

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

IMPROVEMENTS UNLIMITED

P O BOX 37

LERONA WV 25971

Request for [

RFO NUMBER MMB80273

304-525-7801

ADDRESS CORRESPONDENCE TO ATTENTION OF ROBERTA WAGNER 04-558-0067

25705

HEALTH AND HUMAN RESOURCES MILDRED MITCHELL-BATEMAN HOSPITAL 1530 NORWAY AVENUE HUNTINGTON, WV

DATE PRINTED TERMS OF SALE SHIP VIA F.O.B. FREIGHT TERMS 01/07/2008 02/14/2008 BID OPENING DATE:

LINE QUANTITY UOP. ITEM NUMBER UNITPRICE AMOUNT INQUIRIES: vritten questions|shall be accepted through close of 1/25/2008. BUSINESS ON QUESTIONS MAY BE SENT VIA USPS, FAK, COURIER, OR E-MAIL, IN ORDER TO assure no vendor receives an unfair advantage, no substantive questions will be answered orally. If POSSIBLE, E-MAIL QUESTIONS ARE PREFERRED. ADDRESS INQUIRIES TO: ROBERTA WAGNER DEPARTMENT OF ADMINISTRATION PURCHASING DIVISION 2019 Washingron Street, EAST CHARLESTON, WV 25811 FAX: 304-558-4115 E-MAIL: RWAGNER@WVADMIN.GOV EXHIBIT 5 NOTICE TO PROCEED: THIS CONTRACT IS TO BE PERFORMED WITHIN 120 CALENDAR DAYS AFTER THE NOTICE TO PROCEED IS RECEIVED. CANCELLATION: THE DIRECTOR OF PURCHASING RESERVES THE RIGHT TO CANCEL THIS CONTRACT IMMEDIATELY UPON WRITTEN NOTICE TO THE VENDOR IF THE MATERIALS OR WORKMANSHIP SUPPLIED ARE OF AN INFERIOR QUALITY OR DO NOT CONFORM WITH THE SPECIFICATIONS OF THE BID AND CONTRACT HERE IN. SEE REVERSE SIDE FOR TERMS AND CONDITIONS

ADDRESS CHANGES TO BE NOTED ABOVE

WHEN RESPONDING TO RFQ, INSERT NAME AND ADDRESS IN SPACE ABOVE LABELED 'VENDOR'



DATE PRINTED

RFO COPY

TYPE NAME/ADDRESS HERE

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

Request for Quotation

RFQ NUMBER MMB80273 3

ADDRESS CORRESPONDENCE TO ATTENTION OF

ROBERTA WAGNER B04-558-0067

HEALTH AND HUMAN RESOURCES ·MILDRED · MITCHELL - BATEMAN HOSPITAL 1530 NORWAY AVENUE HUNTINGTON, WV 25705 304-525-7801

TERMS OF SALE SHIP VIA FOB. FREIGHTTERMS

01/07/2008 02/14/2008 BID OPENING DATE: OPENING TIME 01:30PM CAT LINE QUANTITY UOP ITEM NUMBER UNIT PRICE AMOUNT WAGE RATES: THE CONTRACTOR OR SUBCONTRACTOR SHALL PAY THE HIGHER OF THE U.S. DEPARTMENT OF LABOR MINIMUM WAGE RATES AS ESTABLISHED FOR CABELL COUNTY, PURSUANT TO WEST VIRGINIA CODE 21-5A, ET, SEQ. (PREVAILING WAGE RATES APPLY TO THIS PROJECT) ANY REFERENCES MADE TO ARBITRATION OR ARBITRATION: INTEREST FOR PAYMENTS DUE (EXCEPT FOR ANY INTEREST REQUIRED BY STATE LAW) CONTAINED IN THES CONTRACT OR IN ANY AMERICAN INSTITUTE OF ARCHITECTS DOCUMENTS PERTAINING TO THIS CONTRACT ARE HEREBY DELETED. WORKERS' COMPENSATION: VENDOR IS REQUERED TO PROVIDE A CERTIFICATE FROM WORKERS' COMPENSATION IF SUCCESSFUL. ALL OF THE ITEMS CHECKED BELOW WILL BE A REQUIREMENT OF THIS CONTRACT: (XX) INSURANCE: SUCCESSFUL VENDOR SHALL FURNISH PROOF DF COMMERCIAL GENERAL LIABILITY INSURANCE PRIOR TO ISSUANCE OF CONTRACT. UNLESS OTHERWISE SPECIFIED IN THE BID DOCUMENTS, THE MINIMUM AMOUNT OF INSURANCE COVERAGE REQUIRED IS \$250,000.) BUILDERS RISK INSURANCE: SUCCESSFUL VENDOR SHALL FURNISH PROOF OF BUILDERS RISK - ALL RESK INSURANCE IN AN AMOUNT EQUAL TO 100% OF THE AMOUNT OF THE CONTRACT. FIVE PERCENT (5%) OF THE TOTAL AMOUNT OF (XX) BONDS: THE BID PAYABLE TO THE STATE OF WEST VIRGINIA, SHALL BE SUBMITTED WITH EACH BID AS A BID BOND. THE SUCCESSFUL bidder shall also furntsh a performance bond and labor/ MATERIAL BOND FOR 100% OF THE AMOUNT OF THE CONTRACT. BONDS MAY BE PROVIDED IN THE FORM OF A CERTIFIED CHECK, IRREVOCABLE LETTER OF CREDIT, OR BOND FURNISHED BY A SEE REVERSE SIDE FOR TERMS AND CONDITIONS: SIGNATURE DATE

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25705 304-525-7801

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DATE PRINTED TERMS OF SALE SHIP VIA FOB. FREIGHT TERMS 01/07/2008 02/14/2008 01:30PM BID OPENING DATE: OPENING TIME LINE QUANTITY HOP ITEM NUMBER UNIT PRICE AMOUNT SOLVENT SURETY COMPANY AUTHORIZED TO DO BUSINESS IN THE STATE OF WEST VIRGINIA. A LETTER OF CREDIT SUBMITTED IN LIEU OF A PERFORMANCE AND LABOR & MATERIAL BOND WILL DNLY BE ALLOWED FOR PROJECTS UNDER \$100,000. PERSONAL OR BUSINESS CHECKS ARE NOT ACCECPTABLE IN LIEU OF THE 5% BID BOND, PERFORMANCE BOND, OR LABOR AND MATERIAL BOND.) MAINTENANCE BOND: A TWO (2) YEAR MAINTENANCE BOND COVERING THE ROOFING SYSTEM WILL BE A REQUIREMENT OF THE SUCCESSFUL VENDOR. REV. 11/00 EXHIBIT 7 DOMESTIC ALUMINUM, GLASS & STEEL IN PUBLIC WORKS PROJECTS IN ACCORDANCE WITH WEST VIRGINIA CODE 5-19-1 ET., SEQ., EVERY CONTRACT FOR CONSTRUCTION, RECONSTRUCTION, REPAIR, IMPROVEMENT OR MAINTENANCE OF ALTERATION. PUBLIC WORKS, WHERE THE COST IS MORE THAN \$50,000 AND, IN THE CASE OF STEEL ONLY, WHERE THE COST OF STEEL IS MORE THAN \$50,000 OR WHERE MORE THAN 10,000 POUNDS OF STEEL ARE REQUIRED, THE STATE WILL ACCEPT ONLY ALUMINUM GLASS, OR STEEL PRODUCTS PRODUCED IN THE UNITED STATES. IN ADDITION, ITEMS OF MACHINERY OR EOULPMENT PURCHASED FOR USE AT THE SITE OF PUBLIC WORKS SHALL BE MADE OF DOMESTIC ALUMINUM, GLASS OR STEEL, UNLESS THE COST OF THE PRODUCT IS LESS THAN \$50,000 OR LESS THAN 10,000 POUNDS OF STEEL ARE USED IN PUBLIC WORKS PROJECTS. FOREIGN MADE ALUMINUM, GLASS OR STEEL PRODUCTS MAY BE ACCEPTED ONLY IF THE COST OF DOMESTIC PRODUCTS IS FOUN SEE REVERSE SIDE FOR TERMS AND CONDITIONS

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DATE PRINTED: TERMS OF SALE SHIP VIA FOB FREIGHT TERMS 01/07/2008 02/14/2008 OPENING TIME BID OPENING DATE: CAT. LINE QUANTITY UOP ITEM:NUMBER: UNIT PRICE AMOUNT TO BE UNREASONABLE. SUCH COST IS UNREASONABLE IF IT IS 20% OR MORE HIGHER THAN THE BID PRICE FOR FOREIGN MADE PRODUCTS. IF THE DOMESTIC ALUMINUM, GLASS OR STEEL PRODUCTS TO BE SUPPLIED OR PRODUCED IN A "SUBSTANTIAL LABOR SURPLUS AREA", AS DEFINED BY THE UNITED STATES DEPARTMENT OF LABOR, FOREIGN PRODUCTS MAY BE SUPPLIED ONLY IF DOMESTIC PRODUCTS ARE 30% OR MORE HIGHER IN PRICE THAN THE FOREIGN MADE PRODUCTS. IF, PRIOR TO THE AWARD OF A CONTRACT UNDER THE ABOVE PROVISIONS, THE SPENDING OFFICER OF THE SPENDING UNIT DETERMINES THAT THERE EXISTS A BID FOR LIKE FOREIGN ALUMINUM, GLASS OR STEEL THAT IS REASONABLE AND LOWER THAN THE LOWEST BID DOMESTIC PRODUCTS, THE SPENDING OFFICE MAY REQUEST, IN WRITING, A REEVALUATION AND REDUCTION IN THE LOWEST BID FOR SUCH DOMESTIC PRODUCTS. ALL VENDORS MUST INDICATE IN THEIR BID IF THEY ARE SUPPLYING FOREIGN ALUMINUM, GLASS OR STEEL. REV. 3/88 EXHIBIT 9 NOTICE FOR ISSUANCE & ACKNOWLEDGEMENT OF CONSTRUCTION PROJECT ADDENDA THE ARCHITECT/ENGINEER AND/OR AGENCY SHALL BE REQUIRED TO ABIDE BY THE FOLLOWING SCHEDULE IN ISSUING CONSTRUCTION PROJECT ADDENDA FOR STATE AGENCIES: (1)THE ARCHITECT/ENGINEER SHALL PREPARE THE ADDENDUM AND A LIST OF ALL PARTIES THAT HAVE PROCURED DRAWINGS AND SPECIFICATIONS FOR THE PROJECT. THE ADDENDUM AND LIST SHALL BE FORWARDED TO THE BUYER IN THE STATE PURCHASING DIVISION. THE ARCHITECT/ENGINEER SHALL ALS SEE REVERSE SIDE FOR TERMS AND CONDITIONS SIGNATURE DATE E



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> 25705 304-525-7801

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ROBERTA WAGNER

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HEALTH AND HUMAN RESOURCES MILDRED MITCHELL-BATEMAN HOSPITAL 1530 NORWAY AVENUE HUNTINGTON, WV 25705 304-525-7801

01/07/2008	FREIGHT TERMS
BID OPENING DATE: 02/14/2008 BID OPENING TIME	01:30PM
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VENDOR MUST CLEARLY 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.	
Improvements Unlimited, LLC COMPANY	
REV. 11/96	
CONTRACTORS LICENSE	
WEST VIRGINIA STATE CODE 21-11-2 REQUIRES THAT ALL PERSONS DESIRING TO PERFORM CONTRACTING WORK IN THIS STATE MUST BE LICENSED. THE WEST VIRGINIA CONTRACTOR LICENSING BOARD IS EMPOWERED TO ISSUE THE CONTRACTORS LICENSE. APPLICATIONS FOR A CONTRACTORS LICENSE MAY MADE BY CONTACTING THE WEST VIRGINIA DIVISION OF LABOR CAPITOL COMPLEX, BUILDING 3, ROOM 319, CHARLESTON, WV 25305. TELEPHONE: (304) 558-7890.	BE DR
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PAGE 8

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HUNTINGTON, WV

25705

304-525-7801

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HEALTH AND HUMAN RESOURCES MILDRED MITCHELL-BATEMAN HOSPITAL 1530 NORWAY AVENUE HUNTINGTON, WV 25705 304-525-7801

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DATE PRIN		IMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
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ROBERTA WAGNER 304-558-0067

HEALTH AND HUMAN RESOURCES MILDRED MITCHELL-BATEMAN HOSPITAL 1530 NORWAY AVENUE

HUNTINGTON, WV

25705 3.04-525-7801

ADDRESS CHANGES TO BE NOTED ABOVE

DATE PRINTED TERMS OF SALE SHIP VIA FREIGHT TERMS 01/07/2008 02/14/2008 01:30PM BID OPENING DATE: OPENING TIME CAT NO QUANTITY LINE UOP. ITEM NUMBER UNIT PRICE AMOUNT IS THE END OF REQ MMB80273 ***** TOTAL: THIS SEE REVERSE SIDE FOR TERMS AND CONDITIONS



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

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Improvements Unlimited

Dana Pettrey

Lerona, WV 25971

PO Box 36

Request for Quotation

MMB80273

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ADDRESS CORRESPONDENCE TO ATTENTION OF

ROBERTA WAGNER 304-558-0067

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HEALTH AND HUMAN RESOURCES
MILDRED MITCHELL-BATEMAN
HOSPITAL
1530 NORWAY AVENUE
HUNTINGTON, WV
25705 304-525-7801

DATE PRINTED TERMS OF SALE SHIP VIA FOB. FREIGHT TERMS 01/24/2008 BID OPENING DATE: 02/ 14/2008 $_{
m BID}$ OPENING TIME 01:30PM LINE QUANTITY UOP ITEM NUMBER UNIT PRICE AMOUNT ADDENDUM NO. 1 1. QUESTIONS AND ANSWERS ARE ATTACHED 2. ADDENDUM ACKNOWLED SEMENT IS ATTACHED. THIS DOCUMENT SHOULD BE STONED AND RETURNED WITH YOUR BID. FAILURE TO SIGN AND RETURN MAY RESULT IN DISQUALTFICATION OF YOUR BID. EXHIBIT 10 REQUISITION NO.: MMB80273 ADDENDUM ACKNOWLEDGEMENT I HEREBY ACKNOWLEDGE RECEIPT OF THE FOLLOWING CHECKED ADDENDUM(S) AND HAVE MADE THE NECESSARY REVISIONS TO M PROPOSAL, PLANS AND/OR SPECIFICATION, ADDENDUM NO.'S: NO. 1 W. M. E. NO. 2 W. ... NO.3NO. I UNDERSTAND THAT FAILURE TO CONFIRM THE RECEIPT OF TH

DANCE FEIN GLO-2562758 ADDRESS CHANGES TO BE NOTED ABOVE

WHEN RESPONDING TO RFQ, INSERT NAME AND ADDRESS IN SPACE ABOVE LABELED 'VENDOR'

SEE REVERSE SIDE FOR TERMS AND CONDITIONS



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ROBERTA WAGNER 304-558-0067

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HEALTH AND HUMAN RESOURCES HOSPITAL

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MILDRED MITCHELL-BATEMAN 1530 NORWAY AVENUE HUNTINGTON, WV 25705 304-525-7801

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HEALTH AND HUMAN RESOURCES MILDRED MITCHELL-BATEMAN HOSPITAL 1530 NORWAY AVENUE HUNTINGTON, WV 25705 304-525-7801

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ROBERTA WAGNER 304-558-0067

RFQ NUMBER

[a,b,b,b,b,b,d,d,a,b,a,b,a,d,a,b,a]Improvements Unlimited Dava Pettrey 1000 Old Lerona Road Lerona, WV 25971

WHEN RESPONDING TO RFO. INSFRT

HEALTH AND HUMAN RESOURCES MILDRED MITCHELL-BATEMAN HOSPITAL 1530 NORWAY AVENUE HUNTINGTON, WV 25705 304-525-7801

01/2	8/2008	RMS OF SALE	SHIP VIA	F.O.B.	FREIGHTTERMS
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DATE PRINTED TERMS OF SALE SHIP VIA F.O.B. 01/28/2008 BID OPENING DATE: 02/14/2008 OPENING TIME 01:30PM CAT. LINE QUANTITY UOP ITEM NUMBER UNIT PRICE AMOUNT ADDENDUM(S) MAY BE CAUSE FOR REJECTION OF BIDS. VENDOR MUST CLEARLY 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. in prolimats hali COMPANY REV. 11/96 END OF ADDENDUM NO. 2

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WHEN RESPONDING TO REQ. INSERT NAME AND ADDRESS IN SPACE AROVE LARELED 'VENDOR'

MMB80273 Bateman Demolition Project

Addendum resulting from 1/22/08 Prebid Conference

- 3.2.1 Add the following: Contractor shall work the fill in around trees avoiding damage to existing live trees as much as possible. Contractor shall not be responsible to remove any damaged trees.
- 3.7 Electrical transformers do contain PCB's and should be disposed of accordingly.

Change second listing of number 3.7 "Fill dirt available on site." To number 3.7.1 to eliminate reuse of same number. Also, change statement to read: "Limited fill dirt available on site."

- 12.1 Replace with the following: Progress payments are authorized, one progress payment will be paid upon completion of the base bid work (Building 10 & 11) and additional progress payments will be made upon completion of each of the add alternates as listed in section 3.11.1 through and including 3.11.7.
- 18.1 Replace with the following: Bids are to be submitted on the document entitled MMB80273 included with the Request for Quotation as page 18.

Miscellaneous Questions and Answers:

- Q. Are any of the buildings contaminated with radiation? A. No
- Q. Is there mercury switches, lights and ballasts and is it included in the scope of work? A. Yes and it is included in the scope of work.
- Q. Are there any boilers in any of the buildings?
- A. Yes, in Building 7. (Add alternate 3.11.7)
- Q. Are we responsible to remove underground steam lines?
- A. No, cut them at the building.
- Q. What is the age of the boiler?
- A. 30-40 years old.
- Q. May we leave the floor slab intact on Building 7?
- A. Yes on this building only. Contractor shall also cap sewer line on this building.

End of Addendum

MMB80273 BID SHEET

Base Bid
Building 10 & 11: 440, 200
Add Alternates in Priority Order
1. Building 6, Ground Garage – 540 s.f. 49(e)
2. Building 6, Ground Building and Apartment – 5184 s.f. (05) 7(04
3. Building 6, Environmental Office Building – 1650 s.f. 59, 708
4. Building 6, Breezeway Area – 832 s.f. 10, 179
5. Building 6, Carpenter Shop Bldg. (Basement, Shop, & 2 nd Floor)-11088 s.f. <u>313</u> , 990
6. Building 8, Garage and Basement – 2880 s.f. 10, 058
7. Building 7, Powerhouse/Boiler Bldg. – 3600 s.f. <u>らい</u> シルら

STATE OF WEST VIRGINIA Purchasing Division

PURCHASING AFFIDAVIT

West Virginia Code §5A-3-10a states: 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 the debt owned is an amount greater than one thousand dollars in the aggregate

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.

"Debtor" means any individual, corporation, partnership, association, limited liability company or any other form or business association owing a debt to the state or any of its political subdivisions. "Political subdivision" means any county commission; municipality; county board of education; any instrumentality established by a county or municipality; any separate corporation or instrumentality established by one or more counties or municipalities, as permitted by law; or any public body charged by law with the performance of a government function or whose jurisdiction is coextensive with one or more counties or municipalities. "Related party" means a party, whether an individual, corporation, partnership, association, limited liability company or any other form or business association or other entity whatsoever, related to any vendor by blood, marriage, ownership or contract through which the party has a relationship of ownership or other interest with the vendor so that the party will actually or by effect receive or control a portion of the benefit, profit or other consideration from performance of a vendor contract with the party receiving an amount that meets or exceed five percent of the total contract amount.

EXCEPTION: The prohibition of this section does not apply where a vendor has contested any tax administered pursuant to chapter eleven of this 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.

LICENSING: Vendors must be licensed and in good standing in accordance with any and all state and local laws and requirements by any state or local agency of West Virginia, including, but not limited to, the West Virginia Secretary of State's Office, the West Virginia Tax Department, West Virginia Insurance Commission, or any other state agencies or political subdivision. Furthermore, the vendor must provide all necessary releases to obtain information to enable the Director or spending unit to verify that the vendor is licensed and in good standing with the above entities.

CONFIDENTIALITY: The vendor agrees that he or she will not disclose to anyone, directly or indirectly, any such personally identifiable information or other confidential information gained from the agency, unless the individual who is the subject of the information consents to the disclosure in writing or the disclosure is made pursuant to the agency's policies, procedures and rules. Vendors should visit **www.state.wv.us/admin/purchase/privacy** for the Notice of Agency Confidentiality Policies.

Under penalty of law for false swearing (West Virginia Code, §61-5-3), it is hereby certified that the vendor acknowledges the information in this said affidavit and are in compliance with the requirements as stated.

Vendor's Name: Improvements	inlimited LLC	
Authorized Signature: 2222	E Date:	2-14-08
Purchasing Affidavit (Revised 04/15/07)		

Colonial Surety Company

Administrative Office 50 Chestnut Ridge Road Montvale, NJ 07645 201-573-8788

BID BOND

Approved by The American Institute of Architects A.I.A. Document No. A-310(Feb.1970 Edition)

KNOW ALL PERSONS BY THESE PRESENTS, that we.

Improvements Unlimited, LLC, Lerona, WV

as Principal, hereinafter called the Principal, and COLONIAL SURETY COMPANY, a corporation duly organized under the laws of the Commonwealth of Pennsylvania, as Surety, hereinafter called the Surety, are held and firmly bound unto

State of West Virginia, Charleston, WV as Obligee, hereinafter called the Obligee, in the sum of

5% of amt bid not to exceed \$49,100.00

for the payment of which sum well and truly to be made, the said Principal and the said Surety, bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has submitted a bid for

Demolition and disposal of all associated building material with two (2) buildings located at Mildred Mitchell-Bateman Hospital.

NOW, THEREFORE, if the Obligee shall accept the bid of the Principal and the Principal shall enter into a Contract with the Obligee in accordance with the terms of such bid, and give such bond or bonds as may be specified in the bidding or Contract Documents with good and sufficient surety for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof, or in the event of the failure of the Principal to enter such Contract and give such bond or bonds, if the Principal shall pay to the Obligee the difference not to exceed the penalty hereof between the amount specified in said bid and such larger amount for which the Obligee may in good faith contract with another party to perform the Work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect.

Signed and sealed this 14th day of February 2008.

Witness: Improvements Unlimited, LLC

(Principal) (Seal)

Witness: COLONIAL SURETY COMPANY

Anthony J. Cimasko

(Attorney-in-Fact)

COLONIAL SURETY COMPANY

Duncannon, Pennsylvania
Administrative Office: 50 Chestnut Ridge Road, Montvale, New Jersey 07645

GENERAL POWER OF ATTORNEY

Know all Men by These Presents, That COLONIAL SURETY COMPANY, a corporation duly organized and existing under the laws of the Commonwealth of Pennsylvania and having an administrative office in Montvale, Bergen County, NJ does by these presents make, constitute and appoint

Anthony J. Cimasko

Montvale NJ its true and lawful Attorney(s)-in-Fact, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver.

Any and All Bonds

and to bind the Company thereby as fully and to the same extent as if such bonds were signed by the President, sealed with the corporate seal of the Company and duly attested by its Secretary, hereby ratifying and confirming all that the said Attorney(s)-in-Fact may do in the premises. Said appointment is made under and by authority of the following resolution adopted by the Board of Directors of the Colonial Surety Company at a meeting held on the 25th day of July, 1950.

"Be it Resolved, that the President, any 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:

"Section I. Attorney-in-Fact. 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 of indemnity and other conditional or obligatory undertakings 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 attested by the Corporate Secretary."

the President and sealed and atte			ing upon the company as it signed by
"In Witness Whereof, Colonial Sure	tv Company has caused these	nresents to be signed by its	President
and its corporate seal to be hereto	affixed the 8th day	of September	, A.D., 2006.
State of New Jersey County of Bergen	Surety Combonial Incorporated 1930 *	By Wayne Nur	nziata, President
On this 8th day of			, in the year 2006, before me
	Theresa Simmons		, a notary public, personally appeared
	Wayne Nunziata	person	nally known to me to be the person who
executed the within instrument as	President	, on behalf	f of the corporation therein named and
acknowledged to me that the corpo	pration executed it.		
(Notary) A Notary F	ESA SIMMONS rubiic of New Jersey Expires September 2, 2010	Theresa Simmons	Notary Public
I, the undersigned Secretary of copy of the Original Power of Attoin force and effect.	Colonial Surety Company, he rney issued by said Company	ereby certify that the above and y, and do hereby further certify	d foregoing is a full, true and correct that the said Power of Attorney is still
	on adopted by the Board of	Directors of the Colonial Sure	sealed by facsimile under and by the ty Company at a meeting duly called ealed:
RESOLVED, that the signature of be affixed or printed by facsimile nature and seal shall be valid and	to any certificate to a Power	of Attorney of this Corporation	on, and the seal of Corporation, may n, and that such printed facsimile sig-
GIVEN under my hand and the s February , 20_08		ontvale, New Jersey this	day of
For verification of the authenticity of this Power of for the Power of Attorney clerk. Please refer to the bond to which the power is attached.		no Agall	ck S. Gallo, Secretary

State of West Virginia
County of Marcar

AND NOW, this 14th day of February, in the calendar year of 2008, before me, a duly appointed and commissioned notary public, came the identified subscriber to the within instrument or instruments, and/or the demonstrated attorney-in-fact for said signatory and subscriber on said instrument or instruments, Anthony J. Cimasko, attorney-in-fact and Vice President of Colonial Surety Company , an insurance company duly organized and existing under the laws of the Commonwealth of Pennsylvania and which is authorized to conduct business in this State, and that as such being authorized to do so, acknowledged that the within instrument or instruments were executed as the authorized act of his disclosed principal for the purposes therein contained, and declared to be a person executing said instrument or instruments as attorney-in-fact and with full capacity and competency, at the request of and on behalf of Colonial Surety Company therein named and acknowledged to me that the aforesaid Colonial Surety Company had authorized the execution by the aforesaid attorney-in-fact of said instrument or instruments with the intent to be legally bound as required by common and statutory law.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

A Notary Public of West Vica My Commission Expires on 8-31-

Notary Public in and for the

County of

NOTARY PUBLIC OFFICIAL SEA. LANA G. JOHNSON State of West Virginia

My Commission Expires Aug. 21, 20: 1000 OLD LERONA RD LERONA, WV 2597

COLONIAL SURETY COMPANY

Duncannon, Pennsylvania
- Inc 1930 -

FINANCIAL STATEMENT—DECEMBER 31, 2006

ASSETS

LIABILITIES & SURPLUS

*Stocks and Bonds\$	18,488,151	Reserve for Unearned Premiums
Cash in Office & Banks	1,569,592	Claim Reserves
Accrued Interest & Dividends	233,925	Other Liabilities
Premiums & Agents Balances Receivable	586,398	Collateral Held
Other Assets	1,253,713	Capital Stock
		Surplus 5,730,361
Total Admitted Assets	22,131,779	Total Liabilities & Surplus

^{*}Bonds and stocks are valued on basis approved by National Association of Insurance Commissioners.

STATE OF NEW JERSEY COUNTY OF BERGEN

ss.:

I, Wayne Nunziata, President of COLONIAL SURETY COMPANY, do hereby certify that the foregoing is a full, true and correct copy of the Financial Statement of said Company, as of December 31, 2006.

IN WITNESS WHEREOF, I have signed this statement at Montvale, New Jersey, this 15th day of February, 2007.

Surety Composited incorporated 1930 *

Theresa Simmons A Notary Public of New Jersey My Commission Expires September 2, 2010 Wayne Nunziata

President

Theresa Simmons

Notary Public