



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.

Header 3

List View

General Information | Contact | Default Values | Discount | Document Information | Clarification Request

Procurement Folder: 1355886

SO Doc Code: CRFQ

Procurement Type: Central Purchase Order

SO Dept: 0810

Vendor ID: 000000210226

SO Doc ID: DMT2400000004

Legal Name: MORGAN RAIL SERVICE LLC

Published Date: 2/27/24

Alias/DBA:

Close Date: 3/6/24

Total Bid: \$0.00

Close Time: 13:30

Response Date: 03/06/2024

Status: Closed

Response Time: 11:44

Solicitation Description: Construction  
Replace 5000 ties on SBVR, Gaging & Surfacing

Responded By User ID: morganrail

Total of Header Attachments: 3

First Name: Tim

Total of All Attachments: 3

Last Name: Souders

Email: drrail@earthlink.net

Phone: 304-676-0961



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

**State of West Virginia  
 Solicitation Response**

**Proc Folder:** 1355886  
**Solicitation Description:** Construction  
 Replace 5000 ties on SBVP Goring & Surfacing  
**Proc Type:** Central Purchase Order

Solicitation Closes	Solicitation Response	Version
2024-03-06 13:30	SR 0810 ESR03062400000004660	1

**VENDOR**  
 000000210226  
 MORGAN RAIL SERVICE LLC

**Solicitation Number:** CRFQ 0810 DMT2400000004  
**Total Bid:** 0  
**Response Date:** 2024-03-06  
**Response Time:** 11:44:07  
**Comments:**

**FOR INFORMATION CONTACT THE BUYER**  
 David H Pauline  
 304-558-0067  
 david.h.pauline@wv.gov

**Vendor Signature X** **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	Replace 5000 Ties and Tamp between MP 12.0 and MP 22.0	0.00000	EA	137.000000	0.00

Comm Code	Manufacturer	Specification	Model #
72141603			

**Commodity Line Comments:**

**Extended Description:**

See attached Exhibit "A" Pricing Pages to input pricing which should be completed in their entirety.  
 Replace 5000 ties and tamp area between MP 12.0 - 22.0 on SBVR

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Ln Total Or Contract Amount
2	Additional Gaging between MP 12.0 & MP 22.0	0.00000	FT	5.000000	0.00

Comm Code	Manufacturer	Specification	Model #
72141603			

**Commodity Line Comments:**

**Extended Description:**

See attached Exhibit "A" Pricing Pages to input pricing which should be completed in their entirety.  
 Additional Gaging between MP 12.0 & MP 22.0 on SBVR

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Ln Total Or Contract Amount
3	Continual Surfacing between MP 0-12 & MP 37-43	0.00000	MILE	4400.000000	0.00

Comm Code	Manufacturer	Specification	Model #
72141603			

**Commodity Line Comments:**

**Extended Description:**

See attached Exhibit "A" Pricing Pages to input pricing which should be completed in their entirety.  
 Continual surfacing between MP 0-12 & MP 37-43 on SBVR

**Instructions:** Please acknowledge receipt of all addenda issued with this solicitation by completing this addendum acknowledgment form. Check the box next to each addendum received and sign below. Failure to acknowledge addenda may result in bid disqualification.

**Acknowledgment:** I hereby acknowledge receipt of the following addenda and have made the necessary revisions to my proposal, plans and/or specification, etc.

**Addendum Numbers Received:**

(Check the box next to each addendum received)

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Addendum No. 1 | <input type="checkbox"/> Addendum No. 6  |
| <input checked="" type="checkbox"/> Addendum No. 2 | <input type="checkbox"/> Addendum No. 7  |
| <input checked="" type="checkbox"/> Addendum No. 3 | <input type="checkbox"/> Addendum No. 8  |
| <input checked="" type="checkbox"/> Addendum No. 4 | <input type="checkbox"/> Addendum No. 9  |
| <input 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 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.

Morgan Rail Service LLC  
Company

[Signature]  
Authorized Signature

3/6/24  
Date

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



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

I, Tim Souders, after being first duly sworn, depose and state as follows:

1. I am an employee of Morgan Rail Service LLC; and,  
(Company Name)
2. I do hereby attest that Morgan Rail Service 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: Tim Souders

Signature: [Handwritten Signature]

Title: President

Company Name: Morgan Rail Service LLC

Date: 3/6/24

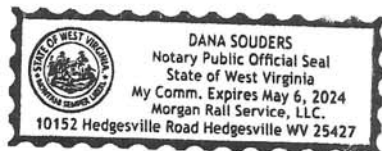
STATE OF WEST VIRGINIA,

COUNTY OF Berkeley, TO-WIT:

Taken, subscribed and sworn to before me this 6 day of March, 2024.

By Commission expires May 6, 2024

(Seal)



[Handwritten Signature]  
(Notary Public)

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 Shawn Syver and Todd N. Roadman of Reed, Wertz & Roadman, Inc., 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 \$50,000,000.

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

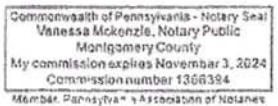
**FURTHER RESOLVED:** That the signatures of such officers and the seal of the Company may be affixed to any such Power of Attorney or certificate relating thereto by facsimile, and any such Power of Attorney so executed and certified by facsimile signatures and facsimile seal shall be valid and binding 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 5TH DAY OF MARCH, 2021.



John Glomb, President & CEO  
Philadelphia Indemnity Insurance Company

On this 5<sup>th</sup> day of March, 2021 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 Public: *Vanessa McKenzie*

residing at: Bala Cynwyd, PA

My commission expires: November 3, 2024

I, Edward Sayago, Corporate Secretary of PHILADELPHIA INDEMNITY INSURANCE COMPANY, do hereby certify that the foregoing resolution of the Board of Directors and the Power of Attorney issued pursuant thereto on the 5<sup>th</sup> day March, 2021 are true and correct and are still in full force and effect. I do further certify that John Glomb, 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 22nd day of February, 2024

Edward Sayago, Corporate Secretary  
PHILADELPHIA INDEMNITY INSURANCE COMPANY

**BID BOND**

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, Morgan Rail Service, LLC  
of Hedgesville, West Virginia, as Principal, and Philadelphia Indemnity Ins.  
Co. of Bala Cynwyd, Pennsylvania, 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 Obligee, 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 Replace 5000 Ties on SBVR, Gauging and Resurfacing

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 22nd day of February, 2024.

Principal Seal

Morgan Rail Service, 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)

[Signature]  
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.**



**Exhibit "A"**  
**Price Sheet**

<b>Replace Crossties and Surface on the SBVR</b>					
<b>Line</b>	<b>Description</b>	<b>Unit of</b>	<b>Unit</b>	<b>Quantity</b>	<b>Extended</b>
<b>Item</b>	<b>Replace Crossties and Surfacing on SBVR</b>	<b>Measure</b>	<b>Cost</b>	<b>Needed</b>	<b>Cost</b>
1.1.1	Replace 5,000 crossties between MP 12.0 and MP 22. (Include disposing of 300 used ties at Vanderlip with extended cost for Line Item 1.1.1)	Each	\$137	5,000	685,000
	(This includes tamping of this area)				
1.1.2	Additional Gaging between MP 12.0 & MP 22.0	Per Ft	\$5	4,800	\$24,000
1.1.4	Continual Surfacing between MP 0-12 & MP 37-43	Per Mile	\$4400	18	\$79,200

**Total Bid Amount: \$788,200**



# CONTRACTOR LICENSE

AUTHORIZED BY THE  
West Virginia Contractor  
Licensing Board



NUMBER: **WV030136**

CLASSIFICATION:  
GENERAL ENGINEERING

MORGAN RAIL SERVICE LLC  
DBA MORGAN RAIL SERVICE LLC  
10152 HEDGESVILLE RD  
HEDGESVILLE, WV 25427

DATE ISSUED

DECEMBER 20, 2023

EXPIRATION DATE

DECEMBER 20, 2024

A handwritten signature in black ink, appearing to read "John H. ...".

Authorized Signature

Chair, West Virginia Contractor  
Licensing Board



A copy of this license must be readily available for inspection by the Board on every job site where contracting 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 is non-transferable. This license is being issued under the provisions of West Virginia Code, Chapter 30, Article 42.

**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.

(Printed Name and Title) Tim Sanders President

(Address) 10152 Hedgesville RD, Hedgesville WV 25427

(Phone Number) / (Fax Number) 304-258-2354

(email address) Tim @ morgan RailService .com

**CERTIFICATION AND SIGNATURE:** By signing below, or submitting documentation through wvOASIS, I certify that: I have reviewed this Solicitation/Contract 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/Contract 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 this bid or offer was made without prior understanding, agreement, or connection with any entity submitting a bid or offer for the same material, supplies, equipment or services; that this bid or offer is in all respects fair and without collusion or fraud; that this Contract is accepted or entered into without any prior understanding, agreement, or connection to any other entity that could be considered a violation of law; 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.

By signing below, I further certify that I understand this Contract is subject to the provisions of West Virginia Code § 5A-3-62, which automatically voids certain contract clauses that violate State law; and that pursuant to W. Va. Code 5A-3-63, the entity entering into this contract is prohibited from engaging in a boycott against Israel.

Morgan Rail Service LLC  
(Company)

  
(Signature of Authorized Representative)

Tim Sanders  
(Printed Name and Title of Authorized Representative) (Date)

304-258-2351      Fax - 681-258-2867  
(Phone Number) (Fax Number)

\_\_\_\_\_  
(Email Address)