



Purchasing Division  
 2019 Washington Street East  
 Post Office Box 59130  
 Charleston, WV 25305-0130

State of West Virginia  
 Request for Quotation  
 09 - Construction

Proc Folder: 412101

Doc Description: Addendum 3-Replace 6000 ties and surface track at SBVR

Proc Type: Central Purchase Order

Date Issued	Solicitation Closes	Solicitation No	Version
2018-03-01	2018-03-13 13:30:00	CRFQ 0804 RMA1800000005	4

**BID RECEIVING LOCATION**

BID CLERK

DEPARTMENT OF ADMINISTRATION

PURCHASING DIVISION

2019 WASHINGTON ST E

CHARLESTON

WV 25305

US

**VENDOR**

Vendor Name, Address and Telephone Number:

Frontier Railroad Services LLC

100 Brady Place Suite 200

New Stanton Pa 15672

724-678-2030

03/13/18 10:11:48  
 WV Purchasing Division

**FOR INFORMATION CONTACT THE BUYER**

Jessica S Chambers

(304) 558-0246

jessica.s.chambers@wv.gov

  
 Signature X Gregory Susko President

FEIN # 47-1693362

DATE March 12, 2018

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

**ADDITIONAL INFORMATION:**

**Addendum**

Addendum No.03 issued to publish and distribute the attached information to the vendor community.

\*\*\*\*\*

The West Virginia Purchasing Division is soliciting bids on behalf of WV State Rail Authority (SRA) to establish a contract for the following: To replace 6,000 cross-ties and surface track on the South Branch Valley Railroad, per the specifications and terms and conditions as attached.

INVOICE TO		SHIP TO	
STATE RAIL AUTHORITY 120 WATER PLANT DR		STATE RAIL AUTHORITY (DBA) SOUTH BRANCH VALLEY RAILROAD	
MOOREFIELD	WV28836	120 WATER PLANT DR	
US		MOOREFIELD	WV 28836
		US	

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
1	Replace 6000 cross-ties	6000.00000	EA	94.13	564,780.00

Comm Code	Manufacturer	Specification	Model #
72141603			

**Extended Description :**

Replace 6000 cross-ties between MP 2-12 on the SBVR

INVOICE TO		SHIP TO	
STATE RAIL AUTHORITY 120 WATER PLANT DR		STATE RAIL AUTHORITY (DBA) SOUTH BRANCH VALLEY RAILROAD	
MOOREFIELD	WV28836	120 WATER PLANT DR	
US		MOOREFIELD	WV 28836
		US	

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
2	Additional Gaging of Ties	600.00000	EA	11.77	7062.00

Comm Code	Manufacturer	Specification	Model #
72141603			

**Extended Description :**

Additional gaging of ties as required during tie installation

INVOICE TO		SHIP TO	
STATE RAIL AUTHORITY 120 WATER PLANT DR		STATE RAIL AUTHORITY (DBA) SOUTH BRANCH VALLEY RAILROAD 120 WATER PLANT DR	
MOOREFIELD	WV26836	MOOREFIELD	WV 26836
US		US	

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
3	Additional surfacing of track	19.00000	MILE	5,490.00	104,310.00

Comm Code	Manufacturer	Specification	Model #
72141803			

Extended Description :  
Additional continual surfacing MP 14-16 and MP 22039

ADDENDUM ACKNOWLEDGEMENT FORM

SOLICITATION NO.: CRFQ RMA 1800000005

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:

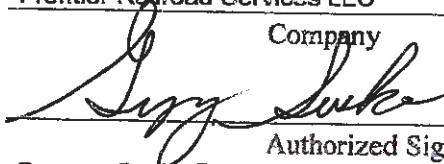
(Check the box next to each addendum received)

- |  |  |
|--|--|
| <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 type="checkbox"/> Addendum No. 4            | <input type="checkbox"/> Addendum No. 9  |
| <input 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.

Frontier Railroad Services LLC

Company



Authorized Signature

Gregory Susko President

March 12, 2018

Date

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

Revised 6/8/2012

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**SOLICITATION NO.: CRFQ PMA 1800000005**

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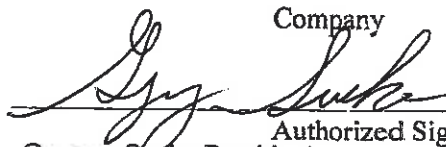
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Revised 6/8/2012

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(Check the box next to each addendum received)

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Addendum No. 1 2 16 18 | <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  |
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Frontier Railroad Services LLC

Company



Authorized Signature

Gregory Susko President

March 13, 2018

Date

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

## 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. If an apparent low bidder fails to submit a license number in accordance with this section, the Purchasing Division will promptly request by telephone and electronic mail that the low bidder and the second low bidder provide the license number within one business day of the request. Failure of the bidder to provide the license number within one business day of receiving the request shall result in disqualification of the bid. Vendors should include a contractor's license number in the space provided below.

Contractor's Name: FRONTIER RAILROAD SERVICES LLC  
Contractor's License No.: WV-052828

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

**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 an affidavit that the Vendor has a written plan for a drug-free workplace policy. If the affidavit is not submitted with the bid submission, the Purchasing Division shall promptly request by telephone and electronic mail that the low bidder and second low bidder provide the affidavit within one business day of the request. Failure to submit the affidavit within one business day of receiving the request shall result in disqualification of the bid. To comply with this law, Vendor should complete the enclosed drug-free workplace affidavit and submit the same with its bid. Failure to submit the signed and notarized drugfree workplace affidavit or a similar affidavit that fully complies with the requirements of the applicable code, within one business day of being requested to do so shall result in disqualification of Vendor's bid. Pursuant to W. Va. Code 21-1D-2(b) and (k), this provision does not apply to public improvement contracts the value of which is \$100,000 or less or temporary or emergency repairs.

**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 shall 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.

Pursuant to W. Va. Code 21-1D-2(b) and (k), this provision does not apply to public improvement contracts the value of which is \$100,000 or less or temporary or emergency repairs.



**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.

  
(Name, Title)

GREGORY SUSKO, PRESIDENT

(Printed Name and Title)

100 BRADY PLACE SUITE 200 NEW STANTON, PA 15672

(Address)

724-925-1210 / 724-925-9847

(Phone Number) / (Fax Number)

gsusko@frontier-railroad.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.

FRONTIER RAILROAD SERVICES, LLC

(Company)

  
(Authorized Signature) (Representative Name, Title)

GREGORY SUSKO, PRESIDENT

(Printed Name and Title of Authorized Representative)

3-12-18

(Date)

724-925-1210 / 724-925-9847

(Phone Number) (Fax Number)



Exhibit "A"  
Price Sheet

Replace Crossies and Surface on the SBVR					
Line	Description	Unit of	Unit	Quantity	Extended
Item		Measure	Cost	Needed	Cost
1	Replace Crossies and Surfacing on SBVR Replace 6,000 crossies between MP 2-12 (This includes tamping of this area)	Each	94.13	6,000	564,780 <sup>00</sup>
2	Gaging of additional Ties	Each	11.77	600	7,062 <sup>00</sup>
3	Continual Surfacing between MP 14-16 & 22-39	Per Mile	5,490.00	19	104,310 <sup>00</sup>
			<b>Total Bid</b>	<b>Amount:</b>	<b>676,152<sup>00</sup></b>



State of West Virginia

## **PURCHASING DIVISION**

### **Construction Bid Submission Review Form**

*This list has been provided for informational purposes only and is not to be construed as a complete list of request for quotation or bidding requirements for any individual construction project. This list does not and cannot include every item, mistake or oversight that could cause a contractor's bid to be disqualified. Rather, this list is intended to draw attention to some of the most common problems that the Purchasing Division encounters in the bidding process for construction projects. All potential bidders must read the request for quotation, all additional documents, and all instructions relating thereto ("Bid Documents") in their entirety to identify the actual request for quotation and bidding requirements. Failure to read the Bid Documents in their entirety and comply with the stated requirements contained therein may result in bid disqualification.*

#### **Errors That Shall Be Reason for Immediate Bid Disqualification**

1. Failure to attend a mandatory pre-bid meeting
2. Failure to sign the bid
3. Failure to supply a valid bid bond or other surety approved by the State of West Virginia
4. Failure to meet any mandatory requirement of the RFQ
5. Failure to acknowledge receipt of Addenda (only if stipulated as mandatory)
6. Failure to submit bid prior to the bid opening date and time
7. Federal debarment
8. State of West Virginia debarment or suspension

#### **Errors that May Be Reason for Bid Disqualification Before Contract Award**

1. Debt to the State or Political Subdivision (must be cured prior to award)
2. Workers' Compensation or Unemployment Compensation delinquency (must be cured prior to award)
3. Not registered as a vendor with the State (must be cured prior to award)
4. Failure to obtain required bonds and/or insurance
5. Failure to provide the sub-contractor listing within one business day of bid opening or one business day of the request to do so by the Purchasing Division.
6. Failure to supply West Virginia contractor's license number with bid or within one day of Purchasing Division request to do so.
7. Failure to supply a signed drug free workplace affidavit with bid or within one day of Purchasing Division request to do so.
8. Failure to use the provided RFQ form (only if stipulated as mandatory).

## 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](mailto:ethics@wv.gov); website: [www.ethics.wv.gov](http://www.ethics.wv.gov).

West Virginia Ethics Commission

Disclosure of Interested Parties to Contracts

Contracting business entity: Frontier Railroad Services LLC

Address: 100 Brady Place Suite 200 New Stanton Pa 15672

Contracting business entity's authorized agent: Gregory Susko President

Address: 100 Brady Place Suite 200 New Stanton Pa 15672

Number or title of contract: CRFQ 0804 RMA 1800000005

Type or description of contract: Furnish and install 6000 ties, surfacing, gaging

Governmental agency awarding contract: State of WV Purchasing Division

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

Gregory Susko COO

Scott A Sepesky CCO

Dennis C Stone CFO

Signature: [Handwritten Signature] Date Signed: February 26, 2018

Gregory Susko President

Check here if this is a Supplemental Disclosure.

Verification

State of Pennsylvania, County of Westmoreland

I, Gregory Susko, 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.

Gregory Susko President

Taken, sworn to and subscribed before me this 26th day of February, 2018.

NOTARIAL SEAL
COMMONWEALTH OF PENNSYLVANIA
Jamie L. Luczak, Notary Public
Hempfield Twp., Westmoreland County
My Commission Expires April 27, 2020
MEMBER, PENNSYLVANIA ASSOCIATION OF NOTARIES

[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**

~~STATE OF WEST VIRGINIA~~, Pennsylvania

COUNTY OF Westmoreland, TO-WIT:

I, Gregory Susko, after being first duly sworn, depose and state as follows:

1. I am an employee of Frontier Railroad Services LLC; and,  
(Company Name)
2. I do hereby attest that Frontier Railroad Services 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: Gregory Susko

Signature: 

Title: President

Company Name: Frontier Railroad Services LLC

Date: February 26, 2018

Taken, subscribed and sworn to before me this 26th day of February, 2018.

By Commission expires 04/27/2020

(Seal)

COMMONWEALTH OF PENNSYLVANIA  
 NOTARIAL SEAL  
 Jamie L. Luczak, Notary Public  
 Hempfield Twp., Westmoreland County  
 My Commission Expires April 27, 2020  
 MEMBER, PENNSYLVANIA ASSOCIATION OF NOTARIES

  
(Notary Public)

**BID BOND**

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, Frontier Railroad Services, LLC  
of 100 Brady Place, Suite 200, New Stanton, PA 15672, as Principal, and Philadelphia Indemnity Insurance Company  
of One Bala Plaza, Suite 100, Bala Cynwyd, PA 19004, a corporation organized and existing under the laws of the State of \_\_\_\_\_  
Pennsylvania with its principal office in the City of Bala Cynwyd, as Surety, are held and firmly bound unto the State  
of West Virginia, as Obligor, in the penal sum of Five Percent of Bid Amount (\$ 5% of Bid Amount ) 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  
CRFQ 0804 RMA 1800000005 - Install 6000 Cross Tie on the South Branch Valley Railroad in Moorefield,  
WV

**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 Obligor 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 27th day of February, 2018.

Principal Seal

Frontier Railroad Services, LLC  
(Name of Principal)  
By [Signature]  
(Must be President, Vice President, or  
Duly Authorized Agent)  
President  
(Title)

Surety Seal

Philadelphia Indemnity Insurance Company  
(Name of Surety)  
Wendy A. Bright  
Attorney-in-Fact  
Wendy A. Bright

**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.**



**PHILADELPHIA INDEMNITY INSURANCE COMPANY**  
One Bala Plaza, Suite 100  
Bala Cynwyd, PA 19004-0950

**Power of Attorney**

KNOW ALL PERSONS BY THESE PRESENTS: That **PHILADELPHIA INDEMNITY INSURANCE COMPANY** (the Company), a corporation organized and existing under the laws of the Commonwealth of Pennsylvania, does hereby constitute and appoint **Brian F. Jeffe, Jay Black, Brian W. Long, Brian G. Hartman, Barbara A. Leeper, Josephine M. Strevle, Patti K. Lindsey, and Wendy A. Bright**, its true and lawful Attorney-in-fact with full authority to execute on its behalf bonds, undertakings, recognizances and other contracts of indemnity and writings obligatory in the nature thereof, issued in the course of its business and to bind the Company thereby, in an amount not to exceed **\$100,000,000.00**.

This Power of Attorney is granted and is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of PHILADELPHIA INDEMNITY INSURANCE COMPANY on the 14<sup>th</sup> of November, 2016.

**RESOLVED:** That the Board of Directors hereby authorizes the President or any Vice President of the Company: (1) Appoint Attorney(s) in Fact and authorize the Attorney(s) in Fact to execute on behalf of the Company bonds and undertakings, contracts of indemnity and other writings obligatory in the nature thereof and to attach the seal of the Company thereto; and (2) to remove, at any time, any such Attorney-in-Fact and revoke the authority given. And, be it

**FURTHER RESOLVED:** That the signatures of such officers and the seal of the Company may be affixed to any such Power of Attorney or certificate relating thereto by facsimile, and any such Power of Attorney so executed and certified by facsimile signatures and facsimile seal shall be valid and binding upon the Company in the future with respect to any bond or undertaking to which it is attached.

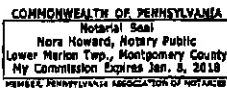
IN TESTIMONY WHEREOF, PHILADELPHIA INDEMNITY INSURANCE COMPANY HAS CAUSED THIS INSTRUMENT TO BE SIGNED AND ITS CORPORATE SEAL TO BE AFFIXED BY ITS AUTHORIZED OFFICE THIS 14<sup>TH</sup> DAY OF NOVEMBER, 2016.



(Seal)

Robert D. O'Leary Jr., President & CEO  
Philadelphia Indemnity Insurance Company

On this 14<sup>th</sup> day of November, 2016, before me came the individual who executed the preceding instrument, to me personally known, and being by me duly sworn said that he is the therein described and authorized officer of the **PHILADELPHIA INDEMNITY INSURANCE COMPANY**; that the seal affixed to said instrument is the Corporate seal of said Company; that the said Corporate Seal and his signature were duly affixed.



(Notary Seal)

Notary Public: Nora Howard  
residing at: Bala Cynwyd, PA  
My commission expires: January 8, 2018

I, Edward Sayago, Corporate Secretary of PHILADELPHIA INDEMNITY INSURANCE COMPANY, do hereby certify that the foregoing resolution of the Board of Directors and this Power of Attorney issued pursuant thereto on this 14<sup>th</sup> day of November, 2016 are true and correct and are still in full force and effect. I do further certify that Robert D. O'Leary Jr., who executed the Power of Attorney as President, was on the date of execution of the attached Power of Attorney the duly elected President of PHILADELPHIA INDEMNITY INSURANCE COMPANY,

In Testimony Whereof I have subscribed my name and affixed the facsimile seal of each Company this 29<sup>TH</sup> day of FEBRUARY, 20 18.



Edward Sayago, Corporate Secretary  
PHILADELPHIA INDEMNITY INSURANCE COMPANY



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: Frontier Railroad Services LLC

Authorized Signature: \_\_\_\_\_

Gregory Susko, President

Date: February 26, 2018

State of Pa

County of Westmoreland, to-wit:

Taken, subscribed, and sworn to before me this 26 day of February, 2018

My Commission expires 04/27, 2020

**AFFIX SEAL HERE**  
COMMONWEALTH OF PENNSYLVANIA  
NOTARIAL SEAL  
Jamie L. Luczak, Notary Public  
Hempfield Twp., Westmoreland County  
My Commission Expires April 27, 2020  
MEMBER, PENNSYLVANIA ASSOCIATION OF NOTARIES

NOTARY PUBLIC

Janeus D. General  
Purchasing Affidavit (Revised 01/19/2015)



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

State of West Virginia  
 Request for Quotation  
 09 - Construction

Proc Folder: 412101

Doc Description: Addendum 1-Replace 6000 ties and surface track at SBVR

Proc Type: Central Purchase Order

Date Issued	Solicitation Closes	Solicitation No	Version
2018-01-30	2018-02-27 13:30:00	CRFQ 0804 RMA1800000005	2

**BID RECEIVING LOCATION**

BID CLERK  
 DEPARTMENT OF ADMINISTRATION  
 PURCHASING DIVISION  
 2019 WASHINGTON ST E  
 CHARLESTON WV 25305  
 US

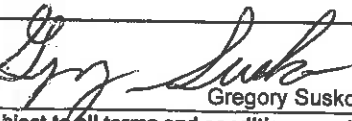
**VENDOR**

Vendor Name, Address and Telephone Number:

Frontier Railroad Services LLC  
 100 Brady Place Suite 200  
 New Stanton Pa 15672

**FOR INFORMATION CONTACT THE BUYER**

Jessica S Chambers  
 (304) 558-0246  
 jessica.s.chambers@wv.gov

  
 Signature X Gregory Susko President FEIN # 47-1693362

DATE March 12, 2018

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

**ADDITIONAL INFORMATION:**

**Addendum**

Addendum No.01 issued to publish and distribute the attached information to the vendor community.

\*\*\*\*\*

The West Virginia Purchasing Division is soliciting bids on behalf of WV State Rail Authority (SRA) to establish a contract for the following: To replace 6,000 crossties and surface track on the South Branch Valley Railroad, per the specifications and terms and conditions as attached.

INVOICE TO		SHIP TO	
STATE RAIL AUTHORITY 120 WATER PLANT DR		STATE RAIL AUTHORITY (DBA) SOUTH BRANCH VALLEY RAILROAD 120 WATER PLANT DR	
MOOREFIELD	WV26836	MOOREFIELD	WV 26836
US		US	

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
1	Replace 6000 crossties	6000.00000	EA		

Comm Code	Manufacturer	Specification	Model #
72141603			

**Extended Description :**

Replace 6000 crossties between MP 2-12 on the SBVR

INVOICE TO		SHIP TO	
STATE RAIL AUTHORITY 120 WATER PLANT DR		STATE RAIL AUTHORITY (DBA) SOUTH BRANCH VALLEY RAILROAD 120 WATER PLANT DR	
MOOREFIELD	WV26836	MOOREFIELD	WV 26836
US		US	

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
2	Additional Gaging of Ties	600.00000	EA		

Comm Code	Manufacturer	Specification	Model #
72141603			

**Extended Description :**

Additional gaging of ties as required during tie installation

INVOICE TO		SHIP TO	
STATE RAIL AUTHORITY 120 WATER PLANT DR		STATE RAIL AUTHORITY (DBA) SOUTH BRANCH VALLEY RAILROAD 120 WATER PLANT DR	
MOOREFIELD	WV26836	MOOREFIELD	WV 26836
US		US	

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
3	Additional surfacing of track	19.00000	MILE		

Comm Code	Manufacturer	Specification	Model #
72141603			

**Extended Description :**

Additional continual surfacing MP 14-16 and MP 22039

**SOLICITATION NUMBER:** CRFQ RMA1800000005

**Addendum Number:** No.01

---

The purpose of this addendum is to modify the solicitation identified as ("Solicitation") to reflect the change(s) identified and described below.

**Applicable Addendum Category:**

- | Modify bid opening date and time
- | Modify specifications of product or service being sought
- | Attachment of vendor questions and responses
- | Attachment of pre-bid sign-in sheet
- | Correction of error
- | Other

**Description of Modification to Solicitation:**

Addendum issued to publish and distribute the attached documentation to the vendor community.

1. The purpose of this addendum is to extend the bid opening date from 02/27/2018 to 03/13/2018.
2. To publish the mandatory prebid list of attendees.

No other Changes.

**Additional Documentation:** Documentation related to this Addendum (if any) has been included herewith as Attachment A and is specifically incorporated herein by reference.

**Terms and Conditions:**

1. All provisions of the Solicitation and other addenda not modified herein shall remain in full force and effect.
2. Vendor should acknowledge receipt of all addenda issued for this Solicitation by completing an Addendum Acknowledgment, a copy of which is included herewith. Failure to acknowledge addenda may result in bid disqualification. The addendum acknowledgement should be submitted with the bid to expedite document processing.

# ATTACHMENT A

**SIGN IN SHEET**

Page 1 of 2

**Request for Proposal No. CRFQ RMA18\*5** PLEASE PRINT

Date: 2-15-18

\* PLEASE BE SURE TO PRINT LEGIBLY - IF POSSIBLE, LEAVE A BUSINESS CARD

FIRM & REPRESENTATIVE NAME	MAILING ADDRESS	TELEPHONE & FAX NUMBERS
Company: <u>Fritz-Rumer-Cooke, Inc</u> Rep: <u>Mike Naure</u> Email Address: <u>GWebster@FritzR.com</u>		PHONE TOLL FREE <u>800-Fix-2611</u> FAX
Company: <u>GW Peoples Contracting</u> Rep: <u>Roy Hawkins</u> Email Address: <u>rhawkins@gwpeoples.com</u>		PHONE <u>412-720-0985</u> TOLL FREE FAX
Company: <u>ACME CONSTRUCTION</u> Rep: <u>DANIEL RICH</u> Email Address: <u>DRICH@acme.com</u>		PHONE TOLL FREE FAX
Company: <u>BOB MATTHEWS</u> Rep: <u>AMTRAC RAILROAD CONTRACTORS</u> Email Address: <u>BMATTHEWS@AMTRAC.MD.COM</u>		PHONE TOLL FREE FAX
Company: <u>RAILWORKS</u> Rep: <u>TONY GARRETT</u> Email Address: <u>Tgarrette@railworks.com</u>		PHONE <u>334-600-9635</u> TOLL FREE FAX



## SIGN IN SHEET

Page 2 of 2

Request for Proposal No. CRFQ RMA1845 PLEASE PRINT

Date: 2-15-18

\* PLEASE BE SURE TO PRINT LEGIBLY - IF POSSIBLE, LEAVE A BUSINESS CARD

FIRM & REPRESENTATIVE NAME	MAILING ADDRESS	TELEPHONE & FAX NUMBERS
Company: FOSTER Supply		PHONE 304 553-6505
Rep: DERRICK SEARS	P.O. Box 488	TOLL FREE
Email Address: dsears@fostersupply.com	SCOTT DEPOT W/2590	FAX 304-755-8280
Company: FRONTIER RAILROAD SERVICES, LLC		PHONE 724-678-2030
Rep: SCOTT A. SEPESKY	100 BRADY PLACE	TOLL FREE
Email Address: SSEPESKY@FRONTIER-RAILROAD.COM	NEW STANTON, PA 15672	FAX
Company: Queen City Railroad Const.	2709 Byington Solway	PHONE 865-692-1902
Rep: Steve Bartlow	KNOXVILLE, TN 37931	TOLL FREE
Email Address: sbartlow@qcrk.com		FAX 865-694-6356
Company: BALFOUR BEATTY RAIL	1845 TOWER CENTER BLVD	PHONE (570) 239-6175
Rep: WALTER MOORE	FLEMING ISLAND, FL 32003	TOLL FREE
Email Address: WMOORE@bbius.com		FAX
Company: CTW	P.O. BOX 129	PHONE 804-725-1111
Rep: GEORGE ANDERSON	FORT WAYWOOD, VA 23138	TOLL FREE
Email Address: GEORGE@CTWLLC@AOL.COM		FAX 804-725-1005



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

State of West Virginia  
 Request for Quotation  
 09 - Construction

Proc Folder: 412101

Doc Description: Addendum 2-Replace 6000 ties and surface track at SBVR

Proc Type: Central Purchase Order

Date Issued	Solicitation Closes	Solicitation No	Version
2018-03-01	2018-03-13 13:30:00	CRFQ 0804 RMA1800000005	3

**BID RECEIVING LOCATION**

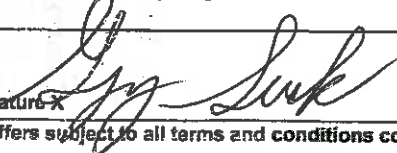
BID CLERK  
 DEPARTMENT OF ADMINISTRATION  
 PURCHASING DIVISION  
 2019 WASHINGTON ST E  
 CHARLESTON WV 25305  
 US

**VENDOR**

Vendor Name, Address and Telephone Number:

**FOR INFORMATION CONTACT THE BUYER**

Jessica S Chambers  
 (304) 558-0246  
 jessica.s.chambers@wv.gov

Signature 

FEIN # 47-1693362

DATE 3-12-18

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

**ADDITIONAL INFORMATION:**

**Addendum**

Addendum No.02 issued to publish and distribute the attached information to the vendor community.

\*\*\*\*\*

The West Virginia Purchasing Division is soliciting bids on behalf of WV State Rail Authority (SRA) to establish a contract for the following: To replace 6,000 crossies and surface track on the South Branch Valley Railroad, per the specifications and terms and conditions as attached.

INVOICE TO		SHIP TO	
STATE RAIL AUTHORITY 120 WATER PLANT DR		STATE RAIL AUTHORITY (DBA) SOUTH BRANCH VALLEY RAILROAD 120 WATER PLANT DR	
MOOREFIELD	WV26836	MOOREFIELD	WV 26836
US		US	

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
1	Replace 6000 crossies	6000.00000	EA		

Comm Code	Manufacturer	Specification	Model #
72141603			

**Extended Description :**

Replace 6000 crossies between MP 2-12 on the SBVR

INVOICE TO		SHIP TO	
STATE RAIL AUTHORITY 120 WATER PLANT DR		STATE RAIL AUTHORITY (DBA) SOUTH BRANCH VALLEY RAILROAD 120 WATER PLANT DR	
MOOREFIELD	WV26836	MOOREFIELD	WV 26836
US		US	

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
2	Additional Gaging of Ties	600.00000	EA		

Comm Code	Manufacturer	Specification	Model #
72141603			

**Extended Description :**

Additional gaging of ties as required during tie installation

INVOICE TO		SHIP TO	
STATE RAIL AUTHORITY 120 WATER PLANT DR		STATE RAIL AUTHORITY (DBA) SOUTH BRANCH VALLEY RAILROAD 120 WATER PLANT DR	
MOOREFIELD	WV26836	MOOREFIELD	WV 26836
US		US	

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
3	Additional surfacing of track	19.00000	MILE		

Comm Code	Manufacturer	Specification	Model #
72141603			

**Extended Description :**

Additional continual surfacing MP 14-16 and MP 22039

**SOLICITATION NUMBER:** CRFQ RMA1800000005

**Addendum Number:** No.02

---

The purpose of this addendum is to modify the solicitation identified as ("Solicitation") to reflect the change(s) identified and described below.

**Applicable Addendum Category:**

- Modify bid opening date and time
- Modify specifications of product or service being sought
- Attachment of vendor questions and responses
- Attachment of pre-bid sign-in sheet
- Correction of error
- Other

**Description of Modification to Solicitation:**

Addendum issued to publish and distribute the attached documentation to the vendor community.

1. The purpose of this addendum is to address all technical questions received.

No other Changes.

**Additional Documentation:** Documentation related to this Addendum (if any) has been included herewith as Attachment A and is specifically incorporated herein by reference.

**Terms and Conditions:**

1. All provisions of the Solicitation and other addenda not modified herein shall remain in full force and effect.
2. Vendor should acknowledge receipt of all addenda issued for this Solicitation by completing an Addendum Acknowledgment, a copy of which is included herewith. Failure to acknowledge addenda may result in bid disqualification. The addendum acknowledgement should be submitted with the bid to expedite document processing.

# ATTACHMENT A

1. Are we to assume ties to be changed will be on the average of 600/mile? **No**
2. Will replacement be 1 out of every 5 or will some be in groups requiring multiple passes?  
**99% will be no more than 2 consecutive ties changed**
3. Will the Railroad assist for any hand raising if required on Turnouts? Or should we figure our own labor for that task? **No – The Contractor is responsible**
4. What is percentage of ties that will be replaced in cut areas where a “whole” tie cannot be removed?  
**Total distance of cut areas about 1.5 miles.  
Each cut section is about 1/10 mile.**

**MP 11.5 – MP 11.6 is the tightest area. Cut on east side, west side is a retaining wall. 16” from end of ties and 6” to 12” above top of ties**

**Took measurements at the northwest spot in each section with the tightest being, from field side of East Rail to bank 4’ and West rail 5’. 4 feet above rail East rail to bank 5’ and West Rail 7.5’.**

**The average measurement of all the tightest location in each section is:**

**East side 5.5’ rail to bank  
East side 8’ – 4 feet above rail to bank  
West side 5.5’ rail to bank  
West side 7.5’ – 4 feet above rail to bank**

5. Section 1.1.4.2 & 1.1.4.3– Tamping- please clarify if there are crossings and turnouts in the area between MP 12 to MP 14 that need tamped. **This area is not part of the replacement area or Tamping areas, but have quantities shown. There was a mistake on section 1.1.4.1, 1.1.4.2 and 1.1.4.3 where it lists MP12-22 in each section that should have been MP 2-12. The amount of turnouts between MP 12 to MP 14 is not an issue with the correction.**
6. I am inquiring about the project listed in the subject line. Will that job also involve the disposal of old ties? **Yes, it will involve the disposal all old ties (Section 1.1.1.1)**
7. Is this considered a State Improvement Project where 75% of work force must be from WV?  
**No.**





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

State of West Virginia  
 Request for Quotation  
 09 -- Construction

Proc Folder: 412101

Doc Description: Addendum 3-Replace 6000 ties and surface track at SBVR

Proc Type: Central Purchase Order

Date Issued	Solicitation Closes	Solicitation No	Version
2018-03-01	2018-03-13 13:30:00	CRFQ 0804 RMA1800000005	4

**BID RECEIVING LOCATION**

BID CLERK  
 DEPARTMENT OF ADMINISTRATION  
 PURCHASING DIVISION  
 2019 WASHINGTON ST E  
 CHARLESTON WV 25305  
 US

**VENDOR**

Vendor Name, Address and Telephone Number:

**FOR INFORMATION CONTACT THE BUYER**

Jessica S Chambers  
 (304) 558-0246  
 jessica.s.chambers@wv.gov

Signature X

FEIN #

47-1693362

DATE

3-12-18

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

**ADDITIONAL INFORMATION:**

**Addendum**

Addendum No.03 issued to publish and distribute the attached information to the vendor community.

\*\*\*\*\*

The West Virginia Purchasing Division is soliciting bids on behalf of WV State Rail Authority (SRA) to establish a contract for the following: To replace 6,000 crossties and surface track on the South Branch Valley Railroad, per the specifications and terms and conditions as attached.

INVOICE TO		SHIP TO	
STATE RAIL AUTHORITY 120 WATER PLANT DR		STATE RAIL AUTHORITY (DBA) SOUTH BRANCH VALLEY RAILROAD 120 WATER PLANT DR	
MOOREFIELD	WV26836	MOOREFIELD	WV 26836
US		US	

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
1	Replace 6000 crossties	6000.00000	EA		

Comm Code	Manufacturer	Specification	Model #
72141603			

**Extended Description :**

Replace 6000 crossties between MP 2-12 on the SBVR

INVOICE TO		SHIP TO	
STATE RAIL AUTHORITY 120 WATER PLANT DR		STATE RAIL AUTHORITY (DBA) SOUTH BRANCH VALLEY RAILROAD 120 WATER PLANT DR	
MOOREFIELD	WV26836	MOOREFIELD	WV 26836
US		US	

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
2	Additional Gaging of Ties	600.00000	EA		

Comm Code	Manufacturer	Specification	Model #
72141603			

**Extended Description :**

Additional gaging of ties as required during tie installation

INVOICE TO		SHIP TO	
STATE RAIL AUTHORITY 120 WATER PLANT DR		STATE RAIL AUTHORITY (DBA) SOUTH BRANCH VALLEY RAILROAD 120 WATER PLANT DR	
MOOREFIELD	WV26836	MOOREFIELD	WV 26836
US		US	

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
3	Additional surfacing of track	19.00000	MILE		

Comm Code	Manufacturer	Specification	Model #
72141603			

**Extended Description :**

Additional continual surfacing MP 14-16 and MP 22039

**SOLICITATION NUMBER:** CRFQ RMA1800000005

**Addendum Number:**

**No.03**

---

The purpose of this addendum is to modify the solicitation identified as (“Solicitation”) to reflect the change(s) identified and described below.

**Applicable Addendum Category:**

- Modify bid opening date and time
- Modify specifications of product or service being sought
- Attachment of vendor questions and responses
- Attachment of pre-bid sign-in sheet
- Correction of error
- Other

**Description of Modification to Solicitation:**

Addendum issued to publish and distribute the attached documentation to the vendor community.

1. The purpose of this addendum is to address additional technical questions received that were inadvertently left off Addendum 2.

No other Changes.

**Additional Documentation:** Documentation related to this Addendum (if any) has been included herewith as Attachment A and is specifically incorporated herein by reference.

**Terms and Conditions:**

1. All provisions of the Solicitation and other addenda not modified herein shall remain in full force and effect.
2. Vendor should acknowledge receipt of all addenda issued for this Solicitation by completing an Addendum Acknowledgment, a copy of which is included herewith. Failure to acknowledge addenda may result in bid disqualification. The addendum acknowledgement should be submitted with the bid to expedite document processing.

# ATTACHMENT A

1. What Mile Posts can we clear up our equipment that can hold a tie gang and what Mile Posts can handle just the surfacing crew (smaller siding)?  
Grace Cabin MP 8.7 – 420 feet capacity  
Vanderlip MP 16.9 – 420 feet capacity

We do not know what each contractor may use so we gave the track capacity in feet.

2. Who will dump the ballast? Will the ballast be dumped before or after the track surfacing?

SBVR will dump the ballast. The plan is to dump the ballast after the tie installation and before The surfacing.

3. Is it anticipated that the track surfacing can be done in one Pass? YES

4. Page 27 shows that Davis Bacon wage rates (Prevailing Wage) are not required to be paid on this project. Is this correct? YES

5. When can we expect a contract and NTP? NTP will happen immediately following contract award.

6. Will the ties replaced be in both tangent and curved track, so we can try to estimate the quantity of spikes required?

The ties will be in both tangent and curved track. For estimating purposes 30% will be in curves.

# CONTRACTOR LICENSE

Authorized by the  
**West Virginia Contractor Licensing Board**

**Number:** WV052828

**Classification:**

GENERAL ENGINEERING

FRONTIER RAILROAD SERVICES LLC  
DBA FRONTIER RAILROAD SERVICES LLC  
200 BRADY PLACE  
NEW STANTON, PA 15672

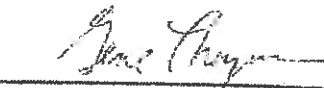
**Date Issued**

OCTOBER 10, 2017

**Expiration Date**

OCTOBER 10, 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.





STATE OF WEST VIRGINIA  
State Tax Department, Taxpayer Services Division  
P. O. Box 885  
Charleston, WV 25323-0885



Jim Justice, Governor

Dale W. Steager, State Tax Commissioner

FRONTIER RAILROAD SERVICES, LLC  
200 BRADY PL  
NEW STANTON PA 15672-9610

Letter Id: L1320749760  
Issued: 10/04/2017

## West Virginia State Tax Department

### Statement of Good Standing

EFFECTIVE DATE: October 4, 2017

A review of tax accounts indicates that the above named taxpayer is in good standing as of the effective date of this document.

The issuance of this Statement of Good Standing shall not bar any audits, investigations, assessments, refund or credits with respect to the taxpayer named above and is based only on a review of the tax returns and not on a physical audit of records.

Sincerely,

Nicole Grant, Tax Unit Supervisor  
Taxpayer Services Division

# State of West Virginia



## Certificate

*I, Natalie E. Tennant, Secretary of State,  
of the State of West Virginia, hereby certify that*

Frontier Railroad Services, LLC

has filed the appropriate registration documents in my office according to the provisions of the West Virginia Code and hereby declare the organization listed above as duly registered with the Secretary of State's Office.

*Given under my hand and  
the Great Seal of West Virginia  
on this day of  
September 10, 2014*



*Natalie E. Tennant*

*Secretary of State*