



The following documentation is an electronically-submitted vendor response to an advertised solicitation from the *West Virginia Purchasing Bulletin* within the Vendor Self-Service portal at wvOASIS.gov. As part of the State of West Virginia's procurement process, and to maintain the transparency of the bid-opening process, this documentation submitted online is publicly posted by the West Virginia Purchasing Division at WVPurchasing.gov with any other vendor responses to this solicitation submitted to the Purchasing Division in hard copy format.



Go



Home



Personalize



Accessibility



App Help



About



Welcome, Lu Anne Cottrill

Procurement

Budgeting

Accounts Receivable

Accounts Payable

Solicitation Response(SR)

Dept: 0803

ID: ESR06211800000006015

Ver.: 1

Function: New

Phase: Final

Modified by batch , 06/21/2018

Header 7

List View

General Information

Contact

Default Values

Discount

Document Information

Procurement Folder: 431715

SO Doc Code: CRFQ

Procurement Type: Central Purchase Order

SO Dept: 0803

Vendor ID:

SO Doc ID: DOT1800000093

Legal Name: WOLF CREEK CONTRACTING CO LLC

Published Date: 6/13/18

Alias/DBA:

Close Date: 6/21/18

Total Bid: \$11,688,888.00

Close Time: 13:30

Response Date:

Status: Closed

Apply Default Values to Commodity Lines

View Procurement Folder



Purchasing Division
 2019 Washington Street East
 Post Office Box 50130
 Charleston, WV 25305-0130

**State of West Virginia
 Solicitation Response**

Proc Folder : 431715

Solicitation Description : Addendum 5- DISTRICT ONE HEADQUARTERS, EQUIPMENT SHOP

Proc Type : Central Purchase Order

Date issued	Solicitation Closes	Solicitation Response	Version
	2018-06-21 13:30:00	SR 0803 ESR06211800000006015	1

VENDOR
000000164510 WOLF CREEK CONTRACTING CO LLC

Solicitation Number: CRFQ 0803 DOT1800000093

Total Bid : \$11,688,888.00 **Response Date:** 2018-06-21 **Response Time:** 13:20:13

Comments:

FOR INFORMATION CONTACT THE BUYER
 Jessica S Chambers
 (304) 558-0246
 jessica.s.chambers@wv.gov

Signature on File	FEIN #	DATE
--------------------------	---------------	-------------

All offers subject to all terms and conditions contained in this solicitation

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Ln Total Or Contract Amount
1	DISTRICT ONE HEADQUARTERS, EQUIPMENT SHOP				\$11,688,888.00

Comm Code	Manufacturer	Specification	Model #
72121101			

Extended Description : DISTRICT ONE HEADQUARTERS, EQUIPMENT SHOP CONSTRUCTION PER THE ATTACHED PRICING PAGE

BID BOND

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, Wolf Creek Contracting Co., LLC
of 405 Watertown Rd., Waterford, Ohio, 45786, as Principal, and Travelers Casualty and Surety Company
of America of 1 Tower Sq. 5PB, Hartford, CT, a corporation organized and existing under the laws of the State of Connecticut with its principal office in the City of Hartford, as Surety, are held and firmly bound unto the State of West Virginia, as Obligee, in the penal sum of Five Percent of the Total 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 District One Headquarters, Equipment Shop Construction

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.

WITNESS, the following signatures and seals of Principal and Surety, executed and sealed by a proper officer of Principal and Surety, or by Principal individually if Principal is an individual, this 21st day of June, 2018.

Principal Seal

Wolf Creek Contracting Co., LLC.
(Name of Principal)
By Howard O'Neil
(Must be President, Vice President, or Duly Authorized Agent)
President
(Title)

Surety Seal

Travelers Casualty and Surety Company of America
(Name of Surety)
Jeffery O'Dell
Jeffery O'Dell Attorney-in-Fact

IMPORTANT – Surety executing bonds must be licensed in West Virginia to transact surety insurance, must affix its seal, and must attach a power of attorney with its seal affixed.



POWER OF ATTORNEY

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

Attorney-In Fact No. 218346

Certificate No. 006970214

KNOW ALL MEN BY THESE PRESENTS: That Farmington Casualty Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company are corporations duly organized under the laws of the State of Connecticut, that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc., is a corporation duly organized under the laws of the State of Wisconsin (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint

C. David Thomas, Richard L. Higginbotham, Bunnie Marie Perrine, Jeffery O'Dell, and Robin Hubbard-Sherrod

of the City of Charleston, State of West Virginia, their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 9th day of September, 2016.

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company



State of Connecticut
City of Hartford ss.

By: [Signature]
Robert L. Raney, Senior Vice President

On this the 9th day of September, 2016, before me personally appeared Robert L. Raney, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

In Witness Whereof, I hereunto set my hand and official seal. My Commission expires the 30th day of June, 2021.



[Signature]
Marie C. Tetreault, Notary Public

EXHIBIT A - PRICING PAGE

**WVDOH - STATE PROJECT G020-HDQ/-6. 03
DISTRICT ONE EQUIPMENT SHOP**

Bidder Name:

Bidder Address:

Bidder Phone No.:

WV Contractors License No.

The aforementioned, also identified as the Bidder, having examined the site and being familiar with the local conditions affecting the cost of the work and also being familiar with the **Specifications/Project Manual**, hereby proposes to furnish all materials, equipment, labor, supplies and transportation to perform all work in accordance with the **Specifications/Project Manual** and time set forth in a quality workmanlike manner.

BASE BID

The Base Bid shall consist of all work noted in the **Specifications/Project Manual**. Base Bid shall be indicated in the space below. Reference the Summary of Estimated Quantities on plan sheet 5/140 (labeled Sheet No. G3) "For Additional Information".

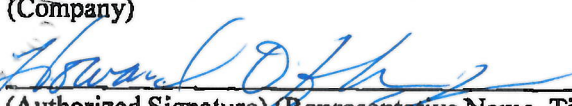
The contract award shall be based on the lowest Base Bid.

Total Base Bid: \$ 11,688,888.00
(Show Amount in Numbers)
Eleven Million Six Hundred Eighty Eight Thousand
Eight Hundred Eighty Eight and 00/100 Dollars
(Show Amount in Words)

DESIGNATED CONTACT: Vendor appoints the individual identified in this Section as the Contract Administrator and the initial point of contact for matters relating to this Contract.

Howard B. Offenberger Jr.
(Name, Title)
Howard B. Offenberger Jr. President
(Printed Name and Title)
403 Watertown Road Waterford, OH 45786
(Address)
740-749-3459
(Phone Number) / (Fax Number)
hoffenberger@wolfcreekcontractors.com
(email address)

CERTIFICATION AND SIGNATURE: By signing below, or submitting documentation through wvOASIS, I certify that I have reviewed this Solicitation in its entirety; that I understand the requirements, terms and conditions, and other information contained herein; that this bid, offer or proposal constitutes an offer to the State that cannot be unilaterally withdrawn; that the product or service proposed meets the mandatory requirements contained in the Solicitation for that product or service, unless otherwise stated herein; that the Vendor accepts the terms and conditions contained in the Solicitation, unless otherwise stated herein; that I am submitting this bid, offer or proposal for review and consideration; that I am authorized by the vendor to execute and submit this bid, offer, or proposal, or any documents related thereto on vendor's behalf; that I am authorized to bind the vendor in a contractual relationship; and that to the best of my knowledge, the vendor has properly registered with any State agency that may require registration.

Wolf Creek Contracting Company, LLC.
(Company)

(Authorized Signature) (Representative Name, Title)

Howard B. Offenberger Jr. President
(Printed Name and Title of Authorized Representative)

June 13, 2018
(Date)

Phone 740-749-3459 / Fax 740-749-0602
(Phone Number) (Fax Number)

West Virginia Ethics Commission



Disclosure of Interested Parties to Contracts

Pursuant to W. Va. Code § 6D-1-2, a state agency may not enter into a contract, or a series of related contracts, that has/have an actual or estimated value of \$100,000 or more until the business entity submits to the contracting state agency a Disclosure of Interested Parties to the applicable contract. In addition, the business entity awarded a contract is obligated to submit a supplemental Disclosure of Interested Parties reflecting any new or differing interested parties to the contract within 30 days following the completion or termination of the applicable contract.

For purposes of complying with these requirements, the following definitions apply:

"Business entity" means any entity recognized by law through which business is conducted, including a sole proprietorship, partnership or corporation.

"Interested party" or "Interested parties" means:

- (1) A business entity performing work or service pursuant to, or in furtherance of, the applicable contract, including specifically sub-contractors;
- (2) the person(s) who have an ownership interest equal to or greater than 25% in the business entity performing work or service pursuant to, or in furtherance of, the applicable contract. (This subdivision does not apply to a publicly traded company); and
- (3) the person or business entity, if any, that served as a compensated broker or intermediary to actively facilitate the applicable contract or negotiated the terms of the applicable contract with the state agency. (This subdivision does not apply to persons or business entities performing legal services related to the negotiation or drafting of the applicable contract.)

"State agency" means a board, commission, office, department or other agency in the executive, judicial or legislative branch of state government, including publicly funded institutions of higher education: Provided, that for purposes of W. Va. Code § 6D-1-2, the West Virginia Investment Management Board shall not be deemed a state agency nor subject to the requirements of that provision.

The contracting business entity must complete this form and submit it to the contracting state agency prior to contract award and to complete another form within 30 days of contract completion or termination.

This form was created by the State of West Virginia Ethics Commission, 210 Brooks Street, Suite 300, Charleston, WV 25301-1804. Telephone: (304)558-0664; fax: (304)558-2169; e-mail: ethics@wv.gov; website: www.ethics.wv.gov.

West Virginia Ethics Commission

Disclosure of Interested Parties to Contracts

Contracting business entity: Wolf Creek Contracting Company, LLC.

Address: 403 Watertown Road Waterford, OH 45786

Contracting business entity's authorized agent: Howard B. Offenberger Jr. President

Address: 403 Watertown Road Waterford, OH 45786

Number or title of contract: District One Headquarters , Equipment Shop

Type or description of contract:

Governmental agency awarding contract: West Virginia Department of Highways

Names of each Interested Party to the contract known or reasonably anticipated by the contracting business entity (attach additional pages if necessary):

[Blank lines for names of interested parties]

Signature: [Handwritten Signature] Date Signed: 6/13/18

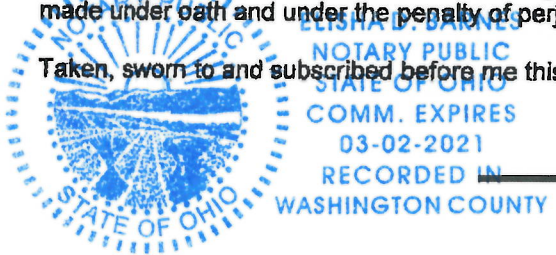
Check here if this is a Supplemental Disclosure.

Verification

State of Ohio, County of Washington

I, Howard B. Offenberger, Jr, the authorized agent of the contracting business entity listed above, being duly sworn, acknowledges that the Disclosure herein is being made under oath and under the penalty of perjury.

Taken, sworn to and subscribed before me this 13 day of June, 2018



[Handwritten Signature] Notary Public's Signature

To be completed by State Agency:

Date Received by State Agency:

Date submitted to Ethics Commission:

Governmental agency submitting Disclosure:



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

Ohio
~~STATE OF WEST VIRGINIA~~

COUNTY OF Washington, TO-WIT:

I, Howard B. Offenberger Jr., after being first duly sworn, depose and state as follows:

1. I am an employee of Wolf Creek Contracting Company, LLC.; and,
(Company Name)
2. I do hereby attest that Wolf Creek Contracting Company, LLC.
(Company Name)

maintains a written plan for a drug-free workplace policy and that such plan and policy are in compliance with **West Virginia Code §21-1D.**

The above statements are sworn to under the penalty of perjury.

Printed Name: Howard B. Offenberger Jr.

Signature: *Howard B. Offenberger Jr.*

Title: President

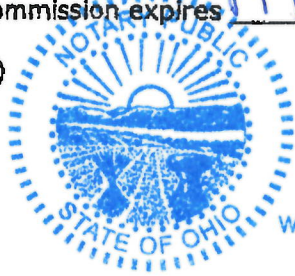
Company Name: Wolf Creek Contracting Company, LLC.

Date: June 13, 2018

Taken, subscribed and sworn to before me this 13 day of June, 2018.

By Commission expires March 2, 2021

(Seal)



ELISHA D. BARNES
NOTARY PUBLIC
STATE OF OHIO
COMM. EXPIRES
03-02-2021
RECORDED IN
WASHINGTON COUNTY

Elisha D. Barnes
(Notary Public)

STATE OF WEST VIRGINIA
Purchasing Division

PURCHASING AFFIDAVIT

CONSTRUCTION CONTRACTS: Under W. Va. Code § 5-22-1(i), the contracting public entity shall not award a construction contract to any bidder that is known to be in default on any monetary obligation owed to the state or a political subdivision of the state, including, but not limited to, obligations related to payroll taxes, property taxes, sales and use taxes, fire service fees, or other fines or fees.

ALL CONTRACTS: 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: (1) for construction contracts, the vendor is not in default on any monetary obligation owed to the state or a political subdivision of the state, and (2) for all other contracts, 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: Wolf Creek Contracting Company, LLC.

Authorized Signature: [Signature] Date: 6/13/18

State of Ohio

County of Washington, to-wit:

Taken, subscribed, and sworn to before me this 13 day of June, 2018.

My Commission expires 2/21/21.

AFFIX SEAL HERE



ELISHA D. BARNES
NOTARY PUBLIC
STATE OF OHIO
COMM. EXPIRES
03-02-2021
RECORDED IN
WASHINGTON COUNTY

[Signature]
NOTARY PUBLIC

Purchasing Affidavit (Revised 01/19/2018)

CONTRACTOR LICENSE

Authorized by the

West Virginia Contractor Licensing Board

Number: WV046042

Classification:
GENERAL BUILDING

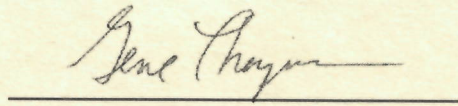
WOLF CREEK CONTRACTING CO LLC
DBA WOLF CREEK CONTRACTING
403 WATERTOWN ROAD
WATERFORD, OH 45786

Date Issued

Expiration Date

OCTOBER 21, 2017	OCTOBER 21, 2018
------------------	------------------


Authorized Company Signature


Chair, West Virginia Contractor
Licensing Board

**WEST VIRGINIA
CONTRACTOR
LICENSING
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.