



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

### Solicitation

| NUMBER   |
|----------|
| LSH14035 |

| PAGE |
|------|
| 1    |

| ADDRESS CORRESPONDENCE TO ATTENTION OF |
|--|
| ROBERTA WAGNER<br>304-558-0067         |

RFQ COPY  
TYPE NAME/ADDRESS HERE

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**Fairfax, Inc.**  
**114 Co. Rd. 3**  
**P.O. Box 400**  
**Chesapeake, OH 45619**

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HEALTH AND HUMAN RESOURCES  
BHHF  
LAKIN HOSPITAL  
11522 OHIO RIVER ROAD  
WEST COLUMBIA, WV  
25287 304-675-0860

| DATE PRINTED |
|--------------|
| 07/17/2013   |

BID OPENING DATE: 08/20/2013 BID OPENING TIME 1:30PM

| LINE   | QUANTITY | UOP | CAT NO | ITEM NUMBER | UNIT PRICE | AMOUNT                   |
|--|----------|-----|--------|-------------|------------|--------------------------|
| 0001   | 1        | LS  |        | 770-93      |            | \$1648,800 <sup>00</sup> |
| FULLY ADHERED MEMBRANE ROOFING SYSTEM - VENDOR IS  |          |     |        |             |            |                          |
| TO PROVIDE ALL LABOR, MATERIALS, EQUIPMENT AND ANYTHING INCIDENTAL TO REPLACE THE EXISTING BALLASTED ROOFING SYSTEM WITH A FULLY ADHERED MEMBRANE ROOFING SYSTEM, PER THE ATTACHED SPECIFICATIONS. |          |     |        |             |            |                          |
| ***** THIS IS THE END OF RFQ LSH14035 ***** TOTAL:   |          |     |        |             |            |                          |

09/24/13 10:27:53 AM  
West Virginia Purchasing Division

|                        |              |            |
|------------------------|--------------|------------|
| SIGNATURE              | TELEPHONE    | DATE       |
| <i>R. Doak Russell</i> | 740-867-2727 | 09/17/2013 |

PRESIDENT

55-0672983

**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: FAIRFAX, INC.

Contractor's License No. WV008334

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.
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;

LSH14035 Pricing Page

| ITEM | SCOPE OF WORK   | UNIT COST                      |
|------|---|--------------------------------|
| 1.   | Labor, Materials & Equipment for Removal of Existing Ballasted Roof | \$ <u>248,800<sup>00</sup></u> |
| 2.   | Labor, Materials & Equipment for Replacement of Roof                | \$ <u>400,000<sup>00</sup></u> |

(Unit cost must be inclusive of all incidents)

OVERALL TOTAL COST

\$ 648,800<sup>00</sup>

\*\*\*Award will be made to the lowest Overall Total Cost meeting specifications.

Vendor Name: FAIRFAX, INC.  
Vendor Address: 114 Co. Rd. 3  
CHESAPEAKE, OHIO 45619  
Remit to Address: P.O. Box 400  
CHESAPEAKE, OHIO 45619  
Phone #: 740/867-2727  
Fax #: 740/867-2727  
E-mail: FAIRFAXINC@AOL.COM  
Signature: R Doak Russell  
R DOAK RUSSELL - PRESIDENT



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

STATE OF WEST VIRGINIA

COUNTY OF CABAL, TO-WIT:

I, R DOAK RUSSELL, after being first duly sworn, depose and state as follows:

1. I am an employee of FAIRFAX, INC.; and, (Company Name)

2. I do hereby attest that FAIRFAX, 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.

FAIRFAX, INC. (Company Name)

By: R Doak Russell R DOAK RUSSELL

Title: PRESIDENT

Date: SEPTEMBER 17, 2013

Taken, subscribed and sworn to before me this 17th day of SEPTEMBER, 2013

By Commission expires MARCH 28, 2017



Brenda G Poff (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. LSH14035

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: FAIRFAX, INC  
Authorized Signature: B. Brock Russell Date: 09/17, 2013

State of WEST VIRGINIA  
County of CABELL, to-wit:

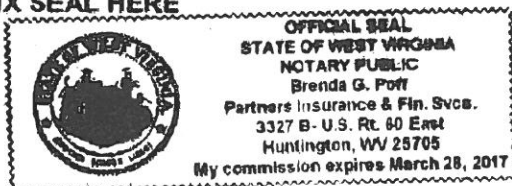
Taken, subscribed, and sworn to before me this 17<sup>th</sup> day of SEPTEMBER, 2013.  
My Commission expires MARCH 28, 2017.

**AFFIX SEAL HERE**

**NOTARY PUBLIC**

Brenda G. Poff

*Purchasing Affidavit (Revised 07/01/2012)*



**ADDENDUM ACKNOWLEDGEMENT FORM**  
**SOLICITATION NO.: LSH14035**

**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 checked="" 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.

FAIRFAX, Inc.  
Company

R Doak Russell  
R DOAK RUSSELL Authorized Signature **PRESIDENT**

SEPTEMBER 17, 2013  
Date

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

**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.

FAIRFAX, INC

(Company)

R Doak Russell

(Authorized Signature)

R DOAK RUSSELL - PRESIDENT

(Representative Name, Title)

740/867-2727

(Phone Number)

740/867-2727

(Fax Number)

SEPTEMBER 17, 2013

(Date)



BID BOND

BOND# 1000997917-01

KNOW ALL MEN BY THESE PRESENTS, THAT WE, THE UNDERSIGNED FAIRFAX, INC.  
P.O. BOX 400, CHESAPEAKE, OH 45619 AS PRINCIPAL, AND  
AMERICAN CONTRACTORS INDEMNITY COMPANY AS SURETY, ARE HEREBY HELD AND  
 FIRMLY BOUND UNTO STATE OF WEST VIRGINIA AS OWNER IN THE  
 PENAL SUM OF THIRTY-EIGHT THOUSAND SEVEN FIFTY FOR THE PAYMENT OF WHICH, WELL AND  
 TRULY TO BE MADE, WE HEREBY JOINTLY AND SEVERALLY BIND OURSELVES, SUCCESSORS AND  
 ASSIGNS,

SIGNED, THIS 17TH DAY OF SEPTEMBER, 2013.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH THAT WHEREAS THE PRINCIPAL HAS  
 SUBMITTED TO STATE OF WEST VIRGINIA A CERTAIN BID, ATTACHED  
 HERETO AND HEREBY MADE A PART HEREOF TO ENTER INTO A CONTRACT IN WRITING, FOR THE  
LAKIN HOSPITAL, 11522 OHIO RIVER ROAD, WEST COLUMBIA, WV 25287

ROOFING JOB

The language of the contract notwithstanding, it is understood and agreed that surety  
~~has no warranty responsibility beyond two (2) years from completion of the work by the~~  
 principal on this bond.

NOW, THEREFORE,

- (A) If said Bid shall be rejected, or in the alternate,
- (B) If said Bid shall be accepted and the principal shall execute and deliver  
 a contract in the form of contract attached hereto (properly completed in  
 accordance with said Bid) and shall furnish a bond for his faithful  
 performance of said contract, and for the payment of all persons performing  
 labor or furnishing materials in connection therewith, and shall in all  
 other respects perform the agreement created by the acceptance of said Bid.

Then this obligation shall be void, otherwise the same shall remain in force and  
 effect: It being 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 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 OWNER MAY ACCEPT SUCH BID; AND SAID SURETY DOES HEREBY WAIVE NOTICE OF ANY SUCH EXTENSION.

IN WITNESS WHEREOF, THE PRINCIPAL AND THE SURETY HAVE HEREUNTO SET THEIR HANDS AND SEALS, AND SUCH OF THEM AS ARE CORPORATIONS HAVE CAUSED THEIR CORPORATE SEALS TO BE HERETO AFFIXED AND THESE PRESENTS TO BE SIGNED BY THEIR PROPER OFFICERS. THE DAY AND YEAR FIRST SET FORTH ABOVE.

*R. Doak Russell*

(L.S.)

FAIRFAX, INC

PRINCIPAL

R.DOAK RUSSELL, PRES.

AMERICAN CONTRACTORS INDEMNITY COMPANY  
SURETY

BY:

*Brenda G. Poff*

BRENDA G. POFF, ATTORNEY-IN-FACT

IMPORTANT -- Surety companies executing bonds must appear on the Treasury Department's most current list (Circular 570 as amended) and be authorized to transact business in the state where the project is located.

**POWER OF ATTORNEY**

**AMERICAN CONTRACTORS INDEMNITY COMPANY UNITED STATES SURETY COMPANY U.S. SPECIALTY INSURANCE COMPANY**

KNOW ALL MEN BY THESE PRESENTS: That American Contractors Indemnity Company, a California corporation, United States Surety Company, a Maryland corporation and U.S. Specialty Insurance Company, a Texas corporation (collectively, the "Companies"), do by these presents make, constitute and appoint:

**Charles W. Manning or Brenda G. Poff of Huntington, West Virginia**

its true and lawful Attorney(s)-in-fact, each in their separate capacity if more than one is named above, 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 to include riders, amendments, and consents of surety, providing the bond penalty does not exceed \*\*\*\*\*Three Million\*\*\*\*\* Dollars (\$ \*\*3,000,000.00\*\* ).

This Power of Attorney shall expire without further action on December 08, 2016. This Power of Attorney is granted under and by authority of the following resolutions adopted by the Boards of Directors of the Companies:

*Be It Resolved*, that the President, any Vice-President, any Assistant Vice-President, any Secretary or any Assistant Secretary 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:

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 or indemnity and other conditional or obligatory undertakings, including any and all consents for the release of retained percentages and/or final estimates on engineering and construction contracts, 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 binding upon the Company as if signed by the President and sealed and effected by the Corporate Secretary.

*Be It Resolved*, that the signature of any authorized officer and 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 signature or facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached.

IN WITNESS WHEREOF, The Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 10th day of December, 2012.

**AMERICAN CONTRACTORS INDEMNITY COMPANY UNITED STATES SURETY COMPANY U.S. SPECIALTY INSURANCE COMPANY**

Corporate Seals



*[Signature]*  
Daniel P. Aguilar, Vice President

State of California

County of Los Angeles SS:

On 10th day of December, 2012, before me, Vanessa Wright, a notary public, personally appeared Daniel P. Aguilar, Vice President of American Contractors Indemnity Company, United States Surety Company and U.S. Specialty Insurance Company who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct. WITNESS my hand and official seal.

Signature: *[Signature]* (Seal)



I, Jeannie Lee, Assistant Secretary of American Contractors Indemnity Company, United States Surety Company and U.S. Specialty 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, 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 Los Angeles, California this 17TH day of SEPTEMBER 2013

Corporate Seals

Bond No. 1000997917-01  
Agency No. 9130



*[Signature]*  
Jeannie Lee, Assistant Secretary