson Authorized Signature: Date: West Virginia State of Harrison County of 20 14 Taken, subscribed, and sworn to before me this 2nd day of March 15 My Commission expires AFFIX SEAL HERETICIAL SEAL NOTARY PUBLIC

Purchasing Affidavit (Revised 07/01/2012)



# WEST VIRGINIA CONTRACTOR LICENSING BOARD

# **CONTRACTOR LICENSE**

Authorized by the

West Virginia Contractor Licensing Board

Number:

PLUMBING RESIDENTIAL WV000235

Classification:

ELECTRICAL
GENERAL BUILDING
GENERAL ENGINEERING
HEATING, VENTILATING & COOLING
MULTIFAMILY
PIPING



STUART-MCMUNN COMPANY DBA STUART-MCMUNN COMPANY 137 NORTH 6TH STREET CLARKSBURG, WV 26301

**Date Issued** 

**Expiration Date** 

AUGUST 02, 2013

AUGUST 02, 2014

Authorized Company Signature

Chair, West Virginia Contractor Licensing Board

Diccusing 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.

